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## Joanne email 14

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5 March 2013 13:20

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**NEWCASTLE**  
**HERALD**

—— Forwarded message ——

From: Peter Fox <rosehill10@bigpond.com.au>  
 Date: 10 December 2010 22:01  
 Subject: RE: From Peter Fox  
 To: Joanne McCarthy <jmccarthy@fairfaxmedia.com.au>

First

Complaints are generally about the conduct of an officer (Referred to as 'the subject officer').

The letter has to be triaged which means it can be mediated by a senior officer or allocated for investigation.

It may be that TAYLER is trying to write it off as a mediation (Misunderstanding) but I'm not sure.

If it is 'investigated' it is standard practice for the matter to be allocated to an officer of senior rank to the subject officer.

In that case the Ombudsman has to be notified. If this has happened TAYLER is the investigating officer.

*AL* can make it clear that she feels that the entire handling was an issue (Not sure if that is the case) if so she can ask the Ombudsman that it be allocated to someone else as TAYLER would form part of the complaint and be a 'subject officer' himself. It would then probably have to go to a neighbouring command to investigate.

Here's the sad part. With the nature of this matter the region office knows what has been going on behind the scene and will probably give it to someone like Dave WADDELL or Tony TOWNSEND to investigate – definitely not Peter Fox. The outcome would be predictable. I am sorry to say that is the way the system works and this often frustrates the Ombudsman's office which has little say in this. The only way around it is to set clear goals and stick to them. Make this clear to the investigator when that person (As they must) contact to say they are handling the matter. If she doesn't want TAYLER or STEEL involved any further she can only make that very very clear and someone else should then be allocated. It may then be given to a more experienced officer to take her statement & that may be the officers sole role before it is all given back to TAYLER & STEEL.

As for MITCHELL not making comment that is standard. He gets to make comment when the complaint is finalised as part of the CMT (Complaint Management Team) which he chairs for Newcastle LAC. He probably won't say much other than to agree.

By the way I've been doing some research. STEEL was a Det at Newcastle from about 2000 to 2003. (Very short CI career) Since then she has been in GDs & was transferred to CI duties in September this year. Around the time this was allocated to her, Justin QUINN has been made Investigations Manager. He has never been a detective or investigator. This is the only person I am aware of in that position in NSW that has never been a detective. Stay with me.

I was watching 'A Few Good Men' the other night. Remember Tom CRUISE? All I could remember was Demi MOORE. Anyway when the military wanted a short investigation to keep everything covered up & piss it off they gave it to Tom who had no court room experience. The plan was he would plea bargain it — his speciality - without a proper investigation or trial it would then all go away. Thank god for the influence of Demi MOORE who changed all that.

You get my point. STEEL & QUINN probably don't even know why they have been picked.

Second

Probably have to let things run for a while as I see it. I don't think it will take long for them to finish the investigation. Not sure of what AL, AK or AJ wants. Really it comes down to them at this time. AJ's statement is good. Very good. (PS Has she agreed to give you a copy) It is really the lynch-pin. Her statement to a large extent can stand alone for a prosecution in my view. (Let me know what your legal friends think?): AL + AK take it one step higher and enhance any potential prosecution. Sister Paula is an unknown. Mick STANWELL simply adds weight, but unless all the leads in his statement are pursued it isn't pivotal. That won't happen

They will then either — 1. End the matter without sending it to the attorney general to consider on the grounds I have mentioned before (Which is bullshit).

2. Weight the report heavily against charges & give the attorney general plenty to justify that.

3. We may get a surprise where the attorney general sees through it all — but not likely.

If option 1 results they know you & the witnesses will come out fighting. Not sure if they are ready for that? Option 2 is the most likely. That way two govt depts are supporting each against any criticism. (It would be beneficial to get the report to the AG under FOI if they don't block that)

It is all a bit early at present; you may have to just see how the witnesses want this to play out. (I feel terrible about that part and not being able to look after them — I really mean that) You will have to decide what to do depending on when this investigation finishes. I have a feeling that you will have to muster a fair bit of criticism. It may have to involve those other influential individuals as well. You never know there may then be enough to call for a Gov't inquiry — which it probably the only way this will ever get to be looked at as it should.

Finally, I am 100% with them and am still concerned. I was the one who took it from him and had it double locked at the station. They waited until I was off duty before they played this one. As for them being blamed – I don't think they would care as much that she would continue to make complaints and was unhappy how the matter has been handled. That's on record, so anything else that eventuate would be expected.

Keep in touch and I'll do the same.

PS

I didn't include it in my minutes of my meeting with Max but he was very cynical of Chris URE. A sort of 'who does this retired cop think he is sticking his nose in where it's not wanted'. You get the idea. If he thinks he has friends in that group I'm sorry to disappoint him.

