

LATELINE.

Studio interview with Senior NSW Detective Peter Fox



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Reporter: Tony Jones

Detective Chief Inspector Peter Fox, a 30-year veteran with the NSW police force, alleges a cover-up by the Catholic church into child sexual abuse and is calling for a Royal Commission.

Transcript

TONY JONES, PRESENTER: Detective Chief Inspector Peter Fox joined me in the studio just a short time ago.

Detective Chief Inspector Peter Fox, thanks for joining us.

PETER FOX, NSW POLICE: It's a pleasure, Tony.

TONY JONES: Let's start with how you got so frustrated and angry that you were publicly challenging the NSW Premier. Now your letter to Premier O'Farrell begins like this: "I've investigated so many sexual assaults in 30 years of policing that I've lost count. I've seen the worst society can dredge up, particularly the evil of paedophilia within the Catholic Church." What is the worst of it?

PETER FOX: Oh, Tony, I think most people would be absolutely crumpled up in tears to hear it. Just some examples of what I've sat and listened to is that one young boy at the hands of paedophile priest James Fletcher, he was 12 years of age when the priest drove to a secluded park outside of Maitland. He told the boy to remove his pants and the boy was totally unaware of what was going on and quite embarrassed, but that particular priest anally penetrated him.

The boy wasn't aware at that stage that his anus had been torn and he started bleeding. He was screaming in agony on the seat and his knuckles were turning white. And as the priest continued to thrust

while he screamed, he said he focused on the St Christopher's Cross on the dashboard and watched it swaying back and forward to try and take his focus off the pain.

The priest never relented at any stage during that, and even after the act was completed, he was totally uncaring for the child and simply sat back in the driver's seat and had a cigarette while he finished sobbing.

TONY JONES: Some of these stories, in fact some of statements that you've taken from witnesses, victims, so upset a DPP solicitor that she simply couldn't go on with the case. Is that one of these?

PETER FOX: That was one of those cases. And, again, that was a solicitor that had dealt with many cases of sexual abuse. But the details and the graphic images that were conveyed in those statements so upset her. And she was well-known to me. She rang me up and apologised profusely, but said, "I just cannot stay with this case. I just can't handle it."

TONY JONES: You wouldn't be surprised about that, would you, because in fact most people don't want to hear these things, they're too awful for them to even comprehend.

PETER FOX: Well as I said in my letter to the Premier today, we do block a lot of those images away and we just accept the word paedophile or molestation. But when you actually sit down with those victims and you're looking into their eyes, police are not immune from it. And I sat there with so many of those victims and you can't but help feel their pain. The agony is still there and it will always be there to some degree.

And to just be so cold, even though I'm in a professional role, not to have some empathy for what that individual has gone through as a child just wouldn't be human.

TONY JONES: Some of them you saw in mental institutions, some committed suicide. You spoke to their relatives. All were terribly, terribly damaged.

PETER FOX: Oh, absolutely. And, you know, one young boy, I actually had my wife drop me off in Maitland and I went to the psychiatric ward of Maitland Hospital and I sat with that young fellow for a number of hours just reassuring him that he didn't have to go on with the matter if he wasn't up to it. We broke for a number of months before he was ready to come back.

These aren't easy things and there's got to be a lot of compassion and a lot of understanding from police. Sometimes these people aren't up to going through to taking it to court and we've got to sometimes take that hard pill and sit back and say, "OK, it's frustrating that we won't get this guy, but we can't put them through that ordeal."

The degree of courage those that do come back and say, "Listen, I want to finish that statement. I want to see him taken to court." How we can sit back and say they do not deserve our fullest support, because, my God, they've got some courage to be able to stand up and do what they've got to do and say what they've got to say in court and relive that ordeal.

Whether you're the Premier of NSW or you're just somebody sitting back watching this on TV tonight, it's got to move you. It can't but move you. It's terrible.

TONY JONES: As we've heard, the scale of this abuse in Newcastle-Maitland Diocese over many years is truly shocking. It's astonishing in fact. 400 victims, 14 clergy charged (inaudible), six Catholic teachers convicted, three priests currently on trial. How does this much evil get concentrated in one small area?

PETER FOX: I don't think it takes a detective chief inspector to work that out, Tony. Alarm bells were ringing there for me many, many years ago, so much so that I actually detailed a number of reports to hierarchy within the Police Department to launch fuller investigations.

It was quite evident that something was going on. These priests were operating in adjoining parishes abusing children, they were meeting at meetings together. In many cases that I came across, one priest who had previously faced paedophile charges was donating parish money to the legal support of another priest to defend him against those charges.

I had other priests that hadn't been charged with anything removing evidence and destroying it before we were able to secure it. And we just went around in circles.

