

## Statutory Declaration

I, Scott Andrew Metcalfe do solemnly and sincerely declare:

1. I hold the rank of Detective Sergeant of the NSW Police Force.
2. On 1 May 2013 I signed and produced a statement in answer to a summons for production issued on 23 April 2013 by the Special Commission of Inquiry into matters relating to the Police investigation of certain child sexual abuse allegations in the Catholic Diocese of Maitland-Newcastle.
3. Annexed to this statutory declaration at page 2 and marked "A" is a copy of that statement.
4. The statement which appears at Annexure "A" to this statutory declaration is true and correct.
5. This statutory declaration is made on the same basis as set out in paragraph 2 of my statement dated 1 May 2013 which appears at Annexure A to this statutory declaration.
6. I make this solemn declaration conscientiously believing it to be true, and by virtue of the provisions of the Oaths Act 1900.

Declared at Raymond Terrace on 2 July 2013

Signature of declarant

Signed

### Certificate of witness

I certify the following matters concerning the person who made this statutory declaration (the declarant):

[\* please strike out the option in each paragraph that does not apply]

1. \* I saw the face of the declarant ~~OR \* I did not see the face of the declarant because the declarant was wearing a face covering, but I am satisfied that the declarant had a special justification for not removing the covering; and~~
2. \* I have known the declarant for at least 12 months ~~OR \* I have confirmed the declarant's identity using the following identification document:~~

Signature of witness

Signed

Identification document relied on (may be original or certified copy)

Justice of the Peace

Leanne Mann

Name

173078

Registration No

**Statement of Detective Sergeant Scott Metcalfe**

**Special Commission of Inquiry into matters relating to the Police investigation of certain child sexual abuse allegations in the Catholic Diocese of Maitland-Newcastle**

**On 1 May 2013, I say:**

**Preliminary matters**

1. My full name is Scott Andrew Metcalfe and I am a Detective Sergeant with the NSW Police Force. I am presently located at the Port Stephens Local Area Command.
2. This statement is prepared by me for the sole purpose of responding to a summons dated 23 April 2013 issued on 23 April 2013 by the Special Commission of Inquiry (established by way of letters patent dated 21 November 2012 and varied by letters patent dated 11 January 2013) for me to produce a statement in relation to a number of defined issues. This statement is produced by me to the Special Commission of Inquiry pursuant to the said issued summons unwillingly and only on the basis that, without exception, section 23(2) of the Special Commissions of Inquiry Act 1983 applies to restrict the use of this statement and the documents referred in it, and attached to it. Pursuant to section 23(2) of the Special Commissions of Inquiry Act 1983 I object to the information contained within this statement, and the attachments to the statement, being used in any criminal, civil or other proceedings or inquiries or investigations of any kind.

**Background**

3. I was attested as a police officer in January 1988. Since my date of attestation, I have been engaged in performing general duties at Grafton and later for a short period, at Taree Police Station. I commenced carrying out plain clothes policing duties in 1993. I was designated as a detective in 1995.
4. After my date of designation as a detective, I carried out duties in Criminal Investigation at Taree from 1995 to the year 2000. After 2000, I joined a Hunter Region Target Action Group based at Newcastle Police Station. When this unit dissolved, I carried out similar duties at Lake Macquarie before returning to full time Criminal Investigation at Newcastle Detectives Office in 2003. There I remained until 2007 when I came to the Lower Hunter Local Area Command as a Detective Sergeant. In 2008, that Local Area Command was split up and the Port Stephens Local Area Command was formed. I have continued to serve in the Port Stephens Local Area Command from 2008.
5. Both prior to and subsequent to the date of my designation as a detective, I engaged in investigating major crime. This has included crimes such as murders, armed robberies, and other serious indictable offences.
6. To the best of my recollection, when I joined the Lower Hunter Local Area Command in 2007, Detective Chief Inspector Fox had already been appointed as the Crime Manager. When the Lower Hunter Local Area Command was split in 2008 I was stationed at Raymond Terrace Police Station which was within the Port Stephens Local Area Command. Detective Chief Inspector Fox continued to be the Crime Manager.

7. My past experience as a detective involved me in the investigation of both paedophile activities as well as sex crimes generally. Earlier in my career when I was based at Taree, I was attached to the Child Mistreatment Unit, which was being run out of the Newcastle office, but had a satellite office at Taree. I was attached to that unit for a period of about six months and during that time, it was a very busy period in terms of the workload that I was experiencing, and the number of investigations that were being conducted. This was in about the year 1994 and from that point of time onwards, when I have been engaged in general detective duties, I continued to carry out investigations into serious child sexual assault matters.
8. In terms of my investigation of sexual assault matters, I cannot recall being engaged in investigating sexual assault matters involving clergymen with the Roman Catholic Church.

