

Tasmania Police Overseas

Part II : Operational – from the Old Bailey to Bali

by Darcy Erwin

This second and final instalment focusses upon members who have travelled overseas in an 'operational' capacity. Within this context are included those conducting investigations, performing extraditions, working in liaison with other jurisdictions, or carrying out duties relating to the protection of Tasmanian assets.

There is one group of people who have quite intentionally been excluded from this look at overseas policing - these are the police officers who travelled overseas for reasons such as course participation, conferences, study tours, or who visited other countries in the capacity of advisers or instructors under Commonwealth schemes. There are a great many who do fit into this category, but unfortunately, their story must be left for future pages.

In the early years of policing in Tasmania, in common with most other forces, it was almost unheard of for a police officer to travel overseas on the government purse. It was not only expensive and time-consuming, but hardly ever necessary in the days prior to the globalisation of criminal networks and the revolution in international travel.

Money, Money, Money

One of the first to go overseas was Senior Constable Gordon Hemsley, then working in the Fraud Squad, who travelled to Wellington, New Zealand in 1967 to extradite an offender who was sought in a case involving a large number of valueless cheques.

This may be said to be a somewhat unusual extradition, as it was the complainant who paid the air fares, and by so doing, probably initiated a trip that otherwise may not have taken place.

Gordon Hemsley retired of ill-health on 8 November 1979, while at Hobart CIB, after serving for 24 years.

Around the time Gordon Hemsley was in New Zealand, a sizeable fraud involving investment funds was coming to light. During the early to mid 1960's, the N B Investment Company skimmed over one million dollars from farmers and others in the North and North-West of the State, who were induced to invest large sums of money after a successful return on a small initial investment.

The main offender, who surprisingly retained his passport, absconded to London while on bail prior to his trial.

The first part of this article appeared in the December 2002 issue of *Association News*, and concentrated on police who had enlisted during wartime or who had taken part in peace-keeping missions.

Sergeant Trevor Hoodless travelled to the United Kingdom to effect his extradition, leaving Tasmania on 7 May 1969, and returning to Perth, Western Australia on 15 May 1969. Trevor described this as a long and arduous extradition, taking some 56 hours, significantly without a second officer to provide support. A trying and memorable incident during the return flight was the insistence of militia in Cairo that Trevor and his prisoner change aircraft for their connecting flight to Tanzania! Tempers apparently frayed noticeably until this little misunderstanding was sorted out.

Trevor Hoodless retired as Superintendent, Management Services, Hobart 14 February 1990.

Just over four years later, in 1973, a stolen airline ticket scam came to police notice and a German national, known to be selling stolen tickets in London, was interviewed in Tasmania following information supplied from overseas investigators. Initiated by burglaries upon travel agencies, this criminal enterprise took advantage of a loophole in issuing procedures, and grew into a huge racket involving the United States, Britain, Europe and Australia. Locally, a number of Tasmanians were travelling to London on bogus tickets and returning with illegally imported Jaguar motor cars for resale.

Through an agreement with New Scotland Yard, Senior Constable Rodney Estcourt travelled to London with the German in custody, and appeared in Bow Street Magistrate's Court. The accused was formally charged, pleaded guilty and 'assisted police with their inquiries'. From this point on, Rod worked undercover with the Passport and Extraditions Squad in London, where he remained for almost six weeks.

In all, tickets worth a potential maximum of AUS\$40 million were recovered during the operation.

Rod Estcourt retired as Senior Sergeant, Hobart CIB, after a total service of 28 years, accepting a redundancy in 1991. He currently works as Security and Service Manager – Compliance (surveillance) at Wrest Point Casino.

All Aboard

In June 1984 the Tasmanian Government agreed to fund a replacement for the Bass Strait ferry *Empress of Australia*, and the following month, named the



Trevor Hoodless



Rod Estcourt

replacement as *Nils Holgersson*. Built by the German-based shipbuilder SSW Fahr-und Spezialschiffbau for the operators Travlemunde-Treeleborg (TT-Linie), it was the sister ship to the *Peter Pan*.

In August the State Government announced that it would run the ship itself, and March 1985 was set as the starting date of the new service, subject to successful union negotiation. In December, the new ship was renamed *Abel Tasman* and the old *Empress* was put up for sale.

The Government formally took possession of the new Bass Strait ferry at a handing over ceremony in West Germany on 23 March 1985. However, it wasn't long before news reports were dominated by what were described as bizarre happenings surrounding the new ferry.

