

# **The Investigation of Paedophilia by the Criminal Justice Commission**

October 1997

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# EXECUTIVE SUMMARY

## Section 1: Introduction

This report describes how the Criminal Justice Commission (CJC) has discharged its responsibilities in relation to paedophilia.

The CJC acknowledges the right of members of the public, members of Parliament and other government agencies to analyse critically the performance of the CJC in the discharge of its various functions.

However, when a misunderstanding of the CJC's jurisdiction — and/or an erroneous view of facts that may enliven that jurisdiction — is the basis of criticism of the CJC and cited as justification for stripping functions from the CJC and instigating other far-reaching changes to public policy, the CJC has a public duty to correct such errors.

The August 1997 report of the Children's Commission Paedophilia in Queensland and a series of articles published in the Courier-Mail at about the same time have been used by some as a basis for criticism of the performance of the CJC. This unwarranted criticism proceeds upon a misunderstanding of the CJC's jurisdiction and gives credence to allegations that are untested and, in many cases, unsupported by any reliable evidence.

This report demonstrates that the damage to public confidence in the existing law enforcement institutions, which these criticisms and exaggerated claims have undoubtedly caused, is unjustified.

## Section 2: The jurisdiction of the CJC

For the CJC to take any action on a particular matter, one of the heads of jurisdiction granted by the Criminal Justice Act 1989 (the Act) must be enlivened.

In so far as it relates to paedophilia, the possible aspects of the CJC's jurisdiction that may entitle it to act are as follows:

**Official misconduct** — If the holder of a position in a unit of public administration commits criminal offences that are connected with his or her official duties, or commits a disciplinary breach that is sufficiently serious to warrant his or her dismissal, they may be guilty of official misconduct.

Examples relevant to this report are a teacher who commits sexual offences against children he or she has contact with through work, or a police officer who fails to bring sexual offence charges in order to protect the suspect from prosecution.

**Misconduct by police officers** — This refers to disgraceful or improper behaviour by police officers which demonstrates an unfitness to hold office. The conduct does not need to relate to the officers' duties. For example,

associating with known paedophiles, or even engaging in sex offences that cannot be proven to the criminal standard, could amount to misconduct which could be investigated by the CJC with a view to the officer being dismissed from the Police Service.

**Major or organised crime** — The CJC may investigate major or organised crime only if the crime in question cannot be appropriately or effectively investigated by the Queensland Police Service (QPS). In 1992, the CJC reviewed all available criminal intelligence relating to paedophilia and concluded that, although the depraved conduct was obviously occurring across Australia, it could not properly be categorised as organised crime. That assessment has recently been confirmed by a study undertaken by the National Crime Authority (NCA) and the report of Justice James Wood's Commission of Inquiry into the New South Wales Police Service.

Paedophilia is clearly a major crime, but the CJC's 1992 assessment found that, subject to the implementation of the recommendations contained in it, there was no basis to conclude that the QPS could not effectively investigate such offences.

In addition to this investigative jurisdiction, the CJC has a supervisory role in the criminal justice system.

**Monitoring the QPS** — The CJC must monitor the performance of the QPS to ensure that the most appropriate policing methods are used to enable the QPS to respond to trends in crime. In discharging this obligation, in 1996 the CJC initiated Project Horizon — a joint CJC–QPS review of the way QPS was equipped to handle complaints of child sexual abuse and allegations of paedophilia.

**Supervision of the QPS intelligence function** — The CJC is responsible for overseeing criminal intelligence matters and managing criminal intelligence with specific reference to major and organised crime.

**Carrying on the work of the Fitzgerald Inquiry** — The CJC is charged with furthering the investigative work of the Fitzgerald Inquiry and to that end received all the material gathered by the Inquiry.

The rest of the report describes how the CJC has discharged its obligation with respect to these various heads of jurisdiction.

### **Section 3: Material received from the Fitzgerald Inquiry**

None of the active files received by the CJC from the Fitzgerald Inquiry related to paedophilia.

All of the Fitzgerald material that may have been relevant to paedophilia was scrutinised when the CJC produced its 1992 assessment of paedophilia.

### **Section 4: The 1992 Intelligence Division assessment**

**The genesis of the assessment.** In December 1991, the then Attorney-General wrote to the CJC as a result of an editorial published in the *Sunday Mail* suggesting that paedophilia offences were not being adequately handled by the criminal justice system. The Attorney-General had first written to the editor of the paper and, although the response did not contain any evidence to support the paper's claims, the Attorney-General requested the CJC investigate them. As there was insufficient information to enliven the CJC's investigative jurisdiction, the then Chairman of the CJC, Sir Max Bingham QC, determined that the Intelligence Division should conduct a review of all available data to enable the CJC to assess the scope of the problem.

**How was the report produced?** All relevant criminal intelligence, criminal offence databases and the complaints files held by the CJC were searched, as were the holdings of government departments that had a duty to protect children.

**The findings of the 1992 assessment.** Among the findings of the assessment were the following:

There were networks of paedophiles in Australia and possibly Queensland.

The QPS and the Department of Family Services had initiated a range of responses, which indicated they were aware of the problem.

Paedophilia did not come within the accepted definitions of organised crime.

There was no basis to conclude that the QPS was not capable of effectively targeting paedophiles.

The assessment recommended that the QPS take a more pro-active stance against paedophilia and that there be a greater coordination between the agencies involved in protecting children from this menace.

**The Commission's consideration of the 1992 assessment.** The progress of the assessment was reported to the weekly management meetings of the CJC and, in June 1992, the final report was forwarded to the then Chairman Sir Max Bingham who agreed with its conclusions and the recommendation that it be disseminated to the QPS. The assessment was also referred to in the CJC's monthly reports to the PCJC.

**Dissemination of the 1992 assessment.** The assessment was made available to the QPS, the Australian Bureau of Criminal Intelligence, the Australian Federal Police, the NCA and, in June 1997, the Children's Commission.

## **Section 5: Action by the CJC since 1992**

Having determined in 1992 that it had no jurisdiction to take investigative action, the CJC continued to discharge its supervisory responsibilities in relation to paedophilia in the following ways:

July 1992 — We cooperated with the QPS in submitting a paper to the Australian Bureau of Criminal Intelligence paedophilia conference, Project Egret.

1993 — We contributed to the Review of Commonwealth Law Enforcement Arrangements which reported on various serious and organised crime issues including paedophilia.

March 1995 — We made a submission to an inquiry conducted by the Parliamentary Joint Committee for the NCA into organised paedophile activity.

