



PARLIAMENT OF TASMANIA

HOUSE OF ASSEMBLY

COMMISSION OF INQUIRY SCRUTINY COMMITTEE

TRANSCRIPT OF PROCEEDINGS

with

**THE HONOURABLE FELIX ELLIS MP
MINISTER FOR POLICE, FIRE AND EMERGENCY MANAGEMENT**

Wednesday 6 December 2023

MEMBERS

Mr Wood MP (Chair);
Ms Johnston MP (Deputy Chair);
Ms Haddad MP;
Ms Dow MP; and
Dr Woodruff MP

OTHER PARTICIPATING MEMBERS

Ms O'Byrne MP

WITNESSES IN ATTENDANCE

Hon Felix Ellis MP - Minister for Police, Fire and Emergency Management, Minister for Resources, Minister for Skills, Training and Workforce Growth, Minister for Racing, Leader of the House

Ms Donna Adams

Commissioner, Tasmania Police; and Secretary,
Department of Police, Fire and Emergency
Management

Mr Jonathan Higgins

Deputy Commissioner, Tasmania Police

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THE COMMISSION OF INQUIRY SCRUTINY COMMITTEE MET IN COMMITTEE ROOM 1, PARLIAMENT HOUSE, HOBART, ON WEDNESDAY, 6 DECEMBER 2023

The Committee resumed at 4.20 p.m.

CHAIR - The time now being 4.20 p.m. The scrutiny of the Minister for Police, Fire and Emergency Management will now begin. Welcome, minister and members of the force. Minister, would you like to introduce the persons at the table?

Mr ELLIS - Thank you, Chair. Donna Adams, Secretary of the Department of Police, Fire and Emergency Management and Commissioner of Police; Jonathan Higgins, Deputy Commissioner of Police, and my chief of staff, Elaina Deayton, who won't be taking questions.

CHAIR - The time scheduled for the scrutiny is one hour. Minister, would you like to make a brief opening statement?

Mr ELLIS - I want to start by acknowledging all victims/survivors for their bravery and sharing their experiences as part of the commission of inquiry and also outside of the inquiry. I also acknowledge the many others who were not able to come forward, but who we know need our most commitment and support.

We must do everything we can to make sure our children are loved, safe, protected and nurtured. Our Government has committed to implementing the 191 recommendations and 75 findings handed down in the final report. This work is prioritised within the Department of Police, Fire and Emergency Management with a dedicated commander of police leading the work.

Further, our Government has committed \$7 million to support DPFEM to implement the commission of inquiry recommendations as expediently as possible. As Minister for Police, Fire and Emergency Management, I am committed to leading the cultural reform needed to rebuild trust and to do whatever it takes to make sure we keep children safe.

Chair, recognising the interest in previous sessions on the steps taken by our Government in response to staffing matters, I'd also like to offer the secretary an opportunity to make an opening statement on how this is being managed within DPFEM.

Dr WOODRUFF - Chair, I'm wondering if given the time if that could be very brief because we have a whole range of questions?

Ms ADAMS - I'd also like to thank victims/survivors for their courage in coming forward and their participation in the commission of inquiry process.

The commission of inquiry provided examples where police officers provided trauma-informed response to supporting victims, but there were also examples where we did not provide the level of support we should have. I can publicly state, as commissioner, and on behalf of all police officers, we commit to doing better and learning from our past failings. We began the work before the commission of inquiry report was handed down and will continue to do our very best to implement all recommendations before the time period allotted.

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As commissioner for police, I've undertaken an assessment of employees who have been subject to adverse commentary within the commission of inquiry report. I can report six employees were subject to that assessment, three of those employees are former Tasmanian police officers, and three are current officers.

Those assessments, the six, have been completed, two will see no further action taken, four have been assessed against our internal complaint management system, ABACUS, three of those four have been found to breach the code of conduct and they have previously been disclosed in parliament as part of the conclusion of the code of conduct investigation process, and one is incomplete. That incomplete investigation is due to that officer being deceased and it's fair to say that is Paul Reynolds.

In terms of as a head of agency and the secretary responsibilities I have, I have conducted two assessments in relation to State Service employees. They are both current State Service employees, that assessment for each of those individuals is complete. On 6 October, I instigated ED5 processes against those two employees.

CHAIR - Thank you.

Ms O'BYRNE - Minister, I wanted to talk about the youth intervention process and the immediate response we provide to allegations. Can you confirm when child safety family violence reports are made regarding younger people, that as a first response they're referred to the youth intervention unit, which is the one that deals with cautions, counselling, the conferencing process? Why would we not be referring them directly to Arch to provide a more trauma-informed gateway, given that, I understand, most of them end up being in that area, in the end point. It seems to be an unnecessary step we're taking. I have some other questions on that depending on where we are.

Ms ADAMS - I'll make some brief comments and then pass to the deputy commissioner. From an operational perspective, the process has changed because we now have a family and sexual violence command, which has responsibility for sex crimes and family violence. That includes victims from any background, of any age. The early intervention units do provide a role in liaising with other agencies to ensure we're sharing information, but that's the current arrangements we have in place with the introduction of the new command.

Ms O'BYRNE - I am advised these are still being reported and there are as many as 35 a day are being reported to the youth intervention unit in the south alone.

Ms ADAMS - You're talking about CSS referrals?

