

Date : 11 February 2020
Location : Alice Springs Police Station
Conversation Between : Detective A/Superintendent Lee MORGAN & Superintendent Pauline VICARY
Also Present : Detective Sergeant Darren BURNS
Conversation Commenced : 12:40pm
Conversation Concluded : 13:18pm

Transcript accuracy disclaimer:

I, Detective Senior Sergeant Lee Morgan, of the Northern Territory Police, have checked the accuracy of this transcript and it appears to be a true and correct copy of a recorded statutory declaration made by Superintendent Pauline Maree Vicary in the presence of Detective Acting Superintendent Lee Morgan and Detective Sergeant Darren Burns.

MORGAN: The time is now 12:40 on Tuesday the 11th of February 2020. Speaking is Detective acting Superintendent Lee Morgan. Ah, also present is another Officer involved in the investigation, can you please state your name?

BURNS: Detective Sergeant Darren Burns.

MORGAN: Ah, this is an audio-recorded stat - statutory declaration of Superintendent Pauline Vicary. Ah, this statement is being completed in the Alice Springs Police Station. Um, Superintendent Vicary can you please state your full name?

VICARY: Pauline Maree Vicary.

MORGAN: And your age and date of birth?

VICARY: I'm 52 and [REDACTED]

MORGAN: Thank you. And can you please repeat after me. I Pauline Maree Vicary declare the following to be true.

VICARY: I Pauline Maree Vicary declare the following to be true.

MORGAN: Thank you. So this statement is a voluntary statement. It is being obtained as part of the Coronial Investigation, however in the interest of ensuring a complete and thorough criminal investigation is completed, any information obtained in this

statement will, where legally allowable, be shared with the Criminal Investigation Team. At times this process will feel like you're being interviewed, um, however I can assure you this is a voluntary statement and, um, if you want to stop at any time that's your choice. Ah, we have reviewed the statement that you made on the 12th of December 2019 and we have some further questions we would like to ask. Ah, we will be asking a series of questions in order to draw the relevant information from you, however this is not an interview, it is a statement. Answers you provide should be in your own words, ah, we may often ask clarifying questions. If at any time you would like to pause the statement in order for you to access particular information we're happy to do so. We are also happy for you to advise us, ah, that you would like to get back to us at a later time, ah, if there's some information or a question that you can't answer right now. Any subsequent statements may be either in an audio or written formats, so if you say I can get back to you with that later, it might be a quick one or two paragraph written statement or if we're back down here we might do another quick audio statement. Alright can you please tell me your current rank and position?

VICARY: So I am the Alice Springs Divisional Superintendent.

MORGAN: And when did you start in that position?

VICARY: Ah, so I was relieving in it before I was permanently in it. So probably about 2 years ago.

MORGAN: And you were promoted when? Is that like substantively promoted to it in?

VICARY: Um, so December and I think it got gazetted in January.

MORGAN: January of last year?

VICARY: Yep.

MORGAN: 2019. So prior to getting promoted into this position you were acting in it.

VICARY: Yes.

MORGAN: Um, so that was for about a year?

VICARY: Ah, yeah 6 months I suppose.

MORGAN: Okay.

VICARY: And then before that I was the OIC of the Operational Support Section, which is one of the Alice Springs Police areas that we look after as well.

MORGAN: Okay. Does it cover – does that Operational Support Section, that's not General Duties, that's a different section is it?

VICARY: Yep. Yes.

MORGAN: Okay so that captures like the Watch house and –

VICARY: No, no, so it captures, um, Youth, um, Alcohol Policing, PALIs.

MORGAN: Okay, yep.

VICARY: Event Management, that's it.

MORGAN: Yep. Alright, um, as you're aware, late last week I sent you an email where I highlighted a number of questions that we were going to ask you. I've actually added a little bit more to that, but like I said, if there's something that, um, because we haven't given you notice of, you would like to get back to us later, more than happy for you to don that.

VICARY: Yep.