In April, following industrial unrest, the crew was sacked and conditions on board the ship deteriorated to the point where they were described as being 'close to anarchy' by the ship's master, Captain James. Because of this situation, sailing was further delayed.

As recounted in the Annual Report of the Commissioner of Police for the year ended 30 June 1985, on 29 April the

Tasmanian Government directed that the Solicitor-General, the Premier's Secretary, and four members of the Tasmanian Police Force, travel to Kiel in West Germany, with a view to securing the discharge of a number of stewards from the strike-bound ship, to enable it to travel to Tasmania.

The police group comprised Inspector Richard McCreadie, and Sergeants James 'Paddy' Duffey, Ross Howard and John 'Jock' McJannett.

Initially they were powerless to evict the stewards, but the Tasmanian Government sought formal delegation of Commonwealth powers for the police in dealing with the crisis.

The contingent remained in Germany until Saturday, 18 May 1985 at which time the *Abel Tasman* departed.

The four came to be called 'The A Team' by their colleagues, and were probably selected for the task for their interesting mix of 'brains and brawn'. Each had accumulated around 20 years of service, while together, they had a collective experience which encompassed a wide range of knowledge and skills including legal, marine, industrial, investigative and operational – in all, a formidable bunch.

While on board the *Abel Tasman*, allegations of damage to the vessel were investigated and evidence was gathered for later use, if required. Much of the time was spent in a watchdog role as time dragged slowly on towards readiness for sea. One primary

task was the protection of the ship's officers, particularly in the event that the ship sailed for Tasmania with a crew of potential malcontents. As it happened, it didn't become necessary for the police contingent to sail with the ship, and they returned home by air.

In the words of the Commissioner, "The strategy of the Government in involving the Tasmania Police contingent was to assist in securing a more responsible and responsive attitude from the union members. It was also intended to provide a strong deterrent in relation to the possibility of industrial sabotage."

"I believe", he remarked, "that the presence of the Police in West Germany adequately provided for both of these contingencies, and assisted in an early resolution to the problem."

Of the four, only one remains with Tasmania Police, namely our current Police Commissioner, Richard McCreadie. The others are all retired – Ross Howard, of ill-health in 1994 while Inspector at Hobart, 'Paddy' Duffey in 1999 while also Inspector at Hobart, and 'Jock' McJannett in 1987, while Second-Grade Sergeant, Hobart Traffic.

A Case of Murder and a DNA 'first' for Tasmania

On 1 May 1987, Shirley Olive Burgess was murdered at Warrane. The suspect in this case, Peter John Brown, was subsequently interviewed at Risdon Prison where he was serving a term of imprisonment for rape and a sample of blood was taken.

Constable Charmaine Jones took possession of the blood sample and placed it in her handbag. Later that evening, in the process of placing the exhibits in the boot of the police car, she left her handbag on the ground in the darkness and then reversed over it, breaking the blood sample container. Luckily the sample was enclosed in two plastic bags and didn't leak.

At this time DNA analysis was only conducted in the UK and the USA, and as Sergeant John Blue was already travelling to the UK in a private capacity, he delivered the sample to Cellmark Diagnostic Laboratories on the 22 July 1988. Andrew Cawood, a scientist involved in the DNA process, eventually came to Tasmania and gave evidence at Brown's trial.

However, while this was taking place, it was discovered that the taking of the blood did not conform with the legislative requirements as it was taken by a nurse and not under the direction of a doctor. This meant another blood sample had to be obtained and delivered to the UK. It was almost as if this sample was cursed from the beginning.

In September 1988 a further sample of blood was taken from Brown and Detective Constable Jones transported it to the United Kingdom where Sergeant Blue met her and they conveyed it to Cellmark Diagnostic Laboratories.



Abel Tasman



Charmaine Jones

This case is often cited as the first use of DNA evidence in Australian criminal history. As DNA evidence had been used in a New South Wales court prior to this, this claim is arguable. Perhaps it is the first in Tasmanian criminal history.