Ms O'BYRNE - There's the CSS referrals and family violence referrals heading, so there's about 35 in the south. It would be good, minister, if we could get the numbers from a regional perspective, but also of those ones ending up in an Arch pathway. Which ones are actually subject to a youth intervention process? It seems we've almost a full-time workload, which is just slowing down the process of a trauma-informed response to these matters. We'd be better off having the few youth intervention ones ending up with youth intervention, rather than them dealing with every single one of those issues first.

Ms ADAMS - CSS referrals can come in many forms and the 35-a-day may well be accurate in the south alone, but they don't all relate to family violence. They could be about a

child not attending school, they could be in relation to an interaction a police officer may have with a child during the course of their duties. Those CSS referrals are reviewed to ensure we're taking the appropriate action to minimise risk. If there is a case of family violence, those matters will be considered by our family and sexual violence command. The Government has also given us money, as part of the interim budget process, for us to increase the number of analysts we have in our Safe Families coordination unit. Those analysts are there to also help manage the uplift we've seen in CSS referrals to ensure we are closing the gap on any risk.

Ms O'BYRNE - Can I get the data by region of the number that go into that unit and that are then referred either onto an Arch model or remain in the youth intervention area. If I can put that on notice, minister, would that be okay?

Ms ADAMS - I don't have the details.

Mr ELLIS - Yes, it was one of the recommendations of an evaluation of the Arch centres from the commission of inquiry. As part of the Government's initial response, a funding of \$5 million has been provided to establish a third Arch multi-disciplinary centre for victims/survivors. It will be based in the north-west. We're currently working through the rollout of that, but it has been a strong piece of work.

Ms O'BYRNE - Can you confirm, though, under this referral process, where things end up at youth intervention first, so CSS will refer to youth intervention, where appropriate, that if something comes in around about 4 o'clock or later on a Friday, that those matters are not reviewed by youth intervention until the Monday morning?

Ms ADAMS - There is a number of processes in place that actually manage a CSS referral. A referral may come to us from another agency or we may instigate the actual referral ourselves. They go into our crime management unit to ensure the appropriate linkages are made. They also have to be approved by a supervisor before they're actually submitted. There is a process to ensure there is crossmatching, we have the right entities and individuals. Our analysts within our Safe Families coordination unit can provide an analytical overlay before that referral is forwarded onwards.

Ms O'BYRNE - Commissioner, I appreciate that. What I'm talking about though is a number of things come straight out of CSS to the youth intervention unit and if the sergeant, for instance, who has historically been doing that role, I believe it's constable now, is not there to do it on the weekend, it doesn't get done. That is what I am advised and concerned about.

Mr HIGGINS - Through you, minister. We probably need to clarify how these come in. You are using an example there at four o'clock on a Friday: if it is of an urgent nature CSS won't just put a report in and send it. They will do a phone call straight away to elevate the risk straight away. So, whilst everything goes through perhaps the sergeants in the three districts, if there is a matter that requires urgent attention it is not just a report that goes across; it is a phone call between the two and there would also be the ARL contact within DECYP.

So, nothing that requires urgent attention will just be dropped in an email or referral across.

Ms O'BYRNE - Would it not be easier to send it to a trauma-informed process of an Arch centre first and then deal with the ones that come back to the sector? Surely, if we are

looking at a trauma-informed response and you've set up the arches who are absolutely funded and resourced and trained to do that, why would we not go there first?

Ms ADAMS - Through you, minister. As I indicated, a lot of the CSS referrals don't relate to a sexual-related matter or a family violence matter. They could be a child who is not attending school who has had an interaction with a police officer. A referral is put in can be for a range of reasons so that there is some follow up that will happen that may help in case manage a young person away from criminal offending. They may need support in their home there may be a reliance on alcohol when we have a substance abuse issue.

There is a whole range of CSS referrals, so they are not all related to sexual and family violence.

Dr WOODRUFF - Minister, in relation to the commissioner's comments earlier about the assessment and actions by herself in relation to former and serving police officers and the commission of inquiry report: commissioner, through you, minister, you said that there are three current Tasmania Police officers who were referred to in the commission's report and there are three former Tasmania Police officers referred to in the report. The information shows that professional standards investigations have resulted in findings of three individuals having breached the code of conduct with a sanction determined. How many of those individuals who have breached the code of conduct are current police officers?

Ms ADAMS - Two of those; one has since left.

Dr WOODRUFF - The new information shows, and you've confirmed, that the incomplete investigation was Paul Reynolds. That is a significant detail because it reveals that with the investigation into Reynolds being noted as incomplete, that leaves two other former officers who could have been found to have breached the code of conduct. As I noted before, the information shows that three breaches have been determined. Can you share what that breach was in relation to and what that sanction was?

Ms ADAMS - You're wanting to know around the breach?

Dr WOODRUFF - Yes.

Ms ADAMS - They were in relation to a failure to exercise care and diligence in the course of managing an investigation. One officer was reprimanded, one officer was subject to a counselling, and one officer was subject to continuing professional development.

Dr WOODRUFF - You are confirming that the other two currently serving officers have been found to have breached a code of conduct?

Ms ADAMS - No, for the two where there were no further action: one of those officers has since left Tasmania Police but we still conducted an assessment to determine whether there was a breach and there was not. The other assessment is of a current serving police officer and it was determined that through that assessment that there was no breach.

Dr WOODRUFF - I've got a question to you, minister, but probably through the commissioner to Mr Higgins depending. It is around the Arch centres. I was contacted by a woman who has given me permission to use anonymised information. On 30 October, she

contacted the Hobart arch centre. The only contact option available to her was through an online form. She requested through that process to speak with Tasmania Police to discuss making a statement. Unfortunately, she never received any contact from Tasmania Police either by phone or email. That was five weeks ago and she says it hurt her a lot. She wanted me to underscore how hard it was to make the step of going to a black box online and the deep concern and fear she has about who may have read her information and why they haven't responded. Do you think, commissioner, deputy commissioner, that this is a trauma-informed response?