MORGAN: Um, so can you, and – and we won't go into lots of detail because you've provided a 40 page statement, ah, back in November of last year.

VICARY: Yep.

MORGAN: So we're just gonna ask some more specific clarifying questions.

VICARY: Sure.

MORGAN: Um, so can you just tell me any knowledge that you have in relation to, um, Zac Rolfe, um, as the Divisional Superintendent?

VICARY: Yeah, um, so Zac transferred here after he was, um –

MORGAN: Graduated training.

VICARY: That's it. After he graduated from, um, the College. I – I, did you need a date?

MORGAN: No that's fine.

VICARY: Um, so, um, so he came here then, so he was working in General Duties. He *inaudible* didn't come to my attention for any particularly a lot. Um, the first time I probably had any real contact about him was when I was doing the ,um, Southern Desert, um, Superintendent role and he was involved in the rescue of some people at Jay Creek. Um, and I had provided them, *inaudible* de-briefs and that sort of thing.

MORGAN: Mm-hm.

VICARY: 'Cause I had some concerns around that, the rescue. Um, more so from his supervisors and the decision making that was made in relation to what had happened there, but certainly not because of his role, he did a great job of saving people so.

MORGAN: Okay.

VICARY: Um, so that was my first contact with him.

MORGAN: So can I just clarify, you were just relieving in the Southern Desert role?

VICARY: Yep, so I was just doing the acting Superintendent for a little – little while there. Um, and then after that I was, you know again, I you know, as the Su – in the Superintendent role you don't tend to have a lot -

MORGAN: Yes.

VICARY: - of contact every day with everybody. Um, so we – there were um, before they changed it over for that – that the Sergeants could do the use of force thing, so I used to have to do the use of force thing, so I'm sure *inaudible* use – use of force re – reviews. And I obviously sit in the CMTs here, so I'm aware that when we have complaints against police and that sort of thing, so um, he has had a number of, um, incidents where he's been involved in, um, complaints, um, and a large number of those have been, um, CRP type ones and there are other ones where he was you know, involved in the arrest team where the, um, PSC had taken, um, responsibility for.

MORGAN: Yep. Um, I'll go back a little bit, 'cause you just gave us quite a lot of information there. You said as the Superintendent, you may have reviewed, um, use of force case note entries completed by Rolfe. Is there any of those that stick in your mind?

VICARY: No.

MORGAN: Okay. Um, and then you spoke about, ah, complaints, CRP, which is obviously the complaint resolution process.

VICARY: Yeah.

MORGAN: Which is for low-level stuff. Ah, were there any complaints or investigations that you were aware of, um, that were more significant?

VICARY: Um, no so none of the, um, CAP's that *inaudible* there were people that had injuries or anything. Um, I did notice that you know, he was getting a, you know, quite a few had been involved

with, it's not often, It wasn't just him and another member, there was groups, you know, where we've had multiple people in, um, and that sort of you know, he was involved in some of those. Um, so anytime that I sort of have mem – like you know, a member that's sort of popping up all the time and I – I'll start to have a little bit more of a look and see what's happening. Um, and I think I did have a conversation with him at one point, I can't remember what it was about, but he'd actually said to me that he felt that he was getting targeted. Um, because, you know, he had the number of complaints that he was getting and that sort of stuff, so I said to him, you know, you're not getting targeted but obviously, you know, people will make complaints. We had a period here where when NAAJA first took over from, um, CAALAS and, ah, there was a particular Lawyer there that anytime we arrested a youth, we were getting these complaints in. So, um, so that was, you know, that – that was, you know, going on for quite a bit. That Lawyer is gone now and we've noticed a significant reduce *inaudible* but every time they arrested someone, we were getting a complaint about, ah, the excessive use of force, um, but you know, again, the reviews were happening and it was, you know, they were all working in within the training that the members had had and that it was, you know, deemed to be reasonable. Um, the only other issue that you know, I was concerned about was bodyworn video because there was sometimes when he hadn't activated his bodyworn. Um, and then so we started doing bodyworn dips just to see –

MORGAN:

Mm-hm.