1995–96 — We contributed to the NCA's strategic review of paedophilia, which resulted in the compiling of the yet to be publicly released 'A National Assessment of Organised Paedophile Activity'. The report found that paedophilia did not constitute organised crime. It is understood that the Queensland Police Minister, as a member of the Inter-Governmental Committee that supervises the NCA, endorsed this finding.

1996–97 — We assisted the QPS Child Exploitation Unit to transfer the intelligence information stored on its standalone database to the Queensland Intelligence Data Base (QUID) system to facilitate national electronic transfer of data.

April 1996 — In view of the evidence emerging in the Wood Royal Commission into the New South Wales Police Service, the CJC reviewed its 1992 Intelligence Division assessment and all relevant complaints received since 1992. While this confirmed the previous assessment that there was no matter warranting investigation by the CJC, the Chairperson announced his intention to review the manner in which paedophile offences were investigated by law enforcement agencies in Queensland. This led to the commencement of Project Horizon, a joint CJC QPS initiative.

April 1996 — We provided support for Project Argos, a tactical review of all intelligence holdings relevant to targeting paedophiles in Queensland.

1997 — We provided full access to the Intelligence Division's holdings and the 1992 assessment to staff of the Children's Commission to help them prepare their recently published report on paedophilia in Queensland, and reached an agreement whereby any information raising a suspicion of official misconduct or misconduct by police would be referred to the CJC.

## **Section 6: Complaints concerning paedophilia received by the CJC**

Since the establishment of the Complaints Section in April 1990, 294 complaints relating to paedophilia have been received. A summary of the nature and outcome of those complaints follows:

65 complaints alleged sexual misconduct by police involving children. Of these, 47 were, upon examination, found not to raise a suspicion of misconduct or were investigated and were not substantiated; 5 resulted in criminal charges; 1 resulted in disciplinary action; 12 are current.

156 complaints alleged sexual misconduct involving children by persons holding positions in a unit of public administration. Of these, 59 were, upon examination, found to raise no suspicion of misconduct or were investigated and were not substantiated; 34 warranted criminal charges; 32 warranted disciplinary charges; 31 are current.

70 complaints alleged police had improperly investigated paedophile allegations. Of these, 47 were, upon examination, found not to raise a suspicion of misconduct or were investigated and were not substantiated; 4 warranted disciplinary action; 19 are current. No allegations of police cover up' of paedophile activity have been substantiated.

3 complaints have alleged public servants have acted inappropriately in relation to paedophile allegations. Of these, 1 warranted no further action; 1 warranted disciplinary action; 1 matter is currently under investigation by a government department.

## **Section 7: Project Triton**

In August 1997, the CJC and the QPS established a joint task force to examine allegations of official misconduct connected with paedophile allegations. The task force is investigating the following matters:

allegations that 'dirt files' were kept by former Police Commissioner Lewis and not investigated by the Fitzgerald Inquiry

allegations concerning the making of snuff movies' in Queensland

allegations raised by the Member for Whitsunday concerning paedophile activity in North Queensland

complaints of paedophilia which could amount to official misconduct received from the Children's Commissioner and others

complaints concerning the failure of the appropriate authorities to investigate paedophilia matters adequately.

To date none of these investigations has revealed any official misconduct. Investigations are continuing.

## **SECTION 1 INTRODUCTION**

This report describes how the CJC has discharged its responsibilities in relation to paedophilia. Those responsibilities flow from the CJC's obligation to investigate misconduct by police officers, official misconduct by persons holding positions in units of public administration, and major and organised crime that is beyond the capacity of the QPS to investigate effectively. The statutorily imposed obligations of the CJC to monitor performance of the QPS and overview criminal intelligence matters can also result in the CJC playing a significant role in the fight against paedophilia.

The CJC, of course, accepts the right of members of the public, politicians and other government agencies to comment on or critically analyse the performance of the CJC in the discharge of any of its varied and numerous responsibilities. Equally, the CJC is entitled to respond when it considers any such criticism is based on a misunderstanding of the CJC's jurisdiction or the facts of the issues under discussion. When an erroneous view of either is the basis for public policy changes by the Government or amendments to the *Criminal Justice Act*, the CJC has a public duty to correct such errors.

The release of the report of the Children's Commission, *Paedophilia in Queensland*, on 19 August 1997 resulted in considerable media interest and parliamentary and public debate about the issue of paedophilia. Almost in parallel to the release of the Children's Commission report, the *Courier-Mail* published a series of articles suggesting that certain paedophile activity had been covered up by the police in the 1980s and that the Fitzgerald Inquiry had failed to investigate these matters. The debate surrounding these issues was inflamed further by public statements made by staff of the Office of the Children's Commission suggesting that grotesque crimes against children had not been properly pursued by police.

The bandying about of nonspecific allegations of cover ups' and the alleged involvement of powerful people from the upper echelons of society in this abhorrent activity led to speculation that the existing law enforcement structures for dealing with paedophile activity had been ineffective.

In stark contrast to these statements and this speculation, the body of the report of the Children's Commission gave a clear indication that the current structure (comprising the QPS, the CJC and the Office of the Children's Commission) was appropriate for dealing with the problem of paedophilia. The report did not recommend any diminution of the role of the CJC and the QPS in investigating paedophilia or other offences. However, the public debate lost sight of this fact and, faced with many serious allegations — even though these allegations were not supported by evidence — a proposal for a new crime commission was born — the Queensland Crime Commission — to deal with, among other things, the issue of paedophilia.

Contributing to the public debate were the comments made in the Summary and Recommendations section of the report by the Children's Commission. The comments

within this section are not supported by the material in the body of the report. This section suggests that there is a perceived lack of success in dealing with paedophilia in Queensland and attributes this to a failure to address the issue of paedophilia within [the] culture of corruption' in the Police Service. The only explanation offered in the report is suggestions' of ongoing paedophile activity and its possible protection in some quarters' which arguably still persists with the cover-up extending beyond the Police Service'. On the basis of this conclusion, the report criticises the CJC for not adequately addressing allegations that police and other public officials were involved in the protection of paedophile activity (pp. iii iv).

Unfortunately, no evidence to support these allegations is contained in the report. No detail is provided as to who is supposedly responsible for protecting paedophiles, or how this is done, although the implication is that senior levels of the QPS must be involved. Similar claims made through the media have also lacked any supporting evidence capable of sustaining action against any person or capable of being productively investigated.