Mr ELLIS - Dr Woodruff, can I first say how sorry I am to hear about that experience. Generally speaking, Arch has been a big step forward for Tasmania Police in the way that we support victims/survivors. I want to reiterate how important it is that victims/survivors know that when they come forward to whatever service they're choosing to use that they will be heard, that they will be supported-

Dr WOODRUFF - I'm giving you an instance where that hasn't happened.

Ms ADAMS - As I said at the beginning, we need to learn from our failings. This is a new specialised area where we are hoping to build the trust in victims. I am more than happy to take that feedback. We need the feedback. It's important that we get the lived experience and where we're not meeting an expectation of a victim that we're understanding where those failings are so we can close those gaps.

I'm more than happy to take that offline and come back to you personally in relation to it. We want the community to have confidence in the Arch centres so that they feel that they can come forward and will be heard.

Dr WOODRUFF - Thank you, that's important and I will. So, I've had it confirmed that the Arch centres don't have a protocol for responding as to when they will contact victims? It's not stipulated on the website about how long it will take to be responded to.

I want to hear your views. The commission of inquiry report made very important recommendations around people who are in detention having access to online services for an anonymous reporting. That is not what so many victims/survivors want. They do not want to talk to a faceless black box, especially when - and I've had it said to me - there's a history of abuse and maltreatment by police officers. They don't know who's going to answer and look at that email on the other end.

Can you confirm that a phone call will always be available for victims/survivors who want to make a complaint, and talk about the protocol?

Mr HIGGINS - Through you, minister, I certainly can. Firstly, on the website, there isn't just a portal, there are 24/7 phone numbers that are able to be contacted as well. An urgent one goes through to the radio room, and it'll be a specialist investigator who will then ultimately make that contact.

We'd absolutely like to follow up the example you've used. We want to provide better service than that. I understand you've made the commitment, commissioner, that we will be able to do that so we can rebuild trust with that person.

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The protocols that are there for contact. There are dedicated staff within there - not only police but Laurel House, SASS in the south here - to ensure that contact is actually made. The website has more than just a portal. There are options there for people and there are 24/7 contact numbers as well. The specialist investigators are on call after hours.

Dr WOODRUFF - They're across Tasmania, aren't they?

Mr HIGGINS - Yes.

Dr WOODRUFF - I know that you probably do, but understand the deep concerns about people in regions. They want to know who's going to answer the phone and where they're from, and whether it's going to go to a centralised number, and whether that information will be made available to other people in a police station. They might be making a complaint against a member of Tasmania Police.

I've had two people speak to me about needing to be able to make complaints to Tasmania Police, and they want to know that they want to be dealing with one person and their information won't be available across the service.

There is concern about that 24/7 number. It's not the Arch centre. They've been promised the Arch centre and that's not available so they want something like that out of hours that's ring-fenced and anonymous.

Ms ADAMS - We do have guidelines that are obviously are very clear in terms of how we are to manage victims who want to come forward after hours, as the deputy said. It may be we have a communication gap that we need to address. We made changes to our website and they were made earlier this week where we did an assessment across all jurisdictions, across Australia, to see that we were providing the right information that a victim/survivor may need. I think the commission of inquiry themselves has actually identified we need to be better in terms of the information that we provide on our website. That has been, as I said earlier this week, Monday or Tuesday, that we made a range of changes to the website. If that's not clear, then we need to make sure that it is clear.

Dr WOODRUFF - I'll follow up with those details.

Mr HIGGINS - We definitely need that feedback to be able to make those changes.

Ms O'BYRNE - Can I just touch on that. I've got the site up now. The first one I clicked on didn't go anywhere. The second one has gone to a new document which is good. The concern that has been raised with me is that if you use the on-line form - and that may be because you are concerned about who might pick up the phone and we are a very small community and people know each other and privacy is important - it actually requires the person's actual name. Most service providers now work very carefully to identify pseudonyms that people can use or just a name that they would preferred to be called. That is made really clear and that is a really important trauma-informed way of making people feel safe about the information that they might give and have some level of empowerment.

Would that be something that you could amend to this too? If you are a high-profile person, if you are a police officer, if you are somebody who may have dealings with police before, putting your name on one of these forms is actually a lot to ask.

Ms ADAMS - Absolutely take that feedback on board. The Southern Arch Centre commenced at the end of July and the Launceston one started in August. We put the pressure on service providers and our own officers to make sure that we could get that service available. We are going to absolutely evolve and take feedback on board and improve the service and it's important that we get this sort of information which will allow us to be able to do that.

Ms O'BYRNE - Through you, minister, you have just sort of talked about that fact that you want to do ongoing and immediate change. There is a review that is being conducted later and I have a few questions about how that is going to be done, who is doing it and whether that will be publicly available. What sort of ongoing auditing are you taking on a day-by-day basis? We are dealing with very highly challenging issues for people, particularly around response times for calls and emails. Are you auditing how quickly that is done, particularly because, as we know, this email wasn't answered for a number of weeks? I actually thought it was more, so I apologise. My information was a bit higher than that.

If we were auditing, that would have come out and perhaps somebody wouldn't have gone all this time for us to have to raise it here before we think they might actually get that dealt with. What are you doing now to monitor it and what is the process of the review and the public release of that review?