VICARY:

where it was. Um, an then there was one where he *inaudible* it was zero and I was like, well that's a bit odd, because we'd seen like he'd improved. And then we worked out that his bodyworn had actually broken and he'd been using other people's bodyworn so then we had to go back and find all of that. So even

though it looked like he wasn't complying but he actually was doing all the right things.

MORGAN: Yep. When you say bodyworn dips, are you referring to dip tests to make sure he was using his bodyworn?

VICARY: Yeah through the Axon Capture.

MORGAN: Yep. Um, so I'll just go back. You mentioned he spoke to you, he felt like he had been – he was being targeted, was that – was he being, did he feel like he was being targeted by civilians making complaints, or by police like looking at him too much?

VICARY: Um, yeah so I guess, you know, 'cause obviously PSC are you know, involved in a lot of these things or where you have to sort of do, um, investigations ourselves, so he's just sort of felt that –

MORGAN: Okay.

VICARY: - there was a lot of pressure on him.

MORGAN: Yep.

VICARY: Um, because he – or he was obviously involved in a lot of those ones, but you know, he has a really high work rate, um, you know, he's – he was always the go to person if you wanted something done and you know, quickly, and effectively and efficiently, um, then he was often the one that you would sort of see and say, hey we really need to try and locate this person, and you knew that, you know, he – he was, you know, he had a really good work ethic.

MORGAN: Mm-hm. He'd go and get it done, yep. Um, so just on that, I know, um, Sergeant Burns has done a little bit of research around the complaint side of stuff, um, did you have a question there around the red flag stuff?

BURNS: Ah yes, so you – you mentioned earlier Ma'am that, ah, you were obviously part of the CMT processes throughout your time as Superintendent here. Ah, can you recall at any stage being advised during the CMT process of the propensity of complaints against Rolfe?

VICARY: I don't think it came up, ah, I can't recall a specific conversation, I don't think it came up to say, oh we're red flagging him or anything. Um, we you know, there may have been discussions where we've sort of said you know, he's coming up and you know, that we're monitoring it but I don't – I don't recall anything particular about it.

MORGAN: Um, do you know as a result of those, you said you think maybe there was conversations around Rolfe coming up a little bit. Were there any actions taken besides the bodyworn, ah dip testing –

VICARY: Yeah.

MORGAN: - were there any other actions taken, any remedial advice or conversations with Rolfe around the way he does his business?

VICARY: None of that point so as I said, so when we sort of were going back and, um, you know, looking at the use of force in the other members and that sort of thing that were involved, the you know, the use of force they were using you know, wasn't deemed to be excessive –

MORGAN: Yep.

VICARY: - and they were using standard tactics and - and the rest of it, you know, I think he's you know, a fairly tactically aware person and he was often quite alert and watching you know, people's behaviours and body language, and I'll give you an example of one of the ones I was aware of and, um, was, um, looking at and reviewing. There was, um, they arrested a youth that was up on Anzac Hill, um, and so Lee, I think there was Lee Bauwens

himself and some other members and, um , it was par – like I'm not, I'm thinking that it was when we were sort of having some of our – one of our Youth Operations we were having and he was involved in rock throwing and those sort of things. They arrested this, um, person, I think he was 16 or 17 and, um, so Lee was dealing with him and then I think Lee *inaudible* must of sort have been, sort of partially or wasn't looking at him, and then the person's you know, made an overt act and – and - and um, Zac was like right, you know, right there and so he's taken him down to stop him from hitting, um, Lee. So that's sort of why he just had that awareness that –

MORGAN: Mm-hm.

VICARY: - you know where as, you know, some other people who you know, aren't quite that switched on –

MORGAN: Yep.

VICARY: - I suppose, so.

MORGAN: Yep. Have you got any further questions Sergeant Burns around the complaints side of things?

BURNS: No.

MORGAN: Nah okay. We'll move on to the IRT stuff. Um, some of these will be quite short answers for you others you might want to go into more detail.