Regrettably, it appears that a flawed view of the CJC's responsibilities in relation to paedophilia and baseless claims about the failure of the QPS to investigate incidents of this crime adequately have led to a proposal to strip the CJC of its role in fighting major and organised crime and to create a new crime commission. This report demonstrates that the damage to public confidence in existing law enforcement institutions, which these inaccurate and exaggerated claims has undoubtedly caused, was not only unjustified but indeed baseless.

## **SECTION 2**

### **THE JURISDICTION OF THE CJC**

The jurisdiction of the CJC to investigate any particular matter is circumscribed by the provisions of the Criminal Justice Act 1989 (hereinafter called the Act'). For the CJC to investigate allegations of paedophilia, or to review the handling of such investigations by the Police Service, it must be satisfied that the conduct alleged would fall within one of the heads of jurisdiction provided for in the Act.

#### **Official misconduct**

Section 29(3)(d) of the Act provides that it is the function of the Official Misconduct Division to investigate cases of:

*(ii) alleged or suspected official misconduct by persons holding appointments in units of public administration;*

*that come to its notice from any source, including by complaint or information from an anonymous source*

The definition of 'unit of public administration' in section 4(1) of the Act includes all government departments and other public sector agencies.

In broad terms, 'official misconduct', as it relates to an holder of an appointment in a unit of public administration, includes behaviour which:

may directly or indirectly affect the honest and impartial discharge of public functions;

constitutes a breach of trust placed in an individual by reason of his or her appointment to the unit of public administration; or

involves the misuse of official information.

In addition, the conduct must either be capable of constituting a criminal offence or a disciplinary breach which provides reasonable grounds for the termination of the services of the subject officer.

Thus, for paedophile activity to constitute official misconduct, it must have some nexus with the performance of an official's public duties. For example, a teacher employed by the Education Department who engaged in paedophile acts with children he/she had contact with through being a teacher, or a police officer who deliberately failed to investigate adequately an allegation of paedophilia in order to protect a suspect, would both be guilty of official misconduct. The teacher and the police officer would also be guilty of criminal offences. If there was sufficient admissible evidence to prosecute them, and the abused children were willing and able to give evidence, the matters would proceed before the criminal courts.

However, as the conduct could also amount to official misconduct, the CJC would have jurisdiction to investigate the allegations with resort to its unique coercive powers. If the evidence was insufficient to secure a conviction but could satisfy the lower standard of proof required in disciplinary proceedings, the CJC could bring the matter before a misconduct tribunal. In this way, the teacher and the police officer could be removed from the positions of trust that they had abused.

The recently publicised allegations that police officers had been prevented by senior officers from properly investigating the makers of snuff movies' are being investigated by a CJC task force under this head of jurisdiction.

### **Misconduct by police officers**

Section 29(3)(d) of the Act provides that it is the function of the Official Misconduct Division to investigate cases of:

*(i) alleged or suspected misconduct by members of the Police Service;*

*that come to its notice from any source, including by complaint or information from an anonymous source.*

misconduct' is defined in section 1.4 of the Police Service Administration Act 1990 to mean conduct that

*(a) is disgraceful, improper or unbecoming an officer; or*

*(b) show unfitness to be or continue as an officer; or*

*(c) does not meet the standard of conduct reasonably expected by the community of a police officer.*

Accordingly, if there is a reasonable basis to suspect that a police officer, whether or not in the performance of his or her duties, has committed a paedophilia offence or has covered up' or otherwise deliberately failed to properly investigate a complaint of paedophilia, the CJC would have jurisdiction to investigate the allegations with a view to the bringing of criminal and/or disciplinary charges.

### **Major or organised crime**

Section 23(f) of the Act gives the CJC the responsibility to investigate major or organised crime which, in the opinion of the CJC, cannot be appropriately or effectively investigated by the Police Service.

The CJC examined its jurisdiction in respect of paedophilia in 1992, the details of which are set out in Section 4 The 1992 Intelligence Division assessment'. It concluded that paedophilia could not be properly described as organised crime and, although it was major crime, subject to the implementation of certain recommendations contained in the report, there was no basis to conclude that offences of this type could not be appropriately and effectively investigated by officers of the QPS. Thus, the CJC was not entitled at law to become involved.

This position has been supported by the National Crime Authority's (NCA) strategic assessment of organised paedophile activity completed earlier this year and the report of Justice James Woods, Commission of Inquiry into the New South Wales Police Service, and the March 1995 report of the Parliamentary Joint Committee of the NCA into paedophilia.

## **Monitoring the QPS**

The CJC's involvement in the investigation of paedophilia also derives from section 23(g) of the Act which assigns responsibility to the CJC for:

*(g) monitoring the performance of the Police Service with a view to ensuring that the most appropriate policing methods are being used, consistently with trends in the nature and incidence of crime, and to ensuring the ability of the Police Service to respond to those trends.*

Consistent with that obligation, the CJC, in April 1996, acted to establish jointly with the Queensland Police Service an initiative codenamed Project Horizon. The stated aim of this project was:

*To ensure effective and accountable investigative practices and the appropriate use of criminal intelligence in the Police Service's response to complaints of child sexual abuse and allegations of paedophile activity.*

The CJC's role in monitoring the project was ensured by the inclusion of its representatives on both the Review Team and the Overview Committee.

The results of that initiative are examined below in Section 5 'Action taken by the CJC since 1992'.

## **Supervision of the QPS intelligence function**

The gathering of criminal intelligence by the QPS Bureau of Criminal Intelligence and other State agencies is critical to the effective investigation of paedophile activity.

The CJC's jurisdiction extends to overseeing the gathering and use of such criminal intelligence.

Section 23(d) of the Act provides that the CJC has the responsibility for:

*(d) overseeing criminal intelligence matters and managing criminal intelligence with specific reference to major crime, organised crime and official misconduct.*

In discharging that responsibility, in 1992 the CJC's Intelligence Division produced a report entitled *Assessment of the Extent of Paedophilia in Queensland*. The CJC has also been instrumental in devising and carrying forward Project Horizon. (For more detail of the discharge of its responsibility see Section 5 'Action taken by the CJC since 1992'.)