Ms ADAMS - Through you, minister. The first thing we do that is anyone who comes through the Arch Centre we are actually seeking their feedback in terms of the experience and how we can improve it.

Ms O'BYRNE - I haven't said that you would have to contact them first.

Ms ADAMS - I understand that but that's an important process for us because some people may experience some of these difficulties in actually making that initial contact, so, we will be able to identify that.

In terms of the actual audit, we have a management review area within Tasmania Police which will allow us to get on the front foot in being able to understand where the service provision isn't meeting a victim's need. We have done this with our family violence just over the last 12 months. We set a criteria, and we sampled 20 files across each of the geographic districts. We obviously used a criteria to assess the timeliness, the level of service, a whole range of things, whether we've ensured we've complied with policy and procedure. That management review will be in the process of actually doing a similar assessment criteria to allow us to get ahead of the recommendation which, I think, is for us to complete by 2026.

Ms O'BYRNE - One of the issues for the Arch, of course, is both a cultural issue and a resourcing issue. I appreciate that I might take a couple of questions for this and am happy to recognise the impact of that.

First of all, from a resourcing perspective, we know that organisations like Laurel House, SASS, Family Violence Counselling Support Service, are not funded for the entire cost of their contribution to the Arches. They don't get enough money to do their bit and often are using other core funding or funding identified for other purposes in order to fund that. They are not funded enough to do the work that they need to do now, let alone what we are seeing in increasing referrals.

My question is, what's going to happen about that if police are going to continue to run this? Will police be subsidising that entity? Does police see that as part of their budget responsibility to ensure that the service providers who are working in Arch are funded in order to do that? Something has to give in their services and we know that their wait lists are out of control already. Is police taking that on? Or is that something that the Government broadly is going to be responding to, minister? It's a great model if we fund it and we don't therefore sabotage the existing work that they do.

Mr ELLIS - Can I offer a few comments around the budgeting side of things. We're really committed to making sure that we're appropriately funding the response to the commission of inquiry. That's absolutely the number one priority of our Government. The Premier's announcement yesterday, for example, around additional funding for SASS and Laurel House, noting in somewhat different context, but -

Ms O'BYRNE - I'm a little concerned, in fairness to you, minister, you've not been here, but that's been rolled out a lot as 'it's okay we've fixed it all'. I'm not sure that people's understanding of what the harmful sexual behaviour unit actually is what they think it is.

Mr ELLIS - I've mentioned it in a different context, but certainly they are the same service providers. I mentioned before as well as part of our initial response was an additional \$5 million into rolling out North West Arch as well. That additional commitment is significant and important particularly for people in the region I live to be able to access those services is going to be very important. We continue to stand ready to work with government agencies but also NGOs and other important providers in this space. SASS and Laurel House are key partners of ours around that and around making sure we have additional funding for additional work that is coming in. We are also seeing a significant uplift in people wanting to come forward, wanting to report or just wanting to receive support services as well.

Ms ADAMS - I've just got a couple of answers. When we did the examination across the other jurisdictions and what works really well in particular of multi disciplinary centres, we took their advice. Their advice was make sure that you do a pilot and you actually evaluate the pilot so you know what your service delivery demands are and that's exactly what we're doing. We've engaged ANROWS (Australia's National Research Organisation for Women's Safety) to do an evaluation framework. There are stages to that evaluation and what that will do is demonstrate again where we need to meet demand and allow us the appropriate opportunity to put a budget submission that will allow then the permanent funding for those particular Arch centres.

Ms O'BYRNE - Through you, minister, we've already identified when there was an issue with the website you were able to act by looking at things whilst this trial is under way. If it has been raised with you that those services are not funded to do the work that you're asking them to do, surely that is something that doesn't have to wait. We know it's a problem now. It's not going to not be a problem at the end of the review and will require budget funding. If that's not a matter for you, then who is it a matter for?

Mr ELLIS - As I mentioned before, we're really committed to making sure that we're working through to support service providers as well as Tasmania Police through the Arch Centre. Our Government has already committed significant new resources into this space on top of the \$15.1 million that was put in to establish the Arch Centres and we are continuing to

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work with those service providers for an additional \$1 million as part of our dedicated family and sexual violence command through Tasmania Police. We'll be working through as part of the budget process in the usual way.

Our Government's commitment is very clear. We have delivered significant new funding already as part of the response and are committed to continuing to work with service providers, law enforcement and other agencies to make sure that victims/survivors have the support they need.

Ms O'BYRNE - I note that the police element of the program is understaffed and you have had to advertise for more positions. I was hoping you would be able to provide the same support to the sector you're working with.

Dr WOODRUFF - Minister, during the commission of inquiry's targeted consultation that they did of Tasmania Police, one officer described young people at Ashley as 'the worst of the worst,' and said, 'They are not very nice people, these kids.' Another said, 'It was too easy for kids to make allegations about these staff and their reward for holding the line against these kids is to be the subject of allegations'.

That consultation the commission did took place after at least some training had apparently taken place with Tasmania Police. There are also claims of a police officer laughing at allegations against a staff member at Ashley and the Assistant Commissioner of Operations noted that Tasmania Police needed to work 'on its unconscious bias' against detainees or young people with a criminal history wanting to disclose child sexual abuse to police.

This is clearly not unconscious bias, it's overt bias. It's troubling that bias not only exists in Tasmania Police but appears to have persisted after training has been taking place. I would like to hear, probably from the commissioner, about what she'd intend to do about police officers whose attitudes persist even after training, whether Tasmania Police is prepared to instigate codes of conduct or terminate officers who resist cultural change?

