



WITNESS STATEMENT OF JONATHAN CRAIG HIGGINS

I, Jonathan Craig Higgins, Police Officer, do solemnly and sincerely declare that:

1. This statement made by me, is in response to the Notice to Prepare and Produce a Document or Statement, RFS-POL-002, requested by the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings (the **Commission of Inquiry**). Commissioner Hine has authorised me to provide this evidence on behalf of Tasmania Police. The information in this statement is true and correct to the best of my knowledge and belief.

Acronyms

ACCCE	Australian Centre to Counter Child Exploitation
AHES	After Hours Emergency Services
CII	Centre for Investigative Interviewing
CFS	Child and Family Services (When referencing CFS, this consists of the Child Safety Service, Out of Home Care and the Strong Families Safe Kids Advice and Referral Line)
CIB	Criminal Investigation Branch
CMG	Corporate Management Group
CMU	Crime Management Unit
CPOR	Community Protection Offender Reporting
DCHROA	Dangerous Criminals and High-Risk Offenders Act
DPFEM	Department of Police, Fire and Emergency Management
DPP	Director of Public Prosecutions
ESCAD	Emergency Services Computer Aided Dispatch
JACET	Joint Anti Child Exploitation Team
JRT	Joint Review Team
MOU	Memorandum of Understanding
MPR	Missing Person Report
NCMEC	National Centre for Missing and Exploited Children
OIS	Operational Information Services
OLC	Online Charging
ORS	Offence Reporting System
RAST	Risk Assessment Screening Tool
RDS	Radio Dispatch Services
RWVP	Registration to Work with Vulnerable People



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SFCU	Safe Families Coordination Unit
SDIS	Southern Drug Investigation Services
SFV	Sexual and Family Violence
SIS	State Intelligence Services
SOCIT	Sexual Offence and Child Abuse Investigation Team
TPM	Tasmania Police Manual
UTAS	University of Tasmania
VICPOL	Victoria Police

Background

Question 1

What is your current rank and station within Tasmania Police?

2. The Corporate Management Group (CMG) which provides strategic leadership of Tasmania Police is made up of the Commissioner (also the Secretary of the Department of Police, Fire and Emergency Management (DPFEM)), Deputy Commissioner, Deputy Secretary and two Assistant Commissioners. I am the Assistant Commissioner of Operations, that oversees the commands of Western, Northern and Southern Districts, along with the Crime and intelligence Command.

Question 2

What is your service history within Tasmania Police and with any other policing or law enforcement contexts?

3. I joined Tasmania Police in 1999 and during my career have served in numerous areas across Tasmania including uniform, country, criminal investigation, drug investigation, human resources and traffic and public order. I am a designated Detective and held investigative roles between 2002- 2014. I spent the first 14 years in postings in the Northern District before being promoted in 2015 to Inspector in Human Resources (later integrated as People and Culture) in Hobart. In 2017 I was promoted to Commander Western District before being promoted in 2018 to Assistant Commissioner in the Specialist Support portfolio (including commands of Operations Support, Education and Training, Special Response Counter Terrorism) and later moved to Operations (includes commands of Northern, Southern and Western District and the Crime and Intelligence Command) in 2019. I hold a Bachelor of Science (1999), Bachelor of Social



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Science (Police Studies) (2006), Graduate Certificate in Police Studies (2010) and a Bachelor of Arts with Professional Honours (Public Sector Leadership and Management) (2016).

Question 3

What professional experience do you have with dealing with children and young people who are at risk of child sexual abuse, grooming behaviours, harmful sexual behaviours and child sexual exploitation?

4. As a Detective Senior Constable and Detective Senior Sergeant in Northern CIB, I investigated or managed investigations, disrupting and/or charging offenders for a range of crimes and behaviours where children and young people were subject to or at risk of child sexual abuse, grooming behaviours, harmful sexual behaviours and child exploitation.
5. As Assistant Commissioner, I provide strategic leadership to the geographical commands and the Crime and Intelligence Command in which the Cyber and Child Exploitation Crime Division is managed and includes the Joint Anti Child Exploitation Team (JACET). The Child Sexual Abuse Joint Review Team (JRT) was formed in early 2021, reporting to me via the Crime and Intelligence Command. The JRT completed research regarding best practice models for responding to child sexual abuse and made recommendations for reform, completing their remit. The Sexual and Family Violence (SFV) Structural Reform Project commenced in early 2022 and is working to design and implement the new multidisciplinary centres by early 2023. I provide oversight to the SFV Project via the Crime and Intelligence Command and relevant interagency Steering Committee. Also within the Operations portfolio are the Criminal Investigation Branches across the state, located in Burnie, Devonport, Launceston, Bridgewater, Glenorchy, Bellerive, Hobart and Kingston. Dedicated victim crime units, that investigate person offences, such as sex offending, are in Burnie, Devonport, Launceston, Glenorchy, Bellerive and Hobart. Bridgewater and Kingston, due to the size of the work area, have generalist detectives that cover a wide array of offending, though specific members within those units are predominantly tasked to investigate person offences. Each work unit is managed within its region but ultimately reports to my position.



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6. As Assistant Commissioner, I represent Tasmania Police on the National Serious and Organised Crime Coordination Committee with one of the priorities being Victim Based Crime which includes the investigation of child exploitation and abuse under the national operations. This strategic role provides guidance towards capability development, intelligence, information sharing, collaboration and coordination to best position law enforcement to protect the community.

Preventative measures

Question 4

What is the proper role of Tasmania Police in preventing the occurrence of or the continuation of

- a. child sexual abuse,**
- b. grooming,**
- c. harmful sexual behaviours, and**
- d. child sexual exploitation**

as opposed to responding to allegations of the matters listed (a) and (d)?

7. The safety and wellbeing of children is important to all of us. Tasmania Police and the Department of Communities Tasmania through Child and Family Services (CFS) play a critical role in protecting Tasmania's vulnerable children. When referencing CFS, this consists of the Child Safety Service, Out of Home Care and the Strong Families Safe Kids Advice and Referral Line.
8. The 'Keeping Children Safe Memorandum of Understanding,' attached to this statement at JCH-1, was last updated in 2021, outlines the overarching framework to support collaboration between CFS and Tasmania Police to facilitate responsiveness to victims, hold perpetrators to account and prevent or reduce harm, abuse and neglect to children. The Memorandum identifies that *The Children, Young Persons and Their Families Act 1997* sets out the legal framework in relation to the care and protection of children. CFS is responsible for the care and protection of children and under the *Police Service Act 2003*, Tasmania Police is responsible for the provision of police services in relation to the State of Tasmania, including the investigation of offences and law enforcement.
9. Whilst both agencies operate under separate, but inter-related legislative frameworks they work together in an open and collaborative manner at the state-



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wide, regional and local level to ensure the paramount concern is a child's safety and wellbeing.

10. The 'Keeping Children Safe Handbook,' was jointly developed by Tasmania Police and Communities Tasmania to operationalise and support the 'Keeping Children Safe Memorandum of Understanding' through the provision of detailed guidance including mandatory reporting, information sharing and joint investigative response. The Handbook, which is attached to this statement marked JCH-2, highlights the roles & responsibilities of both agencies. Tasmania Police has the responsibility for responding to a notification or an allegation of suspected child abuse. Generally, unless a conflict of interest is present, the response occurs from within the geographical districts where the offending is alleged to have occurred. This may involve members from Radio Dispatch Services, stations, patrols, criminal investigation branches, family violence sections and crime scene examiners.

Radio Dispatch Services (RDS)

11. RDS is the 'front door' to Tasmania Police and operates 24/7, on a state-wide basis. RDS is responsible for the receipt of calls and rapid and accurate dispatch of police resources in accordance with standard operational procedures.
12. RDS should be contacted if CFS require unplanned or after-hours police assistance. CFS should use Triple Zero (000) (urgent) or 131 444 (routine).

Crime Management Unit (CMUs)

13. A CMU exists in each geographical District. CFS must report any allegation or evidence of criminal abuse or neglect (including family violence) to Tasmania Police, whether in the context of a new notification or regarding a current CFS assessment to the relevant CMU. This occurs via email using a Referral and Feedback Form which can be viewed in the 'Handbook' on page 45, CMU creates an occurrence in Atlas which is then allocated for assessment.

Criminal Investigation Branch (CIB)

14. Whilst all police conduct investigations, CIBs are specialist units that investigate crime and suspected criminal activity; apprehend, charge and give evidence against persons believed to have committed offences; take reports and statements from victims of and witnesses to crime; take control of crime scenes



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and coordinate staff, resources and specialist groups; and assist specialist police groups in the investigation of complex matters.

15. CIBs include officers that have expertise and training in investigating sexual offences and interviewing vulnerable witnesses.

Operational Information Services (OIS)

16. OIS manages operational and corporate data and information. These responsibilities extend to the management of information systems, compliance activities and meeting agency responsibilities for disclosure. This includes Criminal History checks.

17. The Tasmania Police Manual outlines orders, guidelines and procedures that are issued for the guidance of all personnel in the performance of their duties and the effective management of Tasmania Police. The *Police Services Act 2003* requires police officers to act in accordance with the orders within the Tasmania Police Manual and while the manual is designed to provide guidance to all personnel, in some cases non-compliance may be dealt with as a breach of discipline. Part 9.2 of the Tasmania Police Manual - Abuse and Neglect, specifies that the overarching objective of the *Children, Young Persons and Their Families Act 1997* is to provide for the care and protection of children and young people in a manner that maximises the child's opportunity to grow up in a safe and stable environment and to reach their full potential.

18. Tasmania Police is responsible for investigating offences created by this Act whilst the relevant area of the Department of Communities Tasmania is responsible for care and protection issues.

19. Attached to this statement marked JCH-3 is a copy of Tasmania Police Manual Part 9.2.

Question 5

What training is provided to Tasmania Police members in relation to identifying and preventing child sexual abuse, grooming, harmful sexual behaviours and child sexual exploitation

20. The Department of Police, Fire and Emergency Management (DPFEM) has a long-standing partnership with the University of Tasmania (UTAS), whereby recruit and in-service training is aligned with UTAS accredited units. The



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partnership has been an important step forward in the professionalisation of Tasmania Police. This strong relationship enables members to gain either a Graduate Certificate and/or Professional Honours, depending on the course undertaken.

21. Prior to this alignment with UTAS, Tasmania Police previously provided internally facilitated training in identifying and preventing child sexual abuse, namely the Detective Training Course, where the core functions of a detective and specific investigative techniques were required to be demonstrated. Additional training such as the Interviewing Vulnerable Witnesses Course, was also held internally, to upskill detectives in interviewing techniques when dealing with vulnerable members of our community.

Recruit Training

22. Recruits attending the Tasmania Police Academy, undertake studies in Criminal Investigation C – Victimology and Person Offences. This module is delivered across 35 x 40-minute sessions. In one 40-minute session, recruits are delivered an interactive lecture led by the UTAS and participate in a guided discussion focusing on police responsibilities in interacting with victims of crime and the impact of interactions with victims on future crime reports.
23. Across a further 10 x 40 minutes sessions, recruits are delivered content from the Victims of Crime Service, Sexual Assault Support Service, Sexual Assault Medical Services, and are introduced to sexual assault investigation kits, through Forensic Science Service Tasmania.
24. Recruits are taught investigative procedures, with a specific focus on assaults, which reflects the level of exposure that they would expect upon graduation. The basic principles of investigation, such as preserving a crime scene, reporting crimes, exploring avenues of inquiry, interviewing, and preparing files are taught and assessed. These basic skills are transferrable to most, if not all, crime types.
25. The remainder of the module focuses on legislation for crimes against the person, sexual offences and crimes, wounding and grievous bodily harm, assault and aggravated assault, and offences against children. An understanding of the Community Protection Offender Register is also part of this module.
26. The training to recruits and sworn members is coordinated by an Investigations Training Coordinator in Education and Training.



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27. After graduating, members have many opportunities to develop investigative skills, which are referred to below.

Investigation Training Continuum

28. A priority of this program is to ensure a scaffold learning approach, ultimately resulting in Detective Designation, meaning the core functions of a detective have been demonstrated to the supervisor and assessed by a UTAS unit coordinator.

29. The Tasmania Police Investigator Training program aims to educate investigators who are committed to conducting multiple complex investigations ethically and efficiently to support the safety and well-being of their communities. All investigator training is delivered in conjunction with UTAS in a staged approach, from developing skills of uniform officers working on the frontline, through to developing specialist investigators who graduate from UTAS with a Bachelor of Arts with Professional Honours (Investigative Practice).