For the record, John and Charmaine were married on 25 March 1989 and Charmaine, who resigned in 1994, after almost 14 years as a police officer, now works in the Property Office, Hobart, in an unsworn capacity. John is currently Inspector, Bellerive Operations Support and is one of only two remaining ex-serving British police officers in the job after almost 33 years. [See *Association News* Vol. 6 No. 1, March 2002]

More Money

In September 1988, Detective Senior Sergeant John 'Jack' Johnston and Detective Constable Phillip Wilkinson flew to Washington DC to seek the extradition of a 50-year-old accountant from Launceston, Colin Hawks Room, who was being held pending his extradition to Tasmania. He was wanted on charges involving the fraudulent conversion of \$2.5 million.

Room had been a prominent member of Launceston society, and counted many of Tasmania's wealthiest families as his clients and acquaintances before he began stealing their money. He had fled the state and had been on the run from authorities for six years. For a considerable time up to his arrest, a local radio station announced each day how long he had been on the run, which ensured that no one could forget who he was or that he had eluded police.

The extradition process all went smoothly and Room was returned to Launceston where he was formally charged and remanded in custody. In August 1989 he was convicted of over 180 counts of stealing, forgery and uttering and was sentenced to eight years' imprisonment.

'Jack' Johnston, after some 35 years service, is currently Deputy Commissioner of Police, and Phil Wilkinson has recently been appointed Inspector, Human Resources (Cadet Training) after 24 years' service.

Something Fishy

In 1993 Australia, Japan and New Zealand were signatories to a trilateral treaty for the taking of a sustainable catch of Southern Blue Fin Tuna, and approximately 100 Japanese long-line vessels were fishing in Australian waters as part of a joint venture agreement. Hobart was a major port of call for pre- and post-fishing inspections, which were conducted by the three officers working in the Commonwealth Fisheries squad of the Marine Division.

In August 1993 the Australian Fisheries Management Authority (AFMA) sought expressions of interest from persons in all agencies performing law enforcement for them to participate as an observer on board a Japanese patrol boat. The patrol boat was the *Kyo Maru 27*, a whale chaser chartered to undertake surveillance voyages in the southern oceans for the Japan Fisheries Agency (JFA).

Constable Mason Pearson successfully applied for the position and on 16 September 1993, arrived in

Wellington, New Zealand where he was greeted by the interpreter who had been flown in from Japan by JFA. *Kyo Maru 27* departed Wellington on 17 September, but had to return on 20 September as the captain had become seriously ill. Another officer was flown out from Japan and the vessel sailed on 22 September. Seas varied from calm to very rough, and the food consisted almost exclusively of Japanese fish cuisine which was well prepared by a very capable chef.

No illegal fishing activity was detected and on 28 September the *Kyo Maru 27* arrived in the Derwent. The trip was an interesting and enjoyable experience and one that no-one from Tasmania Police has had the opportunity to repeat because there is now no trilateral treaty and Japanese long-line vessels do not call at Australian ports.

Mason Pearson has been in the job since 1979 and currently works as a constable at Marine and Rescue, Hobart.

Almost five years after the 'cruise' of Mason Pearson, Constable Martin Dix was invited in mid 1998 to assist the Australian Federal Police with an investigation in relation to Operation Matrix. This was a surveillance operation targeting the Orange Roughy Trawl Fishery mis-reporting quota. It was estimated that as early as 1993 the fraud was worth approximately \$70 million over the entire fishery.

Because of the size of the operation it was split into three parts, each part being investigated by Australian Federal Police Melbourne, Australian Federal Police Hobart and Tasmania Police respectively.

Martin was asked to accompany an Australian Federal Police agent to Gisborne, on the east coast of the north island of New Zealand, to interview the Master of a trawl vessel, whose company was involved in the fraud to the tune of \$4 million.

The matter has heard in mid 2001 and all the persons charged were convicted.

Martin Dix joined Tasmania Police in 1985 and is currently Constable, Marine and Rescue, Hobart.

Another Murder

Leo John Rogers was stabbed to death at his Glenorchy home on 6 May 1995. On 26 August 1998, following an interview with a solicitor in Sydney, Inspector Colin Little and Sergeant Mandy Cordwell flew out of Australia, bound for Astley Bridge Police Station in Bolton, a northern suburb of Manchester, to interview a witness (and possibly a suspect), to the murder.

Evidence concerning the accused's movements was crucial to the Crown case and a successful prosecution (which, unfortunately was not to eventuate).

