



Media Release

Date: **08/10/10**

Contact: **Media And Marketing Services**

Tel: **6230 2296**

Commissioner for Children report

The Commissioner for Children's Inquiry into the circumstances of a 12-year-old child under Guardianship of the Secretary makes findings in relation to Tasmania Police.

One of the findings claim that: Police knew about Gary Devine's history and knew of his associations with other teenage girls; even if they were unable to arrest Gary Devine there is no evidence they took any steps to disrupt that relationship, or attempted to interview the children away from him; Police may have been able to warn Child Protection Services.

"I am advised that Police records indicate we were not aware of Gary Devine's association with the 12 year old girl, or any member of her family, until after the prostitution had ceased. At that time, police became aware of contact between Devine and a member of the 12 year old girl's family," said Acting Deputy Commissioner, Scott Tilyard.

"As a result of investigations into that matter, police became aware of allegations of prostitution and immediately took action to ensure the safety of the girl and her family. It is through an investigation into that contact that the prostitution was uncovered and charges were laid against Devine and the girl's mother," said Mr Tilyard.

The priority of Tasmania Police is public safety, and the Department is willing to examine any opportunity to help protect children from abuse.

Tasmania Police welcomes moves for a more collaborative approach to agencies working together.

“We are exploring opportunities to enhance communication between departments and this can only result in better outcomes for children in our community who are at risk,” said Mr Tilyard.

“In the meantime, Police investigations are continuing into allegations of a relationship between an adult male and another member of the 12-year-old’s family,” said Mr Tilyard.

ENDS

INTEGRITY COMMISSION



5 November 2010

Commissioner D Hine APM
Tasmania Police
47 Liverpool Street
Hobart TAS 7000

OFFICE: Level 2
199 Macquarie Street
Hobart, Tasmania
Australia, 7000

POST: GPO Box 822
Hobart, Tasmania
Australia, 7001

Aldo
R.D.
J/10

Dear Commissioner

Re- Investigation by Tasmania Police into alleged telephone contact by police officers with a child prostitute.

I am writing to you to notify the intention of the Integrity Commission to review or audit an investigation into alleged misconduct by police. The power to take such action arises pursuant to ss.8(1)(f), 8(2) and 88(2)(a) of the *Integrity Commission Act 2009* (the Act).

In late September 2010, there were several media reports stating that telephones linked to three Tasmanian police officers had been used to contact a telephone number placed in advertisements in a newspaper for the services of a prostitute. The prostitute was later identified as a 12 year old girl.

Those media reports quote you and Assistant Commissioner Tilyard as confirming the reports and expressing concern as to the behaviour of the police involved. Felicity Ogilvie of ABC Radio is quoted as saying "Police say one officer's phone was used by someone else to call the number in the ad."

In the same report Assistant Commissioner Tilyard is quoted as saying that "...two other police officers called the number but weren't clients of the girl."

The Assistant Commissioner also stated that:

"...we've [Tasmania Police] investigated the matter and we're satisfied that they were not clients, they had no direct contact with the girl whatsoever."

Contact, particularly sexual contact, between a Tasmania Police Officer and the child who was being prostituted may amount to misconduct, or indeed serious misconduct, under the Act.

I believe it is reasonably necessary and in the public interest for the Integrity Commission to receive and assess all information relating to the investigation pertaining to the three officers that enabled the conclusion to be reached that Tasmania Police is satisfied that the three police officers involved were not clients or did not have direct contact with the girl.

Therefore, I request, in accordance with ss.8(1)(f), 8(2) and 88(2)(a) of the Act (with due regard to the principles stated in s.9 of the Act), that you deliver to the Integrity Commission the file of the investigation and any other relevant documentation by close of business on Thursday 11 November 2010.

If you have any queries, the contact officer in this matter is s.36(1) Principal Investigation Officer, phone s.36(1)

Yours sincerely

B. Effer

Barbara Effer APM
Chief Executive Officer



**Tasmania
POLICE**

TBD/SAT

11 November 2010

Barbara Etter APM
Chief Executive Officer
Integrity Commission
Level 2
199 Macquarie Street
HOBART TAS 7000

Dear Ms Etter,

REQUEST FOR INVESTIGATION REVIEW

I write in relation to your correspondence of 5 November 2010, requesting to review the police internal investigation file concerning allegations of telephone contact with a child prostitute.

Following discussions with the Acting Commander, Professional Standards, and having regard to the investigation occurred in 3 stages that were driven by additional information having been received, a file has been composed for your review. The composition of the file was necessary as the majority of records are now retained electronically on our IAPRO database. A file note, dated 11 November 2010, has also been prepared and attached which includes a chronology of events and actions in order to assist in understanding the file.

I should also indicate to you that call charge records are not attached to this file, as they are currently held on the criminal investigation file. Should you require the call charge record information related to the criminal investigation, I can arrange for it to be made available to you.

I also draw your attention to the fact that the file contains material that is drawn from our intelligence holdings, which is classified as 'highly protected' information.

Should you require further information in regard to this matter, please do not hesitate to contact me direct.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'S A Tilyard', with a stylized, cursive flourish.

S A TILYARD
Acting Deputy Commissioner of Police



Our Reference
HR

HUMAN RESOURCES

My Ref: DLA:

Commander's Office
Police Academy
ROKEBY Tas 7019

Your Ref:

Ph: s.36(1)
Fax:

CONFIDENTIAL

30 March 2011

Mr D Hine
COMMISSIONER OF POLICE

INVESTIGATION OUTCOMES - OPERATION ENGULF

Introduction

In November 2010, the Integrity Commission sought to review a Professional Standards investigation file, IO 0910 – 0067 s.36(1) which relates to allegations that Department of Police and Emergency Management (DPEM) employees had utilised prostitution services provided by 12 year old s.36(1) s.36(1). During the course of the Integrity Commission review, the Commissioner of Police initiated a new investigation into this matter.

On 7 March 2011, the Integrity Commission, Principal Investigation Officer, Mr G Leonard, provided a verbal briefing to Commander Adams and Inspector Bodnar in relation to this matter, and provided relevant documents to assist in subsequent enquiries.

Constables E Deayton and N Munro assisted during the course of this investigation.

Incident Background

Between 22 August 2009 and 20 September 2009, s.36(1) who was 12 years old, was procured to work as a prostitute by s.36(1) and s.36(1).

s.36(1) (s.36(1) mother) from the Mid City Hotel and s.36(1)
s.36(1)

Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied, Section 36(1)Exemption Applied
s.36(1)

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s.36(1) s.36(1)

In the course of identifying subscriber details for the calls received, four DPEM employees were identified. Three of these persons are police officers and s.36(1)
Out of Scope

Specifically, the information relating to the calls made to s.36(1) telephone by these employees is as follows:

Number	Subscriber	Date	Type of call	Time
s.36(1)	Const s.36(1) s.36(1)	Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied		
s.36(1)	Const s.36(1) s.36(1)			
s.36(1)	Sgt s.36(1)			
s.36(1)	Const s.36(1) s.36(1)	Out of Scope		
s.36(1)	Const s.36(1) s.36(1)	Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied		
s.36(1)	Const s.36(1) s.36(1)			

Reverse call charge records were also obtained for the landline of s.36(1)
s.36(1) at s.36(1) These records were obtained for the dates that s.36(1) was advertised in the Mercury and they returned 8 phone numbers, none of which are linked to any police officers or state service employees. This landline is not listed in any of the CCRs conducted for Senior Constable s.36(1) Sergeant s.36(1) Sergeant s.36(1)

s.36(1) Constable s.36(1) and s.36(1)
s.36(1)

In addition to the information ascertained via CCR records, s.36(1) provided information to Internal Investigations on 17 November 2009 that suggested he had seen a police sergeant and inspector, both of whom were known to him, using the prostitution services. s.36(1) had initially provided this information to a

Section 39 Exemption Applied

The investigation of s.36(1) working as a prostitute was conducted by Glenorchy Criminal Investigation Branch under the name of 'Operation Scourge', and resulted in convictions against s.36(1) for numerous crimes. Both were sentenced to 10 years imprisonment.

