



WITNESS STATEMENT OF DARREN LEIGH HINE

I, Darren Leigh Hine, 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-001, requested by the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings (the **Commission of Inquiry**). The information in this statement is true and correct to the best of my knowledge and belief.

Schedule of Acronyms

ACCCE	Australian Centre to Counter Child Exploitation
AFP	Australian Federal Police
AHES	After Hours Emergency Services
CALD	Culturally and Linguistically Diverse
CEM	Child Exploitation Material
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
CSA	Child Sexual Abuse
CSAJRT	Child Sexual Abuse Joint Review Team
CT	Communities Tasmania
DOE	Department of Education
DOJ	Department of Justice



**Commission of Inquiry into
the Tasmanian Government's
Responses to Child Sexual
Abuse in Institutional Settings**

OFFICIAL - Sensitive

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
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
RWVP	Registration to Work with Vulnerable People
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
TRIST	Triage Referral Investigation Support Tool

Background

Question 1

What is your current role and professional background (particularly within the State Service)?

- I am the Commissioner of Police, I am also Secretary of the Department of Police, Fire and Emergency Management and Commissioner of Police. I am also State Controller under the Emergency Management Act 2006.



**Commission of Inquiry into
the Tasmanian Government's
Responses to Child Sexual
Abuse in Institutional Settings**

OFFICIAL - Sensitive

3. I was acting in these roles from August 2008 and appointed to these roles in October 2010. My career with Tasmania Police began in 1980.
4. In 2015, I was appointed by the Prime Minister to the Australian Government's Advisory Panel to Reduce Violence against Women. I am personally committed to tackling violence against women and children.
5. I served as Chair of the Australian and New Zealand Policing Advisory Agency (ANZPAA) for 7 years, and Chair of the National Crime Statistics Board of Management (NCSU) for 13 years.
6. As Secretary, I represent the Department on the State Government Secretaries' Board and on the Cabinet sub-committees: Premier's Disability Advisory Committee and the Children, Young People and Families Safety and Wellbeing Cabinet Committee.
7. Medals and Awards
 - a) National Medal 1995
 - b) Commissioner's Medal 1999
 - c) Australian Police Medal 2002
 - d) National Police Service Medal in 2012
 - e) Officer of the Order of Australia 2020. I was inducted for distinguished service to law enforcement and to the community.
 - f) Australia Public Service Medal, Queens Birthday Honours 2022

Question 2

As Chief Commissioner, do you have any personal performance measures, key performance indicators or financial outcomes in relation to how Tasmania Police responds to child sexual abuse or safeguards children?

8. Yes. My Head of Agency Performance Agreement 2021-22, contains Performance Indicators against Major Government Priorities, which includes the Commission of Inquiry and Historic Complaints Review Process.
9. My Performance Agreement contains the following contextual information:

Historic Complaints Review Process – The Tasmanian Government has allocated \$1.5million to establish a Historical Complaints Review Process within Tasmania Police which has resulted in the establishment of a Child Sexual Abuse Joint Review



Team (CSAJRT). Its work is overseen by a high-level steering committee. The CSAJRT is also undertaking research, including site visits to other police jurisdictions, to ensure appropriate advice is provided to the Government, in relation to the establishment of a new structure to coordinate investigations involving allegations of child sexual assault or abuse.

10. These indicators are assessed in an annual review discussion with the Minister.

Question 3

Why was the Tasmania Police Draft Submission not submitted to the Commission? Does it reflect your views or the views of Tasmania Police?

11. Early in July 2021 Tasmania Police settled a lengthy submission to the Commission of Inquiry in response to the general invitation for submissions put out by the Commission. On 5 July 2021, I forwarded the Tasmania Police submission (together with five attachments) to Ms Mignot of the office of the Solicitor-General under cover of a letter which made the following request of Ms Mignot:

"I write to request that you seek clearance from the Solicitor General for the release of the attached submission to the Commission of Inquiry. Following that clearance being provided, I would be grateful if you could please arrange for the submission to be provided to the Commission of Inquiry for their attention."

12. Tasmania Police assumed that the request made to Ms Mignot was complied with and that the submissions were forwarded to the Commission of Inquiry. The form of this question caused the Principal Legal Officer of Tasmania Police, Mr Miller, to question whether that was in fact the case. On 25 May 2022 General Counsel for the Commission of Inquiry, Mr Heath, advised Mr Miller that the Commission received a copy of the submission of Tasmania Police in response to NTP-POL-002 paragraph 2, which asked for a copy of any submission or draft submission. Mr Heath advised Mr Miller that as far as he was aware that was the only version of the submission produced to the Commission. Mr Miller then provided Mr Heath with the Tasmania Police submission and attachments documents forwarded to Ms Mignot on 5 July 2021.
13. Subsequent inquiries to the office of the Solicitor-General have resulted in confirmation that the Tasmania Police submission was not forwarded to the Commission by that office.



14. The Tasmania Police submission generally reflects both my views and the views of Tasmania Police.

Question 4

Why was the Closure Report not produced to the Commission in response to NTP-POL-002?

15. Mr Miller identified the Closure Report as being within scope of paragraph 1 of NTP-POL-002. He erroneously believed that the Closure Report was forwarded to Cabinet in March 2022 with a Cabinet submission. The Department of Premier and Cabinet advised Tasmania Police that the document forwarded to Cabinet was subject to privilege and that the Commission of Inquiry should be advised to formally request production of it if it wished to obtain it.
16. On 14 April 2022 Tasmania Police emailed Ms Mignot requesting her to include in the response to NTP-POL-002, advice that the Child Sexual Abuse JRT Final Report went to Cabinet and of the substance of the advice received from the Department of Premier and Cabinet.
17. The request made of Ms Mignot reflected Mr Miller's erroneous belief that the Closure Report was forwarded to Cabinet. On 29 April 2022 Mr Miller established that the request made of Ms Mignot was not complied with. On the same day he ascertained that the document forwarded to Cabinet was in fact a more comprehensive form of the Closure Report. Mr Miller then provided Mr Heath with a copy of the Closure Report.

Question 5

Has Tasmania Police been the subject of significant changes (for example restructures) in the Relevant Period? If yes, describe any changes that are relevant to the Commission's Terms of Reference?

18. Tasmania Police has had some significant changes in structure over the relevant period relevant to the terms of reference of the Commission.
19. In 2016, The Safe Families Coordination Unit (SFCU) was established. This unit brings together Police, Communities Tasmania, the Department of Education, the Department of Health and the Department of Justice, along with Non-Government Organisations to combat family violence. This unit reviews all incidents of family violence and implements responses across all sectors. This unit conducts mapping



- of at-risk families and provides advice on actions to agencies. This includes indications of CSA, which are referred to appropriate agencies, including investigators.
20. Prior to a strategic review in 2017, the SFCU worked closely with Victim Safety Response Teams (VSRT) who were attached to District Support Divisions within the Geographical Districts. The focus of these units was to support victims of family violence.
 21. In 2017, police officers attached to VSRT's were moved from District Support Divisions within the Geographical Districts to the Criminal Investigation Branches and re-titled as Family Violence Units (FVU). This change in structure was a move to focus more on Priority Family Violence Perpetrators and enable more coordination between FVU members and criminal investigators. The management of FVU's now falls to Detective Inspectors.
 22. A further change in structure occurred in 2020 that is relevant to this Commission. Prior to 2019, Tasmania Police had units referred to Early Intervention and Youth Action Units within the Geographical Districts. These unit included members who were stationed within certain colleges.
 23. As a result of a strategic review, these units were re-named and re-directed. They are now referred to as Youth Crime Intervention Units (YCIU). The focus of these units is diverting and supporting at-risk youth and engaging with children at an earlier age to divert them from offending. These units include members attached to Police and Citizens Youth Clubs. These members have an acute interest in the wellbeing of children and they liaise closely with investigators should there be any suspicion of CSA.
 24. In 2020, Tasmania Police conducted a structural change with the addition of a new District, the Crime and Intelligence Command (CIC). This District is directed by the Assistance Commissioner, Crime and Operations and provides advice on crime policy and strategy.
 25. The CIC has worked closely with partner agencies including the AFP with the JACET, the Department of Justice with the implementation of the Witness Intermediary Scheme and has driven the response to recommendations of the Royal Commission into Child Sexual Abuse within Institutional Settings.



26. The CIC also undertook a review of our response to CSA which led to the establishment of the CSAJRT.
27. In February 2021 Government established a CSAJRT which was tasked with implementing the recommendations from the Outcomes Report into the police investigations of James Geoffrey Griffin.
28. The CSAJRT was tasked with delivering a historical complaints review process and providing recommendations to Government on structural reform for best practice service provision to victim-survivors of sexual violence.
29. The CSAJRT included experienced Child Safety professionals, Detectives and Intelligence Analysts. The CSAJRT has undertaken a significant body of work, including:
 - a) a review of thousands of records held across Government agencies to assess any potential risk to children
 - b) the development of Memorandum of Understandings (MOU) between Tasmania Police, Communities Tasmania, Justice and Education to ensure information is shared promptly across agencies, and
 - c) the development of training and investigation guidelines for police officers and child safety professionals.
30. The work of the CSAJRT in reviewing reports and records has been meticulous and thorough. This process has involved the review of thousands of records held across government systems and agencies with a focus on the approximately 136,000 individuals who are Registered to Work with Vulnerable People in Tasmania – as these individuals have access to our children through their work or volunteering.
31. From the thousands of records reviewed by the CSAJRT, there have been no children identified as being at current risk of harm.

Multi-disciplinary Centres

32. The State Government has committed to the creation of Multi-disciplinary Centres (MDC) to provide victim-survivors with immediate and integrated support in a safe place. The Tasmanian Government is investing \$15.1 million over two years to establish the MDCs.



33. These Centres will offer support and investigative services to victim-survivors. They will integrate specialist police investigators, child safety service professionals and support services for both sexual and family violence. The provision of co-located victim-centric and holistic response supports improved victim-survivor experiences and criminal justice outcomes.
34. The Centres will recognise the intersection between sexual and family violence and be supported by the proposed expansion of the remit of the Safe Families Coordination Unit to include sexual violence more broadly.
35. Under the two year pilot, the MDCs will be established in the north and the south of the State, delivering integrated support including family and sexual violence support and counselling services, specialist police investigators and other related services.

Organisational Structure and Culture

Question 6

Provide an organisational structure identifying key reporting lines within Tasmania Police.

36. Attached to this statement marked **(DLH-01)** is a copy of DPFEM Organisational Structure as at 31 May 2022.

Police Review Team and Child Sexual Abuse Joint Review Team

Question 7

Are there any challenges in maintaining dual roles as Commissioner of Police and Secretary of the Department of Police, Fire and Emergency Management?

37. In a small jurisdiction such as Tasmania, it is not uncommon for those in senior roles to hold more than one position.
38. The role of Secretary is set out in the *State Service Act 2000* and the role of Commissioner is established under the *Police Service Act 2003*.
39. As well as holding the roles of Commissioner of Police and Secretary of the Department of Police, Fire and Emergency Management, I also hold the role of State Controller under the *Emergency Management Act 2006*.
40. There are no conflicts or challenges maintaining these roles.

Question 8



What is Tasmania Police's role in preventing, identifying and responding to child sexual abuse in Institutional Contexts? In your answer, include a description of the various units or areas that contribute to preventing, identifying, and responding to child sexual abuse in Institutional Contexts. Does this structure work effectively?

41. Tasmania Police play an important role in preventing, identifying and responding to CSA in institutional contexts, along with other agencies and the institutions.
42. From a preventative perspective, Tasmania Police manages the Community Protection Offender Register (CPOR). This involves management of high risk offenders.
43. The Community Protection Register is a confidential record of personal information about people who have been convicted of sexual or certain other serious offences. The Community Protection (Offender Reporting) Act 2005 requires a reportable offender to keep police informed of their whereabouts and other personal details, for a period imposed by Court.
44. Tasmania Police uses information in the Register to monitor reportable offenders. The Register helps reduce the likelihood that reportable offenders reoffend and facilitates the investigation of any future offences they may commit.
45. The supervision of reportable offenders involves registry staff located at State Intelligence Service, together with authorised officers, located in each geographical command.
46. Registry staff maintain the register, together with registering reportable offenders released from custody. Further they determine the risk level of reportable offenders (low, medium, high or very high) based upon criminal history and victim demography.
47. Risk level determines how regularly a reportable offender is checked. These scheduled checks are in addition to each reportable offenders' annual reporting obligations. The Registry advise authorised officers in geographical districts when scheduled checks are due.
48. The Registry assign any suspected non-compliance with the Act for investigation by authorised officers, together with assessing reportable offenders' applications for overseas travel and reportable offenders' applications to change names.



49. Authorised officers are responsible for ongoing case management of reportable offenders, including annual reporting and scheduled checks.
50. If the Registry or authorised officers identify the need to restrict or prohibit the movement or conduct of a reportable offender, a Community Protection Order is considered. Where the Commissioner of Police (delegated to CPOR Registrar) is satisfied that a reportable offender poses a risk to the safety or wellbeing of any child, or children, they may apply to a magistrate for a community protection order prohibiting or restricting the movement, or conduct, of the reportable offender, to reduce that risk.
51. In the prevention space, Tasmania Police also mandatory reports offenders and suspects to the Working with Vulnerable People Registrar and to Child Safety Services, enabling those agencies to make decisions to prevent CSA.
52. Tasmania Police also take part in the ThinkUKnow Australia program in conjunction with the Australian Federal Police (AFP). This is an evidence-based program delivered in partnership with local police and the AFP to children to prevent on-line harms.
53. Tasmania Police play a very important role in the response to CSA. This includes attending to reports of CSA, managing the scene, the victim(s), witnesses and notifying relevant support services and conducting investigations into allegations raised.
54. Most areas of Tasmania Police play a role in responding to CSA. Radio Dispatch Services will take initial calls and assign an appropriate unit to attend a report. This may be a general duties unit, crime car or CIB unit.
55. The initial responder(s) will attend to a report and take initial details. Dependent upon the nature of the allegation, they may call for further assistance from specialists including members of the Victim Crimes Units and Forensic Services. Investigators may involve other specialist areas such as Technical or Physical Surveillance in the investigation.
56. Tasmania Police have CIB's at Kingston, Hobart, Glenorchy, Bellerive, Launceston, Devonport and Burnie. These units are responsible for the investigation of criminal offences and are divided into crime type units. One crime type unit is the Victim Crime Teams within CIBs. These members deal with offences that could be described as



person offences, such as serious assaults, robberies and sexual offences. Reports of CSA will generally be investigated by members from these teams.

57. Wherever practicable, members who are trained in vulnerable witness interviewing will conduct interviews with victims of CSA and will involve Witness Intermediaries, and arrange for victim support services to be engaged.
58. Tasmania Police also work in conjunction with the AFP in the Joint Anti-Child Exploitation Team (JACET) to investigate instances of Child Exploitation Material.
59. Tasmania Police also has Youth Crime Intervention Units (YCIU) in each geographical district. These units directly engage with at risk youth and work collaboratively with other agencies including the Department of Education and Child Safety Services within Communities Tasmania.
60. The Safe Families Coordination Unit (SFCU) is a multi-agency response to family violence. This group regularly conduct mapping exercises and notify operational areas where children are considered to be at risk of sexual or other violence.
61. Overall, I consider that Tasmania Police structures respond well to reports of CSA, however I believe that by creating multi-disciplinary centres and resourcing police investigators within those to deal with sexual violence only will be an improvement for victim-survivors of CSA.

Question 9

What is Tasmania Police's budget and resourcing allocation (including staffing levels) for preventing, identifying and responding to child sexual abuse in Institutional Contexts? How are these acquitted?

62. Many Tasmania Police Officers play a role in preventing, identifying, and responding to child sexual abuse in institutional contexts which makes it difficult to determine actual FTE's and budget allocation to an accurate degree.
63. In 2020-21 The Tasmania Police cash budget is \$476.290 M, noting that \$52.079M is allocated for the output group, "investigation of Crime."
64. Tasmania Police currently has Victim Crime Units (VCU) within Criminal Investigation Branches throughout the State. These units are at Hobart, Bellerive, Glenorchy, Launceston, Devonport and Burnie. The VCU undertake most of the CSA investigations within the geographical districts, but also undertake investigations into other crime types, with a particular focus on person offences.



65. The numbers of members attached to these VCU's is as follows:
- a) Southern District, Hobart – 7 FTE (\$1,050,000)
 - b) Southern District, Bellerive- 5 FTE (\$750,000)
 - c) Southern District, Glenorchy – 5 FTE (\$750,000)
 - d) Northern District, Launceston – 8 FTE (\$1,200,000)
 - e) Western District, Devonport - 4 FTE (\$600,000)
 - f) Western District, Burnie – 2 FTE (\$300,000) (Burnie do not have a VCU as such but 2 FTE are assigned to VCU work.)
66. The Cyber and Child Exploitation Crime Division within the Crime and Intelligence Command operates in conjunction with the JACET and also undertakes their own investigations. This unit consists of 1 x Detective Sergeant and 5 x Detective Constables. (\$900,000)
67. Tasmania Police also has Youth Crime Intervention Units within the geographical districts. These are staffed as follows:
- a) Southern – 6 FTE (\$900,000)
 - b) Northern – 7 FTE (\$1,050,000)
 - c) Western – 4 FTE (\$600,000)

The total commitment to these areas is approximately \$8,100,000. As stated previously, other areas of Tasmania Police respond to reports including general duties police.

Question 10

Identify the number of people employed by Tasmania Police, divided by public service band and role types (including sworn and unsworn)

Attached to this statement marked **(DLH-02)** is a copy of Tasmania Police and State Services headcount as at 26 May 2022.

68. Attached to this statement marked **(DLH-03)** is a copy of State Service Positions and Title.

Police Review Team and Child Sexual Abuse Joint Review Team

Question 22



The Closure Report notes both 'relationships' and 'information-sharing' have been improved. Describe with whom and how those relationships and information sharing have improved.

69. The CSAJRT has provided a context for the formation of collaborative, effective and results-driven cross-agency relationships with shared purpose. Relationship building occurred across agencies represented on the Steering Committee with most notable enhancements with Child Safety Services (CSS), Registration to Work with Vulnerable People (RWVP) and Department of Education (DOE). Additionally, the CSAJRT was a multiagency team who embraced a collaborative approach to protecting children. The improved MOU's, Protocols and guidelines provided the basis for improved information sharing.

Tasmania Police and CSS (CT):

70. Relationships between Tasmania Police and CSS have improved. The CSAJRT has conducted separate and joint consultation, training and information sessions with police and CFS in workplaces. This has provided opportunities to highlight good practice and clarify responsibilities and concerns or misunderstandings around policy, practice or procedures across both agencies. Collectively, these sessions have contributed to strengthened regional relationships, joint service delivery and heightened awareness around identification of possible offences and referral channels.

Information sharing is enhanced through the relationships built and supported by the MOU between the DPFEM, Tasmania Police and CT, CFS (**DLH-04**) and the Keeping Children Safe Handbook in support of the MOU (**DLH-05**) The Handbook guides joint response planning with feedback from both police and child safety indicating these guidelines are being used to support operational responses. The Handbook also provides templates to facilitate the exchange of information to ensure consistency in practice. One of these templates is the Referral Form, which is forwarded by CT to District Crime Management Units (CMUs), who input the information onto Atlas. The CSAJRT engaged in extensive consultation to ensure the form captured all relevant information. The referral form will now be automatically populated from CT systems, enhancing the consistency of information being provisioned to police. Tasmania Police Crime Management Units indicate that the referral form is well embedded as part of practice and confirm the template has improved the consistency of the information provided from CT.



71. Copies of the MOU between Tasmania Police and Department of Communities Tasmania and Keeping Children Safe Handbook are attached to this statement marked **DLH-04** and **DLH-05**, respectively.

Tasmania Police and the RWVP (DOJ)

72. The strong working relationship between Tasmania Police and the Registrar of Working with Vulnerable People has resulted in the timely and full exchange of information in the protection of vulnerable people and an increase in risk assessments being undertaken. The Registrar has attended Tasmania Police Senior Investigating Officer Forum and spoken with Detective Inspectors state-wide with regards to their roles, functions, and obligations. The new information sharing Protocol (**DLH-06**) provides for the central management of requests for information through a newly created and dedicated position within DPFEM Information Services. The Protocol supports consistent and timely sharing of information and ensures the priority is the prevention of harm before investigative outcomes. Statistics indicate a trebling of the number of notifications to RWVP for 2021 compared with the same period in 2020 and increases in both suspensions and cancellations.

Tasmania Police and the Executive Director, Safeguarding Children (DOE)

73. The Department of Education Office for Safeguarding Children engages with Tasmania Police directly and has led work to develop an enhanced Memorandum of Understanding (MOU) between our agencies. The MOU provides for information sharing arrangements, roles and responsibilities. Clarity provided by the MOU will further enhance relationships and Tasmania Police continue to work with DOE collaboratively with relationships strengthening through the formation of an Interagency Systems and Data Working Group. Formal correspondence of 26 November 2021, establishing an inter-agency systems and working group describes opportunities to jointly leverage technology solutions to more effectively share data and information for the protection of children and young persons.
74. Attached to this statement marked (**DLH-07**) is a copy of the correspondence of 26 November 2021 establishing the Interagency Systems and Data Working Group.