30. To reach the requirements towards Detective Designation (and a attain a Graduate Certificate) members must complete the following four core units:

- a. LAW477 Investigation for Frontline Officers
- b. LAW478 Investigation Practice
- c. LAW473 Questioning for Investigators
- d. LAW476 Detective Portfolio

31. To attain Professional Honours, members must complete the following core units:

- a. All units listed above
- b. HSP404 Supervised Research Project

32. Members can then select from the following elective units:

- a. LAW474 Specialist Interviewing
- b. HGA437 Juvenile Justice and Child Protection
- c. HSP503 Foundations of Forensic Studies
- d. HSP417 Contemporary Policing

33. Attached to this statement marked JCH-4 is a copy of UTAS Unit Outlines for the above subjects.



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LAW477 – Investigation for Frontline Officers

34. This UTAS unit is combines online and Academy learnings and is designed for members who wish to enhance their knowledge and skills in relation to investigations. The following is undertaken as part of this program:

- a. a total of six days at the Academy in two blocks of three days,
- b. 40 hours of online learning,
- c. 5 days infield training within an investigative area, and
- d. mock investigative interview six months post course to consolidate online learning.

35. LAW477 is building on skillsets developed during recruit training including the skills to:

- a. conduct simple investigations using investigative techniques, intelligence gathering, and evaluation,
- b. apply questioning techniques that extract free narrative from the interviewee, and
- c. prepare and deliver briefings in respect to evidentiary searches.

36. It is recommended that those who are seeking to work in an investigative area first complete this program before advancing to the Investigator Program (refer below), however this is not a prerequisite for the Investigator Program.

LAW478 – Investigation Practice

37. This online unit seeks to develop skills, knowledge and understandings that enable participants to work within an investigative area and conduct investigations using contemporary techniques and technologies, whilst at the same time assessing risks to the community, police, the organisation and the investigation on hand.

38. The UTAS online learning component includes 'Sexual Assault Investigation' which consists of the following:

- a. Multiple readings relating to sexual assault incidents and reporting of sexual assaults (prepared by Victoria Police 'VICPOL').



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- b. Six podcasts 'Unspeakable' prepared by VICPOL. These episodes discuss sexual assault investigations from the perspective of victims and investigators.
- c. A sexual assault case study which is delivered in stages. Participants (who are role playing as on-call members of a CIB) are required to respond to a series of phases of an incident to demonstrate their competence and capability in relation to sexual assault investigations.

39. This unit has approximately 50 hours online learning.

LAW473 – Questioning for investigators

40. Building from learnings obtained during LAW477 (Investigation for Frontline Officers), this online unit examines approaches and techniques for interviewing both suspects and witnesses. Over 13 weeks, participants learn the application of diverse question types and are assessed via several mock interviews with specialists. These interviews are with role players who are either a 'victim' or a 'suspect'.

41. Both units are completed concurrently. A total of 11 study days are allocated to participants to enable them to effectively balance their study and workloads.

42. This unit has approximately 50 hours online leaning.

Tasmania Police Academy Program

43. Participants undertake a total of (15) days of learning at the Academy. Content during this phase is delivered by members of Tasmania Police and combines police techniques (presentations) and experiences (case studies) with practical application of skills and knowledge (search day with Southern Drug Investigation Services (SDIS) and summative assessments) developed through participation in the above listed UTAS units.

44. Content about child sex offences and sex crimes in general is delivered using a presentation and case studies presented by an experienced operational Detective, consisting of the following:

- a. relevant definitions for sexual assault investigations,
- b. overview of sexual assault offences and prosecution practices,



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- c. discussion of recent complaint and considerations when obtaining statements,
 - d. case studies –
 - i. persistent sexual abuse of child or young person
 - ii. rape
 - iii. incest,
 - e. Considerations
 - i. crime scene management / police action
 - ii. victim support and police considerations
45. suspect management,
- a. class engagement: scenario-based activities and discussion exercises with clear learning outcomes,
 - b. instructions regarding utilisation of Sexual Assault Investigation Kits (SAIK) to secure critical forensic evidence
 - i. TPM requirements
 - ii. investigator briefing with examining doctor
 - iii. victim requirements prior to SAIK
 - iv. forensic evidence considerations,
 - c. discussion relating to utilisation of Early Evidence Kits (EEK)
 - i. history of EEK
 - ii. content of an EEK (kit is then shown to the room)
 - iii. how an EEK is to be used (samples obtained by victim)
 - iv. storage of EEK,
 - v. relevant sexual support services state-wide,
 - vi. processes relating to examination of child victims,
 - vii. obtaining statements from victims, and
 - viii. DPP Notification.



LAW476 – Detective Portfolio

46. This unit is completed within the workplace over 12-month period. Where practicable, participants should be working within an investigative area when completing the portfolio. Participants will be assessed on their investigative practice using a prescribed set of criteria and complete self-assessments. Feedback and validation are provided by their supervising Detective Sergeant.

LAW474 Specialist Interviewing

47. Building on from the content undertaken in LAW473, this unit maximises the ability to obtain victim accounts in an uninterrupted narrative format, leading to fairer outcomes for victims. This is obtained by applying appropriate questioning techniques to obtain relevant, accurate and complete accounts from vulnerable and other witnesses in relation to complex crimes. Participants will also consider child development, cross-cultural differences and challenges for people with complex communication needs. The unit will also engage with approaches to interviewing about repeated abuse, the 'Whole Story' framework, protocols for questioning witnesses, and making audio visual recordings.
48. The 'Whole Story' framework relates to the investigation of rape, sexual assault and child sexual abuse. It was developed by the Specialist Development Unit of the Sexual Offence and Child Abuse Investigation Team (SOCIT) Project, Victoria Police.
49. Participants are allocated 75 hours study (9.3 days) which is to be facilitated via a discussion between the participant and their supervisor.
50. This unit is completed by Tasmania Police members via UTAS MyLO page. Here members can access the Centre for Investigative Interviewing (CII) 'My Brightspace' page that contains all content relating to this unit. Members will complete the following:
- a. 13 modules containing learning material and quizzes
 - b. Seven (7) mock interviews completed by the member with a CII trained member who is both the interviewee and assessor
 - c. Ten (10) submissions completed by the member for assessment relating to content learnings



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51. Overall, UTAS units within the Investigative Practice continuum focus on developing interviewing skills, leading and resolving complex investigations and understanding the role of an investigator within the criminal justice system. This culminates with the Academy face-to-face phase and secondment to an investigative area where participants consolidate their learnings and apply the skills in an operational setting.

HGA437 – Juvenile Justice and Child Protection

52. This unit provides a critical introduction to the philosophies, principles and practices of juvenile justice and child protection. The interface between juvenile justice and child protection is well established, institutionally, historically and in terms of shared clients, and an informed and multi-agency approach to service provision is required across and within each domain.

53. The unit considers the place of children and young people within Australian society from the perspective of the United Nations Convention of the Rights of the Child, explores topics including:

- a. Institutional abuse and neglect
- b. Responding to and preventing crimes against children
- c. Child Protections institutions, principles, issues and practice
- d. Collaborative practice in dealing with complex needs

54. This unit gives an understanding of institutional child sex abuse.

55. This unit is completed by TASPOL members via UTAS MyLO page and includes the following:

- a. 13 modules containing learning and reading material
- b. 12 discussion post submissions completed by the member for assessment relating to content learnings for each module
- c. Three 200-word assessment tasks on the following topics:
 - i. Child Abuse and Neglect
 - ii. Trauma Informed Care
 - iii. Youth Services
- d. One mock Briefing Note relating to Juvenile Justice trends



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- e. One essay (topic nominated by the member and approved by facilitator)

Future opportunities for training

56. New recruits and sworn members self-selecting to attend in-service and post recruit training are gaining a better understanding about trauma and how the behaviour of victims can appear to be counter intuitive. There is no homogenous response to sexual assault, as each victim-survivor has a personal journey. Research literature acknowledges the impact of trauma on victim-survivors recall which may impact their statements and reporting.
57. Whilst acknowledging the high standard of the courses outlined in this section and facilitated by the Academy, consultations and research suggests a need to provide further opportunities to ensure continuous and contemporary training in responding to victim-survivors is provided to all police officers. This is particularly important as general duties officers are likely to be first responders and we know that a victim or survivor's initial contact with first responders and investigators affects their trust in the criminal justice system.
58. The Joint Review Team (JRT) established to lead the DPFEM response to matters identified as a result of the Griffin internal review, noted that the development of Tasmania Police guidelines for the initial investigation and notification of child sexual abuse was a priority for the team. As such, in 2021, the Initial Investigation and Notification of Child Sexual Abuse Guidelines for Police was created. The document provides policy and practice guidelines to Tasmania Police officers when responding to children and young people who have, or may have been, sexually abused. The guidelines have been informed by relevant recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. The guidelines can be informed by a general review of evidence-based training in relation to victim-centred approaches to investigative practice from specialist and general duties perspectives. This should include considerations of the particular risk and vulnerability factors associated with all forms of child sexual abuse and appropriate ways to support children and young people to disclose sexual abuse. It can also build on existing offence-orientated content to focus on countering myths and misconceptions about victim or survivor behaviours, as well as complex nuances involved in relationship-based offending.
59. Whilst the research indicates that face-to-face learning is more effective, consideration can be given to the effectiveness of an online learning resource to



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complement face to face learning. This would be aimed at raising awareness and building understanding of child protection, inter-agency cooperation, information sharing and how to prevent and respond to child sexual abuse.

60. Under the revised MOU developed between Tasmania Police and CFS, it is envisaged that both agencies will examine opportunities for joint training. This has recently occurred with a CFS member of the JRT presenting at the Academy to recruits and police presenting to child safety officers. The ability of Tasmania Police to expand and capitalise on opportunities to provide further guidance to all officers, including information on the risk factors and potential indicators of child sexual abuse would be enhanced by expanded policy/training capacity. Likely outcomes include:

- a. People affected by child sexual abuse are encouraged to report abuse.
- b. Perpetrators are identified (early).
- c. Perpetrators and facilitators are disrupted.
- d. Perpetrators and facilitators are held to account through the criminal justice system.

Question 6

What training is provided to Tasmania Police members in relation to intervening where there are concerns about child sexual abuse, grooming, harmful sexual behaviours and child sexual exploitation

61. Training was a focus of the JRT to ensure the lessons learnt and enhancements made, were shared.
62. An online training package was delivered with police required to complete that training by March 2022. As of 25 May 2022, 1189 police have completed that training. As of 4 May 2022, Tasmania Police had 1324.7 full time equivalents. Tasmania Police currently have 50 members on long term absence from the workplace, therefore completion rates are 93.3%.
63. Members of the JRT engaged with Communities Tasmania and Tasmania Police to enhance knowledge and understanding. This included delivering training and / or education to members engaged through the Academy and the Communities Tasmania Advice and Referral Line.



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64. This training provides a practical guide that sets out the requirements for:
- a. Responding to reports of child sexual abuse, including mandatory reporting obligations and processes for requesting Forensic Medical Examinations (FME).
 - b. Contacting key stakeholders through established, and consistent pathways.
 - c. Information sharing with external stakeholders.

Learning Outcomes

65. To prevent and disrupt child sexual abuse through early notifications and strengthened relationships with key stakeholders.
66. To achieve best practice through a consistent, transparent, and accountable response to the investigation and notification of child sexual abuse.
67. To support officers in the investigation and disruption of child sexual abuse matters; to enhance the identification of offenders and maximise successful investigations and prosecutions, with the primacy of the safety of children and harm minimisation as the guiding principle.

Question 7

Are there any current or proposed actions or initiatives that Tasmania Police are or may be engaged in to minimise or prevent the occurrence of or continuation of child sexual abuse, grooming, harmful sexual behaviours and child sexual exploitation

68. Yes

Question 8

If yes, please detail those actions and initiatives which may include community engagement, co-ordination and co-operation with the Department of Communities, the use of Police Family Violence Orders or other types of restraining orders, and criminal prosecutions.

69. Tasmania Police is actively involved in actions and initiatives to minimise or prevent the occurrence of offending. Such programs include:



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ThinkUKnow

70. An evidence-based education program led by the Australian Federal Police (AFP), delivered nationally in partnership with police and industry partners to prevent online child sexual exploitation. The national ThinkUKnow program educates children and parents in safe online practices. Disruption and education activities are also undertaken by the Joint Anti Child Exploitation Team (JACET) where National Centre for Missing and Exploited Children (NCMEC) reports relating to juveniles self-producing material or who are engaged in sharing child abuse material are referred to the JACET. This provides a level of victim engagement and bespoke support.
71. ThinkUKnow incorporates up-to-date research, real case studies and examples from reports made to the AFP-led Australian Centre to Counter Child Exploitation (ACCCE).
72. The program is pro-technology and addresses topics including self-generated online child sexual exploitation material, online grooming, image-based abuse, sexual extortion, and importantly encourages help seeking behaviour.
73. The program is a partnership with the AFP, Commonwealth Bank of Australia, Datacom and Microsoft Australia, and in collaboration with all State and Territory police and Neighbourhood Watch Australasia. The link to the website if you want to see what it's all about is <https://www.thinkuknow.org.au/about>
74. Since 1 July 2021, Tasmania Police has conducted 49 ThinkUKnow sessions across Tasmania, from kindergarten to Grade 12, with approximately 4972 children involved.