VICARY: Sure.

MORGAN: So who has overall responsibility for managing the Immediate Response Team?

VICARY: So the management of the day-to-day, um, stuff at the moment is Lee Bauwens, he's the OIC. Um, and then I – I suppose oversight you know, as the Divisional Officer. Um, the general –

general concept around them and the admin governance stuff I suppose.

MORGAN: So when you say Lee Bauwens is the OIC, that's just the OIC of IRT?

VICARY: Yeah, so it's not a full-time role.

MORGAN: Yep.

VICARY: It's a part-time role and so the IRT itself is a part-time role additional to the member's frontline –

MORGAN: Mm-hm.

VICARY: - duties. Um, and it's – frontline comes before IRT.

MORGAN: Yep. Um, I just wanted to clarify that Lee Bauwens is not the OIC of the Police Station.

VICARY: No, no –

MORGAN: Just the OIC of IRT.

VICARY: He's – he's just the OIC of the thing.

MORGAN: Alright. Um, can you please tell me your understanding of what the role of the Immediate Response Team is?

VICARY: Alright so the Immediate Response role have a couple of different roles that they can undertake, they can use a general, um, general um, support, ah, and they can also do the, um, high risk type incidents. So the general support can be anything from assisting us with a *inaudible*, um, helping out with you know, the youth side of things if we need sort of a higher risk capability. Um, or it can be going into, um, into communities where there's, um, unrest and that we need. So not necessarily the – the high risk TRG type role, but –

MORGAN: Mm-hm.

VICARY: having somebody there who have the less lethal op – um, options –

MORGAN: Yep.

VICARY: - so the IRT members that don't have the full TRG training and they're not a pseudo TRG, um, they are just members who have been given some additional tactical training so that we have some options down here, and until TRG can get here, particularly high risk.

MORGAN: Yep. Um, so when they're deployed as general support, so if they were deployed to Hermmansburg for example –

VICARY: Yep.

MORGAN: - um, to assist the Hermmansburg Police –

VICARY: - Yep.

MORGAN: Who would be in charge in that scenario?

VICARY: Alright so generally what happens if – if there's a request for IRT, um, it will go, um, through the Watch Commander or, um, through the OIC. So if there's an issue at Hermmansburg they will say to the Watch Commander, like we need some extra help, um, the Watch Commander will then, um, contact either the TDS or the Commander. So, um, my role as the Divisional Officer is, if it's something that happens outside of my area the only role I have is that they contact me as a matter of courtesy -

MORGAN: Yes okay.

VICARY: So anything outside of Alice Springs, I have no control over –

MORGAN: Yep.

VICARY: - who, you know, what – what happens. Um, so – so either the Territory Duty Super or the Commander can approve it, but as a

general rule, it's the Commander, we go through the Commander.

MORGAN: Yep. Sorry, were you finished?

VICARY: Nah, nah.

MORGAN: Yep. Sorry, so probably better if I clarify that, um, if IRT were deployed in a general support role in Alice Springs, so it falls under your Command.

VICARY: Yes.

MORGAN: Who would be in control then at the lowest level?

VICARY: Alright, so generally if as, um, it's the OICs. So if we want IRT we contact Lee.

MORGAN: Mm-hm.

VICARY: Lee coordinates who, you know, who the members will be and then he'll contact us back and tell us who they'll be. So he – he may not always deploy with them, but he will coordinate the deployment, and he will then also provide a, um, tasking for them about what – what they're gotta do.

MORGAN: Alright, so if you've got a situation in Alice Springs and you ask for some IRT support, Lee will develop a tasking list for the IRT members?

VICARY: Yep.

MORGAN: Would that be in consultation with yourself or with –

VICARY: With the OIC.

MORGAN: The OIC?

VICARY: Yeah. So whoever the Watch Commander or whoever the Incident Controller is.

MORGAN: Okay, so whoever is in charge of that incident –

VICARY: Yep.