Mr ELLIS - Thank you, Dr Woodruff. I will offer a few comments to begin and I will pass to the commissioner as well. Tasmania Police will review the finding in volume 5, chapter 11, which relates to improving its responses to allegations of child sexual abuse made by a current and former detainee at the Ashley Youth Detention Centre. Tasmania Police recognise the cultural change component of this finding and it's in line with the findings from the Royal Commission into Institutional Response to Child Sexual Abuse. Amendments were made in 2021 to the Tasmania Police Manual to reflect cultural change and victim principles -

Dr WOODRUFF - Thank you, minister, I don't have long. Thank you, but that's not answering my specific question.

CHAIR - Order, Dr Woodruff. Please allow the minister to answer.

Mr ELLIS - Dr Woodruff, I am only trying to be helpful here.

Dr WOODRUFF - I'd love to hear from the commissioner.

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Mr ELLIS - The Education and Training Commander are reviewing the current curriculum to both recruit and in-service programs to embed and reflect cultural change. I know that Tasmania Police are committed to this work. I will pass over to the commissioner.

Ms ADAMS - The Tasmania Police, under my leadership, went through a significant body of work to look at our values and to ensure that our values represented how we, as an organisation, want to behave and how the community expect us to behave. We had close to 50 per cent of our staff engaged in that particular program.

The values have changed and we expect our staff to live and act in accordance with those values of being accountable, integrity and respect and support and in every opportunity that we have to reinforce and showcase the great examples of behaviour in alignment to those values we do, but conversely, we also do that where those values and the behaviour does not meet our standards and expectations.

If those scenarios, as you have described and they are in the Commission of Inquiry Report, were to happen right now, absolutely the first reference point is back to the values and seeking an explanation from our officers about whether the behaviour and comments were in alignment with those values and based on what may or may not be their motivations for making the comments would be something that I'd consider, but it is an important thing. Values are not words on the wall, they are what we expect of our organisation in all police officers and we continually use examples to highlight what we expect.

Not only have we got our values, we re-did the Keeping Children Safe handbook in collaboration with the department of Children, Young People and Education and we have very clear protocols in there about what is expected when police officers attend a youth detention centre to take a complaint.

We also now have specialists, sex investigators, who will be the people that will attend youth detention centres to take those complaints. They're trauma informed, they have received training and that is why we have dedicated our Family and Sexual Violence Command to ensuring that they are the pre-eminent command that will provide support to victims in relation to complaints and allegations of child sexual abuse. I would like to think that it won't happen, it wouldn't happen again.

Dr WOODRUFF - If it did happen again, and a complaint was made, then what would the process for action in response to such comments?

Ms ADAMS - As I said, we would expect that our police officers would be asked to provide their perspective on why the allegation or complaint was made and then we would determine whether that needed to move to a code of conduct investigation or not, but very clearly the values are what we expect our police officers to behave in alignment with.

Dr WOODRUFF - Are people screened when they apply for entry into Tasmania Police for child sex abuse and where do those referrals go to?

Ms ADAMS - Referrals we wouldn't take a -

Dr WOODRUFF - Well who does that screening, it's within Tasmania Police?

Ms ADAMS - We do an extensive screening. We have an independent provider that does what we call a job suitability test, which is a screen before they actually get to the next gateway of interview and further examination of their character. Then, as part of our selection process, there's an extensive intelligence review. It's a review across other jurisdiction with national criminal intelligence systems across Australia to ensure that we don't have individuals who've got concerns that we wouldn't employ. We often pick up individuals who have applied that do have those reports and intelligence in other jurisdictions.

Dr WOODRUFF - The handling of James Griffin's complaints was one of the matters that was deeply concerning. I note that there was an internal investigation that identified some of the key details of the failure that took place. In respect of the mishandling of the Australian Federal Police information, some disciplinary actions were taken but there's so much that we still don't know about those matters. Given the attitudes of some police officers identified by the commissioners in their report, did the investigation into Griffin examine whether or not any of the acts or omissions in relation to reports in respect of Griffin, whether they were deliberately made because the officers involved did not believe the allegations?

Ms ADAMS - It was a very comprehensive examination and review in relation to our touch points in relation to Griffin. That comprehensive review was to provide it to the commission of inquiry as part of an active disclosure that we made to the commission of inquiry. I am confident with the findings that came as a result of that review, we've taken immediate action in terms of training, the disciplinary reaction as you've identified and the commission of inquiry also had an opportunity to review the extensive report and the nature of the investigation that we undertook in response to Griffin.

Dr WOODRUFF - I've got one more, the current investigation into Tasmania Police has its terms of reference that were written by yourself as commissioner and it does not have the power to compel witnesses. Compliance is voluntary for former officers. You have said that you will instruct serving officers to provide testimony but you have no jurisdiction over past officers, such as people who have been named in relation to Paul Reynolds, such as the former commissioner and other former members.

This is apparently extremely serious and, at least on the face of it, very suspicious failings of Tasmania Police in relation to Griffin and Reynolds. Do you understand why people in the community are concerned about the model of investigation that you're currently overseeing?

Ms ADAMS - I can understand their concern in the first instance about our response to it, but a very clear message to anyone listening they should have complete confidence in our independent reviewer. I've spoken to the independent reviewer and I've asked her at any time if she believes that the terms of reference need to be broadened, if at any time she needs me to provide a direction to any current police officer to answer questions, that I will.