Question 23

The Closure Report states extensive consultation will occur with a range of agencies 'and key advisers with lived experiences'. Has this occurred? Are you



concerned that victims support groups were not consulted through the project?

75. Tasmania Police acknowledges the critical importance of victim-survivors as we work together to develop trauma informed, victim centric responses to sexual violence and is committed to genuine and compassionate engagement with victim-survivors.
76. The work of the CSAJRT in reviewing unlinked, third-party information reports did not require consultation with key advisors with lived experiences, nor did the internal agency systems and practice improvements that flowed from that critical work.
77. The Sexual and Family Violence Structural Reform Project has been established under the guidance of a Steering Committee with the first meeting held on Friday 20 May 2022. Tasmania Police is demonstrating a strong and genuine commitment to victim-survivor advocacy within this project.
78. The Project Manager has engaged victim-survivor advocates and will continue to do so. Engagement to date has included:
 - a) personally observing the evidence of each of the victim-survivors through the public hearings of the Commission of Inquiry
 - b) individual communication and meetings with several victim-survivors who have shared their stories and experiences
 - c) discussions with advocates for victim-survivors who do not wish to be identified however do wish to be involved in shaping future responses to sexual violence in Tasmania
 - d) Communication with victim-survivors via counselling support services to offer opportunities to be involved should they choose to do so
 - e) The review of extensive material provided by the Grace Tame Foundation which identifies themes of concern raised by victim-survivors. Whilst this information is deidentified and provided in an anonymous format it provides significant insight into common concerns of victim-survivors
 - f) Reviewing online research and reporting of victim-survivor stories such as those contained within 'The Survivors Trust' website and 'RAINN Stories'
 - g) Listening to and observing the reflections of Tasmanian victim-survivors and their families through the 'Nurse Podcast'



79. [REDACTED] from 3P Advisory is an experienced facilitator who has just completed extensive consultation and engagement across the government and non-government sexual and family violence sectors to inform the development of the Third Family and Sexual Violence Action Plan. [REDACTED] facilitated a Forum on behalf of the Project Manager on 3 June 2022 where 80 individuals represented the interests of government, non-government sexual and family violence sectors, vulnerable people including children, people with a disability and our communities of Aboriginal and Torres Strait Islanders, LGBTIQ+ and CALD members. The Forum ran from 9.30am until 1pm and was followed in the afternoon by working groups which discussed the intricacies of multi-disciplinary centres establishment. Victim-survivor advocates were invited to attend the Forum however all chose to engage personally and discretely with the Project Manager rather than attend such a large-scale event.

Question 24

Why did the historic complaints process not extend to reviewing previous police investigations? Did the historic complaints process extend to reviewing:

- a) individual files of detainees in Ashley Youth Detention***
- b) the complaints files of the Relevant Departments, and***
- c) the human resources files of Officials in the Relevant Departments.***

If not, why not?

80. The historic complaints review process did not extend to a general review of previous policing investigations.
81. The investigation into the matter of James Geoffrey Griffin revealed failings in the way police assess and review third party information reports. This informed the review process undertaken by the CSAJRT.
82. The CSAJRT utilised the Registration to Work with Vulnerable People Register as a platform and reference point for the review process. The rationale for this decision was that those individuals with a registration to work with vulnerable people have access to children. The team reviewed thousands of CT CARDI and CPIS reports and police 'Atlas' information reports to identify if there were 'unlinked information reports' relating to those entities featured on the RWVP register. This provided an opportunity for further information provision and analysis of information held across multiple agencies.



83. Where through any of their work, the CSAJRT identified information holdings which led investigators to inquire into current or previous investigation running sheet entries, offence report details and intelligence submissions were reviewed, and advice and notifications were provided to investigators where appropriate.
84. In December 2020 Tasmania Police changed the reporting process for the receipt of sexual abuse complaints from government agencies. The Assistant Commissioner (Operations) wrote to heads of agency requesting that all notifications of sexual abuse be made through his office (**DLH-08**). A mechanism for ensuring receipt of the notification was embedded in the correspondence. Follow up correspondence requested the use of an established template by agencies in order to improve the information quality and consistency being provided in the referral process (**DLH-09**). There have been 210 referral matters reported to Tasmania Police through this improved process and each of those matters were reviewed by the Assistant Commissioner (Operations) Staff Officer, entered onto either the police intelligence system Atlas or onto the police Offence Reporting System and appropriately referred. The CSAJRT also reviewed these matters and compared the information against the RWVP and CT databases being utilised by that team to ensure information was linked and assessed.
85. It is not the role of Tasmania Police to review the files referred to in paragraphs a, b and c of this question. Moreover, Tasmania Police does not have the powers or resources to do so.

Question 25

Describe the advice that Tasmania Police provided to Premier Peter Gutwein in or around September and November 2021 regarding the work of the Child Sexual Abuse Joint Review Team.

86. In November 2021 representatives of Tasmania Police provided a briefing in relation to the progress of the CSAJRT against the *Review Framework* (as per previous reference on statement) and a high-level structural concept to the Premier of Tasmania which focused on a trauma informed, victim centric responses to sexual violence, acknowledging the nexus between sexual and family violence and the proximity of service providers collaborating in service delivery. A power point presentation which outlines the key areas discussed is attached to this statement marked **DLH-10**.



87. The Tasmania Police Submission captured the early thoughts and concepts being considered by the CSAJRT. These have matured and developed through consultation and a revised concept is captured in the schematic attached to this statement marked **DLH-11**.

Question 26

The Closure Report stated that the review 'has not identified any potential child sexual abuse offenders who have not been, or are not being, dealt with by Tasmania Police or DCT'. What is meant by 'dealt with'?

- a) ***Are you comfortable that the review process resulted in no arrests?***
- b) ***Are you comfortable that the review process noted no children being at risk due to Tasmania Police or Department of Communities inaction?***
- c) ***Does this suggest improvements are not needed?***
88. The term dealt with refers to a 'point in time' assessment.
89. With respect to Tasmania Police 'dealt with' refers to completed or current criminal allegations investigated by Tasmania Police or notifications to the appropriate oversight body.
90. With respect to CT 'dealt with' refers to notifications of concern recorded and actioned in accordance with their statutory obligations.

a) Are you comfortable that the review process resulted in no arrests?

91. The CSAJRT did not review historical or current investigations and it is important to note the significant systems limitations documented in the relevant project material. I am comfortable the review process followed the principles outlined in the Review Framework document (**DLH-12**), with a clear focus on prevention through the timely and appropriate sharing of information. The creation of a full and rich intelligence picture, not only for police but also for the Registrar of Working with Vulnerable People and CT is critically important. Through the improved quality, analysis and sharing of information across agencies there may well have been arrests across Tasmania not attributed directly to the CSAJRT however most certainly a result of the information enhanced and shared. Regardless, I am certain that the extensive work undertaken has, does, and will continue to provide the basis for regulatory, prosecutorial and preventative action. One example of the work undertaken is the



trebling of reporting to the Registrar for working with vulnerable people as featured below.

RWVP data relating to Reportable Behaviour - Current and Previous Year to Date

Period	2022 – year to date	Compared to same period in 2021	Compared to full year 2020	Compared to full year 2021
Date range	1 Jan 22 to 28 Jan 22	1 Jan 21 to 28 Jan 21	1 Jan 20 to 31 Dec 20	1 Jan 21 to 31 Dec 21
Reportable Behaviour Received	3218	1025	12195	39665
Reportable Behaviour Matched to applicant/registrant	224	56	828	2723
Number of Additional Risk Assessments commenced*	70	6	89	853
Entered the status of suspended	4	3	38	73
Cancellations	5	0	6	14

Reportable Behaviour (as defined in the *Registration to Work with Vulnerable People Regulations 2014*, behaviour that poses a risk of harm to vulnerable persons by neglect, abuse or other conduct). Matched reportable behaviour is reportable behaviour that is matched to an applicant or registrant. * As of 4 February 2022, 324 'Additional Risk Assessments' remain in progress.

92. The prevention and disruption focus of the CSAJRT linked information, ensured appropriate notifications were made and appropriately targeted those with access to children and vulnerable people through their registration to work with vulnerable people. Referring individuals for assessment by the Registrar not only addresses the information at hand and stimulates a contemporary risk assessment to be undertaken, but referral may prevent future offending, providing information which may be used for an adverse assessment into the future. It is worth noting that over the period the CSAJRT undertook their work (2021) the number of additional risk assessments commenced increased from 89 in 2020 to 853 in 2021. Future proofing



systems and processes supports enhanced safety of children through information sharing and enhanced practice.

b) Are you comfortable that the review process noted no children being at risk due to Tasmania Police or Department of Communities inaction?

93. The work of the CSAJRT did not identify children at current risk due to Tasmania Police or Department of Communities inaction at a point in time.

94. The following is a direct quote from page 7 of the closure report (DLH-13):

'No children have been identified as being at current risk of harm due to inaction by Tasmania Police or Department of Communities Tasmania'.

c) Does this suggest improvements are not needed?

95. There is always room for improvement. Tasmania Police is a learning organisation and through the CSAJRT we have demonstrated a willingness to reflect, review, identify, and reform. We will continue to hold that view.

Question 27

The Closure Report refers to 'A high-level concept for structural reform based on establishing regional facilities housing multiple agencies to provide an integrated and holistic response to victim-survivors of sexual offences, family violence and child abuse was presented to the Premier on 19 November 2021 in response to his request for advice from the Commissioner of Police'. What was the reasoning for recommending the joining of family violence with child sexual abuse?

96. Research informs that the investigative areas of sexual and family violence are highly interrelated. Both these areas also have strong links with child sexual abuse and child exploitation offences, for example:

- a) Family violence often includes a component of sexual abuse
- b) People who experienced childhood abuse are three times more likely to experience family violence as an adult than those who did not experience abuse
- c) Child sexual abuse victims and survivors are almost five times more likely than the general population to be charged with offences than those who did not experience abuse, with strongest associations found for sexual and



- violent offences. Child sexual abuse victim-survivors are also more likely to be victims of crime, particularly crimes of a sexual or violent nature.
- d) Most child sexual abuse occurs within familial relationships.
 - e) Child sexual abuse is a sexual offence. The abuse may be recorded to create child exploitation material.
97. A comparative analysis of structures in other Australian jurisdictions highlights an emphasis on police-led, victim-survivor focused, collaborative structures which include specialist policing units. For example, in Victoria, SOCITs (Sexual Offences and Child Abuse Investigation Teams) provide a specialised investigative response to all sexual offending. The SOCITs are located in MDCs (Multidisciplinary Centres) along with child protection practitioners, sexual assault counsellors and community health nurses. This enables a multi-disciplinary response and the timely provision of support to victims and survivors of sexual violence. There are also specialist response capabilities to sexual and family violence across Australia and New Zealand.
98. There is a current significant policy trend towards better protecting vulnerable people in our communities. This is evident at a national level in the recent royal commissions into aged care, child sexual abuse and people with disability, as well as in policies such as the National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030. It is evident at the State level in the current Commission of Inquiry, the Child Safe Organisations Bill 2020, the It Takes a Tasmanian Village: Child & Youth Wellbeing Strategy and the Safe Homes Families Communities: Tasmania's Action Plan for Family and Sexual Violence 2019-2022. This strong policy trend towards a more sophisticated response to sexual offences, and to offences against vulnerable persons generally, is highly likely to continue and Tasmania Police will support a coordinated agenda on the issue of protecting children.
99. The Safe Families Coordination Unit (SFCU) is a collaborative unit, established to bring together Government agencies to coordinate support services for victims of family violence and to hold perpetrators to account. The agencies involved include Justice, Education, Health, Communities Tasmania, and Police, Fire and Emergency Management. If the remit of the SFCU was expanded to include sexual violence offences and state service analysts embedded, the Unit could coordinate information to deliver the Government's vision of a collaborative, multi-agency response to sexual



violence. The existing collocation of Government agencies within the SFCU means that unit is likely to receive information about potential predators within our community and be best placed to undertake a comprehensive analysis, enabling timely interventions and responses.

100. Benefits associated with expanding the remit of the SFCU include:
- a) Enabling a "complete picture" of relevant information holdings across all relevant departments to inform high-quality interventions and investigative responses.
 - b) There are many links between sexual and family violence, and both crime types require many of the same investigative approaches, services and supports.
 - c) Reducing the likelihood of parallel investigations being conducted into the same events by different agencies.
 - d) A multi-agency response is aligned with current State and Federal Government policy.
 - e) Enhancing relationships between agencies supporting collaborative organisational culture and increased information sharing.
 - f) Provides for consistent policy and practice in relation to information sharing across agencies.
101. Police investigations in the areas of sexual and family violence (including child sexual abuse and child exploitation offences) are often interrelated. The relationships between these areas are complex and individual cases require a nuanced response if criminal justice outcomes are to be enhanced and system inflicted trauma caused to victim-survivors minimised.
102. Structural reform provides the basis for improved victim-survivor experiences, enhanced information sharing and supports social and criminal justice outcomes.
103. The proposed model identifies key outcomes likely to result from the proposed structural reform to include:
- a) a reduction in "system inflicted" trauma to victim-survivors, children and families



- b) improved outcomes for victims-survivors, with the timely provision of trauma-informed care and direct referral by support services to the most appropriate care provider to meet individual needs
 - c) enhanced relationships between agencies, supporting collaborative organisational culture and increased information sharing
 - d) analysis in real time of information holdings across all relevant agencies to inform high-quality interventions and investigative responses
 - e) timely specialist investigative response capacity and best practice response to sexual violence (multi-disciplinary and specialist); and
 - f) more efficient, effective and collaborative use of limited Government resources.
104. In 2015 *Safe Home, Safe Families* Tasmania first dedicated, whole of government family violence action plan was released. Prior to the release of the second iteration of that plan in 2019, a comprehensive review of the family violence service system was conducted, along with a community survey and stakeholder consultation, this resulted in the inclusion of sexual violence in the plan. The nexus between family and sexual violence is well documented.
105. The SFCU currently provides a forum for information relating to family violence to be shared, collated and analysed, supporting a coordinated whole-of-government response. Expanding the remit of the SFCU to include sexual violence, drawing on existing arrangements and structures, supports early intervention and improved coordination of responses.
106. Within the Tasmanian Government, the departments of Justice, Health, Education, Communities and Police, Fire and Emergency Management all play vital roles in gathering information relating to sexual violence. A person may be required by law to report child sexual abuse (CSA) to three separate departments, depending on their role and on the circumstances. Expanding the remit of the Safe Families Coordination Unit (SFCU) to include sexual violence would enable coordination of relevant information sharing across Government in real time, creating a multi-agency sexual and family violence intelligence hub.
107. Establishing three new operational multi-disciplinary centres containing specialist sexual violence investigative units, Children, Youth and Families (CYF) staff and



victim support services, will consolidate on-the-ground response capacity and ensure victim-survivors of sexual violence are provided appropriate victim centred, trauma-informed care.

108. The high-level concept for structural reform presented to the Premier (**DLH-10**) supports joining intelligence functions only for sexual and family violence, focusing on:
- a) the nexus between sexual and family violence as identified in academic literature
 - b) the need to address deficiencies in the timely and appropriate sharing of information
 - c) the evidence obtained from jurisdictional scans of best practice models across Australia.
109. That high-level proposal has been, and will continue to be, developed through stakeholder and victim-survivor engagement as the Sexual and Family Violence Structural Reform Team develop detailed service and program delivery models that build on best practice principles which are nuanced to the Tasmanian setting. The schematic (**DLH-11**) outlines critical elements to the proposal, which include:
- a) Expanding the remit of the Safe Families Coordination Unit to include sexual violence, building on the established partnerships, relationships and information sharing. This intelligence hub will review information holdings and engage in risk-based decision making, potentially making recommendations to other agencies to undertake disruptive or investigative activities.
 - b) Connecting the Community Protection Offender Register and High-Risk Child Exploitation teams provides opportunities for prevention and disruption of behaviour which presents a risk to children.
 - c) The multidisciplinary centres will be branded in accordance with feedback from victim-survivor advocates to support a trauma informed, victim centric approach. There will be no family violence operational response or perpetrator interdiction at a multidisciplinary centre. Importantly the program design will focus on the proximity of partner agencies and service providers,



prioritising victim needs. Police will not be in uniform and the centres will not be located in police stations.

110. Importantly, under the current proposal there will be no change to the operational response model for Safe at Home, nor will Tasmania Police Family Violence Units be integrated into the multidisciplinary model. The opportunity to better service victim-survivors by taking a holistic approach to information sharing within established structures is the basis for the recommendation and would be an efficient and effective use of resources within Tasmania.

Safe Families Coordination Unit

Question 28

Describe the structure, functions, budget and objectives of the Safe Families Coordination Unit

111. The Tasmanian Government's response to family violence is informed by the National Plan to Reduce Violence Against Women & their Children (2010-2022). The Safe Families Coordination Unit (SFCU) was the principal Action from the Tasmanian Government's Safe Homes, Safe Families – Family Violence Action Plan (2015-2020).
112. The National Plan to Reduce Violence Against Women & their Children (2010-2022) and the Safe Homes, Safe Families – Family Violence Action Plan (2015-2020) are attached to this statement marked **DLH-14** and **DLH-15**, respectively.
113. Importantly, the SFCU initiative builds upon Safe at Home (2005), Tasmania's established integrated criminal justice response to family violence. This multi-agency case management response to family violence involves a range of government services who come together at a regional level, to manage victims, children, and perpetrators. The SFCU broadens and strengthens this response, providing an important high-level oversight of family violence matters. Crucially, the SFCU is a permanent co-located group of 17 personnel who review all family violence matters and then perform detailed analysis and assessments of the most at risk families. In both respects, the SFCU addresses identified gaps in the traditional approach to supporting family violence. The SFCU consists of members from the Departments of Communities Tasmania, Health, Education, Justice and Police, Fire and Emergency Management. This collaborative approach is a natural and logical evolution of Safe at Home and seeks to support a greater connectedness of family



violence services. The approach is centred on an informed system response which recognises the value of information sharing in supporting highly vulnerable 'High Risk' clients.

114. This initiative was designed to deliver a capability with unfettered access to relevant government family violence information, enabling its inherent capacity to support strategic review and analysis of information and facilitate further information sharing (including real-time), to benefit front-line services in support of victims, children, and perpetrators. The SFCU creates an intelligence product which enhances front-line service responses, value adding, identifying gaps, and appropriately connecting services as per the example attached to this statement marked **DLH-16**. This includes broad sharing of information to ensure each agency is aware of the response of other agencies. This workflow also minimises duplication, counter-productive activities, and misinformed responses (due to either inaccurate information or the absence of key information) required to inform decision making. It was determined that the SFCU's development and on-going business was to be led by the Department of Police, Fire and Emergency Management (DPFEM). Specifically, it determined the SFCU would be managed by a Police Inspector. This approach is still unique within the Tasmanian State Service, as it provides for the creation of a multi-agency unit under the direct operational management of a single agency. This streamlined solution has proven to be highly effective. Its success has been underpinned by the highly visible, cooperative, outcomes focused, senior executive structure underpinning the Plan, exemplified by the role of Family Violence Steering Committee (partner agency secretaries), which is then supported by the Family Violence Strategic Oversight Committee. This committee is chaired by the Assistant Commissioner, Specialist Support and has relevant equivalent representatives from the partner agencies as part of its membership.

Although the Inspector performs the formal role of Manager in relation to reporting, communication and business requirements on behalf of the SFCU, each of the agency representatives is responsible for maintaining connection with their home agency. Similarly, each has a responsibility in ensuring the work of the SFCU includes the requisite breadth of information and professional contribution from their home agency. The SFCU was constructed within a shared understanding of partnership. This was promoted and reinforced through the governance structure and business processes of the SFCU and the broader State Government Family Violence



Plan. The approach stressed consideration of the client from a holistic perspective rather than a narrower agency specific focus.

115. In 2018 Wise, Lord and Ferguson undertook an independent review of the SFCU and stated:

“Our evaluation of the Safe Families Coordination Unit highlights a highly successful inter-governmental collaboration, providing a significant contribution to the whole-of-government strategy in relation to family violence. The creation of the unit has been made possible through the committed efforts of the partner agencies, the staff and management of the unit. This evaluation report highlights the critical benefits and strengths of the unit. Moving into the next phase of maturity, this report provides recommendations to assist the Strategic Oversight Committee and management in continuing to enhance the function of the unit. Our report concludes that the governance, structures, processes, systems and capabilities of the unit are sound and consistent with the original purpose of the unit. There are opportunities to enhance elements of these areas to support the work of the unit as it continues to evolve.”