The witness, an ex-resident of the Glenorchy area, had returned to England, fearing reprisals for his knowledge of the murder. He allegedly had pertinent information relative to the movements of the accused on the evening of the murder and was in a position to provide evidence which would significantly weaken the alibis provided by those charged and thereby considerably strengthen the Crown case. He was also in a position to provide evidence of



Mason Pearson

other material facts which may have opened further lines of investigation.

Although this witness had been interviewed in England by local police via the services of Interpol, the results were of little value due to the lack of familiarity on the part of the English police with the complexities of the evidence.

Colin Little joined in 1976 and is currently Inspector, State Intelligence Service, Hobart. Mandy Cordwell joined in 1985 and is currently on leave without pay, and participating in the Serious Crimes Unit of the United Nations Transitional Administration, East Timor [see below].



Col Little

And a Rape

In June 2000 the US warship, *USS John C Stennis*, visited Hobart, and on 13 June police received a complaint of a rape involving a 15-year-old female. The investigation resulted in a 38-year-old US Marine Corps Staff Sergeant being charged under Tasmanian criminal law with rape.

Jurisdiction was ultimately passed to the United States Marine Corps with the approval of the Tasmanian Attorney General in consultation with the victim and her parents.

On 1 May 2001 Detective Sergeants Adam Stanwix and Cameron Bessell departed Tasmania for San Diego USA to give evidence in the trial. They escorted the victim, her mother and grandmother and a 14-year-old female witness and her father. Two Hobart doctors followed a few days later to also give evidence.

The trial, conducted at United States Marine Corps (USMC) base Mirimar commenced on 4 May 2001 and went for approximately six days. Both Detective Sergeants gave evidence before a Military Judge. The video interview conducted by police in Tasmania was entered into evidence unopposed and was very well received by the court, prosecution and defence (Naval Criminal Investigators do not use video or audio interviews).

The accused was convicted of numerous criminal and regulatory charges including rape and was sentenced to 18 years imprisonment.

The costs of the trial were met by the USMC. The victim, her family and a child witness were all provided with outstanding victim support, far above any support provided in Tasmania, having Victim Support Counsellors who remained with them during the entire trial.

The party arrived back in Tasmania on 14 May 2001.

The trial was very similar in operation to the Tasmanian Supreme Court, and the accused had the choice of a trial by military jury or a military judge sitting alone. He chose the latter. The rules of evidence were also very similar with some procedural differences.



Cameron Bessell

Under USMC law the accused faced the possibility of the death sentence. The prosecution ultimately argued for life imprisonment. The 18 year sentence was the heaviest sentence that the judge (who retired after this trial) ever gave for rape.



Adam Stanwix

If convicted for rape under Tasmanian law the accused faced a maximum penalty of 21 years imprisonment under the Criminal Code. Realistically he would likely have received a term of imprisonment of between three and five years.

Adam Stanwix, who has served 19 years in Tasmania Police, is currently Sergeant, Hobart Drug Investigation Services, while Cameron Bessell has served 15 years and is currently Sergeant, Investigation Support Services, Hobart

Serious Crime in East Timor

On 5 March 2001, Sergeant Mandy Cordwell, currently on leave without pay, commenced work with the Serious Crimes Unit of the United Nations Transitional Administration, East Timor (UNTAET).

Mandy took leave without pay to take up a contracted position as an international investigator with the Unit, which is investigating crimes against humanity which occurred in East Timor between 1 January 1999 and 25 October 1999. The Serious Crimes Unit has a staff of around 80 people, consisting of prosecutors, case managers, forensic and civilian investigators, and civilian police who work in teams that concentrate on identified priority cases.

Mandy is one of three Australians contracted to the Unit, and is presently team leader of the Special Investigations Team. She expects to resume service with Tasmania Police around mid-2003.

Not only does Mandy stand to gain from this experience, but so too does Tasmania Police, as Mandy acquires valuable expertise in international law, investigative technique, handling complex case files, and working in a politically and culturally sensitive environment.

Mandy Cordwell joined Tasmania Police in April 1985.

Military Justice

In August 2001, HMNZS *Canterbury* was in port for a visit. Sergeant Michael Hawkins and Constable Elaina Deayton investigated a complaint of the rape of a female sailor by a male crew member of the same vessel. The offence allegedly occurred near the St Ives Hotel in Sandy Bay Road. After some lengthy discussions with the New Zealand Navy and their legal officers back home, it was decided that Tasmania Police could carry out the investigation on their behalf and court proceedings would be con-



Mandy Cordwell

ducted according to New Zealand Military Law (Court Martial).