Internal Investigations conducted an investigation into s.36(1) allegations. Preliminary enquiries identified a potential police sergeant, Sergeant s.36(1) s.36(1) who could be considered a suspect in this matter due to the information provided by s.36(1). Internal Investigations also conducted subsequent investigations as a result of the CCR records. From the enquiries conducted it was determined that both allegations could not be sustained.

Investigation Scope

This enquiry is a new investigation into allegations that DPEM employees used prostitution services provided by s.36(1). Specifically, this investigation sought to determine whether:

1. Senior Constable s.36(1) Sergeant s.36(1) Sergeant s.36(1) Constable s.36(1) and s.36(1) Section 36(1) committed the crime of Unlawful sexual intercourse with a person under the age of 17 years.
2. Senior Constable s.36(1) Sergeant s.36(1) Sergeant s.36(1) s.36(1) and Constable s.36(1) s.36(1) have breached the *Police Service Act 2003*, Code of Conduct.
3. Out of Scope
4. Any other DPEM employees, including an unknown police sergeant and inspector, were involved in engaging prostitution services provided by s.36(1) s.36(1)

Investigation

1. Examination and review of previous investigation files:

- *Criminal Court File* – s.36(1)
This file was prepared by the Glenorchy Criminal Investigation Branch for reference and the preparation of indictments against s.36(1)
- *Criminal Court File* – s.36(1)
This file was prepared by the Glenorchy Criminal Investigation Branch for reference and the preparation of indictments against s.36(1)
- *Professional Standards Internal Investigations File IO 0910 – 0067* s.36(1)
s.36(1)
This file was provided to investigators by the Integrity Commission, Principal Investigation Officer. The file includes material provided to the Integrity Commission by Tasmania Police. The file also includes material obtained by the Integrity Commission during the course of their review.
- *Integrity Commission File – Highly Protected*
Section 39 Exemption Applied
- Section 39 Exemption Applied

2. Analysis of Call Charge Records - DPEM employees

CCR records were obtained for the mobile phone and landline numbers of s.36(1) The checks were conducted for the period 1 August 2009 – 30 September 2009.

All CCR returns were then analysed against all advertised prostitution services in the Mercury newspaper during the relevant time period (1 August 2009 – 30 September 2009).

CCR returns were also analysed against IDM records.

The following results were identified.

s.36(1)

Mobile phone number s.36(1)

The following matches were identified.

Number called	Advertised service	Date	Type of call	Length of call (sec)	Time
Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied					

Landline number s.36(1)

CCR checks against phone number [REDACTED] s.36(1) did not produce any matches to any advertised prostitute services between 1/8/2009 and 30/9/2009.

s.36(1)

Constable [REDACTED] s.36(1) has two mobile telephones listed as belonging to her, and a landline.

Landline number s.36(1)

CCR checks against phone number [REDACTED] s.36(1) did not produce any matches to any advertised prostitute services between 1/8/2009 and 30/9/2009.

Mobile phone number

CCR checks against mobile phone number [redacted] did not produce any matches to any advertised prostitute services between 1/8/2009 and 30/9/2009. This is the mobile number primarily used by [redacted]

Mobile phone number s.36(1)

This phone number is registered to [REDACTED] s.36(1) however, in an interview conducted on 31 July 2010, [REDACTED] s.36(1) stated that he is the user of this phone. [REDACTED] s.36(1)

The following matches were identified:

Number called	Advertised service	Date	Type of call	Length of call	Time
Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied					

Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied



Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied

This analysis shows that a call was placed to s.36(1) on 11/9/09 at 2.15pm which lasted for 69 seconds. An SMS was then sent on the same day to s.36(1) at 4.17pm.

Glenorchy CIB obtained a statutory declaration from s.36(1) on 31 July 2010 in relation to the phone call and SMS made to 'Angela' from mobile number s.36(1). In making this statutory declaration, s.36(1) claims that the contacts to 'Angela' were made when he was on fishing trip with mates on the West Coast of Tasmania. The towers used to transmit the calls are not recorded for the phone call or the SMS sent to s.36(1) phone, however, the towers used to transmit communications close to calls in question were from North Hobart and Mt Mather (a tower near South Arm). Based on this information it casts doubt on the veracity of s.36(1) evidence, however, determining whether s.36(1) visited s.36(1) is not an avenue of enquiry within the scope of this investigation.

s.36(1)

Mobile phone number s.36(1)

CCR checks against this mobile phone number did not produce any matches to any advertised prostitute services between 1/8/2009 and 30/9/2009.

Landline s.36(1)

The following match was identified:

Number called	Advertised service	Date	Type of call	Time
Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied				

s.36(1)

Mobile phone number s.36(1)

CCR checks against mobile phone number s.36(1) did not produce any matches to any advertised prostitute services between 1/8/2009 and 30/9/2009.

Landline number s.36(1)

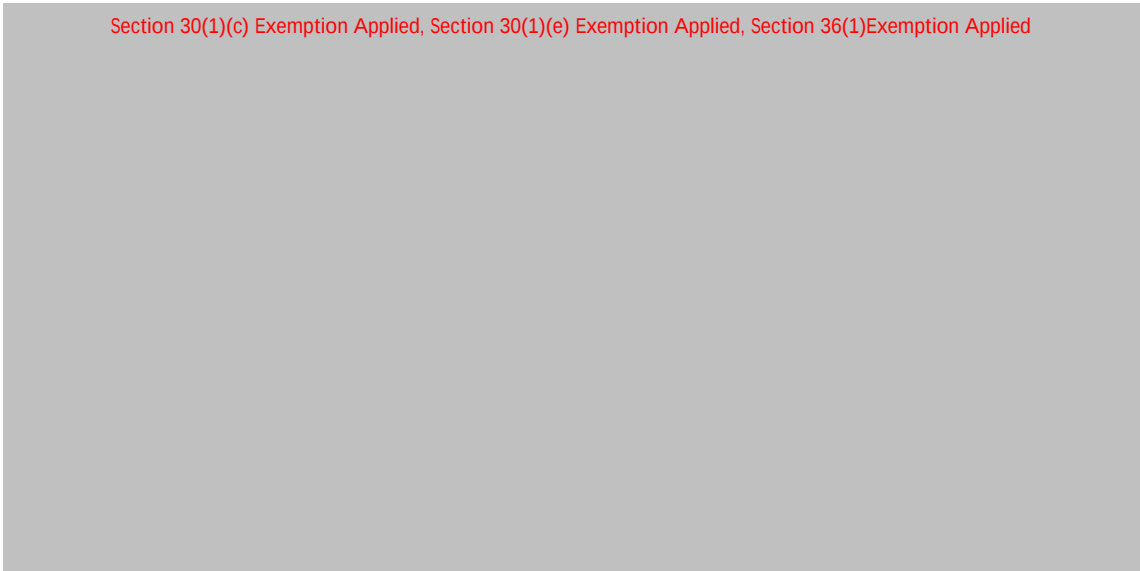
CCR checks against phone number s.36(1) did not produce any matches to any advertised prostitute services between 1/8/2009 and 30/9/2009.

Out of Scope



3. Analysis of Subscribers identified in Operation SCOURGE

Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied, Section 36(1) Exemption Applied



address. All people identified at these addresses have been checked against the

DPEM phone directory. No subsequent DPEM employees have been identified as a result of this process.

4. Audit of Tasmania Police databases

Audits were conducted of the Tasmania Police databases known as s.30(1)

Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied

In conducting an analysis of the records viewed by each DPEM employee, consideration was specifically given to records linked to s.36(1) and any other entities that may be linked to prostitution services advertised in the Mercury Newspaper around the same time as this matter.

From this investigative avenue the following information was obtained:

Sergeant s.36(1)

Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied, Section 36(1)Exemption Applied

s.36(1)

s.36(1)

s.36(1)

s.36(1)

Constable s.36(1)

Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied, Section 36(1)Exemption Applied

s.36(1)

s.36(1)

s.36(1)

Out of Scope

Sergeant s.36(1)

Section s.36(1) lied, Section 30(1)(e) Exemption Applied, Section 36(1)Exemption Applied

Constable

s.36(1)

Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied

s.36(1)

Exemption Applied

Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied, Section 36(1) Exemption Applied

6. Door Knocks –

s.36(1)

Investigators visited [redacted] s.36(1) on a number of occasions in an attempt to identify any persons who may be able to assist this enquiry. This avenue of enquiry did not yield any information of relevance [refer running sheet entry 7/3/11].