116. **Budget of the Safe Families Coordination Unit**

	2021-22	2022-23
Safe Families Coordination Unit*	1,933,762	1,987,762
*Budget does not include additional funding for DPFEM positions related to the expanded remit of the SFCU to include sexual violence		

Question 29

How, if at all, does this unit respond to child sexual abuse or harmful sexual behaviours?

117. There are various mechanisms where the SFCU assists in the response to the above. The SFCU does not have an operational capacity. Through the exchange of information, the SFCU is able to identify and articulate a perpetrator's pattern of behaviour to service providers, this may be over an extended period of time and against multiple children/adults. The information provides an entire history of all parties involved including children and can identify all parties quickly with a full 'case history' for service providers in the family violence service sector. This can be reviewed should the perpetrator move to a new victim, which is often the case.
118. Front line service behaviours, particularly in the health sector, often operate in isolation and where this occurs, the SFCU can identify and provide relevant



information, which front line service providers would not normally be privy to. This will work for all parties involved in family violence and information assists either in the child protection or education space where specialist services can be utilised and provide a holistic approach. The SFCU is not looking at evidentiary burdens but providing information to all service providers to ensure that the appropriate level of response/service has the best outcome for the vulnerable, whilst holding perpetrators to account. The exchange of information can assist in ensuring that the vulnerable do not have to re-tell their story or become a part of a system which causes 're-trauma'.

119. The assessment of risk in respect to child abuse and harmful sexualised behaviours is enhanced with the full exchange of information from as many sources as possible. The education system benefits particularly from this exchange. Children may be exhibiting challenging behaviours with no clear trigger. The exchange of information not only reflects if the child is being exposed to family violence in the home but also if the child has been exposed to a person known to have sexualised behaviours or abusive behaviours.
120. The interrogation of the systems involves reading case notes and cross referencing all information held across government, which overcomes information that may be recorded inaccurately or not something that is readily accessible to service providers. All high-risk families that have been involved in the full information exchange by the SFCU, are now flagged within the police system for a reference for working with vulnerable people checks.
121. The SFCU also considers the following National Principals for Child Safe Organisations (attached to this statement marked **DLH-17**) where applicable:
 - a) Child safety and wellbeing is embedded in organisational leadership, governance and culture.
 - b) Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
 - c) Families and communities are informed and involved in promoting child safety and wellbeing.
 - d) Equity is upheld and diverse needs respected in policy and practice.



- e) People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
- f) Processes to respond to complaints and concerns are child focused.
- g) Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
- h) Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
- i) Implementation of the national child safe principles is regularly reviewed and improved.
- j) Policies and procedures document how the organisation is safe for children and young people.

Question 30

How confident is Tasmania Police that the needs of victim-survivors of child sexual abuse in Institutional Contexts and/or children will be met in the proposed multi-disciplinary centre model, which will amalgamate family violence, adult sexual assault and child sexual abuse? Were other models considered? Is there concern that the high-volume nature of family violence will impact priority afforded to sexual assault, particularly for historical matters

122. Tasmania Police is committed to supporting improved outcomes for victim-survivors of sexual abuse and believes that a nuanced multi-disciplinary model that is victim-centric and trauma informed will meet the needs of child sexual abuse victim-survivors in Tasmania. Tasmania is a unique environment and any multi-disciplinary model implemented in this state must be adapted and carefully designed in consultation with victim-survivor advocates and stakeholders. Whilst multidisciplinary models are widely acknowledged as best practice they vary in size, service delivery and purpose. Tasmania Police is undertaking significant consultation to ensure multi-disciplinary centres in this state are co-designed and that service delivery meets the needs of victim-survivors. The first two centres will be pilots, providing the opportunity for evaluation, review and refinement.
123. Members of the CSAJRT undertook a review of structural arrangements and best practice through site visits, desktop and academic research. Formal correspondence



was sent to other jurisdictions and ongoing engagement occurred with Victoria Police **DLH-18**; New South Wales Police **DLH-19**; South Australia Police **DLH-20**; AFP / ACT Police **DLH-21**; Western Australia Police **DLH-22** and Northern Territory Police **DLH-23**.

124. Victoria has two distinct initiatives to support victim-survivors of family and sexual violence. The first is Multidisciplinary Centres (MDCs), a concept developed in 2007 in response to the 2004 Victorian Law Reform Commission Inquiry into Sexual Offences. These centres operate as discrete facilities which provide support for victim-survivors of sexual violence and child abuse. MDCs co-locate a range of agencies in the one building to provide a victim-centred, integrated and holistic response to victims of sexual crime and child abuse. People who use the centres have safe access to services and facilities, including private counselling, clinic and soft interview rooms. MDCs bring specialist teams including Victoria Police Sexual Offences and Child Abuse Investigation Team (SOCITs), DHHS Child Protection Sexual Abusive Intervention Team (SAIT) and counsellor/advocates from the Centre Against Sexual Assault (CASA) into one location. The MDC model in Victoria has matured over time with slight variations in service delivery and since 2017 the scope has slowly expanded to include family violence.
125. The second initiative in Victoria is the Orange Door Network which was established in response to the Royal Commission into Family Violence recommendation to establish support and safety hubs across 17 regions. The network is accessible, safe and welcoming, providing quick and simple access to support for adults, children and young people who are experiencing family violence; families who need support with the care and wellbeing of children and young people and perpetrators of family violence. It brings together services as a partnership, so that individuals and families don't have to go to multiple services or to retell their story multiple times to have their needs met. It provides initial support to those in need, including risk and needs assessment, safety planning, crisis support and connection to other services. Perpetrator accountability is also a strong focus and the network engages perpetrators and works with the system, to hold them accountable for their actions and changing their behaviour.
126. There are two significant distinctions between the Orange Door Network and MDCs. The first is the presence of police specialists. Specialist police units are located within MDCs but not Orange Door. The second difference is the type and length of



engagement. Orange Door provides an intake and referral service, whereas MDCs provide support services and case management.

127. The Victorian MDC model was examined closely and notably over time has evolved incorporating adult and child victim-survivors of sexual abuse, victim-survivors of child abuse and, since 2017, the model has slowly expanded to include victim-survivors of family violence. There are principles and elements of the Victorian model which, nuanced to the Tasmanian context, will support improved outcomes for victim-survivors.
128. The Queensland Police Sexual Violence Response Strategy 2021-2023 (**DLH-42**) also describes a victim-centric, trauma-informed response to sexual violence, acknowledging within its definition of sexual violence; sexual assault, youth sexual violence and abuse, technology-facilitated sexual violence and intimate partner sexual violence. The strategy outlines collaborative multi-agency responses from government and non-government agencies as imperative, noting that while each agency has a defined role within the system effective interagency partnerships are critical. The Strategy identifies what success looks like which includes the: *'Promotion and implementation of multi-agency models across QPS regions as a result of effective relationships (e.g. Sexual Assault Response Team), (Sexual Violence Response Strategy 2021-2023 p.21).*
129. Operationally within Queensland Police the Child Abuse and Sexual Crime Group (CASCG) sits within the Crime and Intelligence Command (CIC). This specialist group aims to identify, respond to and prevent physical and sexual offending. The structure recognises the critical linkages between sexual violence, child exploitation, Child Protection Offender Registry and youth justice. There are principles and elements of the Queensland model which, nuanced to the Tasmanian context, will support improved outcomes for victim-survivors.
130. New South Wales Police are a signatory to the tri-agency *Joint Child Protection Response Program 'Statement of Intent'* (**DLH-43**) which reflects an agreement between key agencies responsible for child protection. This statement of intent highlights the need to protect children from further trauma (including repeat interviews) and the importance of mutual respect for the statutory and other responsibilities of partner agencies. The *Statement* highlights the need for timely and effective information sharing as well as the role of police in leading and coordinating responses where there are *'sufficient grounds for the likely commencement of*



criminal proceedings. (*Joint Child Protection Response Program 'Statement of Intent'* 2018 p.2). The *Statement* provides guidance on after hours response, the importance of culture, training and governance. There are principles and elements of the New South Wales model which, nuanced to the Tasmanian context, will support improved outcomes for victim-survivors.

131. Western Australia's Multi-Agency Investigation and Support Teams (MIST) started with a small trial in Armadale, then expanded to a significant facility in Midland and also featured a smaller footprint in the Perth CBD. Each of these models vary in size and scale however maintain the principles of colocation, therapeutic and investigative facilities all centred around the best interests of the victim. The *'Multiagency Investigation and Support Team (MIST) Pilot: Evaluation Report 2017'* (DLH-41) raises considerations which are relevant to the Tasmanian trial.
132. South Australia Police have a Public Protection Branch which, by way of structure, recognises the linkages between sexual crime, child exploitation, child sex offender management and family and domestic violence, reinforcing the need to consider the connectivity of child exploitation and those on the Community Protection Offender register with child sexual abuse strategies. This has further informed the development of the high-level Tasmanian concept.
133. While other jurisdictions each have variations to their approaches to child sexual abuse the key principles remain consistent:
 - a) Coordinated information sharing
 - b) Linkages between key policing units
 - c) Specialist sexual violence investigators; and
 - d) Partnership and/or proximity with service providers There is strong academic research linking sexual and family violence and supporting victim centric, trauma informed responses which lead to improved therapeutic and judicial outcomes, as well as reduced long term, system-imposed trauma.
134. The failings identified through the review of James Geoffrey Griffin demonstrates the need to improve the recording and sharing of information across agencies.
135. Tasmania has led the way in Family Violence response, through the Safe at Home – Safe Families Coordination Unit intelligence 'mapping' model. Tasmania Police believes we would be best served by the expansion of the Safe Families Coordination



Unit remit to include sexual violence. This expansion would leverage the existing and proven cross agency partnerships, information sharing arrangements and victim-centric culture present within the SFCU. The existing model provides strong linkages to the Tasmanian Government Strategy and Third Family and Sexual Violence Action Plan.

136. Connecting the Community Protection Offender Register and High-Risk Child Exploitation Team to the intelligence hub enables the timely and appropriate sharing of information based on risk and informs prevention and disruption activities.
137. Specialist Police Sex Crimes Investigative Units embedded in this structure and housed in close proximity to support services provides end to end, victim centric, trauma informed, service delivery. These centres will be designed to respond to sexual violence and are victim focused. They will not police stations; police will not wear uniforms and victims are empowered on their journey of choice.
138. It is not proposed that any changes occur to the existing operational Safe at Home or the Family Violence response model in Tasmania. It is proposed that this new MDC model address both child and adult sexual violence, providing a further avenue for victim-survivors and enhancing existing service systems. Additional resource allocations into the Safe Families Coordination Unit would support the expansion of their remit to include sexual violence. This approach provides confidence that high-volume family violence matters will not impact the priority afforded to sexual assault and it is acknowledged that this will need to be subject to evaluation as part of the pilot program.
139. It is anticipated that Family Violence Counselling Support Services as well as other service providers such as Witness Intermediaries, Community Health Nurses etc will attend the multidisciplinary centre and deliver coordinated support services to victim-survivors where appropriate.
140. A high-level schematic has been developed following the research and observations above and nuanced to the Tasmanian setting (DLH-11).

Question 31

How many multi-disciplinary centres are envisaged? How will accessibility be facilitated for people who live in regional areas?



141. The Tasmanian Government has funded a two-year pilot for a multidisciplinary centre in the north and one in the south of the state. The concept is high-level, and the Project team is currently engaging stakeholders and victim-survivor advocates to ensure victim centric, trauma informed service delivery informs program design and end to end service delivery moving forward.
142. While the Project Team has viewed and researched interstate models, design must be nuanced to the Tasmanian setting and include regional service delivery. Recent site visits in Western Australia and discussions with New South Wales and Queensland police continue to inform concepts for service delivery.

Stakeholder Engagement and Agency Collaboration

Question 32

Who do you consider to be Tasmania Police's internal and external stakeholders in relation to preventing, identifying, reporting or responding to child sexual abuse in Institutional Contexts and how do you engage those stakeholders?

143. Preventing, identifying, reporting or responding to child sexual abuse is everyone's responsibility. Policing relies on community confidence and culture relies on education. I have a responsibility to embed child safe principles and ensure our organisations leadership, governance and culture supports the wellbeing and safety of our diverse Tasmanian community.
144. Internal stakeholders include all members of the Department of Police, Fire and Emergency Management as we together create and embrace a child safe culture, developing strategies and taking affirmative action towards an environment which prioritises the wellbeing of children and young people. As community leaders all members of Tasmania Police must actively prevent, identify, report and respond to child sexual abuse in every setting, and in particular institutional settings.
145. My role is to engage and ensure members of our organisation believe in child safe principles from the outset, that recruiting standards prioritise the safety of children and young people, that training emphasises the importance of values-based behaviours and the organisational culture is one founded on respect, transparency and accountability.
146. External stakeholders are diverse and include children, young people, their families and our community more broadly. Specifically, stakeholders extend across



government and non-government sectors with engagement occurring through a variety of formal and informal means at both a strategic and operational level.

- a) Government and non-government stakeholders are responsible for ensuring collaboration in the delivery of a whole of state service culture where child safety is a priority. Tasmania Police work closely with and engage;
 - i. The Department of Premier and Cabinet
 - ii. The Department of Education
 - iii. The Department of Justice
 - iv. The Department of Health
 - v. The Department of Communities; and
 - vi. Other government agencies as appropriate.

Formal engagement occurs through established and structured consultation, meetings and forums, memorandums of understanding and protocols. Informal engagement occurs during every encounter at a strategic or operational level with our partners.

- b) External stakeholders are expansive and engaged in various ways depending on the reason for engagement. Tasmania Police are currently leading the pilot multidisciplinary centre project and as such engagement is significant and includes, however is not limited to, the following stakeholder and advocacy groups who are being engaged face to face in forums and workshops, online and in informal settings.



**Commission of Inquiry into
the Tasmanian Government's
Responses to Child Sexual
Abuse in Institutional Settings**

OFFICIAL - Sensitive

Sexual Assault Support Service (SASS)	Victim Support Services (VSS)
Laurel House (Nth / NW)	Sport and Recreation (CT)
Family Violence Counselling & Support Service (FVCSS)	Salvation Army
Community, Mental Health and Wellbeing (DoH)	Working It Out (LGBTIQ+)
Paediatric, Adolescent and Neonatal Services (THS)	CatholicCare
Tasmania Health Services (THS)	Women's Legal Service
Australian Childhood Foundation	Engender Equality
Children, Youth and Family Services (CT)	Women's Health Tasmania
Planning and Program Support (CT)	Youth Network of Tasmania
Safeguarding Children and Young People (DoE)	McCombe House
Child Abuse Royal Commission Response Unit (DoJ)	Colony 47
The Link - Youth Health Services	1800 Respect
Tasmanian Aboriginal Legal Service - 1800595162	Daisy (App?)
Tasmanian Aboriginal Centre Launceston - 63 323800	Headspace
Tasmanian Aboriginal Centre Hobart - 62 340700	Baptcare
Tasmanian Aboriginal Centre - Children	Mission Australia



**Commission of Inquiry into
the Tasmanian Government's
Responses to Child Sexual
Abuse in Institutional Settings**

OFFICIAL - Sensitive

Tasmanian Aboriginal Centre - AHS	University of Tasmania
Karadi Aboriginal Corporation Tasmania	TasCoss
Yemaya Women's Support Service	Safe Choices
Ballawinne Aboriginal Corporation	Hobart Women's shelter
Circular Head Aboriginal Corporation (CHAC)	Youth Network of Tas
melythina tiakana warrana (Heart of Country) Aboriginal Corporation	Huon Domestic Violence Service
Parradarrama Pungenna Aboriginal Corporation	Sonya Pringle Jones - Child Advocate (CT)
Six Rivers Aboriginal Corporation	CAMHS - Child and Adolescent Mental Health
Tasmanian Regional Aboriginal Communities Alliance (TRACA)	Relationship Abuse of an Intimate Nature (RAIN)
weetapoona Aboriginal Corporation	

Question 33

Describe any differences between districts, regions or areas in relation to the extent to which police work collaboratively with external stakeholders or other relevant organisations (for example, schools, Laurel House or the Sexual Assault Support Service).

147. Tasmania is geographically diverse and current structural arrangements differ across regions. Relationships and culture are critically important and can be unique in different areas of the state.
148. Anecdotally it could be said that stronger relationships are formed between police and service providers in the North and North-West as a result of the small geographical size and demographic.

Question 34

Describe the mechanisms available for members of the public to make reports about child sexual abuse in Institutional Contexts. Is there an intention to increase or improve these?

149. Reports can be made directly to police and the Tasmania Police Manual allows for a support person to be present for the duration of that report being made.



150. Tasmania Police do not yet have an online reporting capacity, noting that this is a recommendation by the Royal Commission into Institutional Responses to Child Sexual Abuse (RCIRCSA) to expand the number of options available for people to report alleged offences.
151. Online reporting provides an opportunity for victims to tell their story, anonymously if they wish, have it recorded and be provided with information regarding support services. At the very least, online reporting records a victim's account at the earliest opportunity they are ready to disclose more widely.
152. Project Unify has been allocated \$46 million dollars and aims to include online reporting as a component of the project. This would address the recommendation however more importantly would provide an enhanced service for victim-survivors who wish to remain anonymous. Funding for this project flows through to 2025- 2026.

Question 35

What steps has Tasmania Police taken to engage with, and build trust with, the following groups to encourage reporting of child sexual abuse in Institutional Contexts:

- a) Aboriginal and/or Torres Strait Islander communities***
- b) Prisoners, detainees or others who may have a criminal record, and***
- c) Children and young people in out of home care***

a) Aboriginal and/or Torres Strait Island communities

153. The Tasmania Police Aboriginal Strategic Plan (**DLH-44**) acknowledges the importance of Tasmania's Aboriginal and Torres Strait Islander community within the context of the broader community. The Plan supports strategies to develop and maintain appropriate and culturally respectful relationships and the delivery of equitable and accessible policing services. The Plan provides a focus on key areas, with a strong emphasis on ensuring the safety of all Aboriginal and Torres Strait Islander persons who may come into contact with the criminal justice system, either as offenders or victims.
154. Tasmania Police supports young Aboriginal people considered to be at-risk and their families, through the District Youth Crime Intervention Units (YCIU). The YCIUs work closely with other government and non-government agencies to address individual



issues and divert offenders and victims to indigenous specific programs where available.

155. The objectives of the Plan are re-inforced by the actions of our members. Tasmania Police has taken steps to build trust and partnerships with the Aboriginal and/or Torres Strait Island communities in Tasmania. There are formal and informal opportunities for the Aboriginal and TS community and a police liaison co-ordinator to come together to identify and talk about issues affecting the Aboriginal community. The interactions are opportunities for the Aboriginal and TS community to encourage reporting on any issue, including child sexual abuse. These include:

- a) Tasmania Police has a senior State Aboriginal Liaison Co-ordinator (ALC) – who is an Inspector of Police. The functions of the co-ordinator include contributing to the development of local strategies to reduce the number of Aboriginal people entering the criminal justice system, either as victims or offenders.
- b) The Commissioner (or a delegate) and the ALC attend heads of agency forums each year that bring together the leaders of Aboriginal and TS community groups and heads of state service agencies, so that the Aboriginal and TS community can express concerns directly.
- c) The ALC and local police attend major cultural events, such as reconciliation breakfasts and NADOC week. Other events include:
 - i. The ALC and local police attend Mannalargenna Day in the north-east of the state.
 - ii. The ALC attends some State Service Aboriginal employee gatherings.
 - iii. The ALC attended two half-day events organised by the South East Tasmanian Aboriginal Corporation in January 2020, including a truth-telling event.
 - iv. Until recently, the ALC met regularly with the manager of the Tasmanian Aboriginal Community Legal Service. The meetings will reconvene when the restructure of TACLS is complete.
 - v. The ALC attends a monthly interdepartmental committee hosted by the Office of Aboriginal Affairs.



b) Prisoners, detainees or others who may have a criminal record

156. The Inspector, Clarence Division, is a liaison point for Risdon Prison authorities. The Inspector provides advice and direction to prison staff to support prison inmates making complaints to police. The Inspector may also be required to assist with large scale or serious incidents at the prison that require police attendance or intervention. Police routinely attend the prison to speak with inmates about crimes they may be suspected of committing, or have witnessed. Police may also serve prisoners with court documents. These are informal opportunities for inmates to interact with police and obtain advice or guidance.
157. In practice, all victim reports from prisoners are made to officers from Bellerive Police Station (the nearest police station) or Bellerive Criminal Investigation Branch and facilitated by custodial officers at Risdon Prison (generally in a prepared DOJ report) – and as such are not confidential. Reform to this internal DOJ process could be initiated to enhance confidentiality. Police investigations and inquiries post DOJ reporting are confidential. Where a Remand inmate (located in the Hobart CBD) makes a complaint, an officer from Hobart Police Station or Hobart Criminal Investigation Branch would take the report in the same manner.
158. Former prisoners can report matters to police via the 131 444 – Police Assist Line. This form of reporting removes the requirement for the victim to attend a police station in the first instance and police would be tasked to attend their residence or other place to take a report. Direct telephone contact with local police is also available to obviate the need to attend a station in person.
159. The Safe Families Co-ordination Unit can also provide police with information from government agencies about inmates to assist in identifying risks and provide some medical history that may assist investigators. Whilst information requested relates to family violence matters, the SFCU will also consider any questions regarding the information that is available and what can be released.

c) Children and young people in out of home care

160. Police routinely come into contact with out of home care providers and residents. Police attend reports of bail breaches by residents, damage, disturbances or crime reports. Police provide advice to staff on security and other measures. These interactions can be used to build trust and support with staff and residents alike.