The independent reviewer has come back and has asked for me to extend the public's submissions and the opportunity for her to continue with private sessions. Absolutely, I endorse that approach. I have complete confidence in the independent reviewer and the credentials she has. I have been provided anecdotal information from victims/survivors who also have confidence in our independent reviewer. Let me say, as a commissioner -

Dr WOODRUFF - There is no doubt about that, there is no question about the reviewer. There has never been a question about Ms Weiss. The question is about her powers. I hear

what you're saying about serving officers, but what about former officers, what if they don't want to appear and provide testimony?

Ms ADAMS - Again, if the independent reviewer needs any additional support, expansion of terms of reference, or runs into any blockages that would -

Dr WOODRUFF - Or additional powers to compel people to appear.

Ms ADAMS - I've spoken to the independent reviewer and she does not believe that she needs any independent powers. She's done a review similar to this in Victoria with Victoria Racing. She speaks very confidently about her ability to engage with people she needs to get to the bottom of the truth.

As commissioner, on behalf of every Tasmania Police officer, I want to know whether we've got people involved that have covered up for Reynolds, whether there are code of conduct breaches, whether there are crimes committed. How can we give the confidence to the community unless we have a review that is independent and of this comprehensive nature?

Dr WOODRUFF - Yes, and I really hope that it gives people closure.

Ms ADAMS - We will publicly release that report. It is in the interests of us to restore that confidence in the community that we do that. We have been very clear that will be the approach we'll take. We should get an interim report by the end of January. That report will come to me and I will publicly make available.

Ms O'BYRNE - On that subject of independence of reports, one of the recommendations of the commission of inquiry is in relation to allegations of police perpetrated child sexual abuse. The intention is to set up a framework similar to that of the way we deal with allegations on police who are involved with family violence matters, so that is somewhat separate from normal police investigations, but not yet independent.

The sector has expressed significant reservations on the current review process we use for family violence. Given that those reservations exist, why do we think using the same model for allegations on child sexual abuse is an appropriate way to go forward under a review panel that currently does not have that significant level of independence? We've talked about it already today. We're a small community, people know each other, and they're related to each other. It becomes very difficult to deal with the unconscious bias issue Dr Woodruff raised before. People might not realise they're being protective in their nature.

What's being done to hear those voices of the family and sexual violence sector group, to have confidence in a process we are about to undertake, for all of these cases? Given we're now having to go through quite an extensive process on Mr Reynolds, that has ended up needing to get Ms Weiss in, why would we not be looking at a far more fully independent process similar to Nova Scotia which has a model absolutely separate of police, to allow that investigative process? Just because this might be a lengthy answer, I'll throw in my other questions around it.

There are some concerns on the nature of interviewing children who've experienced any form of sexual abuse, because it is a highly specialised skill. With great respect to the significant training I understand your sex crimes unit would've done, it is something that is an

extension of their job. There are people who are highly trained in this area, in our state, and in Australia already. What strategies are going to be in place to ensure those investigations are led or are overseen by professional standards and will actually have that rhetorical safety and wellbeing of child victims with that access to highly specialist investigators with that training in trauma-informed care and child interviewing? Will experts from the sector be included in that process to ensure it's being done or will we be going to asking people to come from interstate?

You're asking people to trust you, and I know you want them to, and I genuinely believe you want to get to the bottom of this. However, at the same time, we're asking people to trust themselves with a service that has let them down, so why would we not look at a more independent model? Within whatever model, why would we not be bringing in those family and violence sector experts, external to police, to be part of that, to provide that level of oversight and skill base?

Mr ELLIS - Thanks, Ms O'Byrne, and I'll pass to the commissioner shortly. Can I say Tasmania Police and the Tasmanian Government take any allegations of child sexual abuse, particularly against police officers, very seriously. In 2022, Tasmania Police established the family and sexual violence involving police review committee, which provides evidence based, timely and transparent advice on any allegations made independently of Tasmania Police. Child sexual abuse allegations involving police officers will now be assessed in the same manner through the review committee's expanded remit. The expanded remit commenced on the handing down of the commission of inquiry report and the terms of reference are currently being reviewed and will be updated to reflect this recommendation.

The review committee is chaired by an independent person, that is Ms Debra Bailey, to ensure transparency and independent oversight of all matters involving Tasmania Police. I will pass to the commissioner.

Ms O'BYRNE - As I understand it the process has police in it, has lawyers in it, has a victim/survivor who is also a state public servant. I guess the key is, where is the voice of victims/survivors in the community and at the sector in this?

Ms ADAMS - I'll make a couple of comments and then I will throw to the deputy commissioner. The first thing is the commission of inquiry made this as a recommendation because they had confidence in the committee and the way the committee was being run.

Ms O'BYRNE - But you know the sector has raised concerns about that, and so knowing that, you must take that into consideration.

Ms ADAMS - I haven't had feedback from the sector in relation to it. In fact, I've rather had compliments in relation to a challenging matter where the independent reviewer is there to make me feel uncomfortable. That is my message to her every time we meet: you are there to make me feel uncomfortable. She will make recommendations to both the deputy and me regarding her review of matters. I think from my experience the actual committee is doing what we intended it to do. I again reiterate the point that the commission of inquiry was fully cognisant of the operations of that committee and were comfortable in expanding its remit. I think that is an important thing.