Out of Scope

8. DNA samples seized – s.36(1)

Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied

9. Photoboards

s.36(1)

Photoboards were prepared for Constable s.36(1) Sergeant s.36(1) and Sergeant s.36(1) as s.36(1) had not been provided an opportunity to identify these persons. On 17 March 2011, during an audio recorded interview, s.36(1) was shown these three photoboards and was unable to identify any person.

On 7 January 2010, s.36(1) was shown photoboards of Constable s.36(1) and s.36(1) s.36(1) was unable to identify anyone on the s.36(1) photoboard, however, she identified a male person who was similar in appearance to s.36(1) s.36(1)

s.36(1)

On 23 March 2011, during an audio recorded interview, s.36(1) was shown photoboards of Constable s.36(1) Sergeant s.36(1) and Sergeant s.36(1) s.36(1) was unable to identify any person from these boards.

On 24 March 2011, during an audio recorded interview, s.36(1) was shown photoboards of Constable s.36(1) and s.36(1) s.36(1) identified a male on the photoboard containing s.36(1) that male being – s.36(1) s.36(1) did not identify any other person from these boards.

10. Hobart Mall Enquiry

During s.36(1) interview with IIU he stated he had seen the Inspector who visited s.36(1) on a number of occasions and that the Inspector had been walking the beat 'in town long before the mall got there'. Enquiries conducted with the Hobart City Council revealed the Hobart Mall was created on 6/10/1978.

The following Inspectors and Commanders were members of Tasmania Police in 1978, the date they joined Tasmania Police is included:

- Section 36(1) Exemption Applied 22/2/1971
- 7/2/1972
- 29/11/1971

■ Section 36(1)Exemption Applied	27/3/1972
■	26/5/1972
■	4/8/1975
■	25/3/1974
■	12/4/1976
■	12/2/1975
■	24/2/1975
■	12/2/1975
■	2/8/1976
■	11/2/1976
■	11/2/1976
■	11/2/1976
■	11/2/1976
■	3/4/1978
■	3/4/1978
■	14/2/1977
■	28/2/1979
■	15/2/1978

This list of names does not include inspectors that have retired during the last 18 months. The description provided by s.36(1) was considered against this list of names but due to the inconsistencies in s.36(1) description it was difficult to advance this line of enquiry.

11. Departmental Vehicles – Blue Toyota Camry

During s.36(1) interview with IIU (17 November 2009) he was asked:

“What sort of car were they driving”, (in reference to police officers who attended s.36(1)).

s.36(1) replied, “*they never used to bring their cars in*” Further “*I live in a complex... they used to park their cars out the front*” [page 11 of interview]. This suggests that clients parked their vehicles on s.36(1) as opposed to using the vast car park at the s.36(1) s.36(1) further stated in this interview that “*the police weren’t driving a police car*”.

When interviewed by Commander Adams and Inspector Bodnar, s.36(1) stated the sergeant was driving a blue Toyota Camry which he recognised as an unmarked police vehicle. s.36(1) says he followed the police sergeant after he left the unit and he observed him to drive away in the vehicle described.

Checks of departmental records indicate that DPEM did have five vehicles in 2009 that may match the description provided by Devine.

Model	Colour	Area assigned
Toyota Camry	Blue	Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied
Toyota Camry	Blue	
Toyota Camry	Blue	

Toyota Camry	Blue	Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied
Toyota Camry	Blue	

Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied

Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied

There is no indication on the records that any of the police officers subject to this investigation have signed out either of the vehicles.

The other listed vehicles were not accessible to the members concerned.

Motor registry checks reveal that the DPEM employees subject to this enquiry have not had a blue Toyota Camry as a registered vehicle, nor do they have any similar vehicles.

It also must be noted that s.36(1) recent account, that he followed the police sergeant after he visited s.36(1) and observed him driving away in a Toyota Camry, is in stark contrast to the evidence provided during his initial interview with IIU investigators. As a result, this casts doubt on his reliability and would seem to be a recent invention. It may also be coincidental but s.36(1) who s.36(1) asserts kept and later destroyed the video and condoms, had a Blue Camry sedan registered in his name.

12. Police Search of s.36(1)

On 17 October 2009, five Detectives s.36(1) conducted a search of s.36(1) This search was electronically recorded. Investigators advise that when conducting this search there was no evidence of any electronic recordings.

13. Enquiries to identify unknown sergeant and inspector / other DPEM employees

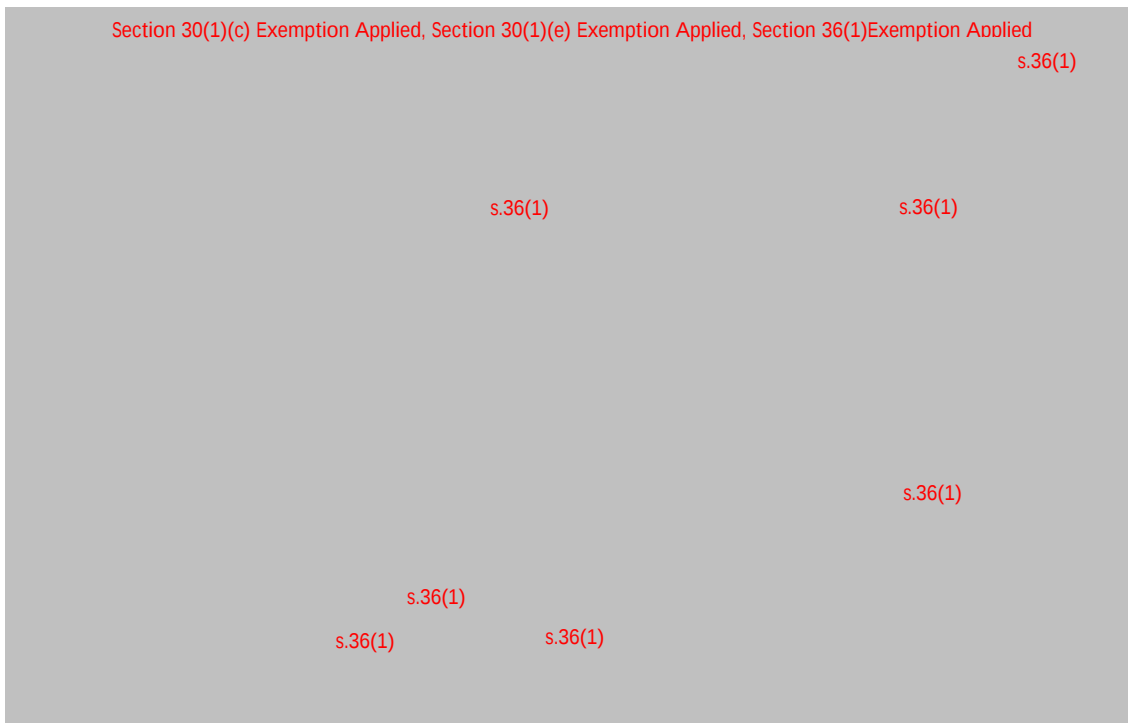
A list of charge records which indicates arresting, charging and bailing officers for s.36(1) was scrutinised for the period between July 2002 to November 2009. The description provided by s.36(1) was applied to the officers listed in these records. Sergeant s.36(1) was originally identified as the suspect referred to by s.36(1) solely due to his involvement as the charging officer for s.36(1) for assault and exceed 0.05% on 15 April 2008. The description provided by s.36(1) was indistinct and did not provide enough detail to identify any particular officer from the charge records.

The list of Inspectors and Commanders who were members of Tasmania Police in 1978 was compared against the description given by s.36(1) Due to the inconsistencies of s.36(1) accounts relating to the police inspector, this line of enquiry was unable to be progressed any further.