Divisional Police Inspectors may speak to out of home care staff at community gatherings, council meetings or other pre-planned discussions.

161. A victim crime report from a child or young person in out of home care would most often be facilitated by a care worker from the institution or residence. A care worker would contact police via the 131 444 – Police Assist Line. Police may attend at the place to assess the complaint or have them attend a police station depending on the circumstances or wishes of staff. A child or young person may also independently attend a police station or make contact with police via 131444 – Police Assistance Line if they did not want to make a complaint to a staff member. The child or young person would be taken to a Criminal Investigation Branch to make an electronically recorded formal statement.

Question 36

In an editorial published in The Mercury on 17 March 2022, Premier Peter Gutwein referred to a number of reforms that were underway or complete, including the development of three multidisciplinary centres offering support and safety to victim-survivors of child sexual abuse. Was Tasmania Police consulted on this proposal and is it envisaged that it will have a role within these centres? If yes, describe the nature and scope of this role.

162. Yes. During 2021 members of the CSAJRT, at the request of then Premier, Mr Peter Gutwein undertook a review of structural arrangements and best practice through site visits and desktop research as described in detail in the response to Question 18.
163. Research, site visits to Victoria (**DLH-24**) and Queensland (**DLH-25**) complimented desktop analysis of best practice.
164. On 19 November 2021 Tasmania Police presented a high-level conceptual model to Mr Peter Gutwein and received in principle support for the concept.
165. The proposal is that the model be police led and the Sexual and Family Violence Structural Reform Project has been established to deliver against the Government commitment of \$15.1million over two years to deliver a pilot centre in the north and south of the state.

Police training and specialisation

Question 37



With reference to the information provided on training available to officers in the Tasmania Police Draft Submission and the acknowledgement that additional training would be valuable, can you provide further information about what type and level of training would be optimal, with particular reference to the following topics:

- a) The effects of trauma or trauma-informed practices*
- b) Interviewing or questioning children or other vulnerable witnesses, and*
- c) Identifying and responding to child sexual abuse, including grooming behaviour and boundary breaches.*

166. Tasmania Police, as a learning organisation, has continued to develop its training program in relation to criminal investigations and more specifically responding to sexual and child sexual abuse. The training commences as part of the Recruit Training Program and is built upon as an officer moves into investigative areas. The Tasmania Police training program is underpinned by a tertiary pathway with the University of Tasmania. When considering the breadth of our current investigative training pathway there are opportunities to optimise investigative training which would include the following:

- a) **Sexual Assault Investigation Program specialising in trauma informed practices and interviewing vulnerable witnesses.** Learning and Development Services are developing a curriculum for a specialised 'Sexual Assault Investigation Program' commencing in 2023. The curriculum will include learning outcomes relevant to increasing participants understanding of the effects of trauma and optimising the police response to victims of trauma, ensuring the specific needs of children are front of mind. The Sexual Assault Program intentions:
 - i. will build upon established interviewing vulnerable witnesses practices.
 - ii. The target audience is twofold and aimed at qualified and experienced detectives seeking to further develop their investigative skills, specifically relating to sex crimes and family violence. Refreshing all detectives to ensure best practice when engaging with victims of sexual violence.
 - iii. Will be a blended learning environment consisting of online and face-to-face components, designed to enhance the learning outcomes and accessibility to the program.



- iv. The Sexual Assault Investigation Program will include presentations that build upon the learning outcomes of the UTAS unit LAW474 Specialist Interviewing attached to this statement marked **DLH-26**.
 - v. The 'Sexual Assault Investigation Program' seeks to involve expert presenters who lecture on the areas of child trauma, considerations when engaging with children and understanding behaviour of offenders in relation to sexual assault offending.
- b) **Refresher Training** – Ninety four (94%) of all police officers have completed the recently developed Initial Notification and Investigation of Child Sexual Abuse Guidelines. The mandatory online training program is aimed at prevention and disruption of child sexual abuse and to prioritise the safety of children. To ensure police officers retain contemporary knowledge of the important learning outcomes steps are being taken to embed the guidelines into the rolling police officer validation process.
- c) **Human Resources** – To optimise our training, Tasmania Police require increased resources to develop and implement training packages. Tasmania Police holds the subject matter expertise to develop and implement these training packages. 120 members have undertaken specialist interview training, 14 members have attained Professional Honours in Investigative Practice and 22 members have attained a Graduate Certificate in Investigative Practice. Tasmania Police are well positioned to further develop specific training packages to enhance the response to victims of sexual violence.
- d) **Grooming and boundary breaches** – The Investigative Training Continuum does not provide training and education on these issues. To optimise training in this area, development of a training package is required to ensure members are adequately training to respond and investigate these issues.

Question 38

Are there other areas related to child sexual abuse where you consider further training is required?

167. In addition to the above, Tasmania Police has developed a training program which focuses on victim principles and investigator procedures of sex crimes. These procedures are enshrined in the Tasmania Police Manual (as per 4.4.10 of the TPM, attached to this statement Marked **DLH-27**) to ensure the approach meets the



organisational priorities and is both cognisant and sensitive to community needs. To build upon this training, further work is under development to ensure all members responding to victims of sex crimes have the most contemporary knowledge and are provided regular opportunity to refresh and maintain skills.

168. Further, Tasmania Police provide training to members from the Witness Intermediary Pilot scheme and material with LAW474 (DLH-26) Specialist Interviewing and there is scope to build on this content within the Academy phases of Investigator programs and online learning opportunities. All programs are evaluated and reviewed to ensure they remain contemporary and the learning outcomes are relevant to the needs of the operating environment.

Question 39

Is this training mandatory or optional and is it undertaken on a regular basis (for example, annually)? How often is the training, professional development, and guidance reviewed?

169. Initial Notification and Investigation of Child Sexual Abuse Guidelines is mandatory online training. The guidelines were developed in response to the knowledge gaps identified through the review of matters related to James Griffin. 94% of all police officers have completed the training. The learning outcomes are: To prevent and disrupt child sexual abuse through early notifications and strengthened relationships with key stakeholders. To achieve best practice through a consistent, transparent, and accountable response to the investigation and notification of child sexual abuse. 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.
170. Training currently offered to members of Tasmania Police in relation to the Investigative Training Continuum is mandatory if the member wishes to become a designated detective. The pathway to Detective Designation requires the successful completion of Tasmania Police Programs along with certain UTAS units.
171. LAW474 Specialist Interviewing (DLH-26) is a unit that is optional to members and not part of the Detective Designation process.
172. At the conclusion of every course, the program and curriculum are evaluated and reviewed by Learning and Development Services (LDS). Consistent engagement with



the Senior Investigators Forum ensures communication is open and intentional to achieve the best possible outcomes for organisation and the community.

Summary of current investigative training:

173. Foundational training at recruit level:

- a) 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.
- b) In one 40-minute session, recruits are delivered an interactive lecture led by the University of Tasmania 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.
- c) 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.
- d) 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 enquiry, interviewing and preparing files are taught and assessed. These basic skills are transferable to most, if not all, crime types.
- e) 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, offences against children. An understanding of the Community Protection Offender Register is also part of this module.

174. Tertiary Pathway – Investigation Training Continuum

175. 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.

176. To reach the requirement of Detective Designation members must complete the following three units:



- a) LAW477 Investigation for Frontline Officers and attached to this statement marked **DLH-28**
- b) LAW478 Investigation Practice and attached to this statement marked **DLH-29**
- c) LAW473 Questioning for Investigators and attached to this statement marked **DLH-30**

LAW477 (DLH-28) – Investigation for Frontline Officers

177. 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 eight days at the Academy in two blocks of four days
- b) 40 hours of online learning
- c) 5 days infield training within an investigative area
- d) Mock investigative interview six months post course to consolidate online learning.

178. LAW477 (**DLH-28**) is building on skill sets developed during recruit training including:

- a) Conduct simple investigations using investigative techniques, intelligence gathering and evaluation
- b) Apply questioning techniques that extract free narrative from the interviewee
- c) Prepare and deliver briefings in respect to evidentiary searches

Investigative Practice Program

179. The program is a combination of three UTAS units and a TASPOL prepared Academy program culminating in participants being designated as a detective (refer below). It is estimated that this process will take approximately 18 months to complete.

LAW478 (DLH-29) – Investigation Practice

180. 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.



181. The UTAS online learning component includes a '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')
- b) Six podcasts 'Unspeakable' prepared by VICPOL. These episodes discuss sexual assault investigations from the perspective of victims and investigators
- c) 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.
- d) One sexual assault case study which delivered in stages. Participants (who are role playing as on-call member 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

182. This unit has approximately 50 hours online learning.

LAW473 (DLH-30) – Questioning for investigators

183. Building from learnings obtained during LAW477 (Investigation for Frontline Officers) (DLH-28), this online unit examines approaches to interviewing both suspects and witnesses along with interview techniques. 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'. Module 3 of this unit looks at 'understanding memory and behaviour.'

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

185. This unit has approximately 50 hours online learning.

186. Content about child sex offences and sex crimes in general is delivered with 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



- c) Discussion of recent complaint and considerations when obtaining statements:
 - i. Obtaining statements from children
 - ii. Obtaining statements from vulnerable witnesses
 - iii. Legislative requirements considerations relating to statements
 - iv. Submission of prior statements as evidence in chief
- 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
 - iii. Suspect management
- f) Class engagement: scenario-based activities and discussion exercises with clear learning outcomes
- g) 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
- h) Discussion relating to utilisation of Early Evidence Kits (EEK)
 - i. History of EEK
 - ii. Content of EEK (kit is then shown to the room)
 - iii. How an EEK is to be used (samples obtained by victim)
 - iv. Storage of EEK



- i) Relevant sexual support services state-wide
- j) Process relating to examination of child victims
- k) Obtaining statements from victims
- l) DPP Notification

LAW476 (DLH-31) – Detective Portfolio – Detective Designation

187. 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.

Question 40

Since the preparation of the Tasmania Police Draft Submission, has any further consideration or work been done in relation to specialisation, particularly:

- a) A specialist sex crimes investigation team co-located with the department of Communities (noting the announcements that the Department of Communities will be disbanded); or*
- b) Further integration of 'police services for youth, family violence, child exploitation material and survivor support into one cohesive response?'*

188. Yes. The CSAJRT featured experienced investigators and child safety services working in close proximity, in non-police buildings where uniforms were not worn. This provided an opportunity to reflect on the relationships and strength of cooperation that occurred in that environment and built on a foundation of common purpose.

- (a) The high-level concept presented to then Premier, Mr Peter Gutwein on 19 November 2021 included Specialist Police Investigators to be located within the multidisciplinary model and in proximity to child safety services and sexual assault support services. This continues to be the preferred model.
- (b) Progression of the reform concept has resulted in a focus on specialist sexual violence investigators, child safety services and sexual assault support services in one cohesive program of service delivery, providing the foundation of the multidisciplinary model. The integration of youth services is not supported, and



the intention is that they, and family violence investigative units, will remain within Police geographical district command structures.

189. Witness intermediaries are a key component of the multi-discipline model and Tasmania Police training on the use of those specialists continues to be included within investigator training programs.

Question 42

Provide more detail on how the co-located team as envisaged in the Tasmania Police Draft Submission would 'provide a comprehensive and tailored response to the survivor, taking account of individual factors such as disability and cultural diversity, including Indigenous culture'?

190. The proposed model will bring key partners together, creating a platform for information exchange and case management. Through program design case management will include referral to support services which are diverse and specific to individual needs. More importantly, the model will foster strong, trusted and empowering relationships which place the individual needs of victim-survivors at the centre of responses. The importance of role clarity and responsibility will be captured in program design.
191. The term co-located is best replaced with the term 'in close proximity to' as there is no intention for police and service providers to be located in the same room, rather in the same premises. Additionally, there will be services engaged to provide specialised advice and support who are not co-located but are within close proximity to the facility. These will include services specific to the individual needs of people with a disability, culturally diverse and indigenous cultural requirements.
192. As a pilot program, evaluation will be critical and commence from the program launch to ensure experience informs the future.

Question 43

Do you have any views on the benefits and/or viability of greater specialisation of Tasmania Police in how it responds to child sexual abuse? In particular:

- a) ***Do you have any views on models adopted in other jurisdictions, for example, the Sexual Offences and Child Sexual Abuse Investigation Team in Victoria?***



- b) Given Tasmania's size and circumstances, describe what model of specialisation for child sexual abuse matters you could see operating effectively?**
- c) What level of resourcing do you think would be required to effectively meet demand?**
- d) Where should any specialist officials be located?**
- e) Should its functions be integrated with other policing responses (such as adult sexual abuse)?**

193. Victim-survivors in Tasmania must be provided a trauma informed, victim centred response to sexual and family violence. The current Tasmania Police generalist structure does not satisfactorily meet that need. An enhanced Tasmanian model will feature a strong purpose and intent to empower victims to choose therapeutic and/or judicial pathways.

194. Every jurisdiction has a nuanced model that suits their purposes and members of the CSAJRT have spent time in Victoria learning about the SOCIT / MDC model, in Queensland learning about regional SCAN Teams, with the Australian Federal Police ACCCE examining responses to child exploitation, the Western Australia Police Sex Crimes Unit and MIST Child Advocacy Centres as well as having undertaken significant research. Each model features elements which support improved outcomes for victim-survivors and can be used to inform a nuanced approach appropriate to the Tasmanian setting.

195. My reflection of the specialised SOCIT model in Victoria is that it is underpinned by a three-week specialist training course focused on speaking to victims, witnesses and offenders. The entire investigation process is focused on victims and prioritises the 'whole story methodology' for obtaining witness accounts, with interviews of child victims being undertaken collaboratively with Child Protection. Importantly I note that in Victoria the welfare of members is a priority and proactively managed with members of a SOCIT being visited by psychologists and social workers on a regular basis.

196. MDC Program design will support the diverse Tasmanian community and consider the regional geographic environment. Tasmania has three geographical 'districts' which from a policing perspective are referred to as Southern, Northern and Western. These districts provide structural opportunities to establish specialist sex crimes investigation units to be housed within multi-disciplinary centres. Additionally, there



will need to be careful consideration of how a regional or outreach response model is developed to compliment the establishment of these MDC's. Tasmania Police structures must align in order to prevent, identify and respond to child sexual abuse and this requires consideration in relation to the internal alignment of child exploitation, community protection and Safe Families Coordination units.

197. The MDC proposal will create an environment conducive to information sharing and collaborative culture where roles and responsibilities are clear and supported by a neutral physical environment. Specialist sex crimes investigators within MDC's will liaise with the Family and Sexual Violence Intelligence hub to ensure they are informed by the knowledge of partner agencies, the Community Protection Register and High-Risk Child Exploitation specialists.
198. Members of a multidisciplinary team should be highly trained, experienced and committed to the principles of victim-centric, trauma informed responses. They would include:
- a) Sexual Assault Support Services (SASS / Laurel House)
 - b) Specialist sex crimes police investigators
 - c) State Service Employees in investigative support roles (analyst / digital)
 - d) Child Safety Support Workers
 - e) Family Violence Counselling Support Services
 - f) Witness Intermediaries (as requested); and
 - g) Facilities for bespoke service provision on an as needs basis
199. The number of each of those service providers embedded in a multidisciplinary model will vary depending on the geographic location and regional service requirements and should be reflective of demand. Specialists must be located within proximity of each other and the ratio of service providers will depend on the location. Consultation and engagement is required to establish that level of detail relative to the multi-disciplinary centre model.
200. The CSAJRT undertook a desktop analysis of reported sexual violence offences to understand the demand on policing resources. It is on that basis that we believe all sexual violence, adult and children, should be addressed through a multidisciplinary



model. Other jurisdictions have expressed a desire to integrate responses to child and adult sexual abuse however the sheer volume of reporting in those states is a barrier.

201. Tasmania has a unique opportunity to provide a consistent and trauma informed response to victims of sexual and family violence, a response that acknowledges the very clear linkages between sexual and family violence, victims and offenders, as well as the complex social implications for individuals who have experienced that trauma. The CSAJRT carefully examined the integration of other specialists' areas including youth and family violence investigations. It was recommended that those areas remain within police geographical districts under their current and existing arrangements.

Coordination and Information

Question 44

When Tasmania Police are investigating and responding to a report of child sexual abuse in an Institutional Context at the same time as another Government Institution or organisation, how does Tasmania Police co-ordinate its investigation and response with such other Government Institutions or organisations?

In your answer, refer to any relevant policies, procedures, guidance material and Memoranda of Understanding. You should also identify:

- a) Whether any investigations are undertaken simultaneously or sequentially*
- b) Which body has responsibility for interviewing the victim and alleged perpetrator*
- c) Any information sharing obligations and processes*
- d) The roles and responsibilities of Tasmania Police in responding to or investigating the report, compared to the other bodies that are responding and investigating*
- e) Which body has the lead in responding, and*
- f) Which body has the responsibility of reporting concerns about the report to appropriate organisations other than Tasmania Police (for example, the Registrar under the Registration to Work with Vulnerable People Act 2013 (Tas) or professional bodies).*



202. Tasmania Police regularly undertakes investigations of CSA in institutional care while other Government Agencies or organisations are performing their role and this coordination has improved over time.
203. Coordination is now governed by the Tasmania Police Manual, the Tasmania Police Initial Investigation and Notification of Child Sexual Abuse Guidelines (**DLH-32**) and various Memoranda of Understanding, including the Keeping Children Safe MOU between the Department of Communities Tasmania (Child and Family Services) and Department of Police, Fire and Emergency Management (Tasmania Police) (**DLH-04**), the Registration to Work with Vulnerable People Information Sharing Protocol (**DLH-06**) and the recent MOU between Tasmania Police and the Department of Education (**DLH-33**).
204. The key principle in any coordination is being clear about roles and responsibilities and maintaining strong communication. If an offence has been alleged, Tasmania Police is the lead agency in any case.
205. When police are undertaking a criminal investigation, agencies who may be undertaking a Code of Conduct Investigation will await the results of the police investigation prior to them progressing their investigation. Police will routinely request this course of action so that criminal investigations are not prejudiced. This does not preclude agencies from standing down employees and child safety should always be the primary objective.
206. Tasmania Police has the responsibility for interviewing the victim of CSA and the alleged perpetrator. Police will engage members trained in interviewing vulnerable witness wherever practicable and engage witness intermediaries and appropriate support services.
207. Information sharing responsibilities between agencies responding to a complaint of CSA are now clearly articulated within the Tasmania Police Manual, the Tasmania Police Initial Investigation and Notification of Child Sexual Abuse Guidelines and various Memoranda of Understanding, including the Keeping Children Safe MOU between the Department of Communities Tasmania (Child and Family Services) and Department of Police, Fire and Emergency Management (Tasmania Police), the Registration to Work with Vulnerable People Information Sharing Protocol and the recent MOU between Tasmania Police and the Department of Education. The main principle of these documents is the ability to share information to keep children safe.



208. Tasmania Police has clear responsibilities under protocols and MOU. Police will be responsible for investigating any allegations of crimes or offences that are referred to them. Other agencies will have clear roles of ensuring the child is safe and providing the necessary victim support and counselling and notifying other agencies as required by statute and Memoranda of Understanding.
209. All agencies who are reporting bodies under Section 3 of the *Registration to Work with Vulnerable People Act 2013* (State Service Agencies, the Police Service and other bodies that are responsible under an Act for the registration, licensing, or authorising persons to work in any regulated activity), have reporting responsibilities under Section 53A of the Act to report reportable behaviour to the Registrar.

Question 45

Are coordination and information-sharing arrangements effective at protecting children from, or responding to, child sexual abuse in Institutional Contexts, or could they be improved? If so, how?

210. Coordination and information sharing arrangements have not always been effective in protecting children or responding to CSA in Institutional Contexts.
211. There are many and varied pieces of complex legislation surrounding information sharing which can be interpreted to impede sharing of information between agencies, and there has been reluctance in some instances for agencies to share information due to legal concerns around Personal Information Protection.
212. Tasmanian Legislation contains three separate mandatory reporting requirements in relation to CSA.
- a) Section 53A of the *Registration to Work with Vulnerable People Act 2013*, requires reporting bodies to report behaviour that poses a risk of harm to vulnerable persons to the Registrar of Registration to Work with Vulnerable People at the Department of Justice.
 - b) Section 14 of the *Children Young Persons and Their Families Act 1997* requires relevant persons to report CSA (among other matters) to the Secretary of the Department of Communities.
 - c) Section 105A of the *Criminal Code* provides that an adult who fails, without reasonable excuse, to report an abuse offence to a police officer is guilty of a crime.



