

TASMANIA POLICE

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OUTCOMES REPORT - Tasmania Police internal review of police actions relating to James Geoffrey Griffin

Background

Tasmania Police has completed an internal review of the adequacy and appropriateness of Police actions in response to information received about James Geoffrey Griffin (Griffin).

The purpose of the Review was to identify and prioritise work to strengthen child safety and responses to child sexual abuse.

The Review examined information and crime reports held by Tasmania Police in the context of legislation and Tasmania Police policy and procedures that were in place at the times of the relevant reports. The Review did not involve direct contact with other agencies who may have been involved in receiving, managing, or responding to information regarding Griffin.

Information and details that could potentially lead to the identification of victims have been removed from this Outcomes Report.

The full Tasmania Police Internal Review Report will be provided to the Commission of Inquiry, in accordance with legal advice.

Overview

Tasmania Police received four Information Reports in relation to Griffin. These were in 2009, 2011, 2013 and 2015. An Information Report is information supplied by a third party and is not a formal complaint from a victim.

One formal complaint about Griffin was received by Tasmania Police. This was received in 2019 from a victim of Griffin, relating to offences committed some years earlier.

Timeline

2009 Information Report

An Information Report was received from an interstate police agency alleging that photographs of children were taken in a public place by Griffin. The report was subject to an investigation by Tasmania Police, which included a search warrant being executed and Griffin being spoken to by police. There was no evidence of an offence in relation to this report.

Review outcome: The Review found the actions by police and the investigation at the time were appropriate.

2011 Information Report

In 2011, the interactions between Tasmania Police and Child and Family Services (CFS) for child protection matters were governed by a Memorandum of Understanding (MoU). At this time CFS was a division of the Department of Health and Human Services.

The *Children, Young Persons and their Families Act 1997* provides for the sharing of information in relation to the protection of children.

In 2011 CFS provided an Information Report to Police. The information advised of historical sexual assaults on two unidentified victims by Griffin. CFS did not supply details of the person reporting the information or the names of any victims. Tasmania Police requested further information from the CFS in accordance with the MoU governing child protection matters that was in place at the time, and in accordance with the *Children, Young Persons and their Families Act 1997*. The provision of this information was not provided.

Review outcome: The Review found that Tasmania Police investigations were hindered by a lack of information sharing. It also noted that Police did not pursue dispute resolution options available under the MoU to make a further request for the information or consider other investigative options.

2013 Information Report

Concerns were raised with Tasmania Police about inappropriate touching and grooming behaviour by Griffin. The matter was referred by Police to CFS in accordance with the MoU. Griffin and the potential victim were spoken to by CFS about the allegations and both denied that there was any inappropriate behaviour. CFS closed the file and police took no further action. Neither Griffin nor the potential victim were spoken to by Tasmania Police.

Review outcome: The Review found that although the roles and responsibilities of CFS and Tasmania Police were articulated in the MoU, there was a need for further clarity regarding the roles and responsibilities of each agency.

2015 Information Report

An Information Report was received by Tasmania Police from the Australian Federal Police relating to Griffin and sexual offending and child exploitation material.

Review outcome: Deficiencies in the management of this information by Tasmania Police have been identified and are the subject of a current Professional Standards investigation that relates to the Police Service Code of Conduct. As this is an ongoing investigation it is not appropriate to provide further details. However, when the investigation is complete it will be provided to the Commission of Inquiry.

2019 Complaint

In May 2019 a victim reported to Tasmania Police that sexual offences had been committed against them by Griffin some years earlier. Police informed the Department of Justice Working With Vulnerable People (WWVP) on 28 July 2019 for suspension of Griffin's WWVP registration. His registration was suspended on 31 July 2019, and a search was conducted on this date. On 31 July 2019 the Launceston General Hospital was advised of the police investigation and that Griffin had possession of Child Exploitation Material.

Griffin was charged in relation to the first victim. Further victims then came forward, and as a result of investigations Griffin was charged with historical sexual offences against other victims.

The charges against Griffin included:

- maintain a sexual relationship with a young person under the age of 17
- eight counts of indecent assault
- distribution of child exploitation material
- producing child exploitation material
- involve a person under the age of 18 years in the production of child exploitation material and
- possession of child exploitation material.

On 15 October 2019 Griffin took a mixture of drugs and subsequently died on 18 October 2019.

Due to Griffin's death the criminal investigation was ceased and police prepared a report for the Coroner.

Review outcome: The Police investigation was appropriate and resulted in charges.

Advances in Legislation, Policy, Training and Systems

Throughout the period 2009 – 2019 there have been many legislative, policy, training, and system changes which have refined regarding information sharing between agencies and our investigative methods for child sexual offences. These include:

- Tasmania Police Manual – Amendments to Investigative Procedures that include investigations involving Child Exploitation Material, Cyber Crime and Sex Crimes.
- *Registration to Work with Vulnerable People Act 2013*

The legislation has been amended on several occasions since its proclamation in July 2014. Tasmania Police initially only provided information relative to a person's criminal history and did not include criminal intelligence. With subsequent legislative amendments, criminal intelligence is now provisioned.

- Specialist training in interviewing vulnerable witnesses.
- *Children, Young Persons and Their Families Act 1997* – This legislation has been amended over time. A 2016 amendment made it clear that information can be legally provided from CFS to Tasmania Police.
- Joint Anti-Child Exploitation Team (JACET) – This is a joint arrangement between AFP and state jurisdictions to investigate child exploitation.
- Australian Centre to Counter Child Exploitation – brings together specialist expertise and skills to support investigation in child sexual abuse and develop prevention strategies.
- Implementation of new police intelligence system known as ATLAS.

Immediate Actions

As a result of this Review, Tasmania Police has implemented a specialist investigative and policy team to focus on improving procedures and processes for the investigation of child sexual abuse. There are three immediate actions:

- New protocols for the information exchange between the Department of Police, Fire and Emergency Management (DPFEM) and Department of Justice for Working with Vulnerable People checks.
- Review the MoU between Children, Youth and Families and Tasmania Police, and recommend amendments to ensure appropriate responses and actions are undertaken when either party receives information relating to child sexual abuse.
- Review and refine Tasmania Police guidelines for investigating child sexual abuse. This will ensure information relevant to these investigations is consolidated into a single protocol for ease of reference by police.

Longer term, a review of broader information sharing arrangements across Government agencies will be conducted. Practices and investigative structures of other police jurisdictions will be reviewed before making recommendations on structural reform that will lead to improved investigative outcomes.