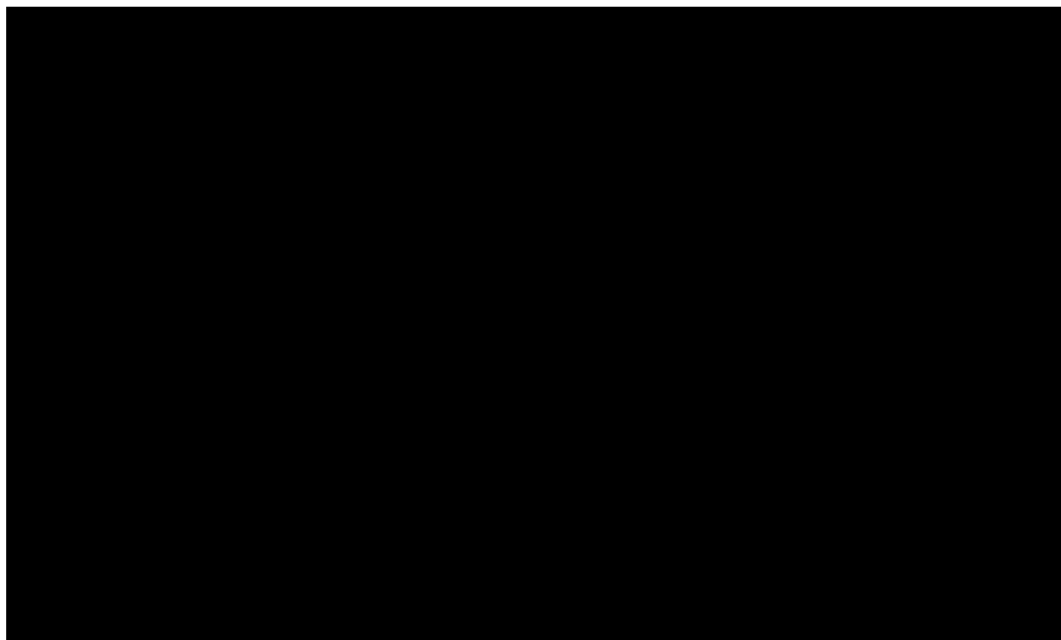
Joint Anti Child Exploitation Team (JACET)

75. The JACET is a national co-ordination effort to combat child sex abuse, working in collaboration with the AFP. The formation of the Tasmanian JACET on 4 November 2019 was a significant development, demonstrating Tasmania Police's contribution and commitment in the national co-ordination effort to combat child sex abuse, working in collaboration with the AFP.
76. The JACET combats online child sexual exploitation by partnering with State, Territory and international law enforcement agencies, government organisations and industry. AFP Child Protection Operations facilitate requests for interstate



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and overseas assistance, such as extraditions. The JACET is also supported by the ACCCE and Victim Identification Unit who provide access to technical capability, the international policing network and resourcing.



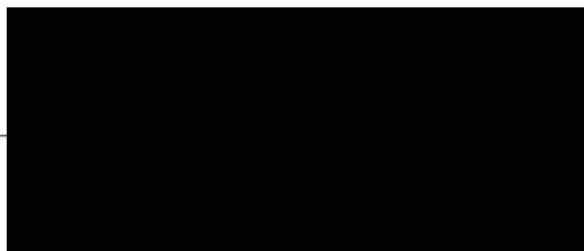
78. The ACCCE Child Protection Triage Unit is managed by the AFP and serves to evaluate and triage reports of child exploitation and refer matters or information to the relevant agency for action in a timely and effective manner. This supports disruption activities and prevents future offending.

79. The current investigative capacity of the Tasmania Police component of the JACET is [REDACTED]

[REDACTED] from the AFP. The respective detective sergeants co-ordinate referrals between Tasmania Police and the AFP and also exchange information, including intelligence. Investigators from both agencies conduct joint operations utilising State and Commonwealth legislation and deploy together when operationally required. The Tasmanian JACET differs slightly from other states and territories in that the partner agencies are not co-located due to their close proximity in the Hobart CBD where accommodation and technology solutions are readily accessible.

80. Investigators in the JACET focus on the following assessment groups when identifying potential targets:

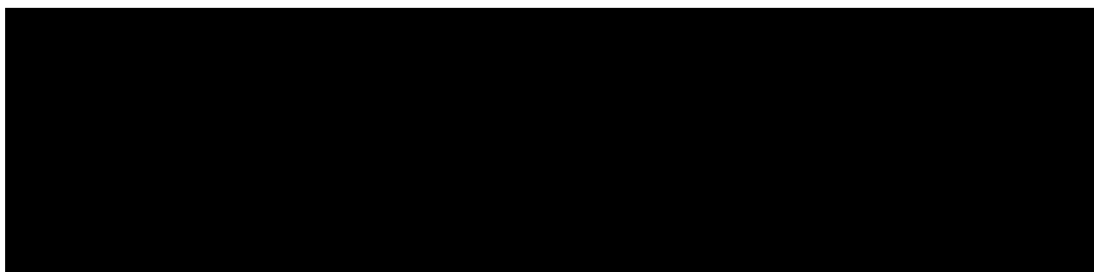
- a. Access to children



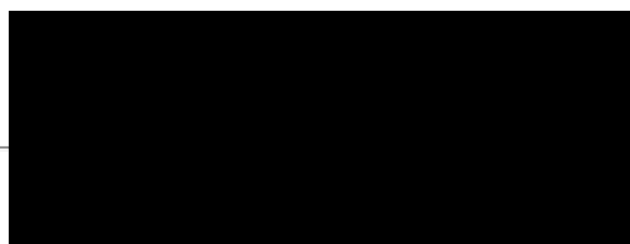


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- b. Criminal history
- c. CEM assessment
- d. Grooming/ production
- e. Organised offending
- f. Intelligence/ personal factors.



82. The policing priorities of the JACET are to prevent, investigate and prosecute offences concerning the exploitation of children. This is supported by a national and international co-ordinated response.
83. The MOU regarding the JACET outlines the agreement between Tasmania Police and the AFP.
84. The JACET works co-operatively to prevent and investigate child exploitation. This is achieved by sharing intelligence and analysis, as well as technology capability, between agencies, and standardising decision making and operations across jurisdictional boundaries. Working collaboratively, the JACET has undertaken proactive investigations of persons utilising the internet or telecommunications devices to commit offences and crimes in Tasmania. This includes using the internet to groom and procure children for sexual exploitation, and the production, dissemination and possession of images of child exploitation material
85. Since its inception in November 2019, the Tasmanian JACET has undertaken (AFP total statistics: 104 investigations resulting in 28 prosecutions) child abuse material related investigations with a further 19 referrals currently being examined. Of these investigations, 34 matters are being prosecuted in the courts.
86. Tasmania Police JACET members investigated 77 matters, with 69 resulting in prosecution and 8 resulting in disruption or referrals or similar.





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87. Nationally since 2019, a total of 71,245 reports were made to the AFP (through the ACCCE) by NCMEC as follows:

- a. 2019:16,782
- b. 2020: 22,358
- c. 2021: 32,105

88. Nationally since 2019, a total of 2,430 reports were made to the AFP by members of the public.

Safe Family Coordination Unit (SFCU) Daily Review and Mapping

89. In circumstances where it is identified that a young person is at risk of harm, sexual or otherwise, the SFCU Daily Review or Map will identify risks and make recommendations for actions to the relevant agency. The SFCU undertakes a daily review of selected family violence incidents to identify key inter-agency information relating to parties involved in family violence. The Daily Review facilitates the sharing of information but is not intended to be a comprehensive review of intelligence held by government. The Daily Review does provide recommendations/ actions for each agency as a result.

90. Another action which may be undertaken by SFCU, is referred to as Mapping, where a more comprehensive report is detailed in relation to parties involved in family violence. In circumstances where it is identified that a young person is at risk of harm, sexual or otherwise, the SFCU Daily Report or Map will identify risks, and provides recommendations/ actions for each agency as a result.

91. Furthermore, when a Daily Report or Mapping document is finalised, it is uploaded to the police intelligence system, Atlas and the perpetrator identified as a risk to vulnerable people. This action provides a 'flag' to the Registrar to inform their risk assessment processes. If imminent risk is identified and a person is known to hold a RWVP card, direct contact with the Registrar is made, or similarly, direct contact with agency responsible for managing that risk.

92. These Daily Reviews or Maps are then shared with other partner agencies which Communities Tasmania, Health, Justice and Education. Those agencies use the information to inform an appropriate operational response.



Youth Crime Intervention Units (YCIU)

93. Each geographical command has a unit specifically for youth intervention. These units directly engage with at risk youths and adopt a collaborative approach when dealing with such issues. For example, joint agency meetings with CFS, senior social workers within the Department of Education (DoE) and members of the YCIU meet as frequently as fortnightly to facilitate an open and honest exchange of information in the early identification of young people who may be victims to ensure the provision of support.
94. Additionally, in 2019, in response to an increase in offences committed by a small cohort of recidivist young people, the *Policing At-Risk Youth Strategy 2019- 2022* was drafted. The strategy firstly supported the existing and emerging diversion and rehabilitation programs and services to intervene earlier with children and young people at risk of becoming repeat offenders. We also increased the capacity of our members to provide targeted support for young offenders already entrenched in the youth justice system, through specialist police groups who will work alongside the youth sector and industry partners to provide leadership and opportunities for prevention and engagement and challenge the traditional policing methods of arrest and detention where possible. The strategy opens the door to a holistic multi-agency response to reduce and prevent reoffending by children and young people and create meaningful pathways for at-risk youths. A copy of this strategy is attached to this statement marked JCH-5.

Multi-disciplinary Centres

95. On 29 April 2022, the Minister for the Prevention of Family Violence (and Police, Fire and Emergency Management) Jacquie Petrusma, Sexual Assault Support Service CEO Jill Maxwell, Laurel House CEO Kathryn Fordyce and Deputy Commissioner of Police Donna Adams announced \$15.1 million in funding to pilot two multi-disciplinary centres to provide victim-survivors of family and sexual violence with integrated, victim-focussed support.
96. The two centres will deliver sexual and family violence support and counselling services, as well as provide specialist police investigators, and training and specialist equipment to ensure that victim-survivor needs are prioritised.



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97. Bringing services together under the one roof and fostering strong relationships will deliver trauma-informed holistic responses that are focused on the needs of individual victim-survivors.
98. The funding for the centres provides for the identification and design of suitable premises which will feature state of the art technology throughout interview, court and case management facilities, as well as therapeutic support rooms.
99. We know that providing co-located, victim-centric responses to sexual violence will improve victim-survivor experiences and strengthen criminal justice outcomes, and we want to work closely with victim-survivors to ensure their voice is heard.
100. The centres will be developed in consultation with advocates, victim-survivors and partners to ensure the needs of victim-survivors are prioritised.
101. Engagement with key stakeholders is now commencing to deliver the first pilot centre early next year.
102. Over coming months, consultation and stakeholder engagement activities will continue to ensure that the design and development of the centres reflect best practice and prioritise victim choice.
103. Tasmania Police is leading transformational change in this state which is hoped will have very real and tangible outcomes for our community.
104. Detective Inspector Kate Chambers is leading the work on developing and implementing the first pilot centre in early 2023. A project team to support this important project has also recently been established.

Keeping Children Safe Management Committee (Committee)

105. The Committee: -
 - a. oversees the implementation of this MOU, including consistency within each agency's manuals detailing the operational policies and procedures and training underpinned by a commitment to continuous improvement
 - b. resolves issues arising in relation to the interpretation or operation of this MOU which cannot be resolved at the local level; and
 - c. undertakes an annual review of the MOU to take effect on signing of the MOU.
106. The Committee membership includes:



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- a. Tasmania Police
 - i. Manager, Policy Development & Research Services, Strategy and Support
 - ii. A nominated Detective Inspector of Tasmania Police
 - iii. Manager, Information Services
- b. CFS
 - i. Manager, Policy and Intergovernmental Relations, Children, Youth and Families.
 - ii. A nominated CFS Manager
 - iii. A nominated CFS representative

107. Although the Committee has been established, it has not met to date.

108. Attached to this statement marked JCH-1 is a copy of the MOU

Question 9

What in your view is 'disruptive policing'?

109. Disruptive policing is ingrained into DPFEM strategic documentation, through the DPFEM Future Focus 2020-2023 document, that highlights the importance of intervening early to minimise harm, to our Tasmania Police Business Priorities 2021- 2022 document which lists victim crime as a priority area for Tasmania police. We acknowledge that the best way to protect children is to prevent child abuse and neglect from occurring in the first place. Attached to this statement marked JCH-6 is a copy of the Future Focus document, JCH-7 is the Tasmania Police Business Priorities 2021- 2022.