213. While these three pieces of legislation provide targeted requirements, it could be considered confusing. A single reporting point would streamline information sharing and provide clarity for reporters. This single point could then assign information to the relevant authorities.
214. Tasmania Police has sought to improve information sharing by creating the Tasmania Police Initial Investigation and Notification of Child Sexual Abuse Guidelines and various Memoranda of Understanding, including the Keeping Children Safe MOU between the Department of Communities Tasmania (Child and Family Services) and Department of Police, Fire and Emergency Management (Tasmania Police), the Registration to Work with Vulnerable People Information Sharing Protocol and the recent MOU between Tasmania Police and the Department of Education. The documents are designed to ensure prompt and efficient sharing of information. Since the completion of the Tasmania Police Submission to the Commission of Inquiry in July 2021 the structural reform concept has continued to evolve and develop, particularly in light of evidence given before the Commission of Inquiry from expert witnesses.

Question 46

Are there circumstances where Tasmania Police is required to obtain warrants to access information in relation to child safety? Is requiring a warrant justified in these circumstances?

215. Anecdotally, there have been instances where Child and Family Services have required warrants to obtain information regarding CSA allegations. Individual police officers have reported that Child and Family Services officials have requested warrants to provide information regarding CSA investigations, but there is no accurate data available to quantify this practice. Although areas keep registers for their warrants, some do not record the crime type being investigated.
216. Burnie CIB in the Western District report that since mid 2017 to early 2021 they swore warrants to obtain information from CFS on about 5 occasions.
217. Launceston CIB report that they believe each officer in their VCU would have sworn one warrant per year to obtain information from CFS.
218. Hobart CIB report that they have sworn 3 warrants since 2017 to obtain information from CFS.



219. Devonport CIB report that they are unaware of having to serve a warrant in recent years.
220. All areas report that they have not required a warrant since the new MOU with CFS came into force in 2021.
221. There is no need for a warrant in circumstances where a police officer is investigating CSA. Section 16 of the Children, Young Persons and Their Families Act 1997 provides at subsection 2, "Subject to this section, a person who receives a risk notification from a notifier, or who otherwise becomes aware of the identity of a notifier because he or she is engaged in the administration of this Act, must not disclose the identity of the notifier to any other person unless the disclosure –
- a) is made in the course of official duties under this Act to another person acting in the course of official duties; or
 - b) is made with the consent of the notifier; or
 - c) is made by way of evidence adduced with leave granted by a court under subsection (3); or
 - d) is made to a law enforcement agency."
222. The Keeping Children Safe MOU between the Department of Communities Tasmania (Child and Family Services) and Department of Police, Fire and Emergency Management (Tasmania Police), states "Warrants are not required to facilitate the release of information from either party relating to the safety of a child and warrants will not be requested by either party in relation to the provision of such information."

Question 47

What kinds of information that should be shared to safeguard children are not routinely being shared, and why (noting particularly information-sharing was identified as a barrier at the At-Risk Youth Forum at the Tasmania Police Academy)? What resources should be available outside of normal business hours?

223. The review of the Griffin matter highlighted that there was still some resistance to providing information in instances up until 2021. Anecdotally, police officers have reported that on occasions, Child and Family Services Officers had balked at providing information about reporting persons and required a warrant.



224. Tasmania Police has sought to improve information sharing between Agencies by creating the Tasmania Police Initial Investigation and Notification of Child Sexual Abuse Guidelines and various Memoranda of Understanding, including the Keeping Children Safe MOU between the Department of Communities Tasmania (Child and Family Services) and Department of Police, Fire and Emergency Management (Tasmania Police), the Registration to Work with Vulnerable People Information Sharing Protocol and the recent MOU between Tasmania Police and the Department of Education. The guidance documents are designed to ensure prompt and efficient sharing of information.

Question 48

Describe the quality and effectiveness of police intelligence systems (such as Atlas)? In your answer, describe whether and how improvements under Project Unify will improve Tasmania Police's ability to record, investigate and otherwise respond to child sexual abuse in Institutional Contexts.

225. Tasmania Police has significant information and intelligence assets, critical to effective policing activities and for sharing with agencies who support vulnerable community members. In 2018, Tasmania Police commenced the transition to a Commercial Off the Shelf (COTS) system known as Atlas.
226. Project Unify is a program of work tasked with transforming multiple legacy operational information systems into a single system, Atlas, creating a contemporary, stable, secure and consolidated environment.
227. Project Unify Phase 1.0 (concluded November 2019) delivered significant benefits, including to the recording, oversight and management of child safety matters. The project reviewed the current state and designed a process which either improved or established:
- a) tasking opportunities, supporting supervisor oversight and visibility
 - b) alignment of the Child Safety Services information requirements with the data recorded by Tasmania Police with a level of granularity not previously captured
 - c) structured and standardised reporting to Child Safety Services, and
 - d) a system of prioritisation ensuring the identification and rapid escalation of priority child safety notifications.



228. Also delivered were infrastructure improvements, providing high availability, stabilised and contemporary platforms.
229. The transition to more contemporary, stable infrastructure will significantly improve the ability of Tasmania Police to exchange information through direct interfaces between agencies.
230. Project Unify 2.0 will continue to transition major legacy operational information systems to Atlas creating a powerful and consolidated source system.
231. The key benefits which will directly improve the ability of Tasmania Police to record, investigate and respond are:
- a) defined and structured data collection, which is searchable, managed and will provide improved reporting and analytical capabilities
 - b) a timely response to operational and legislative change, and
 - c) the capture of a single instance of core data, for example names and organisations, allowing all matters relating to those instances to be connected in the source system.
232. The principle of capture once, use many times applies. Tasmania Police will access a consolidated picture of all activities. For example, a record of an organisation or institution will have one entry which will consolidate all interactions regardless of their nature, role or timeframe.
233. Tasmania Police will continue to improve the real time referral and exchange of information critical to support the response to vulnerable members of the community.

Royal Commission and further reforms

Question 49

Provide a list of the Royal Commission's recommendations which Tasmania Police is responsible for implementing.

234. On 15 December 2017 the Royal Commission into Institutional Response to Child Sexual Abuse delivered their final report. The Commission's report makes 409 recommendations to improve the prevention, identification and response to institutional child sexual abuse. 11 of 409 recommendations are specific to all Australian police jurisdictions, including Tasmania Police (recommendations 3, 4, 5, 6, 7, 9, 10, 12, 13, 14 and 20).



235. See attachment **DLH-34** which lists each recommendation (NTP-TAS-002 Category A: Royal Commission into Institutional Response to Child Sex Abuse).
236. Recommendation 15 was noted by the Tasmanian Government but was not referred to Tasmania Police for implementation.

Question 50

Identify the senior Tasmania Police Officials with responsibility for the implementation of any of the Royal Commission's recommendations.

237. Under the leadership of the Assistant Commissioner – Operations, the Tasmania Police Crime and Intelligence Command co-ordinated the allocation of 11 recommendations to Tasmania Police Business Units for development and implementation. Some of the recommendations were also included in the work of CSAJRT.
238. The recommendations are operationalised into guiding documents or training curriculums that aim to achieve best practice through a consistent, transparent, and accountable police response. The content of the guiding documents and training curriculums are the responsibility of the nominated business units. These include (business unit is cited):
- a) Memorandum of Understanding between Tasmania Police and Children and Family Services – Keeping Children Safe (Business Owner Strategy and Support District)
 - b) Registration to Work with Vulnerable People Protocol (Business Owner Strategy and Support District)
 - c) Initial Investigation and Notification of Child Sexual Abuse Guidelines (Business Owner Crime and Intelligence Command)
 - d) Tasmania Police Manual (Sex Crimes 4.4.10) (Business Owner Strategy and Support)
 - e) Online Initial Investigation and Notification of Child Sexual Abuse Training (Business Owner Crime and Intelligence Command)
 - f) Police Training Curriculum (Business Owner Education and Training)
239. The CSAJRT consulted with Tasmania Police's Education and Training District to ensure training reflects best practice. The Education and Training District has been



tasked to review the current curriculum for both recruit and specialist programs. This will support all police officers who come into contact with victims or survivors of sexual abuse to have an understanding of trauma and how it can affect people.

Question 51

Describe in detail any barriers to the implementation of any of the Royal Commission's recommendations that are within the responsibility of Tasmania Police?

240. There are no barriers to implementing the recommendations, but there are some capacity and capability requirements that need to be met before some of the recommendations can be implemented. Tasmania Police is examining opportunities to further develop a public facing digital interface capacity for online reporting of sexual abuse. The purpose of this initiative is to encourage reporting of allegations of child sexual abuse, with an emphasis on vulnerable victims (including Aboriginals and prisoners). The platform could also support information sharing relating to child abuse across agencies. There are Tasmania Police projects underway that are considering options to support these reporting initiatives, including project Unify. The online reporting initiatives apply to the following recommendations:

Recommendation 4

241. To encourage reporting of allegations of child sexual abuse, including institutional child sexual abuse, each Australian government should ensure that its policing agency:
- a) takes steps to communicate to victims (and their families or support people where victims are children or are particularly vulnerable) that their decision whether to participate in a police investigation will be respected – that is, victims retain the right to withdraw at any stage in the process and to decline to proceed further with police and/or any prosecution
 - b) provides information on the different ways in which victims and survivors can report to police or seek advice from police on their options for reporting or not reporting abuse – this should be in a format that allows institutions and survivor advocacy and support groups and support services to provide it to victims and survivors



- c) makes available a range of channels to encourage reporting, including specialist telephone numbers and online reporting forms, and provides information about what to expect from each channel of reporting
 - d) works with survivor advocacy and support groups and support services, including those working with people from culturally and linguistically diverse backgrounds and people with disability, to facilitate reporting by victims and survivors
242. 4(b) and 4(c) have not been implemented. To progress these, Project Unify has a \$46M allocation and aims to include on-line reporting as part of the project and will address these outstanding recommendation. Procedural and technical development will be required which includes a potential IT solution. External Agencies will also need to be consulted.

Recommendation 5

243. To encourage reporting of allegations of child sexual abuse, including institutional child sexual abuse, among Aboriginal and Torres Strait Islander victims and survivors, each Australian government should ensure that its policing agency:
- a) takes the lead in developing good relationships with Aboriginal and Torres Strait Islander communities
 - b) provides channels for reporting outside of the community (such as telephone numbers and online reporting forms).
244. 5(b) has not been implemented. To progress this, Project Unify has a \$46M allocation and aims to include on-line reporting as part of the project and will address this outstanding recommendation. The implementation date is not known at this stage, and it requires further procedural and technical development including a potential IT solution. External agencies will also need to be consulted.

Recommendation 6

245. To encourage prisoners and former prisoners to report allegations of child sexual abuse, including institutional child sexual abuse, each Australian government should ensure that its policing agency:
- a) provides channels for reporting that can be used from prison and that allow reports to be made confidentially



b) does not require former prisoners to report at a police station.

246. This recommendation has not been implemented. To progress this, Project Unify has a \$46M allocation and aims to include on-line reporting as part of the project and will address this outstanding recommendation. The implementation date is not known at this stage and it requires further procedural and technical development including a potential IT solution. External agencies will also need to be consulted.

Recommendation 12

247. Each Australian government should ensure that, if its policing agency does not provide a specialist response to victims and survivors reporting historical child sexual abuse, its policing agency develops and implements a document in the nature of a 'guarantee of service' which sets out for the benefit of victims and survivors – and as a reminder to the police involved – what victims and survivors are entitled to expect in the police response to their report of child sexual abuse. The document should include information to the effect that victims and survivors are entitled to:

- a) be treated by police with consideration and respect, taking account of any relevant cultural safety issues
- b) have their views about whether they wish to participate in the police investigation respected
- c) be referred to appropriate support services
- d) contact police through a support person or organisation rather than contacting police directly if they prefer
- e) have the assistance of a support person of their choice throughout their dealings with police unless this will interfere with the police investigation or risk contaminating evidence
- f) have their statement taken by police even if the alleged perpetrator is dead
- g) be provided with the details of a nominated person within the police service for them to contact
- h) be kept informed of the status of their report and any investigation unless they do not wish to be kept informed
- i) have the police focus on the credibility of the complaint or allegations rather than focusing only on the credibility of the complainant, recognising that many



victims of child sexual abuse will go on to develop substance abuse and mental health problems, and some may have a criminal record.

248. A 'Guarantee of Service' which sets out the for the benefit of victims and survivors what they are entitled to expect in the police response to their report of child sexual abuse has not yet been settled, but the principles detailed in Recommendation 12 have been incorporated into guiding documents that will make an immediate impact on the way police undertake investigations. Tasmania Police is an organisation of continuous improvement, with an appetite for change. It is the intention of Tasmania Police to produce a 'Statement of Principles' or similar to reflect the positive and affirmative actions detailed in the guiding documents, and post these publicly so victims and survivors can access them when making a complaint. This may be an internet post or hardcopy handout (or both), or part of the Project Unify activities supporting an on-line reporting portal where the principles are listed when entering information. Consultation has commenced with the Detective Inspector's Forum to identify the most effective ways to promote the Statement of Principles, and what they contain. The relevant guiding documents which detail the principles are:

- a) Memorandum of Understanding between Tasmania Police and Children and Family Services – Keeping Children Safe **(DLH-04)**
- b) Registration to Work with Vulnerable People Protocol **(DLH-06)**
- c) Initial Investigation and Notification of Child Sexual Abuse Guidelines **(DLH-32)**
- d) Tasmania Police Manual (Sex Crimes 4.4.10) **(DLH-27)**
- e) Online Initial Investigation and Notification of Child Sexual Abuse Training

Question 52

Describe whether there are any barriers unique to Tasmania to the implementation of the Royal Commission's recommendations.

249. None identified

Question 53

In what, if any, areas do you think Tasmania should depart from the Royal Commission's recommendations (for example, due to its size, circumstances, culture or other factors)?



250. None identified.

Question 54

Are there gaps in what the Royal Commission considered or recommended that relate to Tasmania Police that are relevant to Tasmania?

251. None Identified.

Question 55

What do you hope will occur as a result of this Commission?

252. The Commission has the opportunity to deliver whole of government recommendations to enhance the protection of children in Tasmania. Any recommendations should build upon the work already implemented by agencies.

253. They need to be focussed and achievable, over the short and medium term. They should contain metrics and reporting timelines to capitalise on the movement for change.

254. Tasmania Police will continue to identify and implement opportunities for best practice in the protection of children, for example through the new Multi-Disciplinary Centres, and looks forward to the Commission's recommendations in May 2023.

Responding to reports of child sexual abuse in Institutional Contexts

Question 60

Does Tasmania Police respond differently to a report of child sexual abuse if it occurs in an Institutional Context compared to other contexts? If yes, explain any differences including:

- a) Who is, or which bodies are, notified***
- b) Whether the relationship of the alleged perpetrator to the victim affects the response***
- c) Which Tasmania Police Official has the lead in responding to the report, and***
- d) Which Tasmania Police Official is responsible for notifying other organisations, including the Registrar under the Registration to Work with Vulnerable People Act 2013 (Tas), professional bodies and the alleged perpetrators' place of work.***



255. Tasmania Police does not respond differently to reports of CSA in institutional context compared to other contexts. All investigations involving CSA are guided by the Tasmania Police Manual at 4.4.10 (**DLH-27**) under Sex Crimes which outlines a response that is trauma informed and victim centric. This focus has evolved over the years from a more offender focussed approach by police.
256. Guidance is also provided by the Initial Investigation and Notification of Child Sexual Abuse Guidelines. These guidelines cover Reporting, Roles and Responsibilities, Criminal Investigation Branch (CIB) members roles, Covert Operations, Forensic practices, Information Sharing and the legislative authority that enables this, Risk Implications and Values associated with responses to CSA.
257. Whilst there are legislative requirements around which bodies must be notified under the RWVP Act, The *Children Young Persons and Their Families Act* and the *Criminal Code*, other notifications would be made under MOU and on a case-by-case basis.
258. The relationship of the alleged perpetrator to the victim would affect the response, particularly in ensuring the safety of the child. If it is alleged that a child is at harm, police will act to ensure that arrangements are made for the victim's safety.

Question 61

Are there any particular challenges in investigating child sexual abuse that occurred in an Institutional Context compared to other contexts? Are there particular offences that are difficult to investigate (for example, related to grooming) in Institutional Contexts?

259. Investigations into CSA in Institutional Context are not markedly different than other investigations into CSA but are more complex due to the level of coordination required.
260. Institutions may have their own imperatives, such as notifications, including to a wider audience of stakeholders (such as schools or hospitals) and are often concerned regarding reputational damage.
261. Sometimes the need to notify could hinder an investigation but the safety of victims is the most important imperative.
262. Police will engage early with institutions to coordinate information, media, reporting and other issues in conjunction with an investigation plan.



263. I consider the key is cooperation, communication and coordination of efforts by police, and other agencies or institutions.

Question 62

What is the average time taken (from initial report) to resolve an investigation of child sexual abuse in an Institutional Context?

264. Tasmania Police does not have any means to extract this information from its systems. The time taken from initial report to resolution can vary dependent upon the nature of the complaint. Some complaints could be resolved on the day of the report, others may take some months if they are complex.

Question 63

For each year of the Relevant Period, how many matters involving child sexual abuse have been:

- a) Reported to Tasmania Police***
- b) Investigated by Tasmania Police***
- c) The subject of charges, or***
- d) The subject of a criminal trial.?***

265. Attached to this statement marked **DLH-35** is a table of the number of recorded offences involving child sexual abuse, offences cleared and offences cleared as court proceedings.

Question 64

In relation to your response to paragraph 63, identify:

- a) The time taken to assign an investigator to those matters***
- b) The time taken to resolve those matters, and***
- c) What proportion:***
 - i) Occurred in an Institutional Context?***
 - ii) Occurred where the alleged offender was themselves a child offending against another child?***

266. Tasmania Police does not have any means to extract the information from its systems required to answer Question 64(a).



267. In relation to Question 64(b), attached to this statement marked **DLH-35** is a table of the time taken to clear offences.
268. Tasmania Police does not have any means to extract the information from its systems required to answer Question 64(c)(i).
269. In relation to Question 64(c)(ii), attached to this statement marked **DLH-35** is a table of the number of offences where the alleged offender was also a child.

Question 65

Describe any differences between districts, regions or areas in relation to:

- a) The time taken by Tasmania Police to investigate matters involving child sexual abuse***
 - b) The time taken by Tasmania Police to investigate matters involving child sexual abuse in Institutional Contexts***
 - c) The time between the commencement of an investigation and the laying of charges in matters involving child sexual abuse.***
270. In relation to 65(a), attachment **DLH-35** displays, Western District displayed a lower time to clear its 25th percentile of offences compared to the other districts.
271. Northern District had a notably long time to clear all (100th percentile) of its offences from 2002 (13 years), but then maintained a generally lower clearance time most of the time compared with the other districts from 2003 onward.
272. For the 100th percentile (that is, maximum clearance periods) state-wide, the longest amount of time to clear the offences has reduced significantly in the past 5 years, but this doesn't reflect matters outstanding.
273. Tasmania Police does not have any means to extract the information from its systems required to answer Question 65(b) and (c).

Question 66

Does Tasmania Police have any targets or performance metrics related to the investigation of child sexual abuse? How robust is Tasmania Police's data in illuminating trends? Does data in this area need to be improved?

274. Tasmania Police does not have any organisation-wide performance metrics related to the investigation of child sexual abuse.



275. Tasmania Police holds a wealth of data across many different systems. Integration and reporting on this data across the business will be improved by the upcoming migration of more applications into Atlas. Currently more than ten years of offence reporting data is at hand, from which we can examine trends across offence types, locations, clearances, and other factors over time. As with all data, reporting capability is affected by the quality and timeliness of the data that is input into the source applications.

Question 67

Is there sufficient resourcing to respond to reports of child sexual abuse? If not, how is this managed (for example, is there a backlog)? If there is a backlog, how is this monitored? How are child sexual abuse matters prioritised for investigation and action where there is insufficient resourcing and/or competing priorities?

276. Reports of CSA are currently managed within the Geographical Districts and are prioritised. Initial responses to an allegation may involve general duties patrols, Criminal Investigation Branch (CIB), Family Violence sections and Forensic Services.

277. While all police conduct investigations, CIB are responsible for the bulk of criminal investigations including CSA. CIB is set up with Victim Crime Units under a Sergeant. These units deal with the bulk of person offences, including CSA. These units are often very busy with a range of matters and when there is a major crime such as a murder in a region, members will be required to work on that.

278. While individual Detectives are issued crime reports to investigate, they are supervised by Detective Sergeants and Detective Inspectors who monitor investigations and provide guidance and support and ensure that priority is being given to matters such as CSA.