As previously indicated, the subscriber details relating to calls made to both phones used by [REDACTED] s.36(1) have been further analysed and cross referenced against Motor Registry details and the DPEM contact directory. This line of enquiry did not identify any other DPEM employees.

14. Telephone Record Interpretation

SMS and Voice call records



Text Buddy number

The number, [REDACTED] s.36(1) was also identified within the Reverse CCR of mobile number [REDACTED] s.36(1). This number was recorded as sending several SMS messages to the number used by [REDACTED] s.36(1). Telstra indicate that this number is commonly referred to as a 'Text Buddy' number, and is used by subscribers to send messages from a computer to a mobile phone. The subscriber details for this number were not available as the records for 'Text Buddy' numbers are only stored for 90 days and are then deleted.

Subscriber location

The CCR records also indicate a subscriber location, via telecommunication tower, at the time an SMS or voice call was made. The accuracy of this information is also questionable. During criminal court proceedings R v Shegog, a Telstra representative gave evidence that the tower location indicated on a record may not be indicative of the actual area where the person is making the call or text from. The tower utilised to relay a communication is affected by the

nearby tower usage at the time of the call, for example if the nearest tower is overloaded with calls, it may divert the communication through another tower.

15. Summary of interviews

s.36(1)

Section 36(1)Exemption Applied, Section 39 Exemption Applied

s.36(1)

Section 36(1)Exemption Applied

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Section 36(1)Exemption Applied, Section 39 Exemption Applied

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1st interview – IIU investigators – 17 November 2009

Section 36(1)Exemption Applied, Section 39 Exemption Applied

s.36(1)

s.36(1)

s.36(1)

2nd interview – Operation Engulf – 15 March 2011

Section 36(1)Exemption Applied, Section 39 Exemption Applied

Section 36(1) Exemption Applied, Section 39 Exemption Applied

s.36(1)

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s.36(1)

Investigators Comment:

s.36(1)

Section 35 Exemption Applied, Section 36(1) Exemption Applied

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Section 36(1) Exemption Applied, Section 39 Exe

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Section 36(1)Exemption Applied, Section 39 Exemption Applied

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Investigators Comment:

s.36(1)

Section 35 Exemption Applied, Section 36(1)Exemption Applied

s.36(1)

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Section 36(1)Exemption Applied, Section 39 Exemption Applied

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Section 36(1)Exemption Applied, Section 39 Exemption Applied
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Comment:

s.36(1)

Section 35 Exemption Applied, Section 36(1) Exemption Applied

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Section 39 Exemption Applied

Sergeant s.36(1)***Interviewed under caution.***

- He recalls the arrest by Constables Soldatankeo and Thompson of s.36(1) s.36(1) for drink driving, assault, resist. He believes he was picked up in Risdon Vale.
- He says s.36(1) was extremely aggressive and was trying to spit blood on the officers and claiming that he had Hepatitis C. He describes s.36(1) as a tough, hard, aggressive crook.
- He was shown the charge records and read from the notes that he recorded on the online charge records that s.36(1) was subject to an OC deployment.
- He says he possibly dealt with s.36(1) on one other occasion when he was working from Glenorchy and he arrested him for an assault. He is not sure about this arrest being s.36(1) as he gets confused between s.36(1) s.36(1)
- He has never visited a prostitute and his only dealings with prostitutes have been as a result of legitimate police work.
- He has never telephoned a prostitute. He has never directly approached a prostitute for services.

- He has been to [s.36(1)] during his time working at [s.36(1)]
- He denies strenuously the allegations put to him.
- He says [s.36(1)] allegations are complete lies.
- He does not own a Blue Camry and does not believe he has driven one during work time.
- He does not know [s.36(1)] or any prostitute that uses the name Angela.
- He believes [s.36(1)] is trying to deflect the attention from himself by trying to bring discredit on Tasmania Police.
- [Section 35 Exemption Applied]
- [Section 36(1)Exemption Applied]
- He does not remember being present when [s.36(1)] was arrested as a result of stealing from [s.36(1)]
- [Section 36(1)Exemption Applied]

Sergeant [s.36(1)]
Interview under caution.

- Current mobile phone number [s.36(1)] Home phone number is [s.36(1)]
- He has no other mobile phones or SIM cards. His home phone was originally with the telephone company PRIMUS and then only recently he changed to TELSTRA.
- He states that he previously told IIU investigators that he possibly contacted a prostitute but he is not sure of the date.
- Not sure what number he called but agreed it was advertised in the Mercury newspaper. He has no recollection of the advert or its contents.

- He believes his call was a voice call and not an SMS. His home phone does not have a capacity to make SMS contacts.
- When he telephoned the prostitute he did not identify himself as being a police officer or a DPEM employee.
- He imagined someone answered the phone but he can't specifically recall.
- He believes he would have contacted a couple of advertised numbers to see how much the services would cost.
- He is not sure whether he brought the newspaper as he doesn't specifically buy the paper. Maybe only on the weekends.
- He ascertained that escort services would cost around \$100 and he asked for descriptions of the women.
- He doesn't really remember the name 'Angela'.
- He never went to [s.36(1)] or the Mid City Hotel for prostitution services.
- He doesn't own a blue Camry and hasn't driven one whilst at work.
- He has never had any physical contact with a prostitute. He stated that it wasn't the smartest thing to do (contact prostitutes) but he didn't visit any after making the calls.
- He says if he did attend it would have been to "get his rocks off". He had problems with his wife at the time.
- He can't recall accessing the system inappropriately.
- Accessing IDM's reports is part of his job. As a result he views most reports that come into the [s.36(1)] for investigation. He acknowledges that he accessed an IR relating to [s.36(1)] on 14 Dec 2009.
- He wasn't aware that she was the person aged 12 involved in the prostitution matter.
- [Section 30(1)(c) Exemption Applied, Section 30(1)(e) Exemption Applied, Section 36(1) Exemption Applied]
[s.36(1)]
[s.36(1)] [s.36(1)]
[s.36(1)]
inoperable [the IDM report when filed records this incident and supports
[s.36(1)] version of events].

- Says he would generally view all links from the IDM report especially if the person wasn't known to him. In this case, s.36(1) wasn't known to him.
- He has viewed his own ICE record on a number of occasions. He says the reason for the access was for legitimate work purposes. He had a number of police accidents and he needed his licence and registration details. He also checked on registration details for a trailer. He has never accessed the IDM system to check his own entity.

Constable s.36(1)

Interview under caution.

- Her phone number is s.36(1) She has another number s.36(1) which is in her name but used by s.36(1)
 - Section 36(1)Exemption Applied, Section 39 Exemption Applied
 - s.36(1)
 - Some years back s.36(1) also worked for someone by the last name s.36(1)
 - She has no other phones or SIM cards.
 - s.36(1) did have another mobile phone which was registered to the business which an apprentice used.
- In response to allegations she said:
- s.36(1) told her some time ago that when away fishing that he and his mates on the boat called a number of Asian prostitutes as a bit of a laugh.
 - She has never contacted a prostitute. She has never used either of her phones to contact a prostitute.
 - She has never used a prostitute. She has never been with her husband or another male and accessed a prostitute.
 - She has never been to s.36(1) or the Mid City Hotel to visit a prostitute.
 - Section 36(1)Exemption Applied

- Section 36(1) Exemption Applied

Constable s.36(1)
Interview under caution.

- His current mobile phone number s.36(1) His home phone number is s.36(1)
- He has no other mobile phones or SIM cards.
- He recalls being interviewed by IIU investigators in relation to the same matter on 21 January 2010.
- He recalls dialling a phone number for a prostitute named 'Angela'.
- He rang the phone number for 'Angela' that was in the Mercury advertisement, but there was no answer and he did not speak to anyone as a result of calling the number.
- He denies sending a text message to the advertised number for 'Angela'. He states that he was made aware of the SMS in the first interview by IIU on 21 January 2010, and during this interview he could not recall sending an SMS.
- He does not send many text messages, and on this basis denies that he would have sent a text message to the number advertised with 'Angela'.
- He has never attended s.36(1) or the Mid City Hotel to visit a prostitute.
- He does not know a female by the name of s.36(1)
- He knows of s.36(1) by reputation, but is unsure whether he has dealt with him as a police officer.
- He drives a s.36(1) and did so in 2009.
- He has never driven to s.36(1) in a blue Toyota Camry.
- Admitted making numerous calls to prostitutes. Stated that most calls he made were not answered or went to message bank, and others he did not follow through with meeting the prostitute.
- He has visited one prostitute at the Tower Motel, New Town. The prostitute was late 20's in age, Asian, he cannot remember her name.