MORGAN: - would consult with Lee about it?

VICARY: Yes.

MORGAN: This is what we need.

VICARY: Yes.

MORGAN: Okay.

VICARY: That's for just general support.

MORGAN: Yes, yep. Um, are you aware of any, so you said high risk. Um, my understanding is the SOP says that IRT can't be used in a high risk situation?

VICARY: So what happens in the high risk situations is, TRG get contacted in the first instance, and then we have that conversation and then they then make a determination is in the first instance, is if IRT come in and just do some of that initial cordon containment or they'll *inaudible* less lethal options, um, so in the event that you know, it's just a tool.

MORGAN: Yep.

VICARY: That we have until, um, TRG can either get here or, um, you know, they'll provide some advice to Lee about what needs to happen.

MORGAN: In – in your experience in the Alice Springs Division, have IRT ever been deployed in that high risk category?

VICARY: Ah, I think we've only, not very often, I think we might have had them come out when we, there was a report that a, um somebody had fired a shot out of the window –

MORGAN: Yep.

VICARY: - to the police. So I was actually the TDS that night. Um, I don't have a very tactical brain or tactical experience, so, um, we - I contacted TRG, um, the Superintendent and said this is what I've got. Ah, obviously they're a long way away, we still haven't been able to actually confirm if it definitely was a gunshot or not, um, you know, I got *inaudible*, IRT people around, um, what do you think, so we made the determination with them to come out in the event that we did need to take some action, but I had the IR - my IRT persons, so Lee was away that day, so I had Sergeant Jason Lock, um, come in and take over from that, um, Supervisor role I suppose, or Team Leader. And I had him con - so, um, Shaun got mentioned, King I think, or one of - one of their people to contact us and then I had those two speak to each other -

MORGAN: Mm.

VICARY: - and come up with a, so, um, Jason come up with a plan about what they were going to be doing and then he ran that past TRG -

MORGAN: Yep.

VICARY: - and they had so, then they sort of just talked to each other and consulted me and it was all good.

MORGAN: So is that - is that the only incident that you can think of, and I'm not locking you in to say that's *inaudible* the only time they've been used in a high risk, but from your memory, is that the only time they've been called out in that higher risk capacity?

VICARY: I think they have been called out in other ones, but I - I'd have to get back to -

MORGAN: That - that's fine.

VICARY: And again, even though I'm the Super, it often goes over me.

MORGAN: Yep.

VICARY: And it goes, like the Watch Commanders go straight to the –

MORGAN: Commander.

VICARY: - Commander and then I find out later, so –

MORGAN: Mm-hm okay.

VICARY: - I'm not necessarily always directly involved in –

MORGAN: Yep.

VICARY: - the deployment side of it.

MORGAN: Any questions about that Sergeant Burns?

BURNS: Ah yes Ma'am, probably just to clarify, just, um, obviously with that convoluted chain of command with the fact that you're responsible for the Alice Springs Division and every Watch Commander can skip you and your Commander can skip you –

VICARY: Yep.

BURNS: - could there have been times that the IRT's been deployed without your knowledge?

VICARY: Yeah.

BURNS: Yep.

VICARY: Not straight away, yeah, I've known later.

BURNS: Yep.

VICARY: But not, yeah, often I don't find out until later.

BURNS: Yep okay.

MORGAN: And I'm guessing that would have occurred more regularly when they're used outside of Alice Springs Division?

VICARY: Yep.

MORGAN: So –

VICARY: So generally when they get used – used outside I find out –

MORGAN: Eventually.

VICARY: - then that –

MORGAN: Okay.

VICARY: To be real honest we don't use, I don't think we use them in the IRT capacity that much in Alice Springs.

MORGAN: Yep.

BURNS: Probably, I'll just ask this, and you might not be able to answer it Ma'am, are you aware of the IRT being used or being called out to support whatever it is, other operations outside of Alice Springs, because they answer their phone and not because they have received some kind of specialist training?