Interviews and scene examination were completed and everything handed over to the Navy before the ship sailed. The New Zealand Navy ultimately decided to prosecute the case and both Mike and Elaina were asked to give evidence. They travelled to Devonport, Auckland on Monday 15 July 2002 and subsequently gave evidence, with the Navy paying all expenses, returning to Tasmania on the following Saturday.



Mike Hawkins

The court martial was quite an eye-opener for our officers. Described as not unlike a setting out of JAG, the court was very formal with all participants in full parade uniform. Four high ranking Naval personnel conducted proceedings, and a Judge's Advocate (the only one on the board that was trained in law) presided. Every morning at 8am whilst the Court Martial was sitting, a cannon was fired which could be heard right across the bay to Auckland. Courts Martial are quite an event and this one received considerable media attention.

The accused was eventually found not guilty, but as the case was not a strong one, the verdict was not unexpected and probably would not have been proceeded with here.

Mike Hawkins joined in 1986 and currently works as Sergeant, Hobart CIB. Elaina Deayton joined in 1998 and is currently Constable, Glenorchy.

Indonesia

At around 11pm on Saturday 12 October 2002, the popular Sari nightspot in Bali was torn apart by bomb blasts and up to 187 people, many of them Australian, were feared dead. Following the fatal bombings, the Australian Federal Police provided assistance to Indonesia in areas such as disaster victim identification and ante mortem procedures (information on missing persons).

Both Tony Cerritelli and Greg Roberts had attended national DVI and Ante Mortem and Reconciliation Workshops, and were selected to assist with the AFP response. Greg, the Tasmanian Missing Persons Coordinator, travelled to a posting in Canberra, while Tony left Tasmania on 18 October 2002 for Bali, via Canberra, where he was briefed and tasked as part of the Australian DVI team led by Superintendent Andy Telfer of South Australia Police.

In all, nine Tasmanians went to Bali, six of them police officers and three civilian personnel.

Police who spent time on the island were Inspector John Bird of Forensic services, Sergeant Tony Cerritelli, then working with Task Force Oakum, and Constables Mike Maxwell, Tania Curtis, Stephen Cooper of Forensic Services, Hobart, and Constable

Greg Roberts of State Intelligence Services. Both John Bird and Tony Cerritelli spent seven weeks in total in Bali, each returning on three occasions, John as DVI Commander and Tony as DVI 2IC. Others spent one to two weeks overseas.

Civilian Personnel were Pam Scott, Forensic Biologist & DNA expert, of Forensic Science Service Tasmania, and Marie Wilson and Paul Taylor, Forensic Odontologists, Hobart.

Essentially, all focussed on DVI, their primary role being to identify and repatriate victims and human remains of the bombing to their countries of origin. To varying degrees, they were all involved in work related to the scene, the mortuary, ante-mortem processes and reconciliation.

From a policing perspective, continuity was a primary consideration, and personnel were chosen for their ability to carry out the tasks required. These tasks were carried out in a particularly gruesome environment, charged with emotional strain, and exacerbated by conflicting cultures and an infrastructure that was plainly inadequate to cope with such an incident.

On the other hand, the operation was very well resourced and displayed remarkable co-operation despite the difficulties. Officers from very different backgrounds came together and worked as a team in a way that suggested that they had worked together for years. For this, all are to be congratulated for their efforts in the aftermath of a blast that shook a nation (see p? for *Bali and DVI* article).

In all, a surprising number of Tasmanian police officers have travelled overseas in the course of prosecuting crime and furthering the aims of law enforcement. Understandably, the practice has become more common in recent times, but is resorted to only in connection with high profile cases, where substantial amounts of money have been involved or where State interests have been compromised.

Often seen by others as 'a holiday abroad', in very few instances do these excursions abroad provide an opportunity to adopt the role of the tourist. In fact, in many cases – particularly extraditions – they provide little scenery beyond aircraft, airport terminals and courthouses, and are physically exhausting as well as mentally draining. Some, of course, are bonuses, and those who have had the good fortune to be involved in one of these more relaxing outings, have experienced one of the rarer benefits



Greg Roberts

of policing.

I have the feeling that although my research has been fairly thorough, I may have missed some instances that should have been included within this account. If so, I apologise to those concerned and would invite them to contact me so that their experiences may be recorded for publication in the future.



Tony Cerritelli



Elaina Deayton