279. While I consider resourcing to be mostly adequate, the creation of the new MDC's will see police officers only working on sexual violence matters and not being diverted to other matters. This will lead to a better victim experience. Initially the two pilot MDC's will consist of 15 detectives, with ten in the south and five in the north. Modelling has been undertaken in relation to caseloads and I believe that those resources can manage sexual violence matters in the south and north. After evaluation of the pilot, it is hoped to expand the MDCs to include the western district.

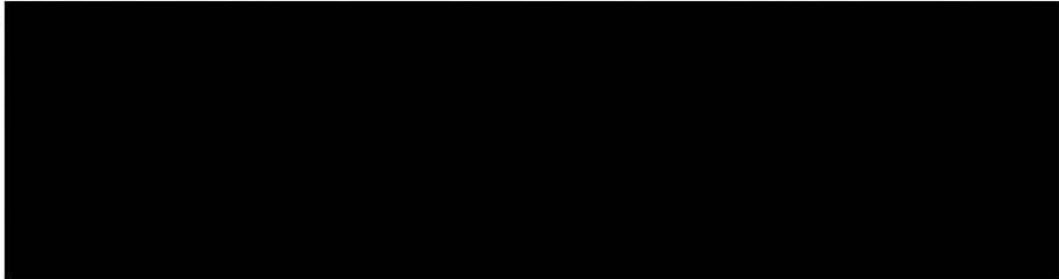
Question 68



Provide further detail on 'the lack of digital forensic capacity' referred to in the Tasmania Police Draft Submission and the current delays associated with sending devices to the centralised service in Hobart.

280. The Tasmania Police Digital Evidence Unit (DEU), like all DEU across policing jurisdictions cannot keep pace with the demand of borderless, online offending.
281. Tasmania Police DEU suffers from a lack of appropriately trained and qualified staff to achieve a critical mass within the unit. The retention of qualified staff in the current labour market is particularly challenging.
282. Technology is moving well ahead of the pace of the Tasmania Police DEU. Current hard and software that is fit for purpose would reduce examination time frames for investigators; and
283. The increasing integration of technology into individuals' lives is increasing the size and complexity of examinations required.
284. In 8 – 15% of cases, digital examinations cannot be completed by DEU due to password or encryption technology that is only growing in popularity as a common security feature of devices. Forcing password 'breakins' can take days, weeks or months if you have the appropriate equipment and programs. Tasmania Police requires significant investment in that equipment and in those programs.

285.



286. In summary, an increase in appropriately qualified, trained and experienced staff supported by contemporary and appropriate equipment would support improved outcomes for victim-survivors.

Question 69

Identify how Tasmania Police defines a 'historical' complaint of child sexual abuse and the basis for this definition. What, if any, impact does this have on the response to a complaint?



287. In regards to Tasmania Police reporting crime data, a 'historical' offence is determined to be one that occurred 12 months or longer prior to the report to police.
288. Of note, the Australian Bureau of Statistics does not define 'historical' incidents. In the ABS publication Victims of sexual assault: time to report and age at incident the analysis focused largely on comparing key statistics about victims who reported within 12 months of the incident with victims who reported to police over 12 months since the incident occurred.
289. This ABS analysis is consistent with Tasmanian police methodology.
290. Regardless of the definition, or whether a matter is historical or contemporary the principles of investigation remain the same. Initial priorities include;
- a) Assessing whether any immediate risk exists and prioritising decisions around intervention and notification to prevent harm. This includes risk to the victim-survivor and others.
 - b) Ensuring appropriate supports are available to the victim-survivor and facilitating contact with those supports where requested.
 - c) Securing evidence including capturing a victim-survivors initial complaint, identifying witnesses and gathering physical evidence.
291. The response is prioritised where a child is considered to be at immediate risk and those arrangements are set out in the Tasmania Police Manual (see question 74) and are also consolidated in the Initial Investigation and Notification of Child Sexual Abuse Guidelines (DLH-32).
292. All allegations, disclosures, or circumstances where a member suspects on reasonable grounds that sexual abuse to a child has occurred or is occurring, must be reported to Children and Family Services (CFS) in accordance with the mandatory reporting requirements under s.14 of the Children, Young Persons and their Families Act 1997. Where a suspect has been identified, and holds a registration to work with vulnerable people and has current and ongoing access to children, the Registration to Work with Vulnerable People system is contacted.

Question 70

Describe any quality assurance, auditing or oversight of decisions made, or investigations into, child sexual abuse in Institutional Contexts.



293. Responses to CSA are conducted in accordance with the Tasmania Police Manual and the Notification of Child Sexual Abuse Guidelines. These clearly indicate what is required when undertaking such investigations.
294. One aspect under the TPM and guidelines is the requirement for all members who take a report of a crime to complete an offence report prior to completion of duty. Members undertaking investigations will be assigned an offence report. The offence reporting system allows members to record their actions and investigation enquiries under investigation notes.
295. Supervisors are able to access these reports to ensure a timely and appropriate response, and offence reports cannot be filed other than by a supervisor.
296. The TPM provides the following Order:
- a) No report of a sex crime is to be filed without enquiries being made to validate the information or otherwise; at a minimum, the following must occur:
 - i. Contact made with the reporting person.
 - ii. Where a victim has not been identified, every effort be made to establish their identity and to investigate and assess the report.
 - iii. Thorough examination of intelligence holdings on Tasmania Police databases.
 - iv. Contact details of investigating officer provided to the victim and or parent, guardian, or other support person where appropriate.
 - v. Review by a supervisor and appropriate notations confirming that the above actions have been undertaken must be entered on Offence Report, Atlas Child Safety Occurrence, or Intelligence Submission as appropriate. Notations must include a summary of the investigation outcome.

Question 71

Describe the level of discretion granted to a police officer in making decisions about matters involving child sexual abuse in Institutional Contexts, particularly:

- a) ***Whether a matter is recorded in any form and how it is classed or categorised***



- b) Whether a statement is taken*
- c) Whether any notifications should be made*
- d) The extent of investigation undertaken in response to the complaint, and*
- e) Whether advice should be sought from the Office of the Director of Public Prosecutions in relation to any charges?*

a) Whether a matter is recorded in any form and how it is classed or categorised

297. The TPM provides, "All members who take a report of a crime shall complete an offence report prior to completion of duty".
298. The Initial Investigation and Notification of Child Sexual Abuse Guidelines also include the requirement to submit an offence report where an offence has been identified.
299. Members will also submit a Child Safety Occurrence on the Atlas system.

b) Whether a statement is taken

300. Tasmania Police will take a statement from victims of CSA whenever possible.

c) Whether any notifications should be made

301. Tasmania Police has mandatory reporting obligations. Police will make notifications to CFS verbally and then by submission of a Child Safety Occurrence on the Atlas system. This system automatically sends a notification to CFS and WWVP.
302. Tasmania Police will also notify the relevant sexual assault support provider, being the Sexual Assault Support Service in the south of the State or Laurel House in the north and west.
303. The Tasmania Police Manual also provides guidance that members must notify other agencies where an offender or suspect presents an immediate risk to vulnerable people, these include:

- a) The Department of Communities Tasmania (CFS)
- b) AHPRA (Health Practitioners)
- c) Teachers Registration Board
- d) Department of Education/Catholic Education Office/Independent school
- e) Department of Health



- f) Relevant volunteer organisations or sporting groups

d) *The extent of investigation undertaken in response to the complaint*

304. The extent to all investigations will vary dependant on the circumstances. This will be driven by avenues of inquiry that are open to the investigator in the case. Investigators will form a plan for the investigation they are undertaking, often by completing a written investigation plan, which is a standard template available on Conexus for all investigators. The investigator will plan the investigation and will consider the sources of evidence available to them.

305. The sources of evidence available may fall into the following categories.

- a) Interview of complainants and witnesses
- b) Crime scene examination
- c) Exhibit examination and analysis
- d) Records:
- e) Telecommunications information
- f) Technical/Physical surveillance of suspects and premises
- g) Interview of suspects/offenders

306. There is a minimum requirement as **no** report of a sex crime is to be filed without enquiries being made to validate the information or otherwise; at a minimum, the following must occur:

- a) Contact made with the reporting person.
- b) Where a victim has not been identified, every effort be made to establish their identity and to investigate and assess the report.
- c) Thorough examination of intelligence holdings on Tasmania Police databases.
- d) Contact details of investigating officer provided to the victim and or parent, guardian, or other support person where appropriate.
- e) Review by a supervisor and appropriate notations confirming that the above actions have been undertaken must be entered on Offence Report, Atlas Child Safety Occurrence, or Intelligence Submission as appropriate. Notations must include a summary of the investigation outcome.



e) Whether advice should be sought from the Office of the Director of Public Prosecutions in relation to any charges?

307. The approval of the Director of Public Prosecution (DPP) is required before a charge can be laid for Persistent Sexual Abuse of a child or young person pursuant to Section 125A of the Criminal Code.
308. Under protocols between the DPP and Tasmania Police, the DPP must be notified within four working days of the laying of charges relating to other sexual offences.
309. Tasmania Police may request advice from the DPP on a decision whether to charge on sex crimes as required. If advice is required, the entire file is forwarded to the DPP with a letter from the relevant Detective Inspector requesting advice. These requests are usually around matters of consent in adult matters, however if there is a concern around the evidentiary threshold for a CSA case, then advice may be sought.
310. The current arrangements work well and Tasmania Police has the required discretion on whether to charge or not based on the evidence at hand. Police can seek advice if in doubt.

Question 72

Describe the circumstances in which someone accused of offences in relation to child sexual abuse in Institutional Contexts will be granted bail (and those in which Tasmania Police would oppose or not oppose bail)? Do you consider any reforms to bail necessary in relation to matters involving child sexual abuse?

311. The administration of Bail in Tasmania is legislated under three Acts.
- a) Justices Act 1959 (S34)
 - b) Bail Act 1994 (S5)
 - c) Criminal Law (Detention and Interrogation) Act 1995 (S4)
312. The Justices Act allows for certain police officers to inquire into the case before them and provides that, unless there are reasonable grounds for believing that such a course would not be desirable in the interests of justice, they must admit the person to bail.
313. Officers permitted by law to grant bail are.
- a) A commissioned police officer



- b) A police officer who is in charge (or for the time being in charge) of a police office or station
 - c) An approved operator pursuant to the Road Safety (Alcohol and Drugs) Act 1970
314. The Bail Act outlines the manner by which a person is bailed and the Criminal Law (Detention and Interrogation) Act outlines that a person must be brought before a Justice as soon as practicable unless released unconditionally or bailed.
315. There are statutory provisions which provide that police officers may not grant bail to person accused of specific offences, namely breaches of Family Violence Orders, certain Terrorism Offences and Treason and Murder.
316. The officers permitted to grant bail have discretion to either bail or place the person before a Justice. This decision is based on a number of factors but are usually based on the severity of the offence, the safety of the victim and the public in general, prior behaviour while on bail, safety of witnesses and the likelihood that the offender will appear before the court.
317. In relation to CSA, those members permitted to bail will still have discretion on whether to bail or not, again based primarily on the seriousness of the offence.

Question 74

Describe what steps Tasmania Police takes (for example, to identify other victims or offenders) where an alleged offender has died (or dies in the course of an investigation) or is unlikely to otherwise be charged? In particular, identify whether and how:

- a) ***statements are taken, and***
 - b) ***any communication with complainants occurs.?***
- a) ***statements are taken,***
318. Tasmania Police would not actively seek to identify victims where an alleged offender has died, but would provide assistance should a victim come forward. Tasmania Police will obtain a statement from victims of sexual abuse if an alleged offender has died. This is clearly articulated in the Tasmania Police Manual as a requirement should the victim wish to make a statement.



319. Support Services would be notified, a statement taken and an Atlas submission or an offence report would be raised. There would be no actual investigation unless a witness statement or intelligence holdings suggest the possibility of co-offenders.

b) any communication with complainants occurs?

320. Should a suspect die during an investigation, complainants would be notified of this, and the prosecution disbanded.

Question 75

In what circumstances would Tasmania Police pursue a police investigation and prosecution into child sexual abuse against a victim's wishes? What steps can (or does) Tasmania Police take to minimise risk to the community where a victim does not wish to provide a statement or proceed with a prosecution?

321. Tasmania Police generally would not launch an investigation contrary to the wishes of a victim in adult settings, but this would not be the case in CSA.

322. Tasmania Police and many other agencies are mandatory reporters in relation to CSA (and other forms of harm), and under Section 105A of the Criminal Code 1924 it is a criminal offence for persons to not report abuse offences against children to Tasmania Police.

323. Although an investigation may be limited by the lack of evidence from a victim, there may be occasions whereby evidence could be obtained by other methods, such as electronic records, other witness or by other avenues of enquiry.

Question 76

Describe how child sexual abuse is reported to, and investigated by, Tasmania Police, with particular reference to what occurs where the alleged victim is a child at the time of reporting or there are risks to the safety of other children.

324. CSA is reported to Tasmania Police in many forms. Children may disclose an offence to an adult, parent, teacher, CFS worker, friend or other person, which leads to a report to police.

325. Members of the public may gain information or a suspicion that CSA is taking place and report this to police or CFS.

326. Information may be gleaned from on-line activity that gives rise to suspicions of CSA.



327. When Tasmania Police receive an allegation of CSA, they will attend wherever the victim or reporting person may be. This attendance may be by uniform police or detectives.
328. The circumstances will be assessed by the attending police who may seek assistance of other resources such as specialist investigators, Forensic Services, or other specialist resources.
329. Police will notify the relevant Support Service to the area and seek their advice and support for the child victim.
330. Arrangements would then be made for forensic examinations if required.
331. Arrangements would also be made to undertake a vulnerable witness interview with the child and for a witness intermediary to perform their duties prior to the interview.
332. The appropriate reporting mechanisms would be completed, such as the raising of an offence report and a child safety occurrence on Atlas.
333. If checks reveal that a suspect has a RWVP, then notification to the Registrar will occur verbally and via email.
334. If there is an ongoing risk to the child or other children, police and their partner agencies would formulate contingencies to remove the child from risk. This may be by removal of the child from the environment or if appropriate, move quickly on the suspect. If possible, the suspect could be charged and put before the court or be subject to strict bail conditions or remanded in custody.

Question 77

How have reforms relating to child sexual abuse impacted the management of offences in relation to child sexual abuse (for example, evidentiary reforms or new or re-worded offences) in the Relevant Period? Do you consider there is a need for further reforms (legislative or otherwise) to improve the management of offences in relation to child sexual abuse? If yes, describe those reforms.

335. There have been a number of legislative reforms in relation to sexual violence crimes, particularly since the Royal Commission into Child Sexual Abuse in Institutional Settings. These have been positive for Tasmania Police.



336. Changes to the Evidence (Children and Special Witnesses) Act 2001 has led to reforms that protect vulnerable children and limit, to the greatest extent practicable, the distress and trauma suffered by children and special witnesses.
337. The renaming of many sexual violence crimes has not posed any particular issues for police, and they more consistently reflect current language and outlook. For example, the change of S125A of the Criminal Code 1924 from Maintaining a Sexual Relationship with a Young Person to Persistent Sexual Abuse of a Child or Young Person is more linguistically and morally correct.
338. Changes to names of crimes include.
- a) S124 Penetrative Sexual Abuse of Child or Young Person.
 - b) S125 Person Permitting Penetrative Sexual Abuse of a Child or Young Person on Premises
 - c) Indecent Act with Child or Young Person
 - d) Procuring Child or Young Person for Sexual Abuse
 - e) Communications with Intent to Procure Child or Young Person
 - f) Penetrative Sexual Abuse of Person with Mental Impairment
339. The definition for Sexual Intercourse has changed dramatically.

Sexual intercourse means –

(a) the penetration, to the least degree, of a person's vagina, genitalia, anus or mouth by a penis; or

(b) the penetration, to the least degree, of a person's vagina, genitalia or anus by a body part of a person other than a penis; or

(c) the penetration, to the least degree, of a person's vagina, genitalia or anus by an object held or manipulated by, or attached to, another person; or

(d) the continuation of an act of penetration referred to in paragraph (a), (b) or (c) of this definition.

340. This has particular relevance for the crime of Rape at S185.

Question 78



Are there particular challenges in investigating and/or prosecuting offending in relation to child sexual abuse with an online component?

341. Investigators face challenges associated with fast moving technological changes and offenders who are increasingly computer savvy. There are opportunities to improve three key investigation outcomes to enhance CEM investigations:
- a) A **Legislative** remedy to permit investigators access to offender's devices where offenders do not disclose their password.
 - b) **Staff Wellbeing** initiatives to protect prosecutors and investigators by reducing the time they spend in classifying CEM thereby reducing CEM exposure.
 - c) Introduction of a two tier or hybrid CEM investigation response, namely **Cyber Specialists** – unsworn cyber specialists working together with sworn police investigators. This model enables officers working in this area to become experts rather than sworn police officers trying to develop a level of specialisation.

Legislation Gap

342. Tasmanian Legislation does provide a statutory requirement that a reportable offender under the Community Protection (Offender Reporting) Act 2005 must provide police with passwords, codes or information where those officers are investigating alleged offences against that act (s45C(3)), but does not compel the provision of access codes in any other circumstances (for example, a device seized from an offender who is not a registered sex offender). Currently Tasmania Police has limited technological capacity to access mobile devices which are security locked. The Digital Evidence Unit advise that in the financial period 2019/2020, they examined 865 mobile devices and of those, approximately 60 had to be returned to the investigator unexamined. A possible solution for this issue would be for such an amendment of the Search Warrants Act 1997. Such an amendment could allow for the original warrant to authorise the giving of a direction requiring assistance from a person with knowledge of a computer, similar to s 465AAA of the Crimes Act 1958 (Vic), or allow for an application for an order requiring a person with knowledge of a computer to assist access, similar to s 3LA of the Crimes Act 1914 (Cth).

Staff Wellbeing



343. There is an opportunity to set down CEM item categorisation and description thresholds to protect prosecutor and investigator psychological wellbeing by reducing the time they spend classifying CEM. The timely preparation of a brief containing evidence in support of all the elements of the relevant offence or crime is indispensable to the efficient resolution of these matters. The intention of this proposal is to suggest strategies to reduce exposure to CEM and permit investigators with finite resources to estimate the number of CEM items contained in devices where there are more than 1000 still images or 50 videos. This approach will not only enhance staff welfare, but also present timely and adequate information about CEM before Tasmanian courts for sentencing.

Cyber Specialists

344. There is an increased use of online capabilities with criminals no longer contained within physical or geographical boundaries. Organised crime entities continue to exploit online opportunities to generate revenue or facilitate cyber crime activity. The investigation of exploited and abused children online is increasingly complex and specialised and requires a high level of practical knowledge, application and expertise. To ensure Tasmania Police is able to effectively respond to changing criminal threats, particularly in the face of the evolving COVID-19 pandemic, cyber investigators in Tasmania have completed online training in [REDACTED] Sworn police officers however are not always able to keep pace with these technological developments. Revised structural arrangements could bring accredited unsworn cyber specialists together with sworn police investigators to focus on law enforcement responses and prosecutions.

Question 79

Does online child sexual abuse commonly co-occur with in-person child sexual abuse?

345. No. It is uncommon for an online child abuse offender in Tasmania to commit contact type offending. Most online offenders do not have a history of contact offending or go on to contact offend. It is the experience of investigators however that some contact offenders do possess CEM libraries. The Australian Institute of Criminology is conducting a study into this ratio using a larger representation pool of offenders and



has some preliminary findings that suggest the trend in Tasmania is also reflected nationally.

Victim-survivors and complaints

Question 80

Describe how forensic samples are taken for children who have been sexually abused. How accessible is this process for children (including those in regional areas)? Are there any issues in relation to the storage and preservation of forensic samples?

346. Whenever Tasmania Police receive a report of CSA, they will notify the relevant support service organisation for the region. Sexual Assault Support services cater to the south, while Laurel House manage the north and west.
347. Strong protocols exist in all regions in relation to the forensic procedures for victims of sexual assault.
348. Examinations of victims are undertaken in a coordinated manner between the medical examiner, police, crisis support services and Child and Family Services if the victim is a child.
349. Examinations are undertaken by the on-call paediatrician at the Royal Hobart Hospital and a Sexual Assault Investigation Kit (SAIK) is utilised by the paediatrician when obtaining samples.
350. In the North examinations are undertaken by the on-call Sexual Assault Forensic Examiner (SAFE) nurse utilising a SAIK.
351. In the south, the on-call paediatrician will undertake the examination using a SAIK.
352. These arrangements ensure that Children can be examined, although time delays can occur for children in more remote areas.
353. SAIK and EEK kits are required to be frozen, and CIB's have freezers available prior to the kits being transported to Forensic Science Services Tasmania (FSST).

Question 81

Describe any information and referrals provided by Tasmania Police to complainants of child sexual abuse?