## **Carrying on the work of the Fitzgerald Inquiry**

Section 29(3)(c) of the Act provides that it is also a function of the Official Misconduct Division:

*(b) to further the investigative work carried out on behalf of the commission of inquiry continued in being by the Commission of Inquiry Continuation Act 1989.*

The CJC in 1989 inherited from the Fitzgerald Inquiry a voluminous amount of material concerning a broad spectrum of alleged criminal activity, neglect or violation of duty, or official misconduct or impropriety by police and other public officials. The CJC examined those holdings and conducted all necessary inquiries. Details of that work are set out in the following section. The rest of this report illustrates how the CJC has discharged its jurisdiction in relation to paedophilia.

### **SECTION 3**

#### **MATERIAL RECEIVED FROM FITZGERALD INQUIRY**

The CJC received a number of active investigations from the Fitzgerald Inquiry which were pursued to conclusion. None of those matters related to paedophilia.

As mentioned above, the CJC also received all of the records of the Fitzgerald Inquiry, which included files obtained during searches of former Commissioner Lewis's safes. This matter will be dealt with in detail when the CJC furnishes its report on the investigations being undertaken by Project Triton.

All of the Fitzgerald holdings were reviewed by the Intelligence Division as part of its 1992 paedophile assessment as detailed in Section 4.

## **SECTION 4**

### **THE 1992 INTELLIGENCE DIVISION ASSESSMENT**

#### **The genesis of the assessment**

During the first half of 1992, in response to a request from the then Attorney-General, the Honourable Dean Wells MLA, the CJC prepared an assessment of paedophile activity in Queensland.

The Attorney-General wrote to the CJC in December 1991 following correspondence between him and the Editor of the *Sunday Mail*. The Attorney-General's correspondence with the Sunday Mail was prompted by an editorial published on 7 July 1991 which raised the question 'Who is looking after our children?'. The editorial alleged that there was within Queensland a well-documented network of paedophiles and suggested that the Attorney-General should take immediate action. In response to this editorial, the Attorney-General wrote to the Editor on 7 August 1991 seeking full details of the well-documented network' so that a full examination of the allegations could be conducted to ensure the protection of children. In reply, the *Sunday Mail* provided little detail to support the alleged network' but referred to three interstate/overseas publications that were reported to provide homosexuals and paedophiles with guides to places to acquire children for sex. The Editor also suggested that State and Federal law enforcement bodies would have further information.

The Attorney-General felt that the allegations made by the *Sunday Mail* were both serious and of some substance' and that they were beyond the investigative capacity of his department. He therefore referred the allegations to the CJC in December 1991 and requested that they be investigated.

In the absence of any evidence indicating that police had deliberately failed to pursue paedophile offenders — and without any leads that could be followed to determine whether sex criminals were being protected because of their elevated position in society — it was decided that the investigative jurisdiction of the CJC was not enlivened. However, the Chairperson considered that a full assessment of the position should be undertaken so that the CJC could consider whether any other action by it was warranted.

After discussions with the Director of the Official Misconduct Division, the Chairperson decided that the Intelligence Division would compile all available intelligence data which would involve the usual cooperative endeavour with other law enforcement agencies and enable future decisions to be factually based.

Therefore, on 24 January 1992, the Chairperson referred the matter to the Intelligence Division, which undertook a focused and managed collection of all relevant information. The assessment was not intended to be an investigation but rather a systematic rational assessment of the extent of paedophile activity in Queensland and the threat to the community arising from such activities.

## **How the report was produced**

During the preparation of the CJC's 1992 assessment, searches were conducted of Commission databases to recover all available material that could be identified as relating to paedophile activity. These searches included complaints made to the CJC since its formation in 1989 and the Fitzgerald Inquiry material held by the CJC. This latter material included material that had been seized from the safes of the former Commissioner of Police, Terry Lewis, and material relating to the Police Complaints Tribunal.

The matters fell into one of the following categories:

allegations investigated and finalised by QPS prior to the Fitzgerald Inquiry

matters investigated by QPS and re-examined during the Fitzgerald Inquiry

matters re-examined by the Fitzgerald Inquiry but not finalised and either referred to the QPS or passed into the possession of the CJC for completion.

As part of the information-collection phase of the project, a number of law enforcement agencies and government departments, both within Queensland and interstate, were consulted.

Interviews were conducted with police officers specialising in the investigation of these offences and crime statistics were analysed.

The CJC's criminal intelligence database and the QPS's criminal offence and intelligence databases and the national criminal intelligence database maintained by the Australian Bureau of Criminal Intelligence (ABCI) were interrogated.

Literature searches were made to identify journal articles or research studies of relevance.

The CJC's complaints database was interrogated to determine the nature and outcome of any allegations of paedophilia activities by police officers or public servants and any claims that police had failed to investigate such offences by others properly.

The collection, collation and analysis of information was completed in May 1992 and the final report approved in June and finalised in early July 1992.

## **The findings of the 1992 assessment**

The report that resulted from the assessment of paedophile activity was entitled *Assessment of the Extent of Paedophilia in Queensland*. In summary, it concluded that, at that time:

There was no legal definition of the term paedophilia.

There were networks of paedophiles in Australia and possibly Queensland.

Both the QPS and the then Department of Family Services and Aboriginal and Islander Affairs had initiated a range of actions which indicated they were aware of the problems and their particular responsibilities.

The QPS had created a Child Exploitation Unit to deal exclusively with organised and serial child exploitation outside the family unit.

The QPS was aware of all three publications mentioned by the Editor of the *Sunday Mail*, as well as others that were produced both in Australia and overseas.

The ABCI, as a result of its Project Egret, had advised that paedophile activity existed throughout Australia at all levels in the community.

There was no evidence that organised crime' was involved in paedophile activities in Queensland.

There were a number of allegations of corrupt behaviour by public officials in positions to influence decisions and/or actions taken against paedophiles, although such activities appeared to be opportunistic rather than systemic. These allegations had been found to be unpursuable for want of supporting information.

There was a need to guard against knee-jerk reactions linking homosexuality and paedophilia.

The Queensland legislation at that time proscribing paedophile activity was felt to be uncoordinated and haphazard. However, it was noted that this was being remedied by the Criminal Code Review Committee.

The report recommended that:

Based on the assessment and on the advice provided by the QPS, there was every reason to believe that the Police Service had the capability to investigate and to act on any instances of paedophilia that it might discover. However, it was recommended that the Police Service should take a more active stance in regard to this type of activity and that it should be encouraged to become more pro-active in its approach and to become an active participant in Operation Paradox, the national paedophile phone-in'.

A review of all legislation relating to child sexual abuse was long overdue and should be treated with some urgency, notwithstanding the work of the Criminal Code Review Committee.