110. Tasmania Police works closely with other agencies to ensure the best interests of the child are met. Section 10E of the *Children, Young Persons and Their Families Act 1997* sets out the matters that may be considered in determining the best interests of the child, including the need to protect the child from harm and exploitation and where appropriate the views of the child.

111. Disruption, alongside enforcement and prevention, is one of the principal ways in which police respond to criminal activity. Disruption is about disturbing an offender's networks, lifestyles, and routines.



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112. To support disruption of behaviour, Tasmania Police has a number of measures that interrupt contact between a suspect and a child, these include:

Mandatory Reporting

113. Prescribed persons are legally obliged to report child abuse, including that a child has been or is being abused or neglected or is an affected child within the meaning of the *Family Violence Act 2004*.

Automated notifications to Department of Justice

114. To work or volunteer with vulnerable people (children and persons with a disability), a person must be registered. Registration to Work with Vulnerable People (RWVP) needs up-to-date information from Tasmania Police to accurately assess whether a person is suitable to work with vulnerable people. Providing accurate information in a timely manner is vital to ensure that only suitable people get (or stay) RWVP registered. So, to ensure this occurs, in 2021 a Registration to Work with Vulnerable People Information Sharing Protocol was established between the Department of Justice and Tasmania Police, a copy of this protocol is attached to this statement marked JCH-8. To support the protocol and the exchange of information, there is an interface between Tasmania Police and the Department of Justice which shares information daily from the following systems

- a. Atlas- a Tasmania Police intelligence system
- b. Offence Reporting System (ORS)- a Tasmania Police system for the recording of crimes and/or offences
- c. Online Charging (OLC)- a Tasmania Police system for the recording of those taken into custody, or to produce court files, both arrest and summons.

115. There are triggers within each system which cause information to be shared to the Department of Justice via this interface. Specific offences within ORS and OLC constitute a risk to vulnerable people. These offences and charges are then given a flag in the background that when they are listed on an OLC or ORS precipitate that system to create a notification to Justice.

116. Atlas has the option for police to select, "Presents a risk to vulnerable people," via a check box when they enter a person onto an occurrence. The selection of this check box generates a notification that is sent to the Department of Justice.



Community Protection (Offender Reporting) Act 2005 (CPOR Act)

117. The CPOR Act provides the legislative framework for the registration of offenders who commit sex offences against adults and children. The CPOR Registrar is the Inspector of State Intelligence Services (SIS), Crime and Intelligence Command. The Registrar is responsible for management of the Register, related intelligence and tasking of officers within decentralised geographic Districts, to undertake compliance management of registered sex offenders, reduce the potential risk of serious harm posed by registered sex offenders and keep communities safe. The CPOR Registrar is also the point of contact under the Memorandum of Understanding with CFS, for the limited information sharing permitted by the CPOR Act. If a recorded interaction involves 'Reportable Contact' between a registered sex offender and a child, information held by the CPOR Registrar within Tasmania Police SIS is reviewed to determine whether the information in the report has previously been disclosed or whether a breach of reporting obligations has occurred. Where a reportable offender has breached these obligations, the CPOR Registrar will submit a referral report to CFS, which is a prescribed entity, under the CPOR Act. All information provided must comply with provisions under the CPOR Act. When the Registrar receives queries from external agencies, that are prescribed entities under the Act, the provision of information is governed by s 44B. If information is then disclosed by the Registrar to prescribed parties, that information is subject to s 44D of the Act 'Prescribed entities and parents, guardians or carers to keep information secret'. Any recipient of said information is made aware of this obligation under the Act and that it is an offence to do otherwise. Lessons from interstate highlight the need for connectivity between the management of serious sex offenders and the prevention of community harm. Incorporating this management into an integrated command structure would increase community confidence and safety.

JACET

118. As previously highlighted at points 75-88.

Mandatory Reporting to the other agencies

119. Where Tasmania Police are made aware of concerns to the safety of children at the hand of another agency, notifications by email are to occur to:



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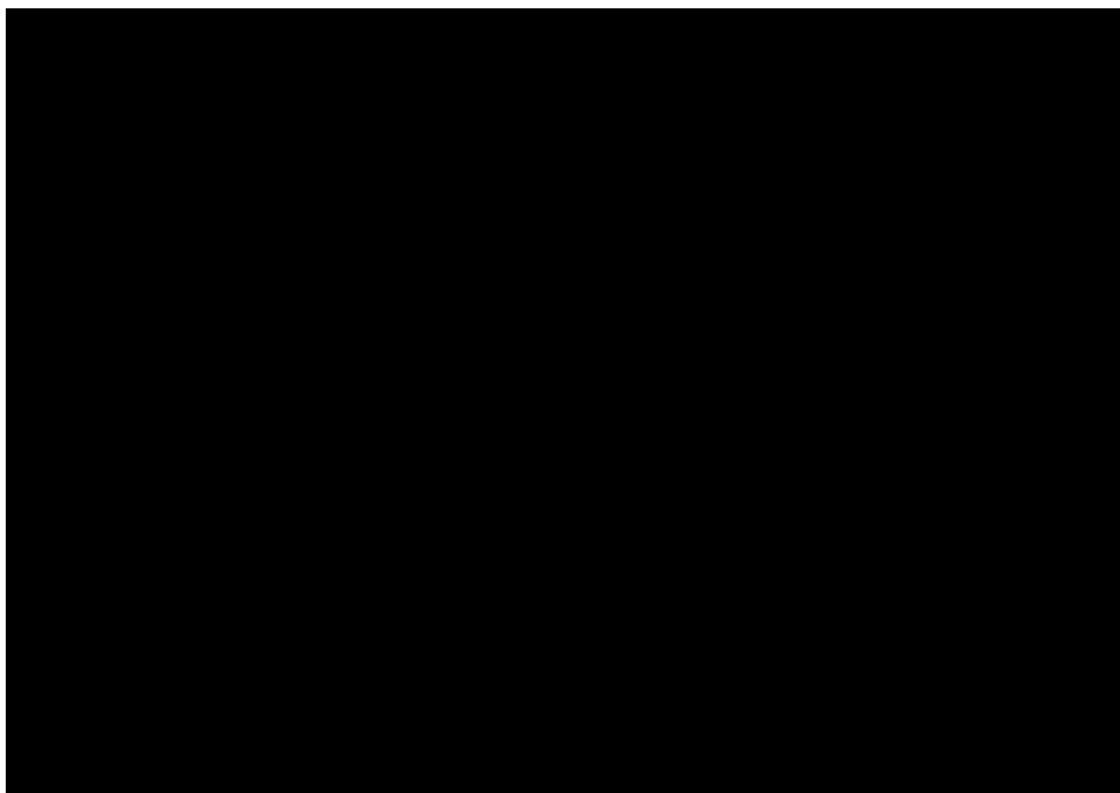
- i. Australian Health Practitioner Regulation Agency (AHPRA)
(Health Practitioners)
- ii. Teachers Registration Board
- iii. Department of Education/Catholic Education Office/Independent
school
- iv. Department of Health
- v. Relevant volunteer organisations or sporting groups

Atlas

120.A Tasmania Police intelligence system that allows police to link specific information to a person's entity, including the ability to add a 'flag' which highlights a specific concern or warning, for example, those convicted of a child sex offence have a flag added to their name which is viewable by a police officer if their name is searched.

Compass

121.A Tasmania Police system that integrates with Atlas, so if an alert is added into Atlas, it also appears in Compass if an individual is checked.





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Council CCTV footage within Radio Dispatch Services

124. Hobart, Launceston, Clarence and Glenorchy Council cameras are viewable from within Tasmania Polices' Radio Dispatch Services (RDS). In total, 60 cameras are displayed within RDS 24/7.

Question 10

Does Tasmania Police train members in any disruptive policing techniques? If yes, detail the techniques, the nature of the training and the circumstances in which members are expected to use the techniques.

125. Disruptive based techniques are included within the training outlined within points 20- 60.

Question 11

Does Tasmania Police have any established policies or practices for the use of disruptive policing techniques in the context of child sexual abuse?

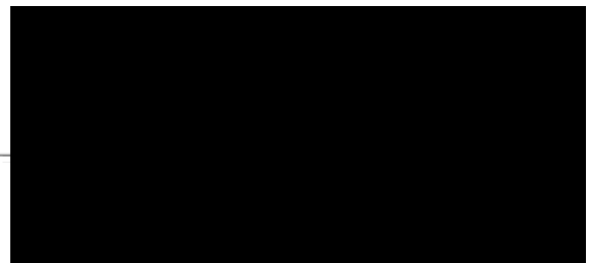
126. As previously stated, disruption, alongside enforcement and prevention, is one of the principal ways in which police respond to criminal activity. Disruption is about disturbing an offender's networks, lifestyles, and routines.

127. To support disruption of behaviour, Tasmania Police has several established policies or practices, these include:

JACET

128. As previously highlighted at points 75-88

129. Attached to this statement marked JCH-9 is a copy of this Memorandum of Understanding between the AFP and Tasmania Police on the JACET.





Community Protection (Offender Reporting) Act 2005- Compliance management

130. The Inspector of State Intelligence Services (SIS), Crime and Intelligence Command is responsible for management of the Register, related intelligence and tasking of officers within decentralised geographic Districts, to undertake compliance management of registered sex offenders, reduce the potential risk of serious harm posed by registered sex offenders and keep communities safe.

Electronic Monitoring of High-Risk Family Violence Perpetrators

131. As part of our commitment to the protection of victims of family violence, Tasmania Police commenced a joint trial with the Department of Justice, involving the GPS tracking and electronic monitoring of high-risk family violence perpetrators on 5 November 2018. The success of the trial has resulted in electronic monitoring continuing, with SFCU maintaining strategic oversight of the program.

132. Electronic monitoring is intended to reduce the impacts and incidence of family violence and enhance the safety of victims and their children. It is also aimed at increasing perpetrator accountability.

133. Electronic monitoring may be a condition of a Family Violence Order made upon application by police to a Magistrate. All perpetrators are screened for suitability prior to the application being made.

134. Victims of family violence are given the opportunity to 'opt in' for bi-lateral monitoring and can carry a keyring size GPS tracking device that can better enhance early detection and warning of an impending proximity breach.

135. SFCU has conducted an analysis of data held within the Family Violence Management System (FVMS). The data identified that, during the trial period (November 2018 to June 2020), 76 perpetrators participated in the trial. Of these, 39 were subject to electronic monitoring for at least six months.

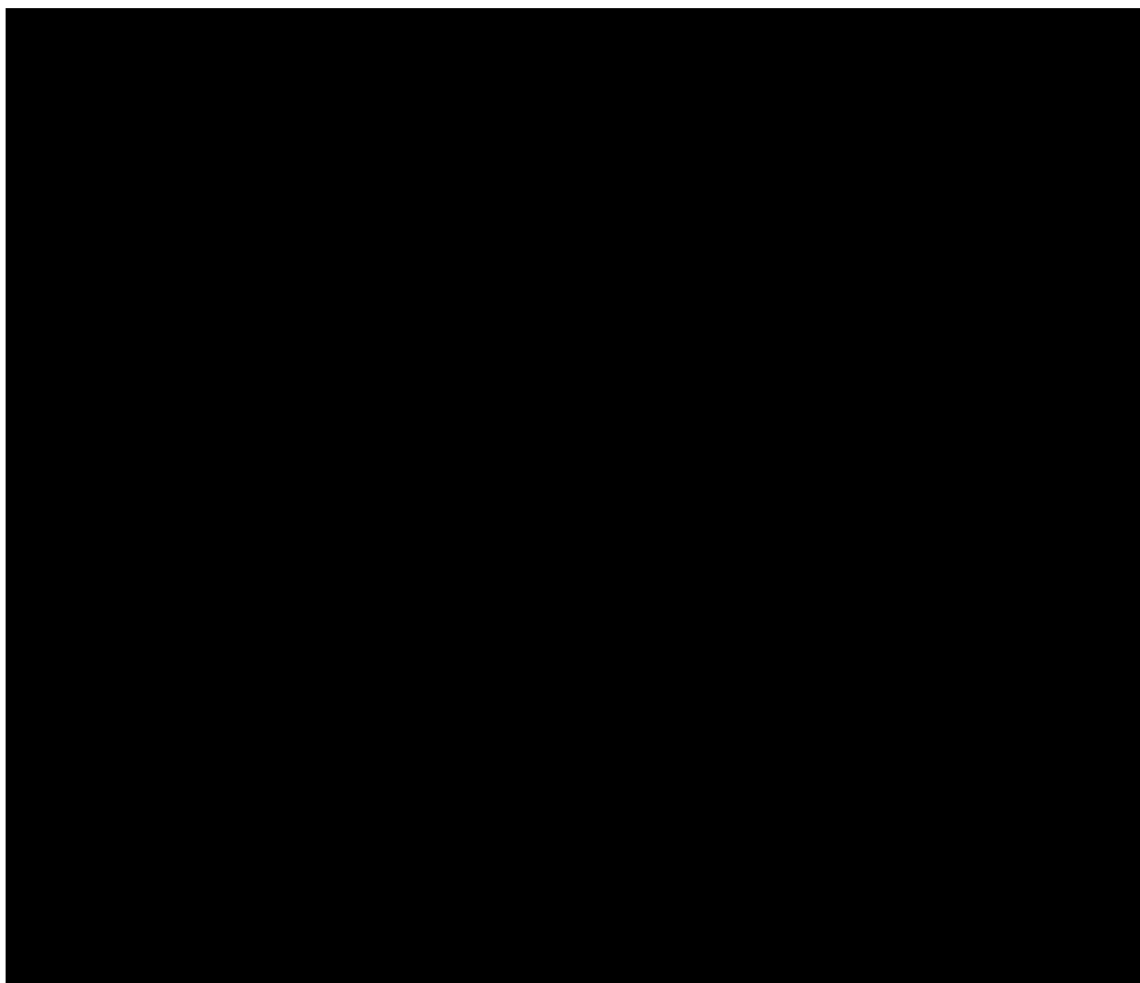
136. Data of those involved in the trial, when comparing their offending history in the 12 months prior, suggests the following outcomes:

- a. 76% decrease of high-risk incidents
- b. 75% reduction of assaults
- c. 81% reduction of threats



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- d. 87% decrease in allegations of emotional abuse
- e. 74% reduction in property damage
- f. 100% decrease in reports of stalking.