354. Tasmania Police will always refer victims of CSA to the relevant Sexual Assault support agency and to CFS.
355. Brochures have recently been developed in conjunction with the Sexual Assault and Family Violence Forensic Services within the Tasmanian Health Service that provide advice to victims and their families. The brochures provide advice on how support services will assist and advice on what happens when a report of sexual assault is made to police.
356. Attached to this statement marked **DLH-36** is a copy of the Reporting to Police brochure.

Question 82

Describe the standard of facilities (for example, interview rooms) used to take statements from adult or child victims or witnesses of child sexual abuse. Do you have any views on the suitability of these State-wide?

357. Facilities to interview victims are available in most centres, but the quality of the facilities and equipment used to record interviews vary.
358. The majority of police stations such as Hobart, Glenorchy, Bellerive, Bridgewater, Launceston, Longford, Devonport, Ulverstone, and Burnie have what is known as "soft" interview rooms. They are painted a bright colour, have toys and other items to make children feel safe. Unfortunately, they use tripod mounted stand-alone video cameras to record the interviews.
359. Tasmania Police currently has a project underway which will improve this situation. The Service is moving to an interview solution using Axon equipment, compatible with Axon body worn cameras (utilised by frontline members), for introduction in Multi-Disciplinary Centres. These centres will be designed with suitable interview rooms and the Axon Interview technology, which is of high quality and designed to be discreet. Tasmania Police has been liaising with other jurisdictions and obtaining the latest research on the best layout, colouring and equipment for "soft" interview rooms.
360. The MDC project will also seek feedback from victim-survivors regarding the set up of soft interview rooms.
361. Tasmania Police also have body worn cameras which are valuable in obtaining early details, recording demeanour and emotion from victims and witnesses and possibly recording the scene.



Question 83

Describe the quality and suitability of audio-visual technology used by Tasmania Police to record evidence from victims or witnesses of child sexual abuse State-wide. Is this available at all locations? Do courts have effective technology to enable these recordings to be shown in high quality?

362. Tasmania Police employ a number of different methods to record interviews and the quality of these can fluctuate.
363. Most large police stations have vulnerable persons interview rooms or "soft" interview rooms. These may employ a stand-alone video recorder or other system to record.
364. Police officers have undertaken interviews using their police issue tablets and this can be effective.
365. Tasmania Police are moving to providing Axon interview cameras to the larger police stations but they are not yet to be installed in "soft" interview rooms.
366. More suitable arrangements for appropriate interview rooms will be part of the implementation of the Multi-Disciplinary Centres to be commenced in early 2023.

Question 84

In what circumstances are body-worn cameras used in matters involving allegations or incidents of child sexual abuse?

367. Body worn cameras are suitable to be used when first attending a scene. These may obtain vital information, evidence of disclosures from victims. They are an important method to obtain initial evidence of demeanour, language, and behaviour of those present.
368. Body worn cameras are not, however, a suitable device to undertake a formal interview and obtain a statement from a victim of CSA as they are not designed with that use in mind.
369. Body worn cameras have not yet been introduced to investigators but have been rolled out to general duties members.

Question 85

In what circumstances, if any, do victim-survivors of child sexual abuse have to give the same evidence to Tasmania Police multiple times?



370. Police make every effort to ensure that victim-survivors are not traumatised by having to tell their stories on multiple occasions.
371. Police officers (including uniform general-duties) will attend to a report of CSA and obtain enough detail to submit a Child Safety Occurrence on the Atlas system or an offence report. Arrangements would then be made for the usual notifications (CIB, SASS, Laurel House) and investigators would organise for an interview of the child. This will be completed in consultation with support services and a witness intermediary contacted to assess the communication needs of the child prior to interview.

Question 86

What is your sense of the satisfaction of victim-survivors of child sexual abuse with Tasmania Police? How does Tasmania Police measure this?

372. I believe that there is a high sense of satisfaction among victim-survivors of CSA with Tasmania Police. Tasmania Police is a learning organisation and has been improving our response over the years, with a more research-based approach, better training and a more trauma informed approach. Tasmania Police response to victims is based on best practice and clear guidance to members via the Tasmania Police Manual (DLH-27) and the Notification of Child Sexual Abuse Guidelines (DLH-32).
373. This level of satisfaction is measured in two ways. Firstly, the National Survey of Community Satisfaction with Policing shows consistently high levels of satisfaction with police services.
374. Secondly is the absence of complaints to police regarding poor satisfaction with police responses to CSA.
375. I have also taken heart from the comments from victims-survivors during this Commission of Inquiry regarding their interactions with police.

Question 87

What is Tasmania Police's complaints and/or feedback process?

376. The management of complaints about police conduct is governed by the legislative provisions of the *Police Service Act 2003*.



377. Tasmania Police deal with complaints in accordance with the Act, and the *Commissioner's Directions for Conduct and Complaint Management, and Compliance Review*, which is known as Abacus.
378. As a first step, Tasmania Police encourage people to contact the police station or work area that provided the service and speak to the manager or officer in charge. Tasmania Police want people to have positive experiences with police and would prefer to resolve issues at an early stage without a formal investigation of a complaint if possible.
379. Complaints can be made directly to Tasmania Police, by phone, in writing or in person. Complaints can be made to any police officer.
380. The Tasmania Police Manual (section 13.1) includes an order that a member who is advised by any person that they wish to make a complaint against a police officer, or Tasmania Police, is required to obtain details (person reporting, circumstances etc) and must register the matter on Tasmania Police's reporting software.
381. Tasmania Police recognise that people may not want to complain directly to police. Complaints can also be directed to the Ombudsman or the Integrity Commission. Information regarding how to contact these bodies is provided on the Tasmania Police public facing website (<https://www.police.tas.gov.au/about-us/compliments-and-complaints/>).
382. The complaints process is overseen by the Professional Standards Command. This is a separate command that has statewide responsibility to protect and promote integrity and make policing in Tasmania a trusted profession. The Command reports directly to the Deputy Commissioner of Police.
383. All complaints are reviewed and will be either investigated or dismissed without investigation. If a complaint is dismissed without investigation, the complainant will be sent a letter outlining the reason for dismissal.
384. If an investigation is required, this will be undertaken by an appropriate member (for a less serious complaint i.e. Level 1 or 2) or by Professional Standards for a more serious complaint (i.e. Level 3). The level of investigation will be proportionate to the allegation or conduct.
385. Potential outcomes of complaints include counselling, reprimands, transfers, and fines, or for more serious instances, demotion or termination.



386. Complainants are advised if an investigation is occurring and are given an opportunity to confirm the basis of the complaint and also receive advice regarding the outcome of the complaint.

Advice service from the Office of the Director of Public Prosecutions and witness support

Question 88

Describe the operation of the advice service offered by the Office of the Director of Public Prosecutions to Tasmania Police, including the quality and timeliness of the advice received.

387. Tasmania Police regularly requests and receives advice from the Office of the Director of Public Prosecution (ODPP) in relation to matters, including CSA.

388. Individual Detective Inspectors will receive a file from investigators, via their supervisors and assess the file. If specific advice is required prior to charging an alleged offender, the file will be forwarded to the ODPP with a letter under the hand of the Detective Inspector.

389. Responses are usually within acceptable time frames and the advice is of high quality.

Question 89

Is this advice service effective at reducing the likelihood of charges being dropped or downgraded?

390. I consider that the service is effective at reducing the likelihood of charges being dropped or downgraded or dismissed, due to better, more timely advice as to the correct charge selection on evidence deficiencies.

Question 90

Do you agree that some offences in relation to child sexual abuse should require authorisation by the Director of Public Prosecution prior to charging?

391. I am generally a supporter of the right for police to charge based on their discretion, however for charges under S125A of the Criminal Code 1924 (Persistent Sexual Abuse of a Child or Young Person), I believe that authorisation is appropriate. It ensures that the particulars that form the basis of an indictment are correct.

Question 91



Describe any observations you may have about Tasmania's:

a) Witness Assistance Service, or

b) Pilot Witness Intermediary Scheme?

392. One of the key recommendations of the *Royal Commission into Institutional Responses to Child Sexual Abuse* was that state governments should establish witness intermediary schemes for any prosecution witness with a communication difficulty in a child sexual abuse prosecution.
393. On Wednesday 17 February 2021 representatives from the Tasmania Police District Victim Crime Units attended an information session in Hobart on the use, criteria and functions of witness intermediaries. Witness intermediaries are employed by the Department of Justice (DOJ).
394. Witness intermediaries provide practical strategies and recommendations to the court and police on how to best communicate with the witness so they can understand the questions and provide their best evidence.
395. The Tasmanian witness intermediary scheme commenced on 1 March 2021. The amendments effected by the *Evidence (Children and Special Witnesses) Amendment Act 2020* allow for the use of a witness intermediaries in criminal proceedings before the court. Witness intermediaries are available to Tasmania Police to assist communication with children and vulnerable adults who are victims and witnesses of sexual assault and homicide-related matters.
396. Witness intermediaries are located state-wide (south, north and north-west). Witness intermediaries must have a tertiary qualification in psychology, social work, speech pathology or occupational therapy or other experience or skills suitable for the performance of the functions of a witness intermediary. All witness intermediaries will have a current national police check and working with vulnerable people registration.
397. The witness intermediary scheme applies to:
- a) All children under 18 years who are witnesses (not a defendant) in sexual offence matters or homicide matters.
 - b) Adults who have a communication need and are witnesses (not a defendant) in sexual offence of homicide matters.



398. Attendance of witness intermediaries at police stations, including the time and location, is managed by the DOJ Intermediary Liaison Team. Witness intermediaries may not be available to meet every request for assistance from Tasmania Police and this will be adjudicated by the DOJ Intermediary Liaison Team. Contact with a witness intermediary is facilitated by calling the DOJ intermediary liaison team.
399. Where issues arise in the operating environment, police contact the DOJ Intermediary Liaison Team and work collaboratively to address them. Complaints can be elevated to the Crime and Intelligence Command for assessment where an issue cannot be resolved by the Liaison Team.

Child sexual abuse in specific Institutional Contexts

Question 92

In your experience, how effectively do the following institutions (or types of institutions) respond to allegations of child sexual abuse:

- a) ***Tasmanian Government schools (including the Department of Education)***
- b) ***Tasmanian Health Services and the Department of Health***
- c) ***Out of home care providers (including the Department of Communities), and***
- d) ***Ashley Youth Detention Centre.***

Describe how immediate safety risks to children are managed by these bodies and information shared.

I am not in a position to evaluate the effectiveness of the response of the abovementioned institutions to allegations of child sexual abuse. Limitations on the sharing of information between government agencies has certainly been an issue in the past. On occasions limitations have resulted from a lack of awareness of the scope of provisions enabling, or mandating, the exchange of information.

Supervision of registered sex offenders

Question 93

Provide data on the number of breaches of reporting obligations by sex offenders pursuant to the Community Protection (Offender Reporting) Act 2005 (Tas) for each year from 1 January 2017 to the date of this Notice.



400. Breaches of reporting obligations by sex offenders under the *Community Protection (Offender Reporting) Act 2005*.

Section / Offence	2017	2018	2019	2020	2021	2022 (to 23 May)
S33: Failure to comply with reporting obligations	11	15	29	65	70	17
S33A: Failure to comply with community protection order	0	18	11	22	13	2

Source: Tasmania Police Prosecution System. Data extracted on 31 May 2022.

Question 94

Describe the role of Tasmania Police in supervising or responding to concerns about registered sex offenders.

401. The *Community Protection (Offender Reporting) Act 2005* is an act which requires the registration of reportable offenders. The Act is administered by the Department of Police, Fire and Emergency Management.
402. A reportable offender is a person whom a court sentences for a reportable offence, and in respect of whom the court makes an order under section 6 of the Act.

6. Order requiring registration of offender

(1) The court is to make an order directing that –

(a) the Registrar cause the name of a person whom the court sentences for a reportable offence to be placed on the Register; and

(b) the person comply with the reporting obligations under this Act –

unless the court is satisfied that the person does not pose a risk of committing a reportable offence in the future.

(2) The court is to make the order at the time the person is sentenced for the reportable offence.



(3) For the purposes of subsection (1), it is not necessary that the court be able to identify a risk of offending against a particular person or particular persons or a particular class of persons.

403. The Commissioner has established a Community Protection Offender Register as required by section 43 of the Act.
404. Under the provisions of Section 42 of the Act, the Commissioner of Police may appoint a police officer to be the Registrar of the Community Protection Offender Register. The Detective Inspector in charge of State Intelligence Services has been appointed as Registrar.
405. The Community Protection Register is a confidential record of personal information about people who have been convicted of sexual or certain other serious offences. *The Community Protection (Offender Reporting) Act 2005* requires a reportable offender to keep police informed of their whereabouts and other personal details, for a period imposed by court.
406. Sections 16 (Reporting obligations of reportable offenders) and 17 (Report by reportable offender of personal details) of the Act are not preventative, rather they are a set of obligations upon Reportable Offenders to disclose certain information to the Registrar.
407. Tasmania Police uses information in the Register to monitor reportable offenders. The Register helps reduce the likelihood that reportable offenders reoffend and facilitates the investigation of any future offences they may commit.
408. The supervision of reportable offenders involves registry staff located at State Intelligence Service, together with authorised officers, located in each geographical command.
409. Registry staff maintain the register, together with registering reportable offenders released from custody. Further they determine the risk level of reportable offenders (low, medium, high or very high) based upon criminal history and victim demography.
410. Risk level determines how regularly a reportable offender is checked. These scheduled checks are in addition to each reportable offenders' annual reporting obligations. The Registry advise authorised officers in geographical districts when scheduled checks are due.



411. The Registry assign any suspected non-compliance with the Act for investigation by authorised officers, together with assessing reportable offenders' applications for overseas travel and reportable offenders' applications to change names.
412. Authorised officers, are responsible for ongoing case management of reportable offenders, including annual reporting and scheduled checks.
413. If the Registry or authorised officers identify the need to restrict or prohibit the movement or conduct of a reportable offender, a Community Protection Order is considered. Where the Commissioner of Police (delegated to CPOR Registrar) is satisfied that a reportable offender poses a risk to the safety or wellbeing of any child, or children, they may apply to a magistrate for a community protection order prohibiting or restricting the movement, or conduct, of the reportable offender, to reduce that risk.

Question 95

Describe any areas of improvement you consider necessary in the supervision of registered sex offenders.

414. The electronic monitoring of reportable offenders subject to a Community Protection Order, is included as a condition available to magistrates within S10A of the Act.
415. Legislative reform relating to the provision of information to prescribed entities would enhance the supervision of reportable offenders. Currently section 44B is prescriptive to the Commissioner providing information from the register relating to reportable offenders. The Community Protection (Offender Reporting) Regulations 2016 only enable the Commissioner to provide information to the Department of Education, the Department of Communities Tasmania and the Department of Justice in Tasmania (Prescribed Entities). Reform allowing information sharing between prescribed entities to and from other jurisdictions will enhance supervision of reportable offenders Australia wide.

Management of Investigation into James Geoffrey Griffin

Question 96

Do you have any reflections or observations on the handling of the James Geoffrey Griffin matter, including:

- a) any reports or communications related to James Geoffrey Griffin from any individual or Government Institution.***



b) the steps taken (or not taken) in response to any reports related to James Geoffrey Griffin.

c) whether you now consider that response by Tasmania Police was appropriate in each instance. If not, why not?

416. Tasmania Police has undertaken a comprehensive review of its response to information surrounding James Geoffrey Griffin and found that the response was not appropriate in some instances. Griffin first came to our attention in 2000/01. A male contacted Tasmania Police and stated that he had purchased a computer from Griffin in 1997. He stated that he later accessed the computer and observed photographs of scantily clad young girls. The reporting person was residing in Victoria at this time. He believes that he made a statement to uniform police in Victoria and later had contact with Tasmania Police. Tasmania Police organised to have the hard drive examined and no offences were detected. Information on this matter is scant and was not entered on any police data base until December 2020. I am satisfied from the scant information available on this matter that Tasmania Police acted appropriately on this occasion.

417. Griffin again came to the attention of Tasmania Police in 2009 when Victoria Police reported allegations of Griffin "up-skirting" on the Spirit of Tasmania. This matter was investigated appropriately at the time by Launceston Detectives, with no offences detected.

418. In 2011, Tasmania Police received a referral from Child and Family Services regarding Griffin. The report claimed that a notifier had contacted CFS after two parents came forward and alleged that Griffin had abused them as children. CFS did not provide the name of the notifier to police, and the matter was filed because there were no avenues of enquiry open to the investigator. The investigator could have elevated the matter via the relevant Detective Inspector, but this did not occur. There was no record that the investigator searched the police intelligence system and saw the previous report from 2009.

419. In 2013, Tasmania Police received a further referral regarding Griffin. This also came from CFS and outlined a mother's concern around the relationship of Griffin and her young daughter. This information was issued to an investigator. A CFS worker spoke with the daughter and with Griffin, who both denied that anything untoward was occurring. Due to this the Detective filed the matter. There is no record that the



**Commission of Inquiry into
the Tasmanian Government's
Responses to Child Sexual
Abuse in Institutional Settings**

OFFICIAL - Sensitive

investigator searched the police intelligence system and saw the previous two reports. This response was not appropriate and would not be in keeping with the TPM and guidelines as they now stand.

420. In 2015, Tasmania Police received a referral from the Australian Federal Police (AFP). The AFP had received the referral from an [REDACTED] operative who had been in electronic contact with Griffin. Griffin stated that he was a nurse and that he was drugging victims and abusing them. He provided a nude photograph to the operative. The file was made available to Tasmania Police by the AFP in a bespoke computer system, however the referral was not actioned and the matter was filed. This matter has been the subject to a Professional Standards Investigation and the members involved have been disciplined. The police response to this report was clearly unacceptable.
421. In 2019, the subject of the 2013 referral came to police and made a complaint regarding Griffin. This investigation was carried out and resulted in Griffin being charged by police with crimes against the victim and other victims. Griffin later committed suicide. I consider that this investigation was of a high standard.

Question 97

Describe any changes made to policy and/or practice following the Outcomes Report, including how any recommendations are being implemented, by whom and by when.

422. As a result of the Griffin review, Tasmania Police established the CSAJRT under the Crime and Intelligence Command. This work was directed by a steering committee across Government led by the Deputy Commissioner of Police and embedded members from Police and Communities Tasmania. They liaised extensively with other partner agencies in their work.
423. The recommendations from the Griffin review have led to significant change in the way police respond to CSA. Tasmania Police has sought to improve information sharing between Agencies by through creating the Tasmania Police Initial Investigation and Notification of Child Sexual Abuse Guidelines, significant changes to the Tasmania Police Manual to include very clear guidance and direction when dealing with CSA, and various Memoranda of Understanding, including the Keeping Children Safe Handbook between the Department of Communities Tasmania (Child and Family Services) and Department of Police, Fire and Emergency Management



(Tasmania Police), the Registration to Work with Vulnerable People Information Sharing Protocol and the recent MOU between Tasmania Police and the Department of Education. The documents are designed to ensure prompt and efficient sharing of information.

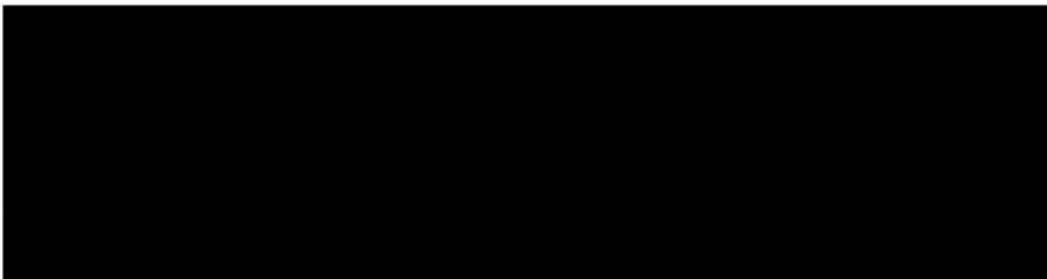
424. Tasmania Police Initial Investigation and Notification of Child Sexual Abuse Guidelines, the Keeping Children Safe Handbook and MOU with CFS and significant TPM amendments were operationalised by the construction of a training package which is mandatory for all sworn police officers. This has resulted in 94% of Tasmania Police officers completing the training.
425. The CSAJRT also undertook research into structural reform in the way Tasmania Police deals with CSA and Sexual Violence more broadly. This work has led to the Government announcement of the implementation of Multi-Disciplinary Centres, which will house specialist police investigators, Child Safety Services personnel, sexual assault support personnel in the one location. This is a significant reform, based on research across other jurisdictions and internationally.

Question 98

How confident are you that the problems identified in the Outcomes Report, particularly in relation to the transfer of materials between the Australian Federal Police and Tasmania Police, will not be repeated?

426. I am confident that the issue that occurred in 2015 will not reoccur. Tasmania Police now work jointly with the Australian Federal Police in the Tasmanian Joint Anti Child Exploitation Team (JACET).
427. The formation of the 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 Australian Federal Police (AFP).