There should be greater coordination of legislative efforts undertaken by the Department of Family Services and Aboriginal and Islander Affairs and the Attorney-General's Department in the area of child sexual offences/paedophilia to ensure that any new legislative efforts complement and supplement each other.

Additionally, the CJC should remain alert to the possibility of corrupt activity by public officials being associated with their sexual preferences.

Regarding the findings on the CJC's jurisdiction, it is useful to refer specifically to the approach taken during the assessment of organised crime.

The term 'organised crime' is difficult to define. In an attempt to define it, Jay Albanese referred to the work of Frank Hagan, a noted criminologist who had elicited common attributes of the various descriptions of organised crime by analysing the definitions offered by 13 different authors (Albanese, Jay, *Organised Crime in America*, 1989, pp. 4–5). The elements in these definitions, together with their frequency of use, are shown in the following table.

<b>Characteristics of organised crime groups</b>	<b>No. of authors</b>
Hierarchical enterprise	13
Rational profit through crime	11
Use of force or threat	10
Corruption to maintain immunity	10
Public demand for services	6
Monopoly over particular market	4
Restricted membership	3
Non-ideological	2
Specialisation	2
Code of secrecy	2
Extensive planning	2

Figure 1. Hagan's characteristics of organised crime. Extracted from *Organised Crime in America* pp. 4–5.

Albanese used these attributes in his definition of organised crime:

*Organised crime is a continuing criminal enterprise that rationally works to profit from illicit activities that are in great public demand. Its continuing existence is maintained through the use of force, threats, and/or the corruption of public officials.*

The Intelligence Division's assessment considered each attribute of organised crime contained within the definition, namely:

the continuing criminal enterprise

that works for profit

from illicit activities

in great public demand

existence maintained through force, threats and/or corruption

While paedophile activities were found to be in some cases organised criminal acts, the assessment did not find that paedophiles organised themselves into groups or even networks that could be described as criminal enterprises. The assessment also found that there was no evidence that paedophile activity, organised or otherwise, existed with the intention of making a profit. The assessment found that paedophile activities, while certainly illicit, were better described as self-indulgent, and that there was no evidence of public demand — much less great public demand — for this type of activity.

In terms of maintaining the existence of a paedophile network, there was no evidence to support that force, threats or indeed violence were used. Although there were allegations of persons influencing the investigation of paedophile activity, there was no evidence to support the allegations, which were based on hearsay and rumour, and whose primary sources could not be identified to enable the matter to be investigated.

By applying the accepted definition to paedophile activity, the assessment found that four of the five key attributes were absent. As such, the assessment concluded that paedophile activity, while obviously organised to some degree, could not be described as organised crime'.

The report also came to the following conclusion about the capacity of the QPS to investigate paedophile activity in Queensland effectively:

*QPOL has created a CEU [Child Exploitation Unit] to deal exclusively with organised and serial child exploitation outside the family unit. It is tasked with investigating all such matters and with developing and maintaining a comprehensive database both for its own use and to facilitate dissemination of information to other police units*

*Based on this assessment and on the advice provided by QPOL, there is every reason to believe that QPOL has the capability to investigate and to act on any instances of paedophilia which it might discover.*

*However, QPOL should take a more active stance in regard to this type of activity. It should be encouraged to become more proactive in its approach and to become an active participant in Operation Paradox, the national paedophile phone-in'.*

Therefore, it was concluded on two bases that paedophile activity then current in Queensland was not within the jurisdiction of the CJC, namely, that such activity did not constitute organised crime' within the meaning of the *Criminal Justice Act* and, in any event, such activity could effectively be investigated by the QPS.

The other basis for the CJC to become involved in the investigation of paedophile activity is its jurisdiction to investigate major crime. However, as is the case with the CJC's organised crime jurisdiction, the CJC can only investigate major crime of any

kind if it is satisfied that the QPS cannot appropriately or effectively conduct the investigation. The CJC has received no request for such assistance from the QPS, and the 1992 intelligence assessment led it to conclude that there was no evidence that the QPS was incapable of investigating paedophilia. The CJC took the view that it could assist the QPS to upgrade its approach and this was undertaken in a cooperative way.

### **The CJC's consideration of the 1992 assessment**

During the period January to June 1992, the Intelligence Division reported on the progress of the project to the CJC's weekly management meeting on a number of occasions.

The report was furnished to the then Chairman of the CJC, Sir Max Bingham QC, by the Director of the Intelligence Division under cover of a memorandum dated 19 June 1992. The memorandum recommended as follows:

*After your perusal of the assessment, I would propose that we reply to the Attorney-General summarising our findings and also write to the Commissioner of Police suggesting they take a more proactive approach to the problem and in particular join the national Operation Paradox. QPS might also consider reviewing relevant legislation. In this respect it would be useful for QPS to be provided with a copy of the Wellings assessment, or if considered more appropriate a sanitised version.*

Sir Max returned the memorandum to the Director of the Intelligence Division and endorsed it on 29 June 1992:

*I agree with your suggestions. I suggest some sanitising is desirable — omitting names etc. Please discuss details.*

Additionally, the 1992 paedophile project was mentioned in the monthly reports to the PCJC between January 1992 and May 1992.

### **Dissemination of the 1992 assessment**

Although the initial intention of the project was an internal assessment to permit the CJC to consider its position in respect of its jurisdiction, the report was felt to be of significance to other law enforcement agencies. Accordingly, copies were disseminated to the QPS and the ABCI in July 1992. (Later, and in response to specific requests, further copies of the report were disseminated to the Australian Federal Police in July 1993 and the NCA in February 1995.)

When initially finalised, the 1992 assessment contained a number of names in the section of the report dealing with allegations. This initial version of the report, the unsanitised version, was provided to the Chairperson by the Director of Intelligence in June 1992. It was suggested at that time that a copy of the report also be provided to the QPS and the ABCI. The Chairperson agreed to this proposal, with the proviso that the report be sanitised to remove all names. This was done, and the assessment was then described as a sanitised version to reflect this change.

It was initially intended to retain both versions of the report in the Intelligence Division. However, it was felt that this could cause confusion. Hence, the Director instructed the unsanitised version be treated as a final draft and destroyed so as only the sanitised version of the report was available as the final report. The names remained available to the Intelligence Division as they were recorded in other supporting documentation within the CJC which was referred to in the footnotes in the report.