- In response to an allegation that he regularly contacts and uses prostitutes, Constable [s.36(1)] admitted to contacting prostitutes, but denied that he has used more than one prostitute.
- He stated that he has some family issues which are the reasons for him contacting prostitutes.

Out of Scope



Out of Scope

CONCLUSIONS:

This investigation sought to establish whether any DPEM employees had committed criminal misconduct by having sexual contact with 12 year old s.36(1). This investigation sought direct evidence from witnesses that DPEM employees had visited s.36(1). CCR records alone only identify a telecommunication transaction from one listed phone number to another. Based on the available evidence from both primary and secondary sources this investigation could not prove to the requisite standard that any DPEM employee committed a crime by having sexual intercourse with s.36(1). The following presents the evidence relating to each employee.

Allegation One:

Senior Constable s.36(1) committed the crime of Unlawful sexual intercourse with a person under the age of 17 years is Not Sustained.

- s.36(1) denies the allegation and says he has never visited a prostitute called Angela. He further claims that he has never attended s.36(1) or the Mid City Hotel to visit a prostitute.
- s.36(1) denies sending an SMS to the phone used by s.36(1) when involved in prostitution at s.36(1).
- s.36(1) recalls phoning the number advertised in the Mercury for Angela but he claims no-one answered his call. The CCR records show the call as lasting for 27 seconds. Telstra advises that the length of calls commences when the call is answered or goes through to message bank. Based on this information, it is difficult to comment on whether s.36(1) assertions are correct or not.
- s.36(1) was not identified by s.36(1) during photoboard identification as having been a client of hers during her time at the Mid City Hotel or s.36(1).
- s.36(1) was not identified by s.36(1) as having attended s.36(1) to visit s.36(1) while she was present.

- s.36(1) does not own a blue Camry and does not believe he has used such a vehicle in his police duties at s.36(1)

Based on the available evidence, the investigation found no basis to prove Senior Constable s.36(1) committed a crime, however a concerning aspect to his interview was his responses to questions about his use of prostitutes. His answers implied that he may have misled investigators by providing less than truthful responses in an attempt to downplay his contact with prostitutes. During the CCR review period of two months, s.36(1) made 34 contacts with escort services that were advertised in the Mercury. This information on its own provides clear evidence to support that s.36(1) has frequent contact with prostitutes.

s.36(1) initially denied on several occasions that he had ever used a prostitute, even after being informed that his telephone records indicated that he had contacted numerous prostitutes. When informed that there was no criminal offence involved in using a prostitute, Constable s.36(1) stated that he had used one prostitute. s.36(1) explanation for the number of phone calls was that he called prostitutes to talk to them because he was lonely and had a number of complex family issues. He denies using other prostitutes and says he either just spoke to them on the phone or many of the calls went unanswered.

Whilst s.36(1) was challenged during this course of his interview, the purpose was to establish whether he engaged in sexual activity with s.36(1). His honesty surrounding his answers relating to the use of prostitutes requires further scrutiny and should be formally put to him during a Code of Conduct interview. It is proposed that this course of action occur separately from this matter.

Allegation Two:

Sergeant s.36(1) committed the crime of Unlawful sexual intercourse with a person under the age of 17 years OR breached the Police Service Act, Code of Conduct is Not Sustained.

- s.36(1) denies the allegations that he visited any prostitute as a result of making some calls to advertised escort services in the Mercury newspaper.
- He denies attending the Mid City Hotel or s.36(1) for prostitution.
- No other telephone numbers were identified as being subscribed to Norton. He also says he does not have any other phones or SIM cards.
- He does not dispute the fact that he made telephone contact with the mobile number linked to 'Angela' in the Mercury. He believes this call was a voice call rather than an SMS as his home phone has no capacity to SMS. CCR and reverse CCR results are consistent in that s.36(1) landline contacted the mobile phone used by s.36(1) on 4 Sept 2009 and information provided indicates that this contact was via SMS. Telstra representative, s.36(1) stated that sometimes anomalies can occur in

CCR checks, and a record may indicate an SMS when a voice call had been placed.

- s.36(1) admits to contacting several advertised escort services to seek prices and descriptions of women involved.
- CCR's conducted for the review period (1 August – 30 September 2009) did not show that any other escort services were called during this period. Any calls made by s.36(1) to advertised services (as he suggests) would either have to be made prior to or after the review period or via another telephone number not subject to a CCR.
- s.36(1) was not identified in photoboards.
- s.36(1) explains his access to IDM reports relating to s.36(1) on 14 December 2009. As a sergeant within s.36(1) he automatically receives all such reports via email. He says he followed links relating to s.36(1) because she was unknown to him. s.36(1) who was also had a link on the report, was known to him and as a result he didn't need to access his details. s.36(1) further stated that an attempt was made to retrieve a mobile phone from s.36(1) which purportedly had photos of him having sex with s.36(1) and when s.36(1) was approached he smashed his mobile rendering it inoperable. The information was recorded on the IDM report at the time it was filed.
- The OIC of Southern Regional Intelligence Services supports s.36(1) explanation of him being sent all IDM reports and further states this is a common practice within s.36(1)
- s.36(1) explanation in this instance is supported by the OIC of Southern Regional Intelligence Services as being a common practice.
- There is no other evidence that suggests that s.36(1) breached the Code of Conduct.

Allegation Three:

Sergeant s.36(1) committed the crime of Unlawful sexual intercourse with a person under the age of 17 years OR breached the Police Service Act, Code of Conduct is Not Sustained.

- The basis of s.36(1) being named as a suspect in this enquiry is tenuous given the only source of information comes from s.36(1) s.36(1) has been shown to be a less than credible witness with there being little independent corroboration for his assertions.
- CCR records on the landline and mobile telephones subscribed by s.36(1) have shown that he has not contacted the advertised telephone numbers used by s.36(1)

- Analysis of s.36(1) telephone holdings against advertised escort services in the Mercury Newspaper during the months of August and September 2009 have not shown any matches. This would indicate that s.36(1) is not a person who uses escort services.
- s.36(1) does not match the physical description provided by s.36(1)
- s.36(1) does not match the physical description provided by s.36(1)
- s.36(1) was unable to identify s.36(1) from a photoboard shown to her on 17 March 2011.
- s.36(1) did not identify s.36(1) from a photoboard shown to her on 23 March 2011.
- s.36(1) has never owned a Blue Camry. He also says he has never had access to a similar vehicle during work.
- s.36(1) has never accessed DPEM databases relating to escort services or information related to s.36(1)
- s.36(1) worked at Hobart, Glenorchy and Bellerive. However, he has only been a sergeant since s.36(1) and worked only from s.36(1)
- s.36(1) was the arresting officer of s.36(1) on 1 January 2004 where he was arrested for Behaving in a violent manner. On this occasion one of the investigators for this matter was a secondary arresting officer. He was also the custody officer on 15 April 2008 when s.36(1) was charged with assault, resist, Exceed 0.05 and drive whilst disqualified. He has never bailed/discharged s.36(1) from custody.
- s.36(1) denies the allegation.
- s.36(1) claims to have never had a beard.
- There was no evidence of any unlawful access to DPEM databases that would constitute a breach of the Code of Conduct.

Constable s.36(1)

Allegation: committed the crime of Unlawful sexual intercourse with a person under the age of 17 years OR breached the Police Service Act, Code of Conduct is Not Sustained.

