

LMI 1005466

COMPLAINT BY:

Complaint by ^{AL} [REDACTED] re investigations conducted by Detective Sergeant STEEL.

POLICE DIRECTLY INVOLVED:

Detective Sergeant Kirren STEEL
Newcastle City LAC

ISSUES:

Issue 1

Inadequate Customer Service

Issue 2

Inadequate Investigation

BACKGROUND:

On the 28th April, 2010, the 29th April, 2010 and the 13th October, 2010 a series of Newspaper articles prepared by journalist Joanne McCARTHY were published in the Newcastle Herald newspaper. These related to allegations of concealment by members of the Catholic Church concerning historical sexual assault matters committed by now deceased priest McALINDEN. The complainant [REDACTED] was the centre point of these articles. (See ATTACHMENT 1)

^{AL}
These articles were subsequently forwarded by McCARTHY to NSW Police and allocated to Newcastle City LAC to investigate. Strike Force LANTLE was established by Newcastle City LAC in October, 2010 to investigate allegations of Conceal Serious Offence by members of the Newcastle Maitland Diocese of the Catholic Church. The investigation arose following a complaint by [REDACTED] and others that members of the Catholic Church failed to report historical sexual assaults committed upon them to the New South Wales Police. The officer in charge of Strike Force LANTLE is Detective Sergeant STEEL.

Since October, 2010 Detective Sergeant STEEL and others have attempted to progress this investigation. This has proved to be extremely difficult due to the actions of the complainant [REDACTED] ^{AL}

FINDINGS:

Issue 1. Inadequate Customer Service NOT SUSTAINED

^{AL}
The complainant [REDACTED] was initially spoken to at Waratah Police Station by Detective Sergeant STEEL on the 25th October, 2010. (See investigators note dated 25/10/10 ATTACHMENT 2) At that time a statement of complaint was only partially taken due to the

emotional stress the recollection of events have caused.

Further conversations with ^{AL} [REDACTED] occurred on the 2nd November, 2010, the 3rd November, 2010, and the 4th November, 2010. (See investigators note dated the 4th November, 2010 ATTACHMENT 3) Again during attempts to continue the statement of complaint, [REDACTED] became emotional and walked out of the station. ^{AL}

^{AL} On the 9th November, 2010 Detective Sergeant STEEL spoke with the daughter and son in law of [REDACTED] concerning this investigation. (See investigators note dated the 9th November, 2010 ATTACHMENT 4)

On the 18th November, 2010 Detective Senior Sergeant QUINN contacted ^{AL} [REDACTED] in an attempt to progress the investigation. (See investigators note dated the 19th November, 2010 ATTACHMENT 5) Detective Senior Sergeant QUINN outlines extreme difficulties in his dealings with ^{AL} [REDACTED].

On the 26th November, 2010 Investigators met with journalist Joanne McCARTHY from the Newcastle Herald. The purpose of this meeting was to illicit further information that McCARTHY indicated she was in possession of. (See Investigators note dated the 26th November, 2010 ATTACHMENT 6)

On the 30th November, 2010 Detective Senior Sergeant QUINN again spoke with ^{AL} [REDACTED] to progress this matter. On this occasion there seemed to be some progress in completing the statement of complaint by [REDACTED]. (See investigators note dated the 30th November, 2010 ATTACHMENT 7) ^{AL}

On the 1st December, 2010 Journalist Joanne McCARTHY from the Newcastle Herald Newspaper contacted Detective Senior Sergeant QUINN. (See investigators note dated the 1st December, 2010 ATTACHMENT 8) McCARTHY indicated that ^{AL} [REDACTED] was not happy with arrangements made on the 30th November, 2010 as outlined in Attachment 7.

Issue 2. Inadequate Investigation

NOT SUSTAINED

Strike Force LANTLE is not a difficult investigation in its nature. The difficulties that have arisen are directly related to attempts to obtain a statement from ^{AL} [REDACTED] to progress the matter. Until that is completed the investigation cannot progress. Detective Sergeant STEEL and others have been extremely patient and understanding in their dealings with [REDACTED] ^{AL}
The involvement of journalist McCARTHY has made this task difficult to say the least.

COMMENT

On the 9th December, 2010 I contacted ^{AL} [REDACTED] in an attempt to discuss her complaint. (ATTACHMENT 9) I found ^{AL} [REDACTED] to be extremely aggressive and difficult to deal with. In my opinion this complaint can be finalised. Further attempts will be made to finalise the statement by [REDACTED] under Strike Force LANTLE. ^{AL}

RECOMMENDATION

Section 163:

I have considered the invocation of Section 163 of the Police Service Act. I invoke that section in relation to this investigation. This complaint file and attachment are subject of a current criminal investigation.

Section 150 (A) and (B):

Involved Officer:

On Friday the 10th December, 2010 I spoke with Detective Sergeant STEEL. She was satisfied with my inquiry.

On Thursday the 9th December, 2010 I attempted to speak with the complainant regarding this matter. (ATTACHMENT 9) I am not prepared to wait weeks in order to further address this matter.

Certification:

I accept accountability and certify this investigation in terms of its quality, timeliness and completeness.

Signed

B. TAYLER
Detective Chief Inspector
Newcastle City LAC
10th December, 2010

Signed

Sydney
22/12/10