The final version of the report, the sanitised version, was initially disseminated as follows:

QPS: 20 July 1992 — Assistant Commissioner Task Force Command (Now SCOC)  
ABCI: 20 July 1992  
QPS : 24 July 1992 (Superintendent BCI)

In response to written requests, copies were also disseminated to:

AFP: 13 July 1993  
NCA: 27 February 1995

Additionally, a special version, with several pages of data omitted, was prepared and disseminated in response to a request from the Children's Commissioner (6 June 1997).

## **SECTION 5**

### **ACTION TAKEN BY THE CJC SINCE 1992**

As stated above, the 1992 assessment found that the QPS was competently dealing with all paedophile activity referred to it at that time. This conclusion was based on an examination of a report from the Police Commissioner on the QPS's approach and on discussions with appropriate officers.

After the completion of its assessment, the CJC continued to be involved with the QPS and other agencies over the national response to paedophilia, albeit from a monitoring rather than investigatory perspective.

In July 1992, the ABCI hosted a Project Egret paedophilia conference in Canberra. During the weeks immediately preceding the conference, the Intelligence Division's Principal Intelligence Analyst, who had prepared the CJC report, had discussions with the officer in charge of the Police Service's Child Exploitation Unit and reviewed the draft paper to be presented by the QPS at the conference. The QPS paper was to represent the Queensland perspective at the conference and it was found to be in agreement with the CJC assessment.

In 1993, the CJC contributed to the Review of Commonwealth Law Enforcement Arrangements which, as its title suggests, reviewed the roles played by the Commonwealth law enforcement agencies. In doing so it touched on a number of areas of serious and organised criminal activity including paedophilia.

In March 1995, the Parliamentary Joint Committee for the NCA (PJCNCA) conducted a more detailed inquiry into organised criminal paedophile activity as detailed in paras 4.72 and 4.73 of the Report of the Review of Commonwealth Law Enforcement Arrangements (described in the extracts above). The CJC provided a submission to the PJCNCA in response to an invitation from the Chairman of that Joint Committee. The QPS also provided a submission which the CJC had the opportunity to review before it was submitted.

In 1995–96, the CJC contributed to the NCA's strategic work on paedophilia in Australia, which also grew out of the Report of the Review of Commonwealth Law Enforcement Arrangements. This is perhaps the most detailed and thorough study of this subject. The final report by the NCA 'National Assessment of Organised Paedophile Activity' was produced in July 1997. This report has not been publicly released by the NCA and it remains a classified assessment. It is understood that an Executive Summary of the report was considered by the NCA's Inter-Governmental Committee (IGC) in July 1997; however, the IGC is yet to approve which aspects of the NCA's findings may be made public. Owing to the current status of the NCA's report, it is not possible for the CJC in this report to quote particular aspects of the

NCA report. It is possible, however, to draw upon information that has been placed in the public domain relevant to this assessment.

The Children's Commission report *Paedophilia in Queensland* referred to a July 1997 Inter-governmental Committee of the NCA (IGC–NCA) meeting and the Committee's noting of particular findings relevant to the NCA's assessment (page 72). The following extract from the Children's Commission's report is relevant:

*The IGC–NCA received a final report of the National Crime Authority Strategic Assessment of Organised Paedophile Activity and noted its major finding that:*

- *paedophile networks do not constitute organised criminal groups and organised*
- *paedophile activities do not constitute organised crime; and*

*State and Territory police services (rather than the NCA) are currently the most appropriate agencies to investigate organised paedophile activity and paedophile networks.*

*The IGC–NCA recommended to the APMC that investigations be coordinated through the ABCI national project Egret.*

The NCA found that paedophile activity did not constitute organised crime in terms of the definition that is applied by the Authority. For example, the NCA's assessment found that paedophile offences are committed primarily for personal gratification rather than for profit, that paedophile networks are relatively unstructured and exist more as peer support networks, that they rarely use physical violence, and that there is no indication of widespread systemic corrupt relationships between persons in positions of authority and paedophiles.

The findings of the NCA assessment, while more extensive than the CJC's Queensland-based 1992 assessment, because it covered the entire national perspective, are consistent with the CJC's findings, particularly relating to the NCA's conclusion that paedophile activity is not organised crime. The Queensland Police Minister is aware of the findings of the NCA's 1997 assessment as its conclusions were discussed at the IGC meeting on 11 July 1997 and were endorsed by the various State Government representatives. The Police Minister is the Queensland representative on the IGC.

The Intelligence Division closely monitors the QPS intelligence function and provides advice and assistance when appropriate. As part of this process, in early 1996 the Assistant Commissioner State Crime Operations Command sought the CJC's assistance in ensuring that the standalone database within the CEIU be disposed of and all relevant data transferred to the Queensland Intelligence Database (QUID) system. This proposal was in line with the determination by the QPS to eliminate unnecessary standalone databases and provide centralised data access through QUID. For the CEIU database, the

transfer of data would ensure the reliability and validity of the data and facilitate the provision of data to Project Egret through electronic transfer of data from QUID to Australian Criminal Intelligence Database (ACID). This task commenced in February 1996 and was completed in August 1997.

In April 1996, the CJC assessed its response to the paedophilia issue in light of the revelations of the New South Wales Wood Royal Commission. At that time, the Chairperson raised the matter with the Director of the Intelligence Division and was provided with and reviewed the files relating to the 1992 report. The matter was raised at the CJC meeting of 12 April and the prospect of an Intelligence Division report on the current Queensland situation was discussed. In light of the CJC's jurisdiction to investigate being restricted to matters that raised a reasonable suspicion of official misconduct by persons holding positions in units of public administration or misconduct by police officers, the Chairperson inquired whether there were any complaints of that nature that had not been resolved. There were none.

Although there were no matters warranting investigation by the CJC, the Chairperson took the view that the CJC should ensure that the problem of paedophilia was being properly handled within the criminal justice system.

The Chairperson spoke publicly of the CJC's intention to deal with the issue cooperatively with the Police Service and other relevant agencies so as to ensure the best methods of detection and prevention of paedophilia were being used. This led to joint action with the QPS to establish Project Horizon (annexures A to E consists of relevant excerpts from CJC and Executive Meeting minutes and reports/transcripts of the Chairperson's public statement).

Project Horizon was commenced to review the QPS response to paedophilia and child abuse to ensure that best practice was being implemented. This project involved staff of the CJC's Research and Intelligence Divisions working with staff of the Commissioner's Inspectorate. The review is overseen by a Management Committee consisting of senior members of the CJC and QPS.