- s.36(1) denied all allegations relating to her involvement in using prostitution services.
- The number that was identified in CCR's as having contacted s.36(1) has been used by s.36(1) for the last four years.
- She is aware that s.36(1) contacted a number of prostitutes while he was on a fishing trip some years back. s.36(1) told her about the calls when he returned from the trip and indicated that the calls were made as a joke.
- At the time the calls were made to s.36(1) phone, she was s.36(1)
Section 36(1)Exemption Applied
- s.36(1) did not identify s.36(1) on 17 March 2011 when she viewed a number of photoboards.
- s.36(1) did not identify s.36(1) on 23 March 2011 when she viewed a number of photoboards.
- s.36(1) when interviewed by Glenorchy Criminal Investigation Branch, confirms that he uses the phone number s.36(1) which is listed in s.36(1). He concedes that the call to Angela may have been made from his phone, but this would have occurred with a group of mates on a fishing trip. He states that they ring prostitutes for fun, but not with the intention of using prostitution services.
- There was no evidence of any unlawful access to DPEM databases that would constitute a breach of the Code of Conduct.

Out of Scope

Out of Scope

Recommendations

1. The file in respect to this matter be returned to investigators for the re-interview of Senior Constable s.36(1) to determine whether he has breached the *Police Service Act 2003*, Code of Conduct.
2. The police officers who were named as suspects during the course of this investigation are provided a written outcome on this matter (draft letters enclosed).
3. You consider providing a copy of this report and the accompanying investigation file to the Integrity Commission.
4. The IAPRO case management system be updated to reflect the investigation outcomes of this matter.
5. You endorse attached letters of appreciation to Inspector A Bodnar and Constables E Deayton and N Munro acknowledging the professional manner in which they conducted investigations into this sensitive enquiry.

Donna ADAMS
Commander



COMMISSIONER'S OFFICE

Our Ref

Your Ref

DLH:

CONFIDENTIAL

March 2011

Sergeant [REDACTED] s.36(1)

[REDACTED] s.36(1)

ALLEGATION OF SEXUAL INTERCOURSE WITH A YOUNG PERSON UNDER THE AGE OF 17 YEARS

In November 2009, following a prostitution enquiry concerning [REDACTED] s.36(1) [REDACTED] s.36(1) allegations were made that members of the Tasmania Police Service had engaged in sexual intercourse with a 12 year old child who was working as a prostitute. Investigations established that [REDACTED] s.36(1) had advertised the child in the classified section of a local newspaper under the name of 'Angela 18 years'.

An element of the complaint related specifically to a sergeant of police who had utilised the service of the child prostitute in September 2009. [REDACTED] s.36(1) alleged that a sergeant had visited the 12 year old prostitute at units in [REDACTED] s.36(1) [REDACTED] s.36(1) where the sergeant engaged in sexual intercourse with the child.

[REDACTED] s.36(1) alleged that the sergeant was the processing officer at the time of his arrest for drink driving related matters in Risdon Vale, some 18 months earlier and that the sergeant had also worked at the Hobart and Glenorchy Police Stations. A brief description was provided of the sergeant, although his name was not disclosed.

Enquiries were conducted into the allegations, and you were identified as the sergeant who had processed [REDACTED] s.36(1) at the time of his arrest for drink driving in April 2008.

On the 24 March 2011, you were formally interviewed by investigators in respect to the matter. During that interview you strongly denied the allegations. Following your interview and thorough investigations into the matter, I can

Out of Scope

advise you that the complaint that you engaged in *Unlawful sexual intercourse with a young person under the age of 17 years*, is 'Not sustained'. I am satisfied that there is no available evidence to indicate that you have ever had contact with the 12 year old involved in the prostitution matter, in the manner described. Therefore, no action will be taken against you.

D L Hine
Commissioner of Police

**COMMISSIONER'S OFFICE**

Our Ref

Your Ref

DLH:

CONFIDENTIAL

March 2011

Sergeant s.36(1)

s.36(1)

In November 2009, following a prostitution enquiry concerning s.36(1) s.36(1) allegations were made that members of the Tasmania Police Service had engaged in sexual intercourse with a 12 year old child who was working as a prostitute. Investigations established that s.36(1) had advertised the child in the classified section of a local newspaper under the name of 'Angela 18 years'.

During the investigation a number of phone records were examined which identified that you may have made contact with the telephone number used by the child prostitute. Checks of departmental computer records accessed by you also indicated that you had accessed information reports contained within the Information Data Management (IDM) System relevant to the 12 year old child. Accessing these systems, if not for a legitimate work purpose, may have constituted a breach of the Code of Conduct.

You were interviewed on 22 March 2011 in respect to the above allegations.

I can advise you that the investigation into this matter is now complete and the allegations against you are Not Sustained.

D L Hine
Commissioner of Police

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Out of Scope



Department of Police and Emergency Management

Code of Conduct – Determination Notice (Section 43 Police Service Act 2003)**MEMBER DETAILS**

Surname

s.36(1)

Given name

s.36(1)

Station

s.36(1)

Rank

Constable

Badge number

s.36(1)

Code of Conduct Determination

As a result of an investigation into a breach of the 'Code of Conduct' it has been determined, pursuant to section 42(1) Police Service Act 2003, that you breached the 'Code of Conduct' in the following manner -

- ☐ That you failed to act with honesty and integrity in the course of your duties by providing false and misleading information during an interview in respect to Operation 'Engulf', contrary to section 42(1) of the Police Service Act 2003.

It has been determined that you will be:

Reprimanded by the Deputy Commissioner of Police - pursuant to section 43(3)(b) Police Service Act 2003.

MEMBER COMMENTS (if applicable)

- ☐ I have received a copy of this determination notice.

Signed

Date

SENIOR OFFICER COMMENTS (if applicable)

Signed

Date

Name

Rank

Badge number

REF:

7 April 2011

Ms Barbara Etter
Chief Executive Officer
Integrity Commission
GPO Box 822
HOBART TASMANIA 7001

Dear Ms Etter

On 28 February 2011, I met with you to discuss the Integrity Commission review of the investigation by Tasmania Police into alleged contact by police officers with a child prostitute. As a result of this conversation, on 1 March 2011 I directed Commander D Adams to conduct a new investigation into this matter.

Please find enclosed the investigation file and final report prepared by Commander D Adams.

Should you have any queries regarding this matter please feel free to contact me.

Yours sincerely,

Darren L HINE
COMMISSIONER OF POLICE

July 2011

Ms Barbara Etter
Chief Executive Officer
Integrity Commission
GPO Box 822
HOBART TASMANIA 7001

Dear Ms Etter

I write in relation to your letter provided to me in May 2011 regarding the Integrity Commission assessment of the Operation Engulf file, which relates to your Operation Tapestry file.

As indicated in the Operation Engulf final report, there was to be further investigation conducted concerning Constable s.36(1) potentially providing misleading information during his interview which took place on 24 March 2011.

During his initial interview, Constable s.36(1) denied, on several occasions, that he had ever used a prostitute, even after being informed that his telephone records indicated that he had contacted, or attempted to contact, numerous prostitutes. When informed that there was no criminal offence involved in engaging a prostitute, Constable s.36(1) stated that he had engaged the services of one prostitute.

Constable s.36(1) was reinterviewed on 13 July 2011 by Acting Assistant Commissioner D Adams and Inspector A Bodnar. During this audio recorded interview Constable s.36(1) made admissions that he had provided misleading information in his earlier interview on 24 March 2011. Specifically, he agreed that his original assertion that he had never engaged a prostitute was untruthful, as was his subsequent statement that he had only ever engaged a prostitute on one occasion.

It has been determined that Constable s.36(1) has breached the Code of Conduct, pursuant to section 42 of the *Police Service Act 2003*, in that he did not behave honestly and with integrity in the course of his duties in the Police Service.

I have determined that the appropriate sanction for Constable s.36(1) is a reprimand, pursuant to section 43(3)(b) of the *Police Service Act 2003*. This reprimand will be delivered by Deputy Commissioner S Tilyard, and will be recorded on Constable s.36(1) Dossier.

Should you have any queries regarding this matter please feel free to contact me.