Bail Checking of High-Risk offenders

139. Tasmania Police actively monitor offenders currently on court or police issued bail. This may include monitoring non association conditions, curfew conditions or reporting conditions. Ensuring compliance with these conditions will enhance the safety of the community and limit the opportunities for offenders to re-offend.

Intelligence led targeted patrols

140. Tasmania Police actively monitors high-risk offending locations, and if a specific area is identified through intelligence gathering as a risk to the public, including children and young people, targeted patrols are conducted by overt and covert police patrols to curb behaviour.



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Keeping Children Safe Memorandum of Understanding

141. This MOU, last signed 2021, outlines the overarching operating framework to support collaboration between CFS and Tasmania Police to facilitate responsiveness to victims, hold perpetrators to account and prevent or reduce harm, abuse and neglect to children through, shared operating principles, mandatory reporting, information sharing, joint responses to investigations and governance.

142. Attached to this statement marked JCH-1 is a copy of the MOU.

Keeping Children Safe Handbook

143. This document (2021) complements the MOU above by providing further operational context and procedures to assist frontline staff in mandatory reporting, joint responses to investigations, information exchange, joint planning and governance arrangements. (JCH-2)

Memorandum of Understanding between Tasmania Police and the Office of the Children's eSafety Commissioner on notifying online content and cyberbullying material

144. This MOU, signed in 2015, outlines the protocol to govern notifications by the eSafety Commissioner to Tasmania Police.

145. Attached to this statement marked JCH-10 is a copy of the MOU with the eSafety Commissioner.

Family Violence Manual

146. The objectives of this policy (2018) are to ensure a pro-intervention response is adopted by police in relation to family violence matters, to ensure the safety, psychological wellbeing and interests of persons affected by family violence is paramount to ensure offenders are held to account, to enhance the management of family violence incidents by police, and to ensure legislative provisions are adhered to, therefore minimising potential risks to persons affected by family violence.

147. Attached to this statement marked JCH-11 is a copy of the Family Violence Manual.

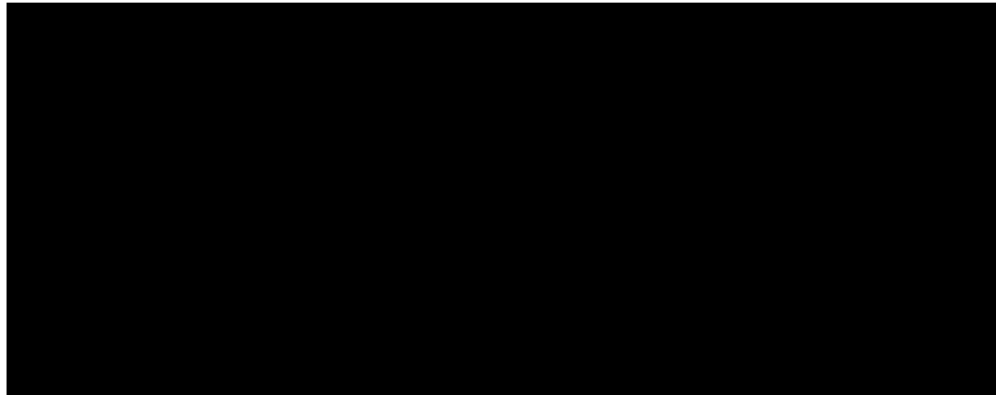


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Question 12

Does Tasmania Police collect, analyse or use intelligence to map or monitor known persons of interest who may target children and young people in care?

148. Yes, 



Missing Children

Question 13

Explain Tasmania Police's understanding of how notifications about children and young people going missing or refusing to return to an out of home care placement whilst in the care of the Secretary of the Department of Communities are reported to Tasmania Police?

149. The Keeping Children Safe Handbook (pages 26- 27), (JCH-2) - outlines the key reporting contacts used by CFS to report matters to Tasmania Police.

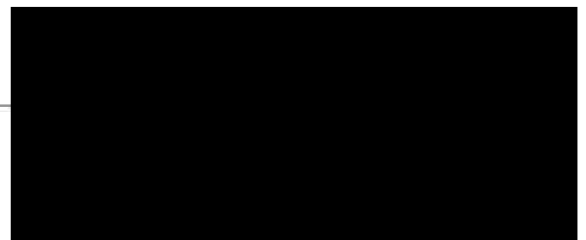
150. Primarily, contact is made via Radio Dispatch Services (24/7) on 131444, or 000 if an emergency, or via email to the district CMU.

Question 14

What is the process by which a child or young person is reported missing to Tasmania Police?

151. Where a person is missing and there are concerns for the safety or welfare of that person, the person can be reported missing to Tasmania Police by either:

- a. Contacting RDS on 131444 or 000 (if the matter is urgent).
- b. Via a CFS referral.





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- c. Direct contact with a police station of police officer; or
- d. Via a YCIU.

Question 15

If a child or young person is reported missing by a parent, the Department of Communities or by a carer/ guardian, what actions are available to Tasmania Police to try and locate the child or young person?

152. The Tasmania Police Manual, Part 4.5 outlines specific instructions to Tasmania Police members on how to respond to and investigate a missing person. In summary, a missing person is anyone who is reported missing to police, whose whereabouts are unknown and where there are concerns for the safety or welfare of that person. A person may be reported missing by any person who has genuine concerns for the safety or welfare of a missing person and Tasmania Police will investigate all reports of missing persons until either the missing person is located; criminal charges are instigated; or a report of death is submitted to the coroner.
153. Tasmania Police does have a Missing Person Unit, within SIS, this is resourced not to conduct the investigation, but to provide investigating members with assistance in any investigation and coordinated requests to and from interstate and international jurisdiction for assistance.
154. For the complete list of initial action and investigation stages, please find attached to this statement marked JCH-12 is a copy of Part 4.5 of the Tasmania Police Manual.

Question 16

Is there any difference in the Tasmania Police response to reports of missing children and young people who are in the care of the Secretary of the Department of Communities as against the response to missing children and young people who are not in the care of the Secretary?

155. Yes, the Keeping Children Safe Handbook (page 21) has specific instructions relating to a missing child from placements.
156. These instructions outline that a Missing Person Report (MPR) is the mechanism through which a Tasmania Police investigation is initiated in relation to concerns for a person who is missing. Tasmania Police define a missing person as anyone



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reported missing to police, whose whereabouts are unknown, and where there are concerns for the safety and welfare of that person.

157. An MPR should only be made to Tasmania Police by CFS or a community service organisation when the above criteria are met. A child's age or vulnerability may put a child into this category. A contact name and phone number should be provided to Police, as well as an indication of the plan and placement when the child is found.

158. An MPR does not provide police with any power to apprehend, detain or return the child to their placement without a warrant. A warrant under s.97 of the *Children, Young Persons and Their Families Act 1997* may be required if it is assessed that intervention will be required to take the child into safe custody. CFS and Tasmania Police should agree whether a warrant is necessary and if so, CFS will facilitate the warrant application.

159. Regular liaison between CFS and Tasmania Police must occur while the child is missing. CFS must alert the After-Hours Emergency Services (AHES) if their involvement is required.

160. When an MPR is made and a child is located and/or returns without Tasmania Police involvement, CFS or the community service organisation must immediately notify the local Tasmania Police station where the report was made or, if unattended, the Police RDS. An MPR remains live on police records until the missing person is located.

Question 17

Where a child or young person is located by Tasmania Police, what actions can Tasmania Police take to return them to their home or out of home care placement if the child or young person refuses to return to the placement? Are there any barriers or limitations to what Tasmania Police can do?

161. The Keeping Children Safe Handbook (page 21) has specific instructions relating to a missing person from placement who refuses to return. Namely a MPR does not provide police with any power to apprehend, detain or return the child to their placement without a warrant. A warrant under s.97 of the *Children, Young Persons and Their Families Act 1997* may be required if it is assessed that intervention will be required to take the child into safe custody. CFS and Tasmania Police should agree whether a warrant is necessary and if so, CFS will facilitate the warrant



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application. In practice, s.97 warrants are obtained by CFS rather than Tasmania Police, with Police aiding with execution, if required. Section 104 warrants are not used. From CFS' perspective, warrants are only obtained by CFS or AHES staff.

Question 18

Is it common practice for Tasmania Police to enquire with a child about their safety and movements whilst absent or missing from an out of home care placement? If not, why not? If yes, outline what enquiries are generally made?

162. Tasmania Police will enquire about the welfare of a missing child when located through direct observations, conversation or corroborated by other reliable means. No specific instructions or protocols are in existence relating to questioning to identify movements, but this type of conversation is general rapport building between a police officer and the missing child when located.

163. The Tasmania Police Manual Part 4.5.4 (JCH-12) does have specific instructions relating to when a missing person is located, namely

- a. If a missing person is reported as located and there is no further cause for concern, then that report is to be confirmed by direct police observation or corroborated by other reliable means.
- b. The investigating officer is to notify the reporting person or next-of-kin that the person is located, if appropriate.
- c. Depending on the circumstances of the case, the location of a missing person should not be divulged to the reporting person or next-of-kin, without the consent of the missing person.
- d. Where a missing person is under the age of 18 years and does not want their location divulged to the reporting person or next-of-kin, the investigating officer should seek advice from the divisional inspector or duty officer and record the outcome on the MPR.
- e. The member responsible for the investigation is to advise RDS and Media and Communications, where appropriate, if a missing person is located.



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Question 19

Once a child or young person is found are they still considered a missing person if they refuse to return to their home or to their out of home care placement?

164. The child or young person, if found would no longer be listed as a missing person. If, however there are ongoing concerns relating to the safety of the individual, mandatory reporting of this concern as per set protocols is required, and an assessment would be needed by CFS if a warrant, as outlined at point 161, is required.

Risk of child sexual exploitation

Question 20

In circumstance where a child or young person in care repeatedly leaves and out of home care placement and lives with an adult, and it is known to Tasmania Police that this child or young person is at risk of child sexual exploitation from the adult (or person associated with the adult), what (if anything) does Tasmania Police do to protect the child or young person from that adult?

165. If ongoing concerns relating to the safety of the individual, mandatory reporting of this concern as per set protocols is required, and an assessment would be needed by CFS if a warrant, as outlined at point 161, is required.
166. The Keeping Children Safe Handbook (JCH-2) does specify the process for responding to concerns relating to the safety and wellbeing of children, namely:

Mandatory reporting

167. Mandatory reporting requirements are set out in the *Children, Young Persons and Their Families Act 1997 (s.14)*. 'Prescribed persons' are legally obliged to report child abuse.
168. Tasmania Police are mandatory reporters and members must contact the ARL as soon as possible (prior to the conclusion of duty) if they know, believe or suspect on reasonable grounds:
- a. that a child has been or is being abused or neglected, or is an affected child within the meaning of the *Family Violence Act 2004*; or



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- b. there is a reasonable likelihood of the child being killed or abused or neglected by a person who they live with; or
- c. where a woman is pregnant, there is a reasonable likelihood that after the birth:
 - i. the child will suffer abuse or neglect or may be killed by a person who they live with; or
 - ii. will require medical treatment or other intervention because of the behaviour of the woman, or a person the woman lives with prior to the birth.