VICARY: No. No, so IRT, there has – there's – there's, we have to be able to justify calling out the IRT.

BURNS: Okay yep.

VICARY: So that may be a perception.

MORGAN: Yep. Um, are you able to, and again you might not be able to do this but, um, are you able to make any comment on what the IRT can do, that General Duties Police can't do?

VICARY: Alright, so, um, they have, um, the specialist cordon and containment, um, training, um, they do the building clearance training with the firearm stuff.

MORGAN: Mm-hm.

VICARY: Um, they do, um, they've been trained in, they've got the gas stuff. Um, stun guns, stun grenades and those sort of things. And they, ah, can do the less lethal, rubber bullet,

MORGAN: Yep.

VICARY: Firearms.

MORGAN: Do you know, um, who decides on what they will be trained in?

VICARY: So that was all, um, so part of the SOPs, so that was all done through TRG, so again that was -

MORGAN: Okay.

VICARY: - that was before my time, but, um, I've - my understanding is TRG had initially done the - they wrote up part of the SOP. Then they sent it to Mike Williams who then put the local content side of it into it.

MORGAN: Um, Mike Williams being the former Officer in Charge of the Police Station?

VICARY: Yeah he is in New Zealand now, yeah.

MORGAN: Um, so what about the ongoing training, so I understand, ah, and you might be able to touch on briefly about the - how regular they had - they, ah, participate in training? The training packages that were delivered on those training days, whose responsibility is that?

VICARY: So Lee determines what the training day, um, training is going to be. Um, and as much as possible we try to facilitate that they get that, but again you know, if the members are on leave or if you know, if they're on duty or if - frontline first.

MORGAN: Mm-hm.

VICARY: If we - if we haven't got the capacity to, um, fill the shift then sometimes that training doesn't happen.

MORGAN: Okay. Um, so it's the responsibility of Lee Bauwens to ensure the training they receive is relevant to the –

VICARY: - yeah so he – he runs the training. So they either do, um, they'll go out and just do firearms training because they have, they're a specialist, like the different guns that they use. Um, sometimes they'll go across and do a building clearance, um, training, so yeah, just yeah that's the, he makes that decision about what they need to do.

MORGAN: Who does, ah – sorry before I get onto that, Sergeant Burns?

BURNS: No. No further questions?

MORGAN: Who does Lee Bauwens report directly to in relation to the IRT?

VICARY: So he reports to me.

MORGAN: Okay. And if Lee is going to be away how is it decided who will be, who will act in his position in his absence?

VICARY: So he would normally make that decision himself because he knows the knowledge. So up until a few months ago, if Lee was away, um, Cam Vivian was – would be the one that stepped in, so Cam, Cam Vivian was a member of IRT and, um, was also an ex-TRG member. Um, but Cam's been on sick leave for a little bit so, um, I acknowledge that there's been a little bit of a fall down with that because, um, last time that – for this incident when Lee went away it didn't get – there wasn't that –

MORGAN: Formal process?

VICARY: - that formal process didn't happen. Um, so, um, on that day I believe that the, um, we had Paddy McCormack or Shane McCormack on duty and he's an IRT member, he's an experienced member, um, so they just – somebody just appointed him on the day.

MORGAN: Yep. Alright so now I want to talk to you a little bit about, ah, the selection process for IRT members.

VICARY: Yes.

MORGAN: Um, so can you just talk me through that in as much as you can, right from how we even get people to apply for it directly, put out an EOI, what do we do and then what happens next?

VICARY: Yep. So what happens is that we'll send in an EOI in relation to people who want to come in and they have to, um, fill out, I think it's an email, I'm sure that there's a criteria on it, I haven't actually been part of that process before.

MORGAN: Okay.

VICARY: Um, so they – they'll send it through, I think the EOIs go to Lee and then, um, it goes, there's a Panel that sit, and then they make a determination as to you know, who they believe is suitable and, um, got the potential for development –

MORGAN: Yep.

VICARY: - in those areas.

MORGAN: And you haven't been involved in any of those selection processes?