TONY JONES: This is actually - this is - as horrific as the litany of sexual crimes against children are, to me one of the most disturbing lines in your letter was along these lines: "I can testify from my own experience the Church covers up, silences victims, hinders police investigations, alerts offenders, destroys evidence and moves priests to protect the good name of the Church." You're saying you have evidence of all of this?

PETER FOX: Oh, not only do I have evidence, it's irrefutable. Most of that is fact that's been admitted by many of them. We encounter it all the time. For people to sit back and say it's not going on, they've got their head in the sand. The greatest frustration is that there is so much power and organisation behind the scenes that police don't have the powers to be able to go in and seize documents and have them disclose things to us.

TONY JONES: If things were covered up, if there was serious cover-up, how high up the chain did it go to your sure knowledge?

PETER FOX: I have definite information that - of some covering up certainly to a number of diocese bishops. It potentially goes even higher than that.

TONY JONES: Higher than that? You mean into the top levels of the Church hierarchy, is that what you're saying?

PETER FOX: That's correct. I've got no doubt. You know, to sit back and sort of say, "Listen, each of these diocese are self-autonomous and there's no-one above that knows what goes on at those lower levels," we live in a real world and it would be as if, you know, I'm doing something in the police force at Raymond Terrace and I'm not accountable to somebody else at a higher level at Newcastle or in Sydney.

That's how the chain-of-command in any organisation works. To turn around and say, "No, we work something different. We didn't know about that," I think most of the public are smart enough to be able to put two and two together there.

TONY JONES: Proving it of course is the other thing, the critical thing and it's what you - I guess in a way it's what you've been searching for all this time. In 2010, two years ago, new witnesses started to come forward to give evidence about the activities of one paedophile priest called Father McAlinden. Now one of those witnesses I would describe as a key Church insider, a whistleblower. You took a statement from this person. How significant was that statement?

PETER FOX: When I was directed to hand that statement over, I described her statement - and I'd never used the term about a statement in my entire career before that - but I described that statement as explosive and I still describe it as explosive.

What is disclosed in that is monumental. I've spent a couple of months getting that statement, typing it down in very careful detail and spending an enormous amount of time with that particular witness who was, like many victims - and I should add, Tony, that she wasn't simply a witness; she'd also herself been a victim at a much earlier time of McAlinden.

So when she came forward and was able to give all that information, it just opened a can of worms. I was able to go to another number of witnesses who began corroborating various aspects and saying, "Yes, that is exactly what happened." So, the credibility towards that witness was certainly being elevated.

TONY JONES: So, what did that witness actually bring to the table, being an insider in the Church, what was she able to say about what was happening in terms of the cover-up?

PETER FOX: Tony, I understand that Strike Force Lantle has already sent some briefs off to the DPP for consideration. I don't want to say anything that may prejudice anything that's going on there.

But I think it's already been reported in the papers that some of the police that are attached to that have already indicated that there is an archbishop and at least two other priests that are implicated - or sorry, an archbishop, a bishop and a priest that are implicated in potential cover-up.

Now the DPP, I understand, has been sent those briefs and they're considering it now.

TONY JONES: One of the most disturbing things that you said earlier was that you were directed to give this material up. As I understand it, you were also ordered to stand down from the case, to no longer investigate this case. Is that a correct way of putting it?

PETER FOX: That's absolutely correct. That's spot on.

TONY JONES: And the reason given to you for being taken off this case which you'd obviously worked on for, well, as long as you could remember, I'd imagine?

PETER FOX: Well I worked on it since I started investigating Denis McAlinden in 1999. I had contact with various witnesses over the years. I actually even interviewed Bishop Leo Clarke, who in 2003 told me when I asked if he had knowledge of any other victims other than the one that I already, and very clearly said to me no.

I later seen documentation, after he passed away, that clearly indicated that he had full knowledge of other victims.

Boiling it down to just simple words, he lied. I was standing there with a colleague and he just straight-out lied to me about his knowledge of other victims. Hence the reason I say that some in the Church have no reservation about lying when it comes to it to conceal the fact that they had knowledge of these crimes.

TONY JONES: But let's just go through this because if I understand this correctly, you are the person - the investigator who knows the most about this case, you are the person who has interviewed the whistleblower, the key witness, you've got the statement in front of you that you think is dynamite and you are told by a superior to stand down from the case and give over your material. Is that how it happened?

PETER FOX: Yes. That's it in a nutshell.

TONY JONES: And are you able to tell us who that superior was?

PETER FOX: It's a very senior officer within the NSW Police and I was quite dismayed at it. That particular witness was quite distraught when I told her that I'd been told to hand the whole matter over.