169. Tasmania Police are guided by the Tasmania Police Manual, policies and procedures. Members must notify the Advice and Referral Line (ARL) by submitting an Atlas Child Safety occurrence, recording details of the verbal notification. An Offence Report must also be created where an offence has been identified. Where a suspect has ongoing access to children, the investigating police officer must advise Working with Vulnerable People Registrar by email.

170. If the matter is outside of standard business hours, Tasmania Police should phone the After-Hours Emergency Services (AHES).

171. Full contact details of relevant CFS staff and Tasmania Police members must be provided to each party when communicating, to enable appropriate record keeping.

172. Section 105A of the Tasmanian *Criminal Code* (the Criminal Code) imposes a specific duty on all persons to report abuse offences committed against children to Tasmania Police. An 'abuse offence', as defined in s.105A, includes sexual abuse, assault, neglect, rape and other serious crimes.

Reporting criminal offences to Tasmania Police

173. If CFS receives a report and the child or children are at immediate or imminent risk, staff must contact Tasmania Police RDS on Triple Zero (000).

174. Where a child is not at immediate risk, but a criminal offence is reported or indicated or becomes evident in a CFS assessment process, CFS must notify Tasmania Police as soon as possible. Verbal notification must be made by phone to RDS (131 444), must be followed by email notification using the Referral and Feedback Form to the relevant Tasmania Police CMU.



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175. The CMU will complete an Atlas occurrence entry which is forwarded through Atlas workflows to the relevant area within Tasmania Police. Where the referral is investigated Police will notify the initiating CFS officer where required (including the Investigating Officer's details).

176. Police and CFS may consider and coordinate a joint response. Tasmania Police is responsible for determining an appropriate response to an alleged criminal offence. Examples of criminal offences are at Annex 3.

Reports relating to CFS staff or Tasmania Police members

177. Where Tasmania Police receives information that a child is likely to or has been placed at risk due to abuse or neglect and the alleged offender is an employee of CFS, Tasmania Police must report the matter to a Detective Inspector who will facilitate a notification to the Secretary, by telephoning or emailing the Manager, Office of the Secretary.

178. Where CFS receives information that a child is likely to or has been placed at risk due to abuse or neglect and the alleged offender is a police officer or an employee of the DPFEM, the notification must be reported to Professional Standards.

179. Matters relating to employment will be dealt with by the respective agencies, including any Code of Conduct matters.

Joint responses

180. A joint response occurs whenever CFS and Tasmania Police are engaged concurrently in discharging their respective responsibilities. In these circumstances, CFS and Tasmania Police work together to manage the safety and protection of children and develop a joint planning document to coordinate and plan the response across agencies.

181. These responses are coordinated in such a way that the child's interests and safety are paramount when investigating crime, prosecuting offenders and ensuring community safety. This means that there may be occasions where primacy of a child's interests and safety means that an investigation, including evidence to sustain charges could be compromised.

182. A summary of the process, as set out in the MOU is as follows:

- a. agency representatives will make early direct contact to establish clear communication channels to work out whether a joint response is required



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- b. agreed roles and responsibilities (aligning with agency's statutory obligations) will be articulated, including identifying the lead agency
- c. a request by either agency for reciprocal engagement or assistance will be supported
- d. proactive gathering and timely sharing of all relevant information held by Tasmania Police, CFS, other agencies and jurisdictions having regard to and within the parameters of the statutory controls (see Part 11 Information Exchange between Tasmania Police and CFS).
- e. joint planning, including tasks, actions, timeframes and review
- f. timelines for the completion of key tasks and review will be established and documented
- g. a joint planning document will be populated and endorsed by both parties
- h. outcomes will be communicated by both parties and recorded on the planning document.

Question 21

Does a child or young person's willingness to cooperate with an investigation about potential child sexual exploitation affect your answer to question 20?

183. For any criminal proceeding to be progressed, a prima facie case is required before Tasmania Police can put someone before the court. As such, if a child or young person is unwilling to cooperate, this does present significant challenges to the investigation without corroborating evidence.

184. The Keeping Children Safe Handbook (JCH-2) does specify the process for CFS gaining Tasmania Police assistance when the extent of the abuse is unclear, that assists with investigating any potential child sexual exploitation.

185. For a planned event, CFS may:

- a. request the assistance of police where their safety might be compromised.
- b. Where the extent of the abuse is unclear, and where CFS intends to visit a residence and has concerns in relation to the safety of a child, they must inform the relevant local police station of the details of the visit by phoning directly or through RDS.



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186. For an unplanned event, CFS may:

- a. In emergency situations Tasmania Police and CFS will contact each other by telephone.

187. There are a number of warrant provisions under the *Children, Young Persons and Their Families Act*, set out below:

s.19 Allows a police officer assisting with a CFS assessment to obtain a warrant to enter and search property, seize and remove items, take photographs, films or videos and require a person to answer questions.

Note: a warrant is not necessary if entry has been refused or cannot be gained, and delay would prejudice the assessment or safety of the child.

s.20 CFS staff who are trained as 'authorised officers' and Tasmania police officers (who are assisting in an assessment of a child's circumstances) can apply for a warrant to take a child to a person or place for assessment if a person has failed to comply with a requirement.

s.97 CFS and Tasmania Police can apply for a warrant to take a child into safe custody if a child is absent from the person or place where they have been placed under an Assessment Order, Interim Assessment Order, or Care and Protection Order or Interim Care and Protection Order.

s.104 Allows an 'authorised police officer' to obtain a warrant for to enforce an order of the Magistrate's Court (Children's Division), using such force as is reasonably necessary.

In practice, s.97 warrants are obtained by CFS rather than Tasmania Police, with Police aiding with execution, if required. Section 104 warrants are not used. From CFS' perspective, warrants are only obtained by CFS or AHES staff.



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188. Generally, a warrant will only be issued by a Magistrate if reasonable steps have been taken to obtain consent to the actions required or removal or return the child, and there are reasonable grounds for concern for the safety of the child.

Question 22

Recognising the many duties of Tasmania Police, what level of priority does Tasmania Police give to responding to reports of children and young people in out of home care who are refusing to return to an out of home care placement, and what is the rationale for that level of priority?

189. RDS is the 'front door' to Tasmania Police and operates 24/7, on a state-wide basis. RDS is responsible for the receipt of calls and rapid and accurate dispatch of police resources in accordance with standard operational procedures.

190. All reported matters are submitted into the Emergency Services Computer Aided Dispatch (ESCAD) System. This system has pre-determined priority settings for individual job types, which were developed through the ESCAD implementation phase by the project team. The rationale surrounding the level of priority is based on the seriousness of injury and/or danger; whether an offender is present offering or threatening violence; or an incident that demonstrates a know risk or may demonstrate a potential risk to the lives of the public and/or attending police. RDS also have business rules for High-Risk incidents and Triple Zero Calls providing guidance to members on how they should be dealt with, allowing for changes in the priority status when operators deem suitable, which is part of the learning packages taught during the operator course. The manual override instructions are based in these documents and allows for operators to raise the priority of the incident to allow for a quicker response by Police. If an operator requests a downgrading of priority for a matter, the supervisor is the only person that can manually downgrade an incident.

Question 23

What is Tasmania Police's understanding of the offences under Section 95-99 of the Children, Young Persons and Their Families Act 1997? Has Tasmania Police ever used these offences?

191. Sections 91- 103 of the *Children, Young Persons and Their Families Act 1997* outlines offences that can be committed against the Act. Specifically, section 95- Harbour or conceal a child and 96- Remove child without authority. Since 1



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January 2000, Tasmania Police has charged four (4) people for offences against sections 95 and 96.

Harmful Sexual Behaviours

Question 24

Describe the process by which Tasmania Police investigates allegations of harmful sexual behaviours in circumstances where both the victim and the perpetrator are living in the same house due to being on care and protection orders?

192. The process to investigation harmful sexual behaviours is found within the Initial Investigation and Notification of Child Sexual Abuse Guidelines, which are attached to this statement marked JCH-13. The process does not change, though investigators must be sensitive to the fact that the parties reside together. If an immediate threat to the safety of the child exists, in addition to CFS applying for a warrant as outlined in paragraph 161 to remove the child, Tasmania Police have additional powers to apply for a Restraint Order, Police Family Violence Order (PFVO), or Family Violence Order (FVO) if the relationship fits that criterion.

Question 25

Are there any barriers or limitations to the investigation process imposed by the children's placement or by the status as children under the care of the Secretary of the Department of Communities?

193. There are barriers or limitations as below:

Barrier One- Wanting to keep the family unit together

194. The Keeping Children Safe Handbook (JCH-2) outlines that where a child is assessed as being at risk within the family CFS will, in the first instance, take every reasonable step to enable the child to remain in the care of the family by strengthening the family's capacity to protect the child from harm.

195. Only where, even with support, a child is at risk within the family, CFS can exercise its statutory authority under the *Children, Young Persons and Their Families Act* to put arrangements in place for the care and protection of children. A child will only be removed from their family if there is no other reasonable way to safeguard



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their wellbeing. Intervention will be by the least intrusive means possible to minimise the effects of trauma to the children.

196. Leaving the child in the care of a potential suspect opens the child to being manipulated to provide evidence in support of the offender. This can present a barrier to the investigation.

Barrier Two- Information Sharing Between Departments

197. Although information sharing across agencies has improved dramatically, it remains those agencies have different computer systems which do not cross link with each other. A one stop reporting model is a possibility in the future and one supported by Tasmania Police.

198. A single report-receiving body for reports relating to the safety, welfare and wellbeing of children would be likely to result in more complete and timely exchange of information.

199. For example, if the report-receiving body receives a report in relation to:

- a. the safety, welfare or wellbeing of any child → forward to CFS
- b. an alleged perpetrator who is an adult → forward to police
- c. an alleged perpetrator who is a child → forward to CFS & police
- d. a person acting in a professional or volunteer capacity → forward to Register Work Vulnerable People & police.

Question 26

Whether or not a decision is made to proceed to the laying of charges, do Tasmania Police undertake any risk assessment as to the likelihood of the alleged offending occurring again in the placement?

200. Tasmania Police do not undertake a formal risk assessment as to the likelihood of further offending. If concerns exist for the child or young person, normal mandatory reporting requirements are in place, the assessment as to risk regarding a future placement is then conducted by CFS.

201. If the matter is Family Violence related, Tasmania Police will utilise a Risk Assessment Screening Tool (RAST). The Family Violence Manual (JCH-11) section 5.12 Members will conduct a risk assessment for all family violence incidents utilising the RAST. The RAST identifies the presence of risk factors and



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calculates a score that reflects the likelihood of the repetition or escalation of violence by the offender against the victim. The RAST must be completed for all incidents of family violence. The RAST and questionnaire is generated and saved electronically on the incident. The RAST screening tool is to be used in conjunction with the RAST questionnaire and aide memoire.

202. The source reliability and information accuracy is to be rated on the admiralty scale. The RAST score is divided into three levels, low (0-13) medium (14-27) and high (28+). Supervisors should use their judgment to exercise professional override of the RAST score if they believe the score does not accurately reflect the risk to the affected person. Any decision to override must be justified and documented. Important: Note Section 13 relating to Orders, the RAST score and the requirement for issuing Police Family Violence Orders (PFVOs) and Family Violence Order (FVO). Where the affected person is unable or unwilling to participate in the RAST process, attending members are required to complete the RAST based on their investigation. Information used in the RAST may include evidence from other persons known to the victim or information contained within DPFEM databases. Where a RAST is completed in these circumstances, it must be noted in FVMS indicating that the victim has not participated in the process. A copy of the RAST and questionnaire is to be attached to any court file. The RAST score must be entered on the FVMS. A risk assessment questionnaire and aide memoir has been developed and must be used to facilitate this process. The document should be completed with the victim using the RAST aide memoire, and the victim invited to sign the RAST document.

Question 27

In circumstance where Tasmania Police decide to charge a child or young person in relation to harmful sexual behaviours, does Tasmania Police adopt any diversionary processes or restorative justice approaches in relation to harmful sexual behaviour?

203. The *Youth Justices Act 1997* outlines prescribed offences in which the diversionary process for youths cannot be carried out. Regarding harmful sexual behaviour, the diversionary process can't be used for the offences of maintaining a sexual relationship with a young person, aggravated sexual assault and rape if the suspect is 14 years or older. Only suspects under 14 years of age can be diverted from the court process for these offences if deemed suitable.



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Regional Differences

Question 28

Identify if the response of Tasmania Police as described in your responses to paragraph 13 to 27 differ depending on where the child or young person lives?

204. All policies referenced throughout this statement are state-wide and no regional differences should be noted.

What Next?

Question 29

Are there any recommendations that you believe the Commission should consider to help protect children in the care of the Secretary of the Department of Communities, from child sexual abuse, grooming, harmful sexual behaviour or child sexual exploitation?