In April 1996, the QPS Bureau of Criminal Intelligence commenced Project Argos. This project is designed to collate all holdings relevant to paedophile activity within Queensland to provide the QPS with a foundation from which to target active paedophiles. The CJC was aware of the commencement of this project through its oversight of the QPS intelligence function, and actively supported it.

In July 1996, following a review of Intelligence management within the QPS in 1995 1996, an Intelligence Management Board was created. This Board monitors developments within the QPS intelligence function and develops policy for adoption by the QPS on the use and management of intelligence. The CJC participated in the Intelligence Management review and is now represented on the Intelligence Management Board. Among other things, the Board has been aware of the requirement for the QPS to provide intelligence

to the ABCI for Project, Egret. The Board is monitoring the progress of the provision of this data.

The CJC's 1992 assessment recommended QPS participation in Operation Paradox. The QPS participated in this national phone-in' operation in 1994, 1996 and most recently in September 1997.

### **Cooperation with the Children's Commissioner's Office**

Staff of the Children's Commission approached the CJC in May 1997 seeking to develop a cooperative arrangement for the exchange of information. The Children's Commission was particularly interested in the CJC's 1992 research. A number of meetings were held between CJC staff and the Children's Commissioner and his staff. These meetings were cordial and productive.

In assisting the Children's Commission in the preparation of its report, a staff member of the Children's Commission was given full access to the CJC's 1992 assessment. This access occurred within the Intelligence Division of the CJC where the staff member of the Children's Commission was permitted to read the entire 1992 assessment, including the section relating to past allegations of corruption, and discuss the contents of the report with its author and the Director of Intelligence.

Following those discussions, agreement was reached for the Children's Commissioner to be provided with a copy of the 1992 assessment without the section relating to past allegations of corruption. The staff member of the Children's Commission had indicated that this was more than adequate for their research purposes and also indicated that his perusal of the section containing those allegations had confirmed that the Children's Commissioner was already aware of similar allegations from their own sources.

Agreement was also reached with the Children's Commission that any allegations that fell within the CJC's jurisdiction, such as alleged official misconduct or investigative cover-ups, would be forwarded to the CJC for further investigation and that other matters relating to paedophile activity would be forwarded to the QPS for investigation as appropriate.

At no time during the meetings between the CJC and the Children's Commission was there any indication that anyone at the Children's Commission was dissatisfied with the CJC's approach, either past or present. The Children's Commissioner himself initially did not appear to understand the CJC's jurisdiction, particularly regarding the fact that the CJC's jurisdiction over organised crime and major crime was only enlivened when an opinion is formed that the QPS is unable to investigate a particular matter effectively or appropriately. However, after discussions with the CJC, Mr Alford appeared to accept the CJC's position.

### **Interpretation of the CJC's jurisdiction to investigate paedophilia**

Although the Children's Commissioner appeared to accept the CJC's position regarding its jurisdiction at meetings held before the publication of his report, the

Children's Commission's report criticises the CJC for its interpretation of its jurisdiction to investigate paedophilia (not involving allegations of misconduct).

As previously stated, the CJC's jurisdiction is limited to its role to investigate organised or major crime and, even then, it has no jurisdiction to investigate unless there is evidence on which it can form the opinion that the matter cannot be effectively or appropriately investigated by the QPS. The CJC also has a responsibility for overseeing the effectiveness of police investigations.

In relation to the organised and major crime role, the CJC's interpretation of its jurisdiction, in common with the attitude of the NCA and the Joint Parliamentary Committee on the NCA (JPCNCA), has focused on diverse activities such as sophistication, hierarchical structures, discipline, violence, profit and public demand as criteria which are indicative of organised crime. As discussed earlier, the CJC's 1992 analysis of paedophile activity in Queensland led it to conclude that such activity did not meet sufficient of these criteria and, therefore, did not constitute organised crime. These criteria were established to provide a basis for the definition of organised crime, and to set appropriate limits to the CJC's jurisdiction.

While it was assessed, on the available evidence, that paedophile activity in Queensland did not constitute organised crime, the CJC has maintained its oversight of police investigations and has concluded that there has been no evidence of police protection of paedophiles.

The other jurisdictional basis for the CJC to become involved in the investigation of paedophile activity is its jurisdiction to investigate major crime. However, as is the case with the CJC's organised crime jurisdiction, the CJC can only investigate major crime of any kind if it is satisfied that the QPS cannot appropriately or effectively conduct the investigation. The CJC has received no request for such assistance from the QPS, and the 1992 intelligence assessment led it to conclude that there was no evidence that the QPS was incapable of investigating paedophilia. The CJC took the view that it could assist the QPS to upgrade its approach and this was undertaken in a cooperative way as demonstrated in the discussions above.

The recently published Wood Royal Commission Report tends to support the CJC's 1992 conclusion that there was not organised crime involvement in paedophilia in Queensland or networks of protection of paedophiles. After very extensive research, Wood stated:

*In some quarters, particularly through the media, an impression has been created that there is a single covert and organised network of individuals, comprising highly placed offenders, who communicate with each other in order to procure children for sexual purposes, and who have the capacity to use their office or influence to protect one another.*

*The CJC looked for, but found no high level network of this kind.*

*To maintain such a network would require a high degree of secrecy and official protection. The dangers of membership of an extended group of this kind, particularly of exposure and blackmail, are such that its existence is*

*improbable. The CJC is, however, in no doubt that smaller informal groups do exist, and often include one member who acts as a procurer for the others. It found individuals of this type ... (p. 639)*

Similar findings supported JPCNCA and NCA conclusions that no connection between paedophilia activity and organised crime existed within Australia (see JPCNCA Report on *Organised Criminal Paedophile Activity*, 1995).

Therefore, the CJC acted in conformity with other Australian law enforcement agencies in determining that there was no basis for it to undertake the investigation of paedophile activity in Queensland.

This fact is not meant to downgrade the significance of paedophile activity, or society's abhorrence of such crimes. It has always been open to the PCJC or indeed Parliament to indicate to the CJC dissatisfaction with its approach in this area. No such indication had ever been received, before the presentation of the Children's Commission report.

## **SECTION 6**

### **COMPLAINTS CONCERNING PAEDOPHILIA RECEIVED BY THE CJC**

Complaints concerning paedophilia which may enliven the CJC's investigative jurisdiction, as described earlier in this report, can be divided into the following categories:

alleged sexual misconduct involving children, by members of the Police Service

alleged sexual misconduct involving children, by members of units of public administration

investigative impropriety by police officers with respect to allegations of child sexual abuse

investigative impropriety by officers within units of public administration with respect to allegations of child sexual abuse.