Yours sincerely,

D L HINE
COMMISSIONER OF POLICE

Tasmania Police

Information Only Report

Incident Detail

IA No	IO0910-0067
Date/Time of Received	16/11/2009 09:00
Entered By	Sergeant Craig Joel
Date/Time of Occurrence	03/09/2009 09:57
Date/Time Entered	19/11/2009 14:28
Due Date	—
Record ID Number	582
Case No	INT13
Status	Completed
Disposition	Filed -No further action
Date Completed	27/07/2010
Classifications	Information Only(Conduct)
Source of information	Citizen
Priority	Medium

Incident Location

Location of Occurrence Various

Addresses

s.36(1)

Precinct: s.36(1)

Assignments

Unit Assigned	Internal Investigations
Investigator Assigned	Sergeant Greg Rogers
Field Investigator	[Pending assignment]
Supervisor Assigned	Ser C Joel
Outside Investigator	—

Incident Level Organization Assignments

District	Southern District	Division	Southern CIB Division
Station	Hobart CIB	Section	—
U Define 5	—	U Define 6	—

Mailbox Routings

There are no mailbox routings

Summary

s.36(1) alleged to Glenorchy Detectives police officers were using a 12 year old prostitute, s.36(1) for sex. He did not disclose names. An IDM was also submitted by Sgt Rogers having received information from an informant (200974463).

s.36(1) was audio interviewed at Risdon Prison on 17/11/09. s.36(1) made many allegations including:

1. A sergeant visited the girl in mid september 2009 for sex after responding to add in paper (Angela 18 y.o). He telephoned a SIM owned by s.36(1) mother. s.36(1) placed the add in the paper (Mercury). He was wearing dark slacks, white shirt and tan shoes when he visited the residence. He was stocky. s.36(1) knows the sergeant to be a custody sergeant in Hobart. The sergeant was custody officer wher s.36(1) was last charged with drink driving, for which he received a jail sentence (3 months). He was driving a maroon Magna station wagon at the time, possibly in Bellerive Division.

2. A day later, an Inspector from Hobart visited the girl. He was wearing a tan suit. s.36(1) has known the Inspector since he was walking the beat. He was tall and broad.

Neither of the men knew s.36(1) was at the residence (his own).

s.36(1) made a video recording in the bathroom and collected condoms from the bedroom.

s.36(1) also names s.36(1) from Bridgewater as visiting the girl.

s.36(1)

A transcript of the interview is available to IIU.

Sgt John Hinchin was spoken to on 18/11/09. he indicated s.36(1) did not know the names of the men who visited her. She did not know they were police officers. The additional information about s.36(1) was passed on.

s.36(1) said he would reveal the names of the officers and other persons of interest in court.

s.36(1) was coy. He is a systemic liar and the truth of his assertions cannot be established at this time.

To liaise with Inspector to discuss strategy for inquiry.

15/12/09. CJ. Brief A/Commander. s.36(1) not to be interviewed at this time pending outcome of CIB inquiry and interviews of s.36(1)

17/12/09. CJ. SITREP - refer running sheet. Detective Gibbons advises CIB inquiry to be completed first week of January 2010. IIU Interviews of s.36(1) and s.36(1) to follow.

Section 35 Exemption Applied, Section 36(1)Exemption Applied

7/1/10 GPR - attended Glenorchy Station for 2.30pm appointment with s.36(1) and her mother s.36(1) Did not arrive until 3.45pm. Conducted voice recorded interview with s.36(1) She stated (1) she had not received any calls re her add from a female and had not had sex with a female, (2) she did not pick Const s.36(1) from a photoboard, (3) she did not pick s.36(1) from a photoboard, and (4) she had not had any calls or appointments from any person who claimed or she knew to be a police officer or departmental employee. Further stated that she threw all condoms into the toilet and there was no surveillance footage of the visitors. Discussed with A/Cmdr Cerritelli re further investigation. Consideration to be given as to whether there is a need to formally interview Const s.36(1) Const s.36(1) now need not to be interviewed re her phone number coming up on CCR's.

s.36(1) Section 36(1)Exemption Applied, Sectic s.36(1) tion Applied
s.36(1) s.36(1)

s.36(1) Section 35 Exemption Applied, Section 36(1)Exemption Applied
s.36(1) s.36(1)

Out of Scope

Section 35, Section 36(1)Exemption Applied s.36

s.36

21-1-10 GPR 1921 - Const s.36 attended IIU office at 9.00am as arranged. Closed door meeting with Sgts Rogers and Joel. Briefly informed him of the investigation and his linked involvement. Admitted to making initial contact, but not taking it any further, and explained personal circumstances at home that led to the call being made.

Section 35 Exemption Applied, Section 36(1)Exemption Applied

Section 35 Exemption Applied, Section 36(1)Exemption Applied

21-1-10 GPR 1921 - Section 35 Exemption Applied

28-1-10 GPR 1921 - transcript of interview with s.36(1) received.

8-2-10 GPR 1921 - Section 35 Exemption Applied

16-2-10 GPR 1921 - Section 35 Exemption Applied
s.35

Section 35 Exemption Applied

Out of Scope

24-5-10 GPR 1921 - matter reactivated as a result of further information received today that another police officers contact number has been discovered after the Glenorchy CIB investigation had been recommenced at the request of AC Tilyard. Officer nominated by means of telephone record checks was Det Sgt s.36(1) of s.36(1)

22-6-10 GPR 1921 - Det Sgt s.36(1) attended IIU and spoken to re matter. Stated he may have called the number due to then marital problems, however never followed through with a second phone call or visit.

24-6-10 GPR 1921 - Supplementary report submitted to A/Insp Joel 24 June 2010 recommending matter be finalised re s.36(1) and that the s.36(1) matter be sent to glen CIB as it is most likely s.36(1) who has instigated the call.

CJ 2002 27/7/10. Section 35 Exemption Applied

GPR Sgt 1921 - 27 July 2010 - Section 35 Exemption Applied

GPR Sgt 1921 - 28 Sept 2010 - as a result of a further request from ADCOP Tilyard, spoke with Sergeant s.36(1) at his residence re an allegation he may have been the custody officer sergeant involved in the allegation. Adamantly denied the allegation. Report submitted to Insp Dooley today. A/Insp Ward contacted IIU to advise that Sgt s.36(1) had contacted him and advised him of the situation, and that he was more than happy with IIU contact.

GPR Sgt 1921 - 30 Sept 2010 - rang Sgt s.36(1) to confirm current media allegations regarding police officers did not concern him.

GPR Sgt 1921 - Section 35 Exemption Applied

11/1/11 - Section 35 Exemption Applied
s.35

CJ 2002 2/2/11. Section 35 Exemption Applied

CJ 2002 3/2/11.

DB - 27/6/11 - Section 35 Exemption Applied

DB - Section 35 Exemption Applied

FILED R312062684 - 15 NOV 2016 - C INCHES

Involved Officers

Sergeant s.36(1)

Policy Outcome Not yet entered

Snapshot Data

Role

Employment Status at Time of Incident

Active

Body camera worn

Officer was in uniform

Unk

Officer was arrested

Unk

Officer was off-duty		Unk	Officer was employed off-duty		Unk
First Name		s.36(1)	Last Name		s.36(1)
Sex		Male	Race		—
Age when incident was received		s.36(1)	Weight (kg)		—
Height (cm)		—			
Officer Assignment Snapshot	Title/Rank at time of incident	Sergeant	Years employed at time of incident		s.36(1)
	Badge number at time of incident	s.36(1)	Years assigned at organization at time of incident		s.36(1)
	Supervisor	—			
	District	Eastern District	Division	Bellerive Division	
	Station	s.36(1)	Section	—	
	U Define 5	—	U Define 6	—	

Allegations

Information Only - Improper Association (info only)
- Finding: Information Only - Date Of Finding: 28/09/2010



Out of Scope

Out of Scope

Sergeant s.36(1)

Policy Outcome Not yet entered

Snapshot Data

Role	—		
Employment Status at Time of Incident	Active	Body camera worn	—
Officer was in uniform	Unk	Officer was arrested	Unk
Officer was off-duty	Unk	Officer was employed off-duty	Unk
First Name	s.36(1)	Last Name	s.36(1)
Sex	Male	Race	White
Age when incident was received	s.36(1)	Weight (kg)	—
Height (cm)	—		