205. Tasmania Police is the only 24/7 service available to respond to child safety concerns. As highlighted in the Keeping Children Safe Handbook (JCH-2), CSS and the ARL are only in operation between 9:00am and 5:00pm. Beyond those times, referrals are to an After-Hours Emergency Service line which has limited capacity to attend to urgent requests, resulting in Tasmania Police being required to respond in the absence of support services. Any potential future change to the age of criminal responsibility will also see an increase in the need for CSS out of hours, as youths, who previously would have been dealt with criminally will require alternative support. Tasmania Police recommends that this service be extended to beyond business hours only.

Conclusion

206. I am available to assist the Commission of Inquiry as required.

I make this solemn declaration under the *Oaths Act 2001* (Tas).

Declared at 47 Liverpool Street, Hobart on 7 June 2022



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[Redacted]

Jonathan Craig Higgins

Before me

[Redacted]

[Redacted]

Inspector 2996

Commissioner of Oaths

[Redacted]



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ATTACHMENT JCH-1

This is the attachment marked **JCH-1**, referred to in the witness statement of Jonathan Craig Higgins, dated 7 June 2022.

A21/153127 Final as at 29/7/21

Keeping Children Safe
Memorandum of Understanding

between

Department of Communities Tasmania
(Children and Family Services)

and

Department of Police, Fire and Emergency Management
(Tasmania Police)



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ATTACHMENT JCH-3

This is the attachment marked **JCH-3**, referred to in the witness statement of Jonathan Craig Higgins, dated 7 June 2022.

Tasmania Police Manual

Part 9.2 Abuse or Neglect

9.2.1 GENERAL

(1) The overarching objective of the *Children, Young Persons and Their Families Act 1997* is to provide for the care and protection of children and young people in a manner that maximises the child's opportunity to grow up in a safe and stable environment and to reach their full potential.

(2) Tasmania Police is responsible for investigating offences created by this Act whilst the relevant area of the Department of Communities Tasmania is responsible for care and protection issues

(3) Members are to refer to *Keeping Children Safe Memorandum of Understanding with Communities Tasmania (Children and Family Services)* and *Keeping Children Safe Handbook* for all information when dealing with care and protection issues.

9.2.2 MANDATORY REPORTING REQUIREMENTS

ORDER

Members shall:

- in addition to submitting an Atlas Occurrence (Child Safety), where it is identified that a child is at imminent risk of ongoing harm, verbally report all cases where sexual abuse, physical injury or severe neglect are alleged to the relevant area of Communities Tasmania;
- take such immediate action as may be necessary to ensure the safety of any child; and
- record on the Atlas Occurrence (Child Safety) details of the verbal contact made with Communities Tasmania.

Members should refer to [2021 MOU between Department of Police, Fire and Emergency Management \(Tasmania Police\) and Department of Communities Tasmania \(Children and Family Services\)](#) if clarification is required.

(1) Members are legislatively mandated to report incidences where a member believes or suspects on reasonable grounds or knows that a child has been or is being *abused or neglected* or there is a reasonable likelihood of a child being killed or abused or neglected by a person with whom the child resides, members shall notify those concerns to the relevant area of Communities Tasmania.



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(2) If a member is uncertain regarding the need to verbally notify Communities Tasmania in any particular matter involving a child, then the member must seek advice from their supervisor and then include those details on the Atlas Occurrence (Child Safety).

(3) If a member of a district Crime Management Unit (CMU) responsible for processing an Atlas Occurrence (Child Safety) identifies a matter that should have been the subject of a verbal notification, and is uncertain whether a verbal notification has been made, they must refer the matter to a supervisor. The supervisor shall immediately review the report in conjunction with the relevant Case Allocation Officer (CAO) to determine if a verbal notification, in addition to the written referral, is required and has been made. The relevant CAO shall then make the verbal notification, if required, and then record those details within the Atlas Occurrence (Child Safety).



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ATTACHMENT JCH-4

This is the attachment marked **JCH-4**, referred to in the witness statement of Jonathan Craig Higgins, dated 7 June 2022.



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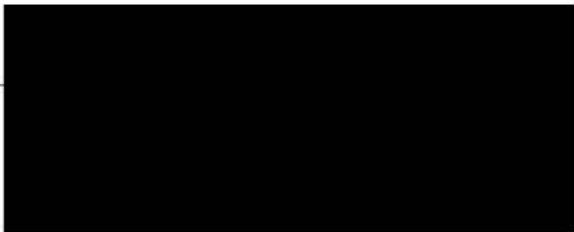
**LAW477
INVESTIGATION FOR FRONTLINE OFFICERS**

Semester 1, 2022

Unit Outline



CRICOS Provider Code: 00586B





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**LAW478
INVESTIGATIVE PRACTICE**

Semester 2, 2021

Unit Outline



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**LAW473
QUESTIONING FOR INVESTIGATORS**

Semester 2, 2021

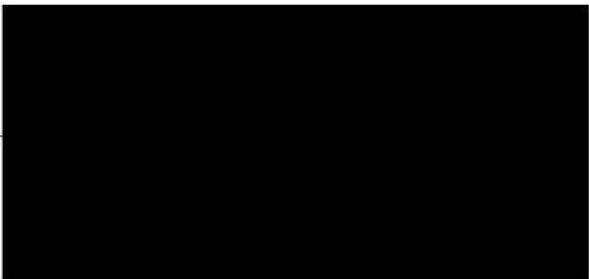
Unit Outline



CRICOS Provider Code: 00586B



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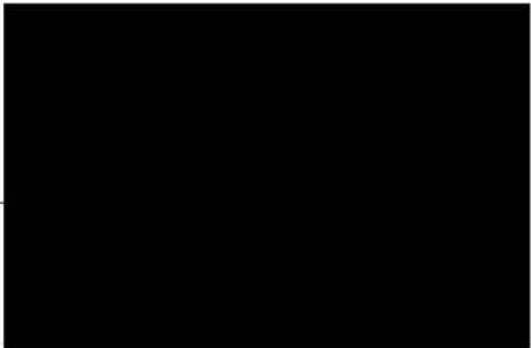
HSP404
SUPERVISED RESEARCH PROJECT

Semesters 1, 2, and 3 2020

Unit Outline



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LAW474

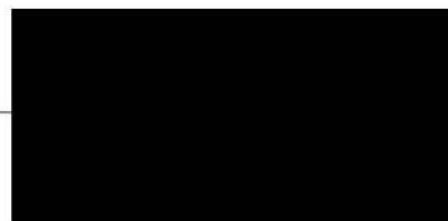
SPECIALIST INTERVIEWING

Semester 2, 2021

Unit Outline



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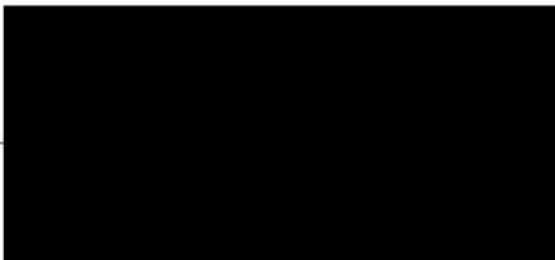
**HGA237/337/437
JUVENILE JUSTICE AND CHILD PROTECTION**

Semester 1, 2021

Unit Outline



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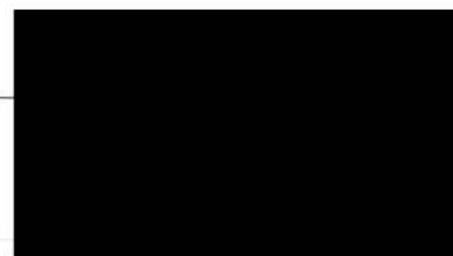
**HSP503
FOUNDATIONS OF FORENSIC STUDIES**

Semester 2, 2021

Unit Outline



CRICOS Provider Code: 00586B





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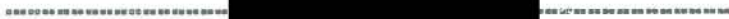
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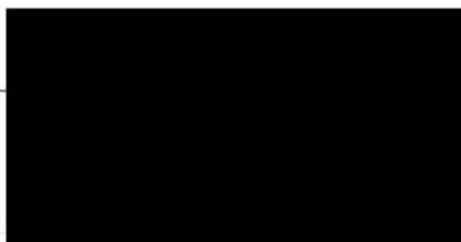


**HSP417
CONTEMPORARY POLICING**

Semester 1, 2021
Unit Outline



CRICOS Provider Code: 00566B

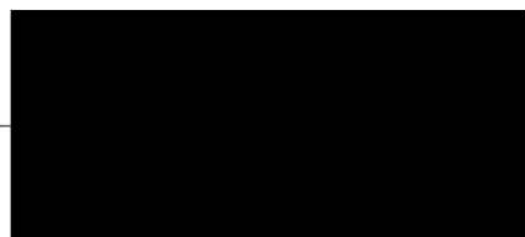
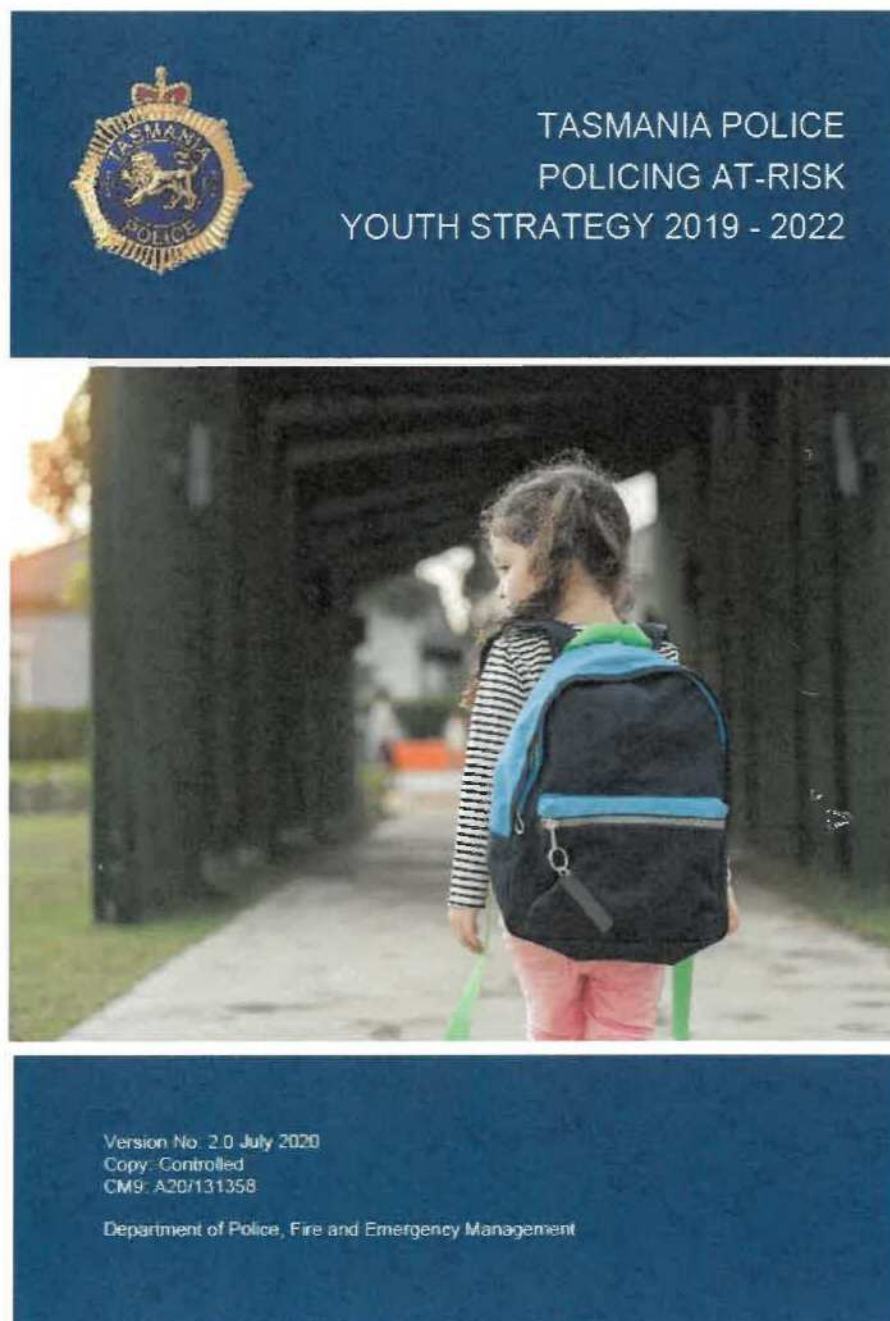




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ATTACHMENT JCH-5

This is the attachment marked **JCH-5**, referred to in the witness statement of Jonathan Craig Higgins, dated 7 June 2022.