TONY JONES: Because you had a personal relationship.

PETER FOX: A personal professional relationship.

TONY JONES: Of trust, a relationship of trust.

PETER FOX: Well originally she actually came forward to a newspaper reporter, Joanne McCarthy, and after many months she finally convinced this witness to come forward and speak to police. She actually said - refused and then she said, "The only police officer I will speak to is Peter Fox."

I didn't know her and it was explained that she had spoken to a number of other families who had dealt with me in the past and she said she would feel comfortable dealing with me. Now, on that basis of course I'm not going to turn her away, of course I'm going to say, "Yes, come in and sit down and we'll get the statement." I have my own thoughts on it. A lot of other people may have their thoughts.

TONY JONES: About why you were taken off the case.

PETER FOX: I was just - I was very, very disappointed. I'm not being critical of any of the investigators that are working on Strike Force Lantle. They were handed the matter. But as to the reasons why that was done when I pursued the matter for over a decade, I don't know.

TONY JONES: Do you believe it was because you're too independent of mind, that you couldn't be controlled?

PETER FOX: Tony, I don't think I'd be lying if I said that a lot in the police force would consider me rather outspoken. I'm sure that some hierarchy in the police force won't be wanting to put me on their Christmas card list after the letter today and after speaking here tonight. I don't care.

At the end of the day, I don't know whether I'll face disciplinary charges or anything in relation to the stance I've taken. And again, I don't care. What I do care about is that there are so many victims out there. I can't divorce myself - even though I'm a detective, I can't say that I'm not human and I haven't heard their pain.

There's something very wrong when you have so many paedophile priests operating in such a small area for such an extended period of time with immunity. And my - I submitted report after report suggesting that we needed to do a lot more about investigating this. Why that didn't happen, I've never received a response.

TONY JONES: Let me just go - there has been some response from - to questions that we asked from the police. In a statement sent to us tonight the police saying that you were informed that Strike Force Lantle would be fully investigating the allegations. It was because they were under a different operational command or local area command than the one that you worked in, that you were not appropriately meant to be part of that strike force.

PETER FOX: I don't know who said that, Tony. That's the first time I've ever had those comments made to me.

TONY JONES: This is a statement from Assistant Commissioner Carlene York of the Northern Command NSW.

PETER FOX: I - she wasn't at the meeting when I was directed to hand all the documentation over. What I will say is that I did send her a report expressing my concern and the reasons why I felt that I should be left with carriage of that matter, detailing many of the issues you've raised tonight plus a lot more. Nothing changed.

TONY JONES: Does this statement seem legitimate to you? Does it seem like the real reason why you weren't allowed to continue that investigation?

PETER FOX: I was never told why. To sort of say that I was - Raymond Terrace is a stone's throw from Newcastle. It's only a few kilometres. As you pointed out, I had a lot of experience and you do, you build up a very strong rapport. It wasn't just that particular witness, but I'd also spoken to a number of other victims that had been terribly abused by McAlinden.

TONY JONES: In other words, you were a logical person to be on the taskforce? Strike force.

PETER FOX: You can say that, but it's something that I think most police are trained. We're instructed when you go to detectives courses is that you don't hand victims around like numbers. When they sit down and a victim talks to you, they open up to you, they pour their heart and soul out and they tell you things that they've never told another living soul. And then you've got to turn around say, "Well, I'm not going to talk to you anymore. You have got to go down and see these people." I know from my training that is something that I'd never encountered before.

TONY JONES: It's going to seem passing strange to most observers, as it does to me, I must say.

But let me just move on because you've actually called for a Royal Commission. If there were a Royal Commission, would this whistleblower, the insider who seems to know so much be prepared to talk at the Royal Commission, to give evidence and to lay out all of this in front of the public?

PETER FOX: Tony, I don't know. I was directed not to contact them again. My last contact with her was - she was virtually in tears when I handed her a copy of a statement and told her to hang on to it and that was my last contact with her. I don't mind saying that there was a lot more that was said at that meeting that I won't say here. I think that it is best left for another forum.

But to say that that was a very difficult moment and something that quite saddened me as an investigator of well over 30 years in this job.

TONY JONES: But do you believe that a Royal Commission is necessary for people like this to be able to come forward. Is that the only environment in which it would really work?

PETER FOX: There's so much that the police force can't do. We don't have power. I have gone to other government departments, I've gone to the Ombudsman over aspects of it. Still today there are some antiquated rules and laws where priests, for argument's sake, that have had allegations of abusing and molesting children, that is kept by the bishop.

If it's a school teacher in the Catholic school system, it goes to a different department. But the bishops still retain that. I don't know why. There's no obligation on them to pass that information on to police. And I don't think that's a secret.