Officer Assignment Snapshot

Title/Rank at time of incident	Sergeant	Years employed at time of incident	s.36(1)
Badge number at time of incident	s.36(1)	Years assigned at organization at time of incident	s.36(1)
Supervisor	—		
District	Southern District	Division	Southern CIB Division
Station	Section	Section	—
U Define 5	—	U Define 6	—

Allegations Information Only - Improper Association (info only)
 - Finding: Information Only - Date Of Finding: 24/06/2010

Actions Taken Verbal Direction - 27/07/2010
 Verbal direction given to Sergeant s.36(1) at IIU on 22/6/10. CJ

Constable s.36(1)

Policy Outcome Not yet entered

18/06/2026, 10:43

Report | IAPro

Snapshot Data	Role	—		
	Employment Status at Time of Incident	Active	Body camera worn	—
	Officer was in uniform	No	Officer was arrested	No
	Officer was off-duty	Yes	Officer was employed off-duty	No
	First Name	s.36(1)	Last Name	s.36(1)
	Sex	Male	Race	Unknown
	Age when incident was received	s.36(1)	Weight (kg)	—
	Height (cm)	—		
Officer Assignment Snapshot	Title/Rank at time of incident	Constable	Years employed at time of incident	s.36(1)
	Badge number at time of incident	s.36(1)	Years assigned at organization at time of incident	s.36(1)
	Supervisor	—		
	District	Eastern District	Division	Eastern Support Div
	Station	s.36(1)	Section	—
	U Define 5	—	U Define 6	—
Allegations	Information Only - Improper Association (info only) - Directive: Improper association - Finding: Information Only - Date Of Finding: 21/01/2010			
Actions Taken	Verbal Direction - 27/07/2010 Verbal direction given to Constable s.36 at IIU on 21/1/10. CJ			

Citizens Involved

s.36(1)			
Date Of Birth	s.36(1)	Gender	Male
Race	White	Ethnicity	—
Addresses	s.36(1)	Phone Numbers	—
Email			

Role

—

Citizen Witnesses

s.36(1)

Snapshot Data

First Name

—

Last Name

—

Role

—

Age when incident was received

s.36(1)

Height (cm)

—

Weight (kg)

—

Sexual Orientation

—

Expressed Gender

—

Primary Language

—

Limited English

—

Experiencing Crisis

—

Self Reported Mental Issue

—

Homeless

—

Armed

—

s.36(1)

Snapshot Data

First Name

—

Last Name

—

Role

—

Age when incident was received

s.36(1)

Height (cm)

—

Weight (kg)

—

Sexual Orientation

—

Expressed Gender

—

Primary Language

—

Limited English

—

Experiencing Crisis

—

Self Reported Mental Issue

—

Homeless

—

Armed

—

Attachments

Date Attached	Description	Attachment Type
10/11/2010	CCR Authority - s.36(1)	tif
10/11/2010	File Note - s.36(1)	tif
10/11/2010	Complaint Correspondence	tif
10/11/2010	Forensic Report	tif
10/11/2010	Assessors Report	tif
20/08/2012	Integ Comm s. 89 Own Motion Notice 3 Dec 2010	tif
10/11/2010	File Note - s.36(1)	doc
10/11/2010	File Note - s.36(1)	doc
25/07/2011	Request for file	tif
10/11/2010	SIS results - 22.08.10	XLS

Date Attached	Description	Attachment Type
10/11/2010	Photoboard - s.36(1)	doc
10/11/2010	Email - s.36(1) to Rogers	tif
10/11/2010	Subscriber Checks - 452083	tif
10/11/2010	Online Charging - s.36(1)	doc
10/11/2010	Email - Balsley to Pegg	tif
10/11/2010	SIS results - edit	xls
10/11/2010	Investigators Report 1	doc
10/11/2010	Investigators Report 1 - Original	tif
10/11/2010	Photoboard - s.36(1)	doc
10/11/2010	Correspondence Memo	tif
10/11/2010	File Cover	doc
10/11/2010	s.36(1) - 11-09-2009 to 20-09-2009	xls
10/11/2010	Combined CCR's	xls
10/11/2010	IDM - Sg s.36(1)	tif
10/11/2010	s.36(1) - 10-09-2009 to 10-09-2009	xls
10/11/2010	Investigators Report 4	doc
10/11/2010	Subscriber Checks - 451406	tif
10/11/2010	Initial IDM and Notes	tif
10/11/2010	Subscriber Checks - 451673	tif
10/11/2010	Investigators Filing Report	doc
10/11/2010	IDM - initial complaint	tif
10/11/2010	Transcript - s.36(1)	doc
10/11/2010	Email - Dooley to DCOP 2	tif
10/11/2010	Email - Dooley to Rogers	tif
10/11/2010	Investigators Report 3	DOC
10/11/2010	Subscriber Checks - 447352	tif
10/11/2010	Email - Dooley to DCOP	tif
10/11/2010	s.36(1) - 8-09-2009 to 9-09-2009	xls
10/11/2010	Custody Officer Interrogation	xls
10/11/2010	Investigators Report 2	DOC
10/11/2010	Transcript - s.36(1)	doc
10/11/2010	Media Release - DCOP	doc

Date Attached	Description	Attachment Type
10/11/2010	CCR Authority - s.36(1)	tif
10/11/2010	File Note - s.36(1)	doc

BlueTeam Routings

There are no BlueTeam chain routings

Tasmania Police

Class 1 Report

Incident Detail

IA No	C11112-095
Date/Time of Received	16/08/2011
Entered By	Constable Debbie Balsley
Date/Time of Occurrence	—
Date/Time Entered	29/10/2012 16:26
Due Date	26/11/2012
Record ID Number	4046
Case No	—
Status	Completed
Disposition	Sustained
Date Completed	16/08/2011
Classifications	Administrative(Breach Code of Conduct)
Source of information	Administrative
Priority	Medium

Incident Location

Location of Occurrence	—
Addresses	—

Linked Numbers

Link Type	Linked Number	Description	Created By	Created Date
—	IO0910-0067	Related Information Only investigation	Con D Balsley	29/10/2012

Assignments

Unit Assigned	Internal Investigations
Investigator Assigned	Un-assigned
Field Investigator	[Pending assignment]
Supervisor Assigned	Un-assigned
Outside Investigator	—

Incident Level Organization Assignments

District	Eastern District	Division	Eastern Support Div
Station	Section	Section	—
U Define 5	—	U Define 6	—

Mailbox Routings

There are no mailbox routings

Summary

An investigation into allegations that DPEM employees used the prostitution services of a 12 year old girl resulted in the Interview of Constable s.36(1). As a result of a review Constable s.36(1) was interviewed a second time and it was found that he had lied in relation to the use of prostitutes. Constable s.36(1) to be reprimanded for providing misleading information during the course of an internal investigation.

Involved Officers

Constable s.36(1)

Policy Outcome Not yet entered

Snapshot Data

Role

—

Employment Status at Time of Incident Full Time

Body camera worn

—

Officer was in uniform Yes

Officer was arrested

No

Officer was off-duty No

Officer was employed off-duty

No

First Name

s.36(1)

Last Name

s.36(1)

Sex

Male

Race

White

Age when incident was received

s.36(1)

Weight (kg)

—

Height (cm)

—

Officer Assignment Snapshot

Title/Rank at time of incident

Constable

Years employed at time of incident

s.36(1)

Badge number at time of incident

s.36(1)

Years assigned at organization at time of incident

s.36(1)

Supervisor

—

District

Eastern District

Division

Eastern Support Div

Station

s.36(1)

Section

—

U Define 5

—

U Define 6

—

Allegations

Breach Code of Conduct - Fail to behave with honesty and integrity
- Finding: Sustained - Date Of Finding: 16/08/2011

Actions Taken

Reprimand - 16/08/2011
Reprimand by the DCOP

Citizens Involved

COP s.36(1)

Date Of Birth	—	Gender	—
Race	—	Ethnicity	—
Addresses	—	Phone Numbers	—
Email			
Role	—		

Attachments

Date Attached	Description	Attachment Type
30/10/2012	DCOP to Cons s.36(1) Outcome	tif

BlueTeam Routings

There are no BlueTeam chain routings