The term 'investigative impropriety', as used in the last two categories of matters, includes allegations of inaction, cover-up, wrongful arrest, fabrication of evidence, eliciting false complaints etc.

The number of each type of allegation received and the outcome of the CJC's assessment of them is set out below.

#### **Alleged sexual misconduct involving children by members of the QPS**

Sixty-five matters under this heading were identified. The outcomes of these individual complaints were as follows:

CJC investigation/assessment — upon examination did not raise a suspicion of misconduct or were investigated and not substantiated — 46.

CJC investigation — referred to Director of Public Prosecutions for advice regarding a criminal charge — 1.

CJC investigation — referred to QPS for disciplinary action — 1.

QPS investigation overviewed by CJC — insufficient evidence of criminal conduct — 1 (no further action taken regarding this matter).

QPS investigation overviewed by CJC — criminal charges preferred — 4.

Current QPS investigation (CJC awaiting report) — 2.

Current CJC investigation — 10.

### **Alleged sexual misconduct involving children by members of units of public administration**

One hundred and fifty-six matters were identified. The outcome of those matters is as follows:

CJC investigation/assessment — upon examination did not raise a suspicion of misconduct or were investigated and not substantiated — 22.

CJC investigation — referred to Department for disciplinary/remedial action — 19.

QPS investigation reviewed by CJC — insufficient evidence to warrant further action — 37.

QPS investigation reviewed by CJC — referred for disciplinary/remedial action — 13.

QPS investigation reviewed by CJC — criminal charges preferred — 34.

Current investigation by QPS (CJC awaiting report) — 11.

Current CJC investigation — 4.

Allegations not in connection with subject officers' duties and accordingly referred to QPS for appropriate action — 10.

QPS investigation report currently under review by CJC — 5.

Departmental investigation report currently under review by CJC — 1.

Investigative impropriety by police officers with respect to allegations of child sexual abuse

Seventy matters were identified in this category. The outcomes were as follows:

Investigation/assessment by CJC — upon examination did not raise a suspicion of misconduct or were investigated and not substantiated — 43.

QPS investigation reviewed by CJC — insufficient evidence to warrant further action — 4.

QPS investigation reviewed by CJC — referred for disciplinary/remedial action — 4.

Matters currently under investigation by CJC — 18 (Operation Triton matters).

QPS investigation report currently under review by CJC — 1.

An examination of the complaints gathered under this category enables the following qualitative analysis to be made:

The CJC has examined 11 matters where the primary allegation has been one of wrongful arrest' or fabrication of evidence'. None of those complaints was substantiated.

A significant number of complainants in this category raised concerns relating to perceived covering up' by police officers, whereas an objective overview of available information suggested that this view had often been reached as a result of frustration or disappointment at the outcome of court proceedings, rather than being based upon probative factual issues.

The matters referred to the QPS for disciplinary/remedial action were matters that involved a degree of inadequate investigation, and did not, in the CJC's view, suggest misconduct on the part of police officers concerned.

The data available in relation to this category clearly indicate that not one allegation of cover-up'/evidentiary impropriety, has yet been substantiated.

### **Investigative impropriety by officers within units of public administration regarding allegations of child sexual abuse**

Only three such matters were identified. In one instance the CJC, having assessed all relevant material, determined that insufficient evidence existed to warrant any further action. One matter is currently the subject of a departmental investigation, and the other matter, after assessment by the CJC, was referred to the relevant department for consideration of disciplinary/remedial action. This matter related to an allegation that a school principal responded inappropriately to complaints by several students about a teacher.

### **Paedophilia — allegations of organised activity**

There has been much mention in the media in recent months of organised' paedophile activity.

Of the 294 complaints examined in the above analysis, only 23 matters contained an allegation relating to organised paedophile activity. This represents 7.8 per cent of the total number of complaints identified in this study as having been dealt with by the CJC.

Of those 23 matters, 5 remain under investigation/consideration by officers of the recently established Task Force — Project Triton. In respect of each of the remaining 18 matters, the CJC determined, after its own investigation/assessment or review of an investigation by the QPS, that those complaints had not been substantiated.

## **SECTION 7 PROJECT TRITON**

On Thursday, 21 August 1997, the CJC and QPS established a joint task force to examine allegations of official misconduct connected with paedophilia investigations. The task force, which has been operating since that date, is known as Project Triton. It comprises four senior police investigators, two of the rank of detective inspector, a detective senior sergeant and a detective sergeant. The task force is assisted by one of the CJC's Executive Legal Officers and is operating at the day-to-day direction of an independent and experienced criminal counsel, Mr Ralph Devlin.

As part of Project Triton, the task force is investigating the following specific areas:

Allegations that certain files were kept by former Police Commissioner Lewis for blackmail purposes, and that such files were seized by the Fitzgerald Inquiry but not investigated.

Allegations concerning the making of pornographic snuff movies in Queensland and the failure of the QPS to investigate such matters.

Allegations raised by the Member for Whitsunday concerning paedophile activity in North Queensland.

The various complaints (in so far as they involve official misconduct) referred to the Criminal Justice Commissioner by the Children's Commissioner, received directly by the CJC from individual complaints, or received indirectly as a result of complaints made during the QPS's Operation Paradox.

Various general complaints concerning the failure of authorities to investigate paedophilia, as reported by the media, including allegations raised by the Minister for Police, the Honourable W A Gunn, and the Honourable Sir Johannes Bjelke-Petersen.

Investigations to date have revealed no official misconduct. Investigations are continuing.

The task force is also reviewing the CJC's handling of all previous complaints of official misconduct involving paedophilia (including those matters that the print media have referred to recently, as identified above), and the manner in which paedophilia was investigated by the QPS from the early 1980s.

It is likely that some public hearings will be conducted on various matters relevant to Project Triton.

## **SECTION 8 CONCLUSIONS**

The CJC contends that it has adequately and appropriately discharged its responsibility in relation to this important issue of paedophilia. The research and

findings of various other authorities, such as the Parliamentary Joint Committee of the NCA, the NCA, and the Wood Royal Commission, would support this view.

Even the report of the Children's Commission did not support changes to the current arrangements for the investigation of such problems.

Criticism of the CJC's performance has come from those who appear to misunderstand the statutory basis of the CJC's jurisdiction or, if they do understand the limits of that jurisdiction, are prepared to act on mere speculation unsupported by evidence of any kind.