The Victorian inquiry and I think the inquiries overseas and just history itself says that that doesn't happen. There's so much evidence on the basis that paedophile priests, once they become known by their hierarchy, the hierarchy has a systemic pattern of not forwarding that information on.

We need to get around that, because as I said in that letter to the Premier - and I don't want the issue to become adversarial, I don't want to enter into ...

TONY JONES: OK. Well, let's put it this way: I'm sure Barry O'Farrell will see this interview. He's up until now said no Royal Commission, he doesn't want to be pressure into having a Royal Commission. He, I understand, won't even reply to your letter. Here's your chance to say something to him. What do you say?

PETER FOX: Well, on that basis, I have three children at home. Probably like most families, I've got some of their photographs on the wall. They're now grown adults, but we still have the photos of when they were growing up on our wall. Two of them are now - have our grandchildren. I'm sure Mr O'Farrell has children. I understand he has two boys. A lot of these victims' families have similar photos. I've walked into their homes and I've seen them.

We're lucky. We haven't had to go through what some of those other families have gone through. If Mr O'Farrell just sits back and he can look up on that wall and see those pictures of his boys, he has a lot of thanks to give that his boys were never ever abused in the way that some of these other families have.

And if he has any compassion and humanity for some of these victims, he's got to turn around. Why can we have an inquiry in Victoria - and the police down there have been fantastic. We've seen the evidence that the Commissioner and the assistant commissioners have been right behind it and they're tabling stuff and yet I'm dismayed here in a state of NSW that we're saying it stops at the Murray River, they don't come up here.

When we can make a change that is going to stop more victims from being abused, that's the real difference. We can actually impact upon the number. And to sit back and say, "Listen, we're not going to do that," something is wrong in the state of NSW if that's the attitude.

TONY JONES: Detective chief inspector Peter Fox, an extraordinary story. We thank you very much for coming on Lateline to talk to us.

PETER FOX: Thank you very much, Tony, for airing it.

TONY JONES: And the full responses of the NSW Police to Lateline's questions will be posted on our website.

NSW POLICE STATEMENT

Responses to Lateline's questions from Assistant Commissioner Carlene York, Northern Region Commander.

1. What is your response to the letter and article in the Newcastle Herald today in particular the concerns raised by Detective Inspector Peter Fox?

The views of Detective Chief Inspector Fox are not necessarily the views of the NSW Police Force. All matters referred to NSW Police Force have and will continue to be investigated to their full extent. NSW Police Force are not in a position to comment on the call for a judicial enquiry, this issue should be referred to the appropriate authority.

2. Are you 100 per cent happy with how the NSW Police are handling the allegations of cover ups and concealing crimes by members of the clergy?

NSW Police Force has investigated matters relating to Strike Force Lantle thoroughly. I am satisfied that all avenues of enquiry that we are aware of have been followed through and appropriate referrals made. I am not in a position to comment on any other investigations that may have occurred.

3. Is the Catholic Church and its senior officers fully cooperating with your investigations including Strike Force Lantle?

It is my understanding that as a whole the church have cooperated with police. All potential witnesses were offered an opportunity to provide information, one of whom declined to be interviewed.

4. Do you believe a judicial Inquiry would jeopardise current police investigations?

Unless further evidence comes to light, the NSW Police Force has fully investigated Strike Force Lantle matters. There are no further lines of enquiry to investigate thus any Judicial Inquiry should have no effect on current investigations. I cannot however comment on any other investigations that may be underway within NSW Police Force and any impact on them.

This matter now rests with the ODPP for a decision as to whether the matter can progress. The NSW Police Force cannot comment on the effect any judicial inquiry may have on a successful prosecution should the ODPP determine there that a prosecution may proceed

5. Have your officers been impeded in their investigations by any member of the clergy ? or officers or employees of the Catholic Church?

See question 3.

6. Why was Chief Inspector, Peter Fox asked to cease investigating the clergy matter and hand over all his evidence to other police?

Strike Force Lantle was established to ensure that a thorough and coordinated investigation was undertaken in relation to the allegations raised. At that time Detective Chief Inspector Fox was a Crime Manager at Port Stephens Local Area Command and was informed the Strike Force would be fully investigating the allegations. The Strike Force was undertaken by Detectives from the Local Area Command responsible for the investigation, that being Newcastle City. It would be unusual for a Crime Manager from a neighbouring LAC to work on a Strike Force in another LAC, particularly one like Newcastle City LAC where there were already 2 Detective Inspectors overseeing investigative issues. Detective Chief Inspector Fox was consulted on numerous occasions and asked to provide information to assist the investigation.

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