428.





- [REDACTED]
429. The current investigative capacity of the Tasmania Police component of the JACET is one detective sergeant and five detective constables, with assistance of one detective sergeant and two detective constables from the AFP. The respective detective sergeant's co-ordinate referrals between Tasmania Police and the AFP and exchange information, including intelligence. Investigators from both agencies conduct joint operations utilising State and Commonwealth legislation and deploy together when operationally required.
430. Investigators in the JACET focus on the following assessment groups when identifying potential targets:
- a) Access to children
 - b) Criminal history
 - c) CEM assessment
 - d) Grooming/ production
 - e) Organised offending
 - f) Intelligence/ personal factors.
431. 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.

Question 99

What steps did Tasmania take to identify and notify any victims identified in materials seized from James Geoffrey Griffin? Describe the process adopted to identify and notify any victims.

432. Approximately 600,000 images were located on Griffin's storage devices during the investigation and significant amount of these were child exploitation and pornographic material.
433. The great majority of these appeared to have been created overseas due to backgrounds and physical characteristics of the people in the images.



434. Investigators were conscious of the fact that some images could have been created locally and depict local victims.
435. Key word and visual searches were conducted across Griffin's storage devices. Due to the enormous amount of CEM it was an extremely resource intensive process.
436. These searches identified about 50 images that investigators believed had been taken in a medical setting (LGH). In total there were 10 individuals among the images that were believed to have been in the LGH setting.
437. There were multiple images of each individual. They were of children in various stages of undress and did not depict any hands on/penetrative sexual abuse.
438. Sanitised copies were collated and then shown to paediatric staff at the LGH. This was done during a meeting at the LGH. LGH management was aware of this process and agreed to assist. Four children were identified by LGH staff.
439. The victims' families were notified by DOH and a Detective Inspector.
440. All of the images located during the Griffin investigation have been provided to the AFP who have uploaded them onto ACCCE NET.

Question 100

What steps has Tasmania Police taken to communicate or engage with victims of James Geoffrey Griffin following his death?

441. Investigators remained in contact with known victims of Griffin following his death. All were notified of his death. This engagement is now very minimal.
442. Investigators also remained in contact with victims throughout the coronial process.
443. Tasmania Police provided direct advice to the victim-survivors who were direct complainants of charges against Griffin of the pending publication and associated media interest of Tasmania Police Outcomes Report.

Question 101

If a victim of James Geoffrey Griffin reported to a police station after his death, what would you expect police to do in response, with particular reference to:

- a) ***Taking a statement***
- b) ***Assisting them with, or giving any assurances regarding, and child sexual abuse material that may contain images of them, and***



c) Offering referrals to support or other agencies.

444. After Griffin's death, a number of people contacted police to speak to police as they believed that they or their children may have been sexually assaulted by Griffin.
445. Police recorded their details. An ATLAS operation was commenced which recorded all of their details.
446. There was a clear understanding from Police that victims of Sexual Assault should be able to make a statement if they wish. This is one of the findings of the Commonwealth Royal Commission.
447. A decision was made in the northern district that the best outcome for these victims would be to speak/provide their statements to counsellors (Laurel House)/DOH. Laurel House was advised of this procedure.
448. The decision was based on the need to provide potential victims immediate support by way of counselling. This is not a role that can be undertaken by police.
449. Potential victims were provided with this advice but also advised that if they felt it necessary to speak to police then they could.
- Some potential victims were confused about what the police could and couldn't do post Griffin's death. Some victims believed that Griffin could still be convicted of a crime even though he was dead.
450. If specific questions were asked by victims, then answers would be given.
451. General reassurance was given that there was no available evidence that Griffin had sexually touched any patient at the Launceston General Hospital (LGH). This proved very reassuring for parents of potential victims.
452. It was explained to potential victims that all victims that had been identified from the LGH had been contacted. As such if they hadn't been contacted then it meant that no images of them or their children had been located.

Question 102

Do you think the above has occurred?



454. All of the above occurred.

Management of investigation of Dr Tim [REDACTED]

Question 103

Describe steps taken by Tasmania Police to investigate a complaint made by Ms Zoe Anne Duncan alleging sexual abuse by Dr Tim [REDACTED] at Launceston General Hospital.

455. Tasmania Police were first notified of the allegations relating to Dr Tim [REDACTED] on 1 October 2001, after Zoe Duncan's mother, Ann Duncan, contacted Launceston Criminal Investigation Branch (CIB). The allegation was that Dr Tim [REDACTED] raped her daughter whilst she was a patient at the Launceston General Hospital on the 19 May 2001 and it took place in a cubicle in the casualty section of the Launceston General Hospital.

456. Tasmania Police immediately commenced an investigation into the matter, led by a Detective Senior Sergeant. A comprehensive subject report by the Detective Senior Sergeant outlining the investigation and recommendations, dated 12 October 2001 can be found attached to this submission titled **DLH-37**. In addition, **DLH-38** is the Offence Report, 119728, relating to the matter.

457. A brief synopsis of the investigation is:

- a) 1 October 2001- Ann Duncan contacted Launceston CIB to report the rape of her daughter.
- b) 2 October 2001- Tasmania Police spoke to [REDACTED] of Child and Family Services (CFS) who confirmed that CFS had been notified of the matter by the Hospital on 29 May 2001 and they had been investigating the matter.
- c) 3 October 2001- Investigating officer conducted a video interview with Zoe Duncan at the Launceston Police Station, this was witnessed by Zoe's parents.
- d) 11 October 2001- Investigating officer conducted a video interview with Dr Tim [REDACTED] at the Launceston Police Station. He denied the allegations.
- e) 12 October 2001- The Detective Senior Sergeant submitted a subject report to his Detective Inspector, outlining the evidence available. He concluded that there was insufficient evidence to charge Dr Tim [REDACTED]. That conclusion was



based on the lack of forensic evidence, the report of Dr [REDACTED] (who physically examined Zoe on 28 June 2001), the lack of witnesses and the varying accounts provided by Zoe. This was supported by the Detective Inspector of the Launceston CIB Victims Unit. The parents of Zoe were notified of this outcome.

Question 104

Are you satisfied that all appropriate steps were taken in responding to this complaint? If not, why not?

458. The investigation undertaken by the Detective Senior Sergeant was comprehensive, evident by the detailed subject report, all appropriate investigative avenues were taken in responding to this complaint.

Management of complaints about Tasmania Police Officers

Question 105

What recruitment, screening or other practices does Tasmania Police adopt to ensure its Officials are safe and suitable to work with children?

459. Tasmania Police seeks recruits who uphold the values of Integrity, Equity and Accountability.
460. When a person applies to join Tasmania Police a Recruit the following checks are conducted on that person:
- a) National Police Reference System (NPRS)
 - b) Tasmania Police Intelligence Holdings (Information Reports and Prior Conviction)
 - c) Social Media checks
 - d) Google Searches
 - e) The Applicant is also required to provide a National Police Criminal History Check
461. Any applicant is excluded if they have:
- a) A conviction resulting in imprisonment (including suspended)
 - b) Conviction for an Indictable (serious) Offence – Supreme Court



- c) Conviction for Offences against police
- d) Drink driving and serious driving offences (two or more)

462. Other considerations include:

- a) Drive whilst disqualified, cancelled or suspended either by an Australian Court or the Motor Transport Registrar in your state - may be eligible to apply to join Tasmania Police 10 years after the date of the offence
- b) Any matter pending before Court - not eligible to apply to join Tasmania Police until the outstanding matters are finalised
- c) Outstanding warrants/orders - not eligible to apply to join Tasmania Police until the outstanding matters are finalised
- d) Bankruptcy - not eligible to apply to join Tasmania Police until discharged from the bankruptcy and 3 years has passed from being discharged
- e) False and misleading information - An applicant found to have deliberately supplied false, incomplete or misleading information in an attempt to gain entry into Tasmania Police may be excluded indefinitely from applying to join Tasmania Police
- f) Family Violence Order, Police Family Violence Order or Restraint Order (whether offender, victim or complainant):
 - i. If named in FVO – may be eligible to apply to join Tasmania Police 5 years from the expiration date of the Order
 - ii. Respondent in an Order is ineligible to apply to join Tasmania Police whilst the order is in effect
 - iii. Conviction for breaching FVO - may be eligible to apply to join Tasmania Police 10 years from the date of the breach

463. Applicants are also required to declare any inappropriate association, which is an association with a person or organisation suspected of, or known by the applicant to be engaged in unlawful activity, or a person or organisation with a previous history of engaging in unlawful activity.

464. Any applicant who is the subject of an information report relating to allegations of sexual abuse would be excluded from the application process.



Question 106

Describe the steps taken where a complaint or concern is raised about child sexual abuse or related improper conduct about a Tasmania Police Official?

465. Any complaint or information received that raises allegations of child sexual abuse are categorised as a level 3 matter in accordance with Abacus – The Commissioner's Directions for Conduct and Complaint Management, and Compliance Review.
466. Level 3 investigations are retained and managed by the Professional Standards command, with a timeframe of 6 calendar months for completion (of investigation). Procedurally a 'normal' investigation is undertaken.
467. Upon completion of the investigation a file is prepared for referral to the Office of the Director of Public Prosecutions. The DPP provide recommendations in relation to progression of criminal charges. Should criminal charges be progressed, normal judicial process is undertaken.
468. *The Police Service Act 2003* provides the Commissioner authorisation to undertake a number of actions in the event of a potential criminal or code of conduct breach and includes actions such as Stand-Down, Suspension (with or without remuneration), demotion or termination. These actions are assessed on a case by case basis.
469. Upon completion of the 'normal' judicial process and if the officer is still employed by Tasmania Police, Code of Conduct matters can be addressed, in accordance with section 42 of the *Police Service Act 2003*. The determination and outcomes of Code of Conduct Matters can include counselling, reprimand, fines, remuneration reductions, transfer, probation, demotion, and termination (in accordance with section 43 of the *Police Service Act 2003*)
470. There is a letter of understanding between Tasmania Police and the Integrity Commission. The Integrity Commission are advised of all level 3 matters and have an oversight role.

Question 107

How can Tasmania Police ensure that members of the public who make a complaint or raise a concern about a Tasmania Police Official are not subject to retribution or punishment?

471. Abacus – The Commissioner's Directions for Conduct and Complaint Management, and Compliance Review provides anonymity to complainant's and informants when



circumstances allow. Further, protections are offered under the *Public Disclosures Act 2002*.

472. Any interference or retribution would attract criminal charges under the *Criminal Code Act 1924 (Pervert Justice)* and appropriate managerial action as authorised by the Commissioner.
473. Notably, only one reporting person during the Relevant Period has been subject to 'false report' allegations, despite a high number of allegations being unfounded.
474. Investigations undertaken by Professional Standards are managed with the highest level of confidentiality. Investigations utilise the software IAPRO which is a secure database only accessible by Professional Standards staff, ensuring the integrity of all investigations.

Question 108

How many complaints or concerns related to child sexual abuse were made about Tasmania Police Officials during the Relevant Period? How were these managed?

475. There have been 22 instances of complaints/information received in relation to allegations relating to child sexual abuse in the Relevant Period. The outcome of these are as follows:
- a) 9 Unfounded/Not sustained
 - b) 5 Court Proceedings
 - c) 6 No Court Proceedings (DPP recommended)
 - d) 2 Code of Conduct Proceedings
 - e) 1 Unable to be determined
476. It is important to note that Criminal proceedings will always be dealt with and finalised prior to any code of conduct inquiry, and if an officer elects to resign prior to the finalisation of the judicial process then there is no code of conduct inquiry for that individual.

REQUEST FOR DOCUMENTS

Question 111



Produce a copy of any document referred to in response to any paragraph in this notice

477. Attached to this statement are copies of documents referred to in response to any paragraph in this notice.

Question 112

Produce a copy of any guidance or training materials in relation to the investigation of child sexual abuse referred to in the Outcomes Report.

478. Attached to this statement are the below mentioned documents that are referred to in the outcome Report:

- a) **DLH-12** - CSAJRT Historical Review Process Framework
- b) **DLH-26** – LAW474 Unit Outline – Specialist Interviewing
- c) **DLH-39** – ACCCE Blueprint 2019-2021
- d) **DLH-27** – Extract from TPM
- e) **DLH-40** – ATLAS Police Intelligence System

Question 113

Produce a copy of the Historical Review Process Framework endorsed by the child sexual abuse Joint Review Steering Committee on 23 March 2021.

479. Attached to this statement is a copy of the Historical Review Process Framework (DLH-12)

Question 114

Produce a copy of the 'high-level concept for structural reform based on establishing regional facilities housing multiple agencies to provide an integrated and holistic response to victim-survivors of sexual offence, family violence and child abuse' presented to Premier Gutwein on 19 November 2021 in response to his request for advice from the Commissioner of Police.

480. Attached to this statement Marked **DLH-10** is a copy of the progress report on Historical Review Process and Proposal for Structural Reform presented to Premier Gutwein.



**PRIORITY QUESTIONS SUBMITTED TO THE COMMISSION OF INQUIRY ON
MONDAY 6 JUNE 2022**

481. As a result of discussions between the Principal Legal Officer, Tasmania Police and General Counsel of the Commission of Inquiry a number of questions that were required as part of the RFS-POL-001 were responded to as priority questions. These priority questions were completed and returned to the COI on 6 June 2022 as agreed. There is additional information relevant to questions 12- 14, 58 and 59.

Question 12

Outline any budget allocation to JACET (including staffing).

482. Costs associated with JACET operations and training are fully funded by the participating agencies.
483. The staffing budget allocation for the AFP is \$450,000.
484. The staffing budget allocation for Tasmania Police is \$900,000.
485. These budget allocations include all employment provisions, including leave entitlements, in accordance with workplace conditions.
486. Tasmania Police received an Australian Centre to Counter Child Exploitation (ACCCE) grant of \$30,000 in 2019 to purchase hardware/ software and training. Any extraordinary costs that arise in relation to the JACET are managed by the respective managers of the Operations Co-ordination Group consisting of the Manager AFP Hobart and Detective Inspector, Cyber and Child Exploitation Crime Division.

Question 13

With reference to relevant data, describe the work and key achievements of the JACET since its establishment. What proportion of JACET's work relates to child victims in:

- a) Tasmania Police, or***
- b) Institutional Contexts***

487. 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.



488. Tasmania Police JACET members investigated 77 matters, with 69 resulting in prosecution and 8 resulting in disruption or referrals or similar.
489. 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
490. Nationally since 2019, a total of 2,430 reports were made to the AFP by members of the public.
491. The central tenet of the operations of the JACET is the free-flow of information, cooperation and collaboration between the AFP and Tasmania Police. The ACCCE child protection triage unit evaluates and triages reports of child exportation and refers matters to the JACET for assessment and/or investigation. Without these arrangements Tasmania Police would have limited knowledge of local offending in relation to CEM.
492. The Tasmania Police JACET targets on-line offenders who produce, distribute and possess child abuse material. The JACET can issue a caution to disrupt low level offending or alternatively bring prosecutions to court in serious or complex cases. Many offenders identified by the JACET have no prior criminal history and may otherwise have gone undetected if not for investigators using on-line detection tools. Some on-line offenders live with family members, including children, and JACET intervention directly reduces the risk of further harms by imposing bail to restrict their movements and interactions. In some cases, images or videos of contact offending has been discovered by JACET investigators investigating on-line offending. Some key achievements of the JACET include:
- a) Operation ██████████ A Tasmanian man was offending against young victims interstate and overseas. With the assistance of US Homeland Security and Australian law enforcement authorities, the man was identified, arrested by the Tasmanian JACET and convicted of producing child exploitation material.
 - b) Operation ██████████ In an example of interstate and international JACET collaboration, six men were proceeded against by the JACET for possessing or distributing child exploitation material in Tasmania following an investigation by New Zealand police. There were a total of 54 charges.



- c) Operation ██████ AUSTRAC financial records were used to identify two offenders living in Tasmania who were producing child exploitation material in exchange for payment. Investigations were conducted into the offenders who were making the on-line purchases. One of these offenders was a general practitioner in Tasmania who was arrested and charged with possessing child exploitation material.
- d) Operation ██████ A Tasmanian man befriended children in Tasmania and overseas and coerced them into sending sexually explicit video and pictures to him. The man arrested by the JACET and convicted of involving children in the production of child exploitation material.

493. Most child exploitation victim-survivors do not reside in Tasmania and crimes are rarely reported in institutional contexts.

494. JACET has located instances where school students in Tasmania have shared naked images/videos of themselves or friends and partners across social media. These images can constitute CEM and present challenges to investigators when these matters are referred to the JACET. There have been occasions when these images have been accessed by adult offenders and in these cases investigations are undertaken. There are also occasions where victim-survivors located in Tasmania have been groomed online by persons located outside Australia. Proactive measures respond to this, including the national Think U Know program which educates children and parents in safe online practices. Disruption and education activities are also undertaken by the JACET where the 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-survivor engagement and bespoke support.

Question 14

What impact has the JACET model had on policing child sexual exploitation in Tasmania?

495. In many instances Tasmania Police may not be aware of online CEM offending. The JACET provides a mechanism to share information across police jurisdictions nationally and internationally.

496. The JACET delivers targeted training for investigators in on-line policing functions and promotes access to new and emerging technology that may otherwise be outside of



the Tasmania Police capability. With access to national and international intelligence holdings, the JACET is made aware of a broader picture of emerging trends and methodologies used by offenders and prioritises investigations using a risk assessment process. THE JACET has directly impacted by enabling a more targeting approach towards the apprehension of CEM offenders in Tasmania. The JACET also has access to the combined prosecutorial resources of the State and Commonwealth Directors of Public Prosecutions, which provides independent oversight and legal advice to investigators, and promotes a learning culture in the JACET.

Question 58

Describe the funding, staffing and location of the Youth Crime Intervention Units. The Tasmania Police Draft Submission states that the high-risk individuals targeted by these Units reflect a 'relatively small number of individuals'. How many children and young people are estimated to fall within this category of vulnerability?

497. Youth Crime Intervention Units exist in the Southern (6 FTE), Northern (7 FTE) and Western (4 FTE) Districts. The YCIUs are funded by their respective Districts (and against the DSS budgets). The YCIU staffing budget allocation for each District is:
- a) Southern District: \$ 900,000
 - b) Northern District: \$1,050,000
 - c) Western District: \$ 600,000
498. The units report to a Youth Operations Co-ordinator (the District Support Services (DSS) Inspector). The units are physically based in Hobart Police Station, Launceston Police Station and Burnie Police Station. Each YCIU comprises a Youth Case Manager and other police (including dedicated Student Liaison Police) who intervene earlier for at-risk children and young people and partner with the youth sector to positively influence behaviour.
499. Most of the crime reporting phenomena Tasmania Police saw with rising youth crime in 2017 and 2018 has not continued to 2019 and 2020 and in many cases the youth crime rates have fallen to below the 2014-2016 levels.
500. The level of 'At Risk' or vulnerable children, at any one time, is difficult to quantify as the number fluctuate dependent upon levels of criminal activity, referrals from other agencies, including CFS and Schools and other police.



Question 59

How do the Youth Crime Intervention Units respond to victims of sexual exploitation by adults, or young people at risk of sexually harming others?

501. The Youth Crime Intervention Units receive all CSS referrals in the first instance. In the south of the state for instance, the referrals average 100 per week. The referrals are assessed by the sergeant in charge. The YCIU may make initial inquiries if there are gaps in reporting and may follow up with the victim-survivor or school as needed, and provide disruption advice or education such as Think U Know. If there are allegations or evidence of sexual harm, the YCIU would seek operational advice from the Cyber and Child Exploitation Crime Division (for online matters) and Criminal Investigation Branches (where contact offending is identified). Atlas intelligence reports are also submitted by YCIU members relating to contact offending or child exploitation material and these are assessed by the receiving investigation units.
502. The YCIU also work closely and collaboratively with schools where young people do not wish to involve their parents, or where they are only seeking support rather than police intervention. Cases of this may include 'revenge porn' type offences. YCIU might also facilitate wellbeing support through providers such as Sexual Assault Support Services and mental health counsellors. This support response is coordinated in consultation with relevant investigation areas such as Criminal Investigation Branches to ensure there is no response duplication and that intelligence holdings are updated.



**Commission of Inquiry into
the Tasmanian Government's
Responses to Child Sexual
Abuse in Institutional Settings**

OFFICIAL - Sensitive

Conclusion

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

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

Declared at [REDACTED]

on 14 June 2022.

[REDACTED]

Darren Leigh Hine

Before me

[REDACTED]

[Full name of Justice, Commissioner for Declarations or Authorised Person]



**Commission of Inquiry into
the Tasmanian Government's
Responses to Child Sexual
Abuse in Institutional Settings**

ATTACHMENT DLH.01

This is the attachment marked **DLH.01**, referred to in the witness statement of Darren Leigh Hine, dated 14 June 2022.

Department of Police, Fire and Emergency Management Organisational Structure (as at 31 May 2022)