FYI the COPS can do on-line checks of computers. If you retain an E Mail on your system they can read it, who sent it, where and when and that sender's computer ID. If you print and delete it is a dead end for them. Another alternative is to save it to a word file and then to a disc or memory stick, again deleting the E Mail. Don't let the bad guys know.

Good luck & talk again soon. Foxy

-----Original Message-----

**From:** Joanne McCarthy [mailto:jmccarthy@theherald.com.au]

**Sent:** Friday, 10 December 2010 7:48 AM

**To:** Peter Fox

**Subject:** RE: From Peter Fox

Hi Peter,

I am speaking to the barrister today who spoke to me to find out what he's going to do. I spoke with the other day and they're happy to do or say whatever the barrister recommends. I know the barrister was recommending a submission to the court to have the matter stopped and referred to the DPP. He also had major concerns about the best approach to this matter is to wait for a formal submission to the court, because then the police can't blame either them or you, because they won't know how I know about it and if asked, I can say I knew about it from the barrister because he's also the mayor of Muswellbrook and I've been doing Muswellbrook and mine stories recently. Plus it's correct. I know about the course of action through him.

AL contacted me yesterday, very upset. She said she received a call from Brad Tayler about her complaint about Steel. He asked her to come into the station, despite the fact it was made very clear to him on the day Andrew and I met with him, Steel and Quinn, that expecting AL to go to Newcastle station for any reason was completely inappropriate, not to mention that she and Quinn had agreed she didn't want to be contacted for two weeks while her family is down from Brisbane.

She asked me to contact Max Mitchell on her behalf, which I'll do, although that just adds weight to

the police theory that I'm simply putting AL up to it all, as if she hasn't got the ability to make decisions for herself.

Can you tell me how a complaint like AL should be handled? It strikes me as wrong that a serious complaint about the handling of a police interview should be referred to Tayler, without any response from Mitchell who received the original complaint.

I am going to give Andrew Morrison a ring today to give him an update on all this. A letter from the Lawyers Alliance to the Attorney General's and Police Minister's office might come in handy at this point.

Can you let me know if there is anything I can do at the moment other than what I'm doing, which is waiting to strike at the right time.

Cheers. Joanne.

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**From:** Peter Fox [mailto:rosehill10@bigpond.com.au]  
**Sent:** Thursday, 9 December 2010 11:35 PM  
**To:** Joanne McCarthy  
**Subject:** RE: From Peter Fox

Joanne

Nothing major but just keeping you informed.

I've decided I am going to bypass Max MITCHELL and attempt to speak to Carlene YORK regarding my last report.

The more I thought about it I'd like to get my view across. I suspect Max has painted the picture for her thus far.

The points I want to make are:

1. I was one of two original investigators into the McAlinden allegations in 1999. This investigation centres on that priest.
2. With Det WATTERS I took out the warrant for his arrest in 1999 and spoke to the church to notify me upon his return.
3. I kept in contact with the victim's family for many years and still maintain a rapport with the family.
4. I interviewed Leo CLARK before he died. He told me the church had no knowledge of other victims of McALINDEN.

5. Recent documents show that CLARK lied and was involved with other clergy in a conspiracy to conceal. Those others are subject of this investigation.
6. CLARK is now dead and no one else can provide that evidence.
7. I have interviewed MALONE and other clergy mentioned in this investigation & have a very good knowledge of their roles, personalities & relationships.
8. I made records & submitted reports in 2004 calling for investigations into a paedophile ring within the Hunter Catholic Church and concealment of these priests by higher authorities.
9. I have made numerous contacts and informants over many years in the local church and catholic community who are prepared to assist in this investigation.
10. ~~She~~ AS is a critical witness who has substantial evidence. She indicated through a reporter that she had never met me but I was the only officer she was prepared to speak to. I have built up an affinity with this witness who has spent 28 hours with me preparing her statement.
11. I have built relationships over many years with witnesses like Peter GOGERTY & Helen KEEVERS who may be able to provide further evidence.
12. I have extensive experience in interviewing sexual assault victims, their families and conducting investigations.
13. The quality of my briefs concerning clergy paedophilia has been commended by the DPP as being of the highest standard.
14. I prepared tendency and co-incidence evidence in a paedophile priest trial of such high standard it established binding legal precedence in this area.
15. The DPP has referred a number of experienced investigators to me to assist them in preparing tendency & coincidence evidence in similar prosecutions.  
  
(Hamish FITZHARDING DPP indicated I was a leader in this field of investigation and continues to refer police to my example.)
16. A very senior Crown Prosecutor with the DPP contacted me personally to take charge of the FLETCHER investigation as he knew the family & urged them to place their trust in me.

That should do for starters.

I have telephoned Tony TOWNSEND yesterday to arrange an appointment and asked he return my call. Today the admin assist put a note in front of him whilst he was on the phone. He still hasn't called. I am now off until Monday but will let you know how I go.

On another front I sent the attached complaint to the Ombudsman this week.

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