

Date: 24.1.2013



Exhibit number: 286

QUEENSLAND CHILD PROTECTION
COMMISSION OF INQUIRY

Our reference:

Statement of Witness

<i>Name of Witness</i>	Noel Ronald NEWNHAM
<i>Date of Birth</i>	
<i>Address and contact details</i>	Known to Commission of Inquiry
<i>Occupation</i>	Retired
<i>Officer taking statement</i>	Detective Inspector Peter Brewer
<i>Date taken</i>	23/1/2013

I, Noel Ronald NEWNHAM state;

1. I am a married man and I reside at an address known to Commission staff in Victoria.
2. In the period between 1989 and 1992 I was appointed as the Commissioner of the Queensland Police Service.
3. I was contacted by Investigators from this Commission of Inquiry in December 2012 and asked about a previous inquiry I conducted in the mid 1998. These inquiries were preliminary in nature. I also supplied a copy of documents and recordings I still had in my possession relating to this inquiry I have also had the opportunity of viewing the Commission's Terms of Reference 3(e).



Witness signature.....

Signature of officer.....

4. I recall that I was contacted by Kevin Lindeberg in the period between 1992 and 1995 when I was in Victoria. I had some initial discussions at this time regarding the shredding of the documents know as the 'Heiner' documents and discussed the 'destruction of evidence' section of the Queensland Criminal Code. Kevin also told me that a man named Peter Coyne had been trying to access documents that related him personally through his Union (documents that related to the Heiner Inquiry). Lindeberg had been an officer with that Union.
5. I also recall Kevin spoke about Coyne's right to access those documents and the department's response to Coyne's attempts to exert those rights. I recall that Kevin was quite outraged by the events in the background to his dismissal from the Union, and by the response to attempts by Coyne to access those documents, and he was seeking a perspective on these events from a policeman's view. I do not recall having previously been aware of the events Kevin was speaking about. The discussion turned to the shredding of important documents and if this could be legally done. That was the extent of my initial involvement. I provided some views and I thought the matter could be resolved by the Criminal Justice Commission.
6. I did stay in touch with Kevin since this time and have discussed major events as I believed they developed. I did not see any Victorian media reports on these events. I also later met Mr Bruce Grundy, a journalist who was also making inquiries about these events. I am aware that Mr Grundy wrote some detailed releases and I did read some of his reports.

Witness signature..........Signature of officer..........

7. I did get the sense that Kevin was becoming increasingly frustrated with his attempts to reveal the illegal behaviour that had occurred, and the denial of Peter Coyne's lawful entitlement to see documents. I was aware that Kevin was using Freedom of Information to gain access to a lot of documents and also that he felt the CJC were obstructing him in his endeavours. I was just a listening ear at this point, but on the information I had I was satisfied both he and Coyne had been treated very shabbily.
8. It was in May 1998 (while I was living in Sydney) that I was approached by a Mr Geoff Moss from an organisation called the Enterprise Council based in New South Wales. I had not previously heard of this organisation but was asked to conduct some inquiries to establish more facts surrounding the Heiner Inquiry, what it was told and why the Heiner related documents were disposed of. I did not have a lot of time available but agreed to come to Queensland for a few days and conduct some inquiries. I later compiled a report of the inquiries I made and forwarded this to Ryan and Boscher, Solicitors, Queensland, who were made known to me by Moss. (The firm was probably also mentioned by Kevin Lindeberg).
9. It was between the 13 and 15th May 1998 that I travelled to Queensland and spoke to a number of people. I was involved in determining who should be spoken to and this was based on information provided by Geoff Moss. I subsequently spoke to a number of persons whose names appear in my reports to Ryan & Boscher, along with a summary of the information they provided me. The aim of my inquiries was to find out more of the facts of the case.

Witness signature..........Signature of officer..........