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I will throw to the deputy to talk about the training and the fact that we have a family violence commander on the committee because obviously she is trauma informed. When we need specialists or whether an individual should come through Arch, that is available to occur. Anyone who is concerned about coming forward, and I encourage people to come forward, have the confidence that we are going to investigate and deal with matters relating to our own police officers. There will be a zero-tolerance approach on it. Let me make that really clear. We don't tolerate police officers who are family violence offenders. We certainly do not tolerate criminals who are involved in child sexual abuse.

I will throw to the deputy in terms of how the committee operates so that you do have the confidence as did the commission of inquiry in making it a recommendation.

Mr HIGGINS - Thank you, through the minister, I will try to tackle - you have a number of questions within it and I will hopefully cover on those.

Firstly, with the independent chair, the independent chair is a very robust chair and she does make us feel uncomfortable. It challenges the members of the committee. The committee when we increased the remit to do sexual abuse as well in relation to police perpetrator, brought in the Family Violence Sexual Balance command and also what it did was give that greater understanding of that committee of that remit. What they do in relation to this, if there is, say, a young person comes forward to say they have been abused by a police officer, it's a specialist interviewer who will actually do it, if there is need for a specially trained doing the specialist training through our academy and the University of Tasmania alliance specialist interviewing modules with CIA - I can't actually remember what it stands for now sorry - it is a mainland group that does interviewing with us -

Ms O'BYRNE - You actually bring somebody independently in already?

Mr HIGGINS - To do the training for us. But, there is also the Witness Intermediatory Scheme that was set up under the royal commission from 2014 which has only been in place for two or three years now and has worked very well with being able to engage with witnesses, whether it's a child witness or an adult witness that has different types of needs.

We identify how to get the whole story from that person. It's not just the incident fronts about things leading up to it. It's really unwrapping in a trauma-informed way the entire situation.

These types of matters are not investigated by our professional standards solely because they are not all specialists in child interviewing. It does bring in now the specialist interviewers out of Arch and the wraparound services there and our police officers and supports as well. So, Laurel House, or SASS, or other agencies are part of that entire process as well. Because it is victim [inaudible]. We have to be victim-centric, we have to look at the victim and what best supports them. It is not only that police-centric investigation that we have spoken about in the commission of inquiry. There was an example of almost walking through the dark hallways of Launceston Station to get somewhere. That was a pretty powerful message about what is needed and the type of environment that needs to be understood to make someone feel comfortable in a really horrific circumstance.

Ms O'BYRNE - I appreciate that answer, but my questions do come from the sector so there obviously is a concern. That might be something that is best approached with the new

Sexual and Family Violence Alliance as a discussion at the next meeting. They have concerns which means something must be falling over. Maybe it is because they are not funded to provide the amount of resourcing that they need to do that job.

Dr WOODRUFF - On page 9 of volume 2 of the commission of inquiry report, the commissioners note that they received accounts of organised abuse. By that, they mean multiple paedophiles conspiring to sexually abuse children. That was beyond their capacity and scope to investigate. They sent it on to Tasmania Police to investigate.

Can I confirm from the commissioner, deputy commissioner, whether those matters are being investigated and whether you intend to make a public statement on the conclusion of an investigation to provide some advice and closure to the community?

Mr HIGGINS - Yes, I personally met with the three commissioners when it was spoken about publicly but before the actual release. I did that with Assistant Commissioner Bodnar. Commissioner Benjamin in particular had had done a lot of one-on-one conversations with people. He thought they were 'groupings' of people. Whilst there was no actual evidence that was in there, from his considerable experience, not only as assistant commissioner, but in the family law court as well, he thought these groupings might be within sporting groups, whether it was in health, in different components. That is still being reviewed by the Family Sex and Violence Command. There has been nothing as yet to indicate an organised child abuse ring operating in any one of those circumstances.

There were some names that were across a number of them. Whilst it was outside the remit of the commission of inquiry because it was outside the institutional settings, there was certainly a conversation that was important enough for the three commissioners to want to have a one-on-one with me to go through that and give me the understanding about where the information had come from, how it had come about, and his reasons for doing the type of grouping so we could look at it. It is absolutely being taken seriously. Each individual is being assessed about what information there might be and we will ensure we fully investigate each one.

Dr WOODRUFF - Will there be a sort of an ongoing investigative taskforce set up to look at organised child sexual abuse? As a member of parliament, I am still hearing rumours and very concerning speculations. Things I have spoken about in parliament before in relation to James Griffin and allegations of a paedophile ring that used to meet regularly at the Launceston General Hospital and the connections between Police Officer Reynolds, Deloraine and around Launceston. How do we track this? I will not repeat it now, but there is more current information and I will talk to you offline about it.

It is extremely concerning. Paedophiles are getting smarter and they do work together. Is there a commitment to have some sort of focus in an ongoing way?

Mr HIGGINS - Through you, minister, absolutely a commitment to do that. Whilst it is not a taskforce, our new Family, Sex and Violence Command, which has only been in place since July, has the specialist sex crime investigators to do this and they are doing this. They are investigating these matters and any matter. If you have any information, please pass it on to me and I will ensure that it goes to the Sex Crime Units to follow it up.

Dr WOODRUFF - Okay, I will do that then.

Ms ADAMS - Some of the additions to that command that we didn't previously have - analysts. We are actually able to join information that may be irrelevant to somebody else, but we have that analytical capability and we also now have the two Australian Federal Police officers that are involved in child exploitation investigations. They are connected in that command. They are valuable additions which allow us to build a profile of concern and information.

We have the capability to continue to monitor people about whom we have concerns. It is absolutely a commitment to rid our community of these despicable individuals.