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ATTACHMENT JCH-6

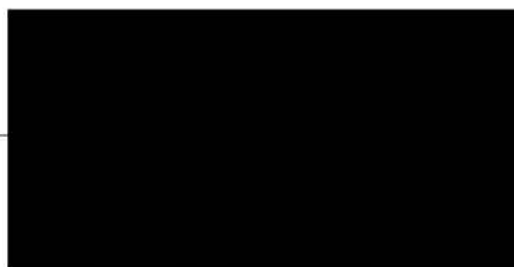
This is the attachment marked **JCH-6**, referred to in the witness statement of Jonathan Craig Higgins, dated 7 June 2022.

DEPARTMENT
OF POLICE, FIRE
AND EMERGENCY
MANAGEMENT

FUTURE FOCUS

2020 – 2023

VISION	MISSION			
A safe, secure and resilient Tasmania.	To provide effective policing, fire and emergency management services.			
OUR ENVIRONMENT				
Our emergency services operate in a dynamic environment, responding to unpredictable events that require an organisation that is agile and resilient. We need to be capable of meeting the demands of the changing financial, social and political environment by forecasting and responding to opportunities and threats.				
READINESS	RESPONSE	REASSURANCE		
<ul style="list-style-type: none"> Prepare and plan for events and emergencies Educate and empower our community Collaborate with stakeholders Intervene early to minimise harm Build community resilience 	<ul style="list-style-type: none"> Capable and reliable to meet demands Agile, scalable and flexible service delivery Skilled and equipped workforce Innovative and able to adapt 	<ul style="list-style-type: none"> Community confidence through professional service delivery Promote diversity and inclusion A culture of trust and accountability Continuous improvement Evidence based decision making 		
OUR PEOPLE UNDERPIN WHAT WE DO THROUGH THE FOLLOWING PRINCIPLES:				
LEADERSHIP	RESILIENCE	PROFESSIONALISM	COLLABORATION	VALUES - LED
STRATEGIC FOCUS AREAS				
Supporting a healthy and resilient workforce	Building frontline capability	Enhancing trust and strengthening community relationships	Capitalising on interoperable emergency services	

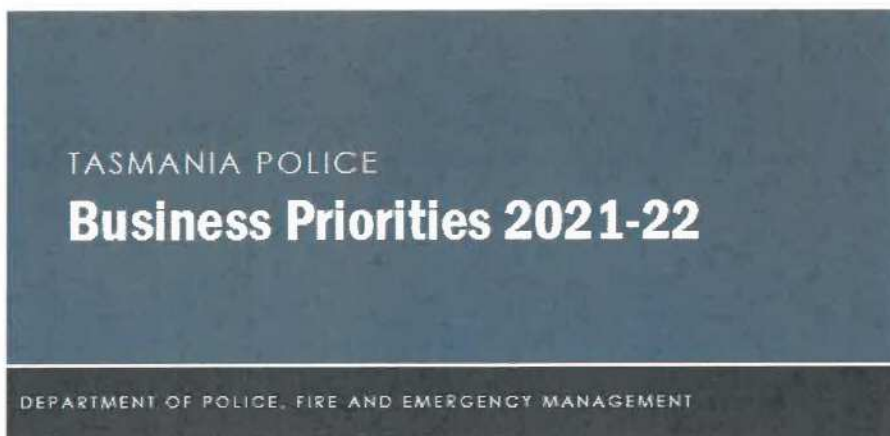




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ATTACHMENT JCH-7

This is the attachment marked **JCH-7**, referred to in the witness statement of Jonathan Craig Higgins, dated 7 June 2022.





ATTACHMENT JCH-8

This is the attachment marked **JCH-8**, referred to in the witness statement of Jonathan Craig Higgins, dated 7 June 2022.

Registration to Work with Vulnerable People (RWVP) INFORMATION SHARING PROTOCOL

Department of Justice & Tasmania Police

To work or volunteer with vulnerable people (children and persons with a disability), a person must be registered. Registration to Work with Vulnerable People (RWVP) needs up-to-date information from Tasmania Police (TasPol) to accurately assess whether a person is suitable to work with vulnerable people. Providing accurate information in a timely manner is vital to ensure that only suitable people get (or stay) RWVP registered.

You and the information you provide are protected by law

The *RWVP Act 2013* (the Act) and related legislation provide authority for the exchange of information between RWVP and TasPol to protect vulnerable people. If TasPol suspect or become aware that a registered person has, or may have, engaged in behaviour that poses a risk of harm to vulnerable persons, whether by reason of neglect, abuse or other conduct, they must notify RWVP (s 53A(1)). RWVP may provide TasPol with any information relating to the registration of a person, if it is appropriate to share that information to protect vulnerable persons from a risk of harm (s 54B(3)). TasPol must comply with any request to provide RWVP with information (s 52A(1)). It is an offence for those performing functions or exercising powers under the Act to use or divulge protected information except for the purposes of the Act, corresponding laws or in court proceedings (s 54).

Reasons for refusing, suspending or cancelling a registration

When the Registrar of RWVP refuses an application, or suspends or cancels a person's RWVP, they are normally required to tell that person why. The Registrar is not required to tell the person the reasons for a decision in certain circumstances which are outlined below.

The Non-Disclosure List

- (a)(i) prejudice the enforcement or proper administration of a law
- (a)(ii) prejudice the fair trial of a person
- (a)(iii) prejudice the impartial adjudication of proceedings relating to an offence
- (b) allow the person to establish the existence or identity of a confidential source of information in relation to an investigation
- (c) allow the person to identify investigative methods which would no longer be effective if known
- (d) endanger the life or physical, emotional or psychological safety of another person, or increase the risk of harassment or discrimination against another person
- (e) disclose intelligence, forensic testing or anonymous information from the public; or
- (f) hinder, delay or prejudice an ongoing investigation.



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ATTACHMENT JCH-12

This is the attachment marked **JCH-12**, referred to in the witness statement of Jonathan Craig Higgins, dated 7 June 2022.

Tasmania Police Manual

Part 4.5 Missing Persons

4.5.1 GENERAL

(1) A missing person is anyone who is reported missing to police, whose whereabouts are unknown and where there are concerns for the safety or welfare of that person.

(2) A person may be reported missing by any person who has genuine concerns for the safety or welfare of a missing person.

(3) Members will investigate all reports of missing persons until:

- (a) the missing person is located;
- (b) criminal charges are instigated; or
- (c) a report of death is submitted to the coroner.

4.5.2 INITIAL ACTION

(1) Members taking a report of a missing person should obtain details for a Missing Person Report, in person where practicable, and include the full circumstances leading up to the disappearance.

(2) Full particulars of the missing person shall be obtained and members should also endeavour to obtain a recent photograph.

(3) Where the reporting person is not a parent or the next-of-kin of the missing person, the attending member shall make arrangements to notify, as appropriate, the parent/s or next-of-kin.

(4) Immediate enquiries aimed at locating the missing person are to be initiated as a priority.

(5) Where the level of urgency is Medium or High Response as contained within the Missing Person Report, the divisional inspector or duty officer is to be notified as soon as practicable.

(6) If there are any suspicious circumstances surrounding the disappearance of a missing person, the relevant detective inspector is also to be notified,



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(7) If the missing person is a child who is subject to a court order under the *Family Law Act 1975 (Commonwealth)*, then this information is to be included in the Missing Person Report.

(8) If the investigation is continuing at the conclusion of a shift then the relevant supervisor should:

- (a) brief the divisional inspector or duty officer; and
- (b) brief the on-coming supervisor and advise of any matters requiring attention.

(9) The divisional inspector or duty officer: shall notify the relevant district commander:

- (a) if there are any suspicious circumstances surrounding the disappearance of a missing person;
- (b) if the detective inspector is notified;
- (c) if a Search and Rescue operation is required; or
- (d) prior to a media release.

4.5.3 INVESTIGATION

(1) The investigation of a missing person is a district responsibility and such reports are to be allocated for active investigation.

(2) All enquiries relating to the missing person are to be recorded on the electronic running sheet attached to the relevant Missing Person Report.

(3) The member who has been allocated a missing person investigation is to contact the reporting person and advise of progress within 24 hours of making the initial report to Tasmania Police. Regular contact is to be maintained with the reporting person, next-of-kin or parent/s of the missing person.

(4) Where it is suspected that a missing person is deceased, a Police Report of Death for the Coroner must be submitted as soon as practicable (refer also to *part 4.5.3(12)*).

(5) Where the missing person's fingerprints and DNA are not on record, consideration is to be given (at an early stage) to the forensic examination of areas likely to produce latent prints and DNA of the missing person, such as the missing person's bedroom or bathroom. Best items for DNA comparison include the missing person's toothbrush, razor or hairbrush.

(6) If the missing person has not been located after 30 days, the investigating member is to:

- (a) identify the missing person's dentist and medical practitioner and obtain any relevant evidence, in particular x-rays and dental charts; and



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(b) obtain DNA samples from blood relatives for the database.

(7) If suspicious circumstances exist in a missing person investigation, the CIB will take carriage of the investigation.

(8) The Missing Person Unit, State Intelligence Services (SIS) is a resource for investigating members to assist in any missing person investigation. This Unit will coordinate requests to and from interstate and international jurisdictions for assistance in relation to missing person inquiries.

(9) The Missing Person Unit is to maintain a record of all missing persons and unidentified bodies or body parts, located within the State and assist the investigating officers with inquiries to establish identity.

(10) If a media release is to be prepared, the authority of the reporting person or, as appropriate, the next-of-kin or parent/s of the missing person, is to be obtained prior to such a document being released.

(11) When a missing person has been or is currently involved in Family Law Court action, members are to refer to Section 121 [Family Law Act 1975](#) prior to any information being released to the media.

(12) Missing person cases, where all enquiries have been exhausted and death is suspected, must as soon as practicable be reported to the Coroner via a Police Report of Death for the Coroner. The report must include information that would satisfy the Coroner that the missing person is suspected of being deceased. Submission of the report is the responsibility of the investigating officer.

(13) If, after 60 days from submission of the Police Report of Death for the Coroner a missing person has not been located, a coroner's file is to be submitted. Submission of the coroner's file is the responsibility of the investigating officer.

4.5.4 LOCATED MISSING PERSONS

(1) If a missing person is reported as located and there is no further cause for concern, then that report is to be confirmed by direct police observation or corroborated by other reliable means.

(2) The investigating officer is to notify the reporting person or next-of-kin that the person is located, if appropriate.

(3) Depending on the circumstances of the case, the location of a missing person should not be divulged to the reporting person or next-of-kin, without the consent of the missing person.

(4) Where a missing person is under the age of 18 years and does not want their location divulged to the reporting person or next-of-kin, the investigating officer should seek advice from the divisional inspector or duty officer and record the outcome on the Missing Person Report.



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(5) The member responsible for the investigation is to advise Radio Dispatch Services and Media and Communications, where appropriate, if a missing person is located.

4.5.5 CUSTODY DISPUTES

(1) A Recovery Order issued by the Family Law Court, on application by the relevant parent/s or guardian/s, will be required to remove a child who has been reported as missing.

(2) If a child is reported missing and that child is subject to a custody dispute, then the attending officer should, where necessary:

- (a) obtain all relevant information concerning current Family Law Court orders; and
- (b) contact the Australian Federal Police.

(3) Any Recovery Order issued by the Family Law Court will specify and clarify the powers and authority of Tasmania Police.

4.5.6 AUSTRALIAN NATIONALS REPORTED MISSING OVERSEAS

(1) If a person is reported missing overseas, members are to still to complete a Missing Person Report. This Report is to include details of travel arrangements, intended itinerary and overseas contacts.

(2) The Missing Person Unit (SIS) will coordinate all international enquiries for such missing persons.

4.5.7 ABSENT PERSONS

(1) An Absent Person is a person who is low risk and who is likely to be found quickly or is a recurring runaway.

(2) In all other instances outside of part 4.5.7(1), including where there are concerns for a person's safety or welfare, the matter is to be reported and investigated as a missing person. If there are doubts whether a person is missing or absent, the person will be reported and investigated as a missing person.

(3) A person may be reported absent by any person.

(4) In instances of a person being reported absent, members will submit a Missing Person Report via Atlas (by following steps for Absent Person).

(5) Absent person matters are a district responsibility and reports are to be allocated for enquiries to be conducted.

(6) When an absent person is located or returned, the involved member will update the report, cancel any flags and, if appropriate, notify the reporting person or next-of-kin.



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(7) If it becomes evident that the absent person is a missing person (per the definition at part 4.5.1(1)), the involved member will convert the report to a Missing Person Report, complete all necessary parts of the Missing Person Report and advance investigations accordingly.

(8) Notwithstanding part 4.5.7(7), if the absent person has not been located or returned after 48 hours, the involved member will convert the report to a Missing Person Report, complete all necessary parts of the Missing Person Report and advance investigations accordingly.