10. I generally made notes of the conversations I had and on some occasions they were tape recorded by me. I also recall that appointments were generally prearranged with people and I attended their residence or office locations and spoke with them. Some people were spoken to on the telephone.
11. One of the people I spoke to was Mr Rudi Pekelharing. This man confirmed he was employed at the John Oxley Youth Centre, but did decline to provide a formal statement to me. I did record notes of our short conversation in a notebook that ^{has} been provided ^{to} Commission Investigators. I summarised that information into my reports to Ryan & Boscher and am able to read my notes into the record if required. It was Pekelharing who found a child still handcuffed to a grate near the swimming pool at JOYC, who had been left there overnight. Pekelharing confirmed he spoke to Mr Heiner during his inquiry and told him about the handcuffing of inmates and his disagreement with this. He mentioned he retired in 1994 and that drugs were rarely administered and then only if prescribed by a psychiatrist. The psychiatrist was not on staff and a nurse administered those drugs prescribed. He was unaware of mogadon being used, but serepax was used if prescribed. There was no mention of sexual abuse of children at JOYC by Pekelharing or recorded in my notes.
12. I also approached Mr Noel Heiner about his inquiry. I was aware that Mr Heiner recorded the conversation so I only took notes. Heiner explained to me that he was asked by Pettigrew to conduct an inquiry into management practices at the John Oxley Centre. I see that I spoke to Heiner early in my trip to Queensland. I have summarised that information into my reports to Ryan & Boscher and am able to read my notes into the record if required. Mr Heiner I recall was reluctant to engage with me but did speak about his processes in conducting his inquiry.

Witness signature.......... Signature of officer.....

13. On my final day in Brisbane I spoke with Ms Beryce Nelson at her office at Newstead. I recall that we discussed the setting up of the Heiner Inquiry and what her intentions were for the Inquiry. I discussed the Terms of Reference and matters which prompted the setting up of the Inquiry. The information provided by Ms Nelson was typed by her on the office word processor as we spoke. I have given this statement and my tape recording of our interview to Detective Brewer. I know from this statement it included information I had not heard before. Ms Nelson talked about the last straw for her being a staff member allowing 2 boys and 2 girls to spend the night together at the Centre and the recommendation to her to approve the staff member merely being admonished over the incident. Ms Nelson informed me that she was aware of other allegations involving the sexual abuse of children. I did not make further inquiries about what these other matters involved.
14. I also spoke to Mr Edward Clarke on the 14th May 1998 during my trip to Queensland. I took a statement from Mr Clarke and can produce a copy of that statement and recording if required. I note that Clarke did not say anything of sexual abuse when interviewed.
15. It was through the work of Mr Grundy that the rape incident involving a female child (Annette) while on an outing from the John Oxley Youth Centre (JOYC) was exposed. It was later that I was given some material released under Freedom of Information to another person, that gave some more information around the alleged rape incident. I can say that I became aware of the rape incident after 1998 when I conducted my inquiries. I have passed comments about the adequacy of the apparent handling of the complaint, but I was not in a position to take any further action.

Witness signature.....

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Signature of officer.....


16. The issue of sexual abuse of children of John Oxley was first raised to my awareness during my inquiries in Queensland by Beryce Nelson. I was given a briefing paper from Geoff Moss prior to coming to Queensland to show his perspective of what had occurred. I can confirm that there is no mention of sexual abuse of children in this document. I can also confirm that the words sexual abuse of children do not appear in my reports back to Ryan and Boscher. I did not include reference to the information provided by Beryce Nelson as this was unconfirmed and undetailed information (and of course hearsay information). It was also information that I thought with more time, resources and authority than I had could have been followed up by an appropriate person.



N R NEWNHAM

Declaration

This written statement by me dated 23/1/13 and contained in the pages numbered 1 to 6 is true and correct to the best of my knowledge and belief.

 Signature
Signed at Brisbane this 23rd day of January 20 13

Witnessed:

 Signature
Name Peter Brewer Rank Detective Inspector Reg. No. 7160

Witness signature..... Signature of officer.....