Ms O'BYRNE - On the subject of Arches again. I am very pleased to have the north-west announcement and I absolutely welcome that. The statistics of the work that is going into Arch at the moment also tell a bit of a story that requires a response. Significantly, the numbers are mainly in the south so my question on that level of data is: are we going to be resourcing to need or is there a one-resource model that will be applied to each of the regions? Will there be the same staffing in each region or will we be uplifting the resource to meet the need? At the moment the south has significantly more, according to the data.

The second is the nature of the clients coming through the process. What is really clear is that we're not seeing what we would imagine to be a community representation of some of our more marginalised groups. There is not a sector worker who doesn't know that the people at most risk are certain groups in community have significant risk. They don't seem to be coming through the Arches at the moment, which speaks to some kind of challenge.

I guess I am wondering what is going to be done to ensure that the model is seen as successful enough or safe enough and responsive to the needs of diverse communities including Aboriginal people, LGBTIQ+ community, cultural and linguistic diverse community, migrants on temporary visas, sex workers and particularly people who may have a less than positive relationship with police due to previous criminal histories or any other marginalisation that impacts on their relationship with police. What the data is so far showing is we are probably not capturing what we would believe to be the kind of numbers that exist in community.

So, will we do resourcing to need? What are we doing about making sure that those people feel safe to come into a service so it doesn't become a service for educated, engaged people who find it easier to access services only.

Mr ELLIS - That is obviously still a really important group but you are absolutely spot on in terms of about helping more people feel comfortable about coming forward and receiving the support that they are choosing to receive. That is why Arch was set up. That is a big part of what we're hoping to achieve as part of the service. Helping to make people feel more comfortable coming forward or whatever their background is absolutely vital as part of the work that we are doing.

So, I will pass to the commissioner on that.

Ms ADAMS - I guess the numbers at the moment would be indicative of the south opening first. That opened well before Launceston so you would expect that there would be more uplift in obviously the greater population in the southern part of Tasmania.

Ms O'BYRNE - The numbers tend to be both monthly and cumulative. There is a pattern.

Ms ADAMS - Again, your question absolutely highlights the reason why it is a pilot. We need to make sure that we get the opportunity to review how the model is working, where the gaps are, where we've got an uplift we can expect and it is going to allow us then to approach a budget submission and change the model to accommodate that.

In relation to the LGBTIQ+ community, we have just launched an action plan that we developed with the community. We have a strategic steering group which is representative of the community and they have helped shape that action plan.

Ms O'BYRNE - Is that plan for all marginalised groups?

Ms ADAMS - That is for the LGBTIQ+ community. It is a great model.

Ms O'BYRNE - No, that's great. I have looked at it, it looked excellent.

Ms ADAMS - It is a great model for us to use to help us with-

Ms O'BYRNE - Which you intend to do.

Ms ADAMS - Yes with the other groups, in particular the indigenous community, for us to actually start that engagement. The process of collaboration and consulting with that community to get that action plan right and to make sure we can achieve what is in the action plan is a great model for us to be able to use as we move forward.

Ms O'BYRNE - That is a model broadly for police in terms of engagement but this is also around how the Arch is positioned and making sure that it is meeting the range of client base that it needs to, which the data so far doesn't show that being represented.

Ms ADAMS - And I think having ANROWS involved in setting that evaluation criteria is absolutely going to help us do that.

Ms O'BYRNE - What is going to happen? The Arches obviously have places but what are you going to do about those learnings that you get from the centres to ensure that east coast, west coast, and the island and remote communities are also getting the learnings that are coming out of that Arch model to make sure that our police there are as well informed.

Ms ADAMS - That's the process of doing the evaluation. We know that we're not going to be able to have specialist sex crime investigators in every regional area, but what we need to ensure that we've got training that will allow our staff to be trauma-informed and to manage that first touchpoint with a victim/survivor so we can then do a warm referral to our Arch centres-

Ms O'BYRNE - And we would expect that evaluation to be publicly released?

Ms ADAMS - There's no reason why it wouldn't.

PUBLIC

CHAIR - The time for scrutiny has expired, thank you very much. Just before we cease the broadcast I have a letter from the Premier to read into *Hansard* and to inform everyone:

Dear Mr Wood,

I write on behalf of all Government ministers involved with the Commission of Inquiry's scrutiny committee on Tuesday 5 December and Wednesday 6 December in relation to a request by the committee to respond to questions taken on notice.

The Government has expressed a sincere desire to assist the committee in this inquiry and that commitment remains. Government agencies are working as quickly as they can to generate the information to respond to the questions taken on notice. However, the volume and nature of the material requested is such that the agencies of the Government will not be able to finalise the production of the material in line with the committee's timeline, which was amended around midday today, 6 December 2023.

For many of the questions taken on notice, there are legal and privacy complications which need to be carefully considered in the preparation of responses. For many questions there is data extraction analysis and quality-checking required, which will not be possible in the time frame set by the committee.

The Government wishes to make sure that the information provided is accurate and quality assured to properly assist the committee. Ministers have been taking questions in good faith throughout the course of the hearing, and the committee's deadline has been set today without advance notice. For the reasons above, the Government respectfully requests an extension of time to provide a response to the committee until Monday at 5 p.m.

Yours sincerely,

Jeremy Rockliff, Premier.

Dr WOODRUFF - Chair, we'll have to go into committee to discuss that.

CHAIR - We're finished.

Dr WOODRUFF - No we have to go into committee.

Ms O'BYRNE - No not this committee, your committee has to.

CHAIR - Yes, okay.

The committee adjourned at 5.22 p.m.