#### Position of Crime Manager

9. Whilst stationed at Port Stephens, and whilst DCI Fox was the Crime Manager, I carried out duties as the Investigations Manager within the Local Area Command. It was part of my role as the Investigations Manager to review and allocate cases to those police officers who were under my control within the Local Area Command, including General Duties police. In terms of my overall experience at Port Stephens, I can also indicate that I filled in the role of Crime Manager from time-to-time, and thus was familiar with the requirements of that position.
10. From my knowledge of the function of a Crime Manager, Crime Managers did not, as part of their normal duties, engage in the investigation of crime, other than in specific circumstances. The specific circumstances where a Crime Manager may have conducted an investigation included critical incidents or internal investigations where the specific investigation was allocated to them. When it came to the investigation of serious indictable offences such as murder, serious sexual assaults and such matters, one would not expect a Crime Manager to be the primary investigator. In investigations of that type, the Crime Manager would have an oversighting role. The Investigations Manager, such as myself, would also be responsible for some degree of oversighting of investigations, as would any person holding the rank of a Detective Sergeant.

#### Strike Force Lantle

11. During my time at the Port Stephens Local Area Command, I had no knowledge of Strike Force Lantle, although I may have heard the name of such a strike force mentioned from time-to-time. However, there was nothing specifically told to me about the Strike Force or its workings. Further, I had no discussions with Detective Chief Inspector Peter Fox with respect to Strike Force Lantle or any ongoing investigations relating to sexual offences committed by clergymen associated with the Roman Catholic Church.
12. The first time I became aware of the existence of Strike Force Lantle and its workings, and the fact that it had been set up to any degree, was in more recent times, and in the period shortly prior to my being requested to prepare this statement for the Special Commission.
13. Further to the above, during the period of time when Detective Chief Inspector Peter Fox was the Crime Manager, and I was working under him, to the best of my recollection I had no discussions with him with respect to the fact he was

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undertaking any investigation in respect to the investigation of sexual assault or sexual abuse matters in general. I had no knowledge of his actively investigating any sexual assault matter whilst he was my supervisor.

**December 2010**

14. I refer to the events on or about 2 December 2010. I have a recollection that I had made arrangements to travel from Raymond Terrace to Newcastle for other matters on the 6<sup>th</sup> December 2010. Prior to my leaving the Raymond Terrace Police Station, I was requested by Detective Chief Inspector Fox to take an envelope and drop it off at the Newcastle Police Station. He requested that I hand-deliver the envelope to Inspector Brad Tayler. To the best of my recollection, he insisted that it be hand-delivered. To the best of my recollection the envelope which was given to me was an inter-departmental A4-sized envelope which was of a type that was commonly in use by the NSW Police Force and could be re-used.
15. Upon being handed the envelope, I did take it to the Newcastle Police Station for the purpose of delivering it to Inspector Brad Tayler. He was not present when I attended the police station. To the best of my recollection, I gave the envelope to Justin Quinn who was present. I asked Justin Quinn to hand the envelope over to Brad Tayler on my behalf.
16. The 2nd December 2010 was a Thursday. According to my Duty Book, I travelled to Newcastle on the following Monday, that is 6 December 2010. My duty book also indicates that I also travelled to Newcastle on Thursday, 9 December 2010, as well as 20 December 2010. Both the visits of 9 and 20 December 2010 were for the purposes of my visiting the Office of the Director of Public Prosecutions. It is my best recollection, however, that it was on the occasion of my visiting Newcastle on Monday, 6 December 2010, that the envelope was handed over. I can confirm that the day that I handed the envelope over was the same day that I was handed the envelope by Detective Chief Inspector Fox.
17. After I handed the envelope over, I recall later being asked by Detective Chief Inspector Fox whether or not I had delivered the envelope. I replied to him in the affirmative and advised him that I was unable to hand-deliver it to Brad Tayler, but instead gave it to Justin Quinn with the request that it be handed on to Brad Tayler. In terms of the contents of the envelope, the envelope was sealed when it was given to me and I have no knowledge as to what documentation or material was contained within the body of the envelope.

Signed

\_\_\_\_\_  
Signature of Detective Sergeant Scott Metcalfe

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Date