VICARY: No.

MORGAN: Okay. Makes that a bit easier. Do you know if once an IRT member is selected, if they go through any type of induction process or initial training?

VICARY: Yeah. So there is training, so I suppose just to clarify, we don't you know, we don't – we only do the selection or EOIs, um, when it's determined that we need to get additional members in –

MORGAN: Mm-hm.

VICARY: - so, ah, the IRT, they try and have around 15 people sort of across the board. If it sort of starts to go down under about 10 then we have to start looking at doing an EOI. So it may be that there won't be another EOI for 18 months or so.

MORGAN: Mm-hm.

VICARY: Um, so then, um, once - sorry what was the question again?

MORGAN: Um, it was around induction and initial training?

VICARY: Right, so once they've, um, been selected, then there's a course that they run and the course covers, um, there's theory components and then it also covers all of the weaponry and the rest of it as well.

MORGAN: Okay. And is that initial training conducted by TRG or is it conducted internally down here.

VICARY: So, um, it's conducted by Lee, um, and there are some components that, um, TRG, ah, used to come down for but they've now trained Lee to do some of those things so he can actually come down and do the assessments himself. And that just, you know, it reduced some of the cost factors, but it also, um, meant that we you know, we could work the timings around us as opposed to having to work it around TRG.

MORGAN: Okay, we'll jump forward to a question I was gonna ask you in a little while, but there's around, um, the transition from TRG conducting training to it being done at a local level –

VICARY: Yep.

MORGAN: Um, so it's my understanding that TRG used to come down and do some annual re-qualification type stuff.

VICARY: So there's still some stuff that they have to do that we – we don't do. So, and I – so often we'll have TRG come down for CPP or other particular operations. So when they do come down we try

to get them to do some of those qualifications – re-qual things, kill two birds with one stone.

MORGAN: Yep. Was there a – a formal process though, 'cause I – I'm led to believe that, um, something happened last year where it was decided certain things that TRG were coming down for, they weren't gonna come anymore and it was going to be conducted locally, do you know if there was a formal process around that?

VICARY: I don't think – it wasn't – I don't know that it was formal, um, I think that, ah, there was some, as I said, things that Lee is able to do because of his previous training –

MORGAN: Mm-hm.

VICARY: - and, um, he's got – they've trained him to do it, um, so they sort of determined that well you know, Lee can actually train – do it down here and save costs and stuff.

MORGAN: And do you know who made that decision, or who signed off or who agreed that was the – the right thing to do?

VICARY: Yeah look I can't recall now.

MORGAN: Okay.

BURNS: So sorry Ma'am, leading on from that, so subsequent to that decision being made that TRG wouldn't participate or wouldn't provide further training, um, apart from the re-qualification, I think for the shotgun, the beanbag shotgun –

VICARY: Yeah.

BURNS: Which is I believe that's what they come down here for, is there any other oversight provided by Territory Response Group or their -

VICARY: *Inaudible.*

BURNS: - the training.

VICARY: So – so all of the training that our guys do, um, is recorded through their SPECTER training, um, so that – that’s one way I guess that they can continue the oversight, but, um, as I said when they do come down they will often still get them to do some training with the members anyway, so I think they came down, they were here for ANZAC Day, ‘cause there was some Dignitary here or something. Um, so while they were here Neil Mellon said you know, you know we’ve got – you know, while we’re here we’ll do some you know, *inaudible*. So even when they come down we still have some capacity for them to do things, so.

MORGAN: Yep.

VICARY: You know, we – we still try to include them as much as we can.

MORGAN: Okay. Ah, so really we’ve only got a couple of things left to touch on.

VICARY: Yep.

MORGAN: Um, one of them we touched on a little bit earlier which was around the complaints side of stuff, um, involving Zach Rolfe. So the IRT policy states that if a member is under investigation or is has active complaints, they should be stood aside from the IRT until the matter is resolved.

VICARY: Yep.

MORGAN: Um, it’s apparent Rolfe had a number of complaints, however he was not removed from the IRT –

VICARY: Yeah.

MORGAN: - Are you able to offer any comment around that?

VICARY: So I guess we temper that with common sense, ‘cause as I said, you know, that at one point every time we did an arrest job, that you know, we – members were getting complaints, so, um, and

so, I guess, um, we would look at it if there was a serious complaint about an assault or something of a really serious nature then we would obviously look at you know, standing someone down, but for these lower level assault complaint *inaudible* use of force type ones, it's not something that we would have deemed that it would have been necessary to do that.

MORGAN: Do you know if there was any formal discussions around that captured in CMT –

VICARY: No.

MORGAN: - minutes or anything?

VICARY: I don't think. It hasn't even come up.

MORGAN: Yep.

VICARY: So I – PSC had certainly never raised that you know, they felt that he shouldn't be doing anything –

MORGAN: Yep.

VICARY: - like that.

MORGAN: Anything you want to talk about?

BURNS: Ah, probably just leading, ah, somewhat on from that, um, are you aware of any discussion that, and not particularly around, um, member Rolfe, but any discussion about minimum service requirements for being a member of the IRT as such being off probation -

VICARY: Yeah

BURNS: - or minimum service?

VICARY: So I'm aware that you know, we have the thing about you know, people can't be on probation, but I wasn't part of the panel.

BURNS: Yep.

VICARY: Um, so it may – I don't know if there was conversations about because of his previous experience that they felt that it was acceptable for that and I'll have to ask the panel that.

BURNS: Yep. Do you know who sat on the or who sits on the panel?

VICARY: I'm pretty sure it was Brad Currie and Lee Bauwens and I think it might have even been Nancy Parsons or, um, a finance person. Um, but I'm – I cant – I'm not a hundred percent sure -

BURNS: That's alright.

VICARY: - who that third person was.

MORGAN: Alright, um, have you got anything else?

BURNS: No.

MORGAN: Have you got anything else that you want to add?

VICARY: So I suppose I – I, um, so Zach passed the TRG assessment last year. Ah, and he's put in a number of applications for TRG that I have to provide sponsors for –

MORGAN: Yep.

VICARY: - so in his earlier ones I had said that I felt that he needed to do more GD's work before he got into a specialist role.

MORGAN: Yep.

VICARY: And I did have those sort of conversations with him about you know, that while I understand he had that tactical background that you know, you've joined the Police Force so you know, for me it's really important that we make sure people have a really good grounding in – in policing before they go into a specialist role. And I had some – had a conversation with Neil Mellon about you know, my concerns that you know, that he – he not

get rushed into TRG too early and you know, well they sort of said well you know, well they passed the course to get in, that doesn't necessarily mean they are gonna get straight in, there's still a lot of other things – hoops they've gotta cross to get there, so, um, but we – I had, I think the last application he put through I recommended him, um, for it because you know, I had seen sort of the change in him and the maturity that he was starting to show so.

MORGAN: Excellent. Anything else?

VICARY: Nah.

MORGAN: No. Um, can I just get you to read this paragraph here from I.

VICARY: Yep. So I make this solemn declaration by virtue of the Oaths, Affidavits Declarations Act. Conscientiously believing the statements contained in this declaration to be true in every particular. I acknowledge that a person who wilfully makes a false statement in any material particular is guilty of a crime and liable to imprisonment for three years under section 119 of the Criminal Code. Furthermore, a person who does anything *inaudible* to a statutory declaration that results in it becoming false or misleading is liable to a penalty of a fine, or imprisonment or both, section 27 of the Oaths, Affidavits Declarations Act.

MORGAN: Thank you. So I Detective acting Superintendent Lee Morgan who has obtained the age of 18 years, from the Peter McAulay Centre in Darwin, ah, state that I have witnessed the recording of this declaration in full. Ah, this statement has been declared at the Alice Springs Police Station this 11th day February 2020. The time is now 1:18pm and this statement is concluded.

