

FEBRUARY 2019

Police Journal

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**PURSUING
JUSTICE...
FOR FOUR
DECADES**





Pursuing justice... for four decades

He used to seek convictions so vigorously that observers thought him unreasonable. But, now, near the end of his career, Senior Sergeant First Class Manfred “Fred” Wojtasik has little, if anything, to regret.



By Brett Williams

Defence counsel had simply had enough of young police prosecutor Fred Wojtasik cutting him off with constant objections, most of them upheld. It meant his questions had failed to penetrate and he was now incensed.

In utter frustration, he turned not to the magistrate but to the dogged Wojtasik, and asked: "Well, what *can* I ask?"

The scene was that of the trial of an offender for street offences back in the early 1980s. And, for Wojtasik, seeing his lawyer opponent exasperated in the Adelaide Magistrates Court was a moment of deserved pleasure.

Like an AFL tagger, he had forced his adversary to lose focus and act in a way he (Wojtasik) knew to be inappropriate.

In another case, around 15 years later, also in the Adelaide Magistrates Court, the tone was far less hostile but the charges extremely serious. An offender, charged on one information, stood accused of the indecent assault of five women, each on a separate occasion.

The victims, who all knew the offender and his family, had suffered the assaults many years earlier.

Wojtasik took on the prosecution case with a junior colleague after a failed appeal to sever the charges. Adelaide barrister Ian White, now a magistrate, represented the defendant.

After five days of courtroom battle, victory went to the prosecution.

Found guilty, the offender launched, but eventually lost, an appeal against his conviction and wound up back in court for sentencing. But with a seeming taste for appeals, he launched another – which also failed – against his sentence.

"He eventually went to prison and served his time," Wojtasik says. "So that, to me, was one of the most satisfying and rewarding prosecutions.

"The five women had been closely cross-examined and challenged about a whole range of issues. And the usual one came up, that they'd colluded, but that was never accepted by the court.

"So that was probably my most memorable case, certainly in the years after I came back to Adelaide (after country service)."

Today, Wojtasik, 66, is a cop of high profile. The German-born husband, father and grandfather is known to every police prosecutor, the broader police community, the ODPP, and the SA magistracy.

But he knows that, over the years, some have perceived him as "hard, inflexible and unreasonable", at least in the professional sense.

He attributes the perception, right or wrong, to the relentless way he pursued convictions in the earliest of his 38-plus years as a prosecutor.

But even now, acts like that of "pleading offences down" are still not his preference. He points to the example of a charge of assault police and insists that, if it can be "made out", it should proceed to court.

No surprise, then, that he speaks of the onus on police prosecutors to be "resolute and vigorous in our pursuit of justice". And, when he makes that declaration, with calm and directness, he can seem like a man prepared to die for the cause.

Of course, the Wojtasik philosophy has always been an asset to his superiors, such as former Prosecution Services Branch boss Chief Superintendent Doug Barr.

"Like everybody," Barr says, "when I think of Fred, I think of (him being) all things German: professional, business-like, straightforward, the stereotype of German efficiency.

"He's got an unwavering dedication to the purpose, (which is) to see justice done. And that means different things in different cases.

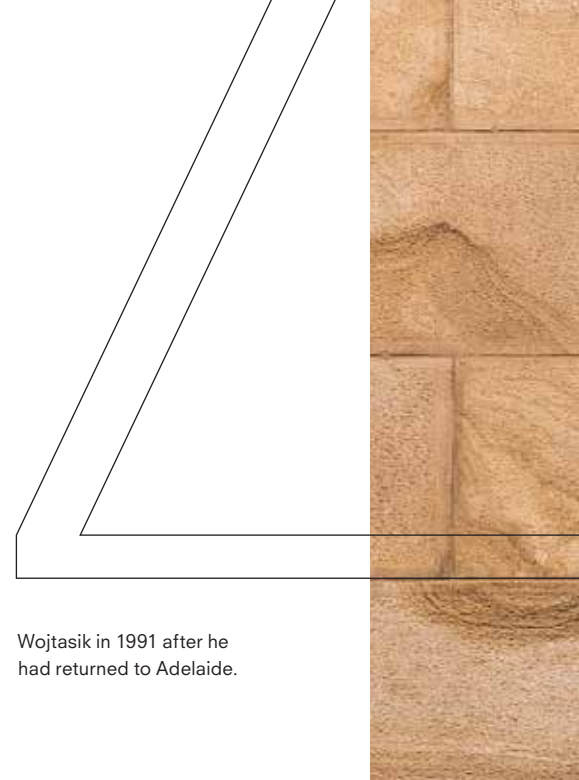
"It's not always necessary to get convictions or send people to prison or refuse bail. Although, when those things are required, don't worry, Fred will pursue them with a passion."

In fact, when Barr was himself an active prosecutor, he saw the Wojtasik doggedness in action.

In court one day, without the necessary declarations, Wojtasik sought an adjournment. But the response of the clearly displeased magistrate was to dismiss the case, and "the crook walked out all smiles".

Says Barr: "I followed Fred out (of court) and, the next thing, I see him down in the justice's office. He was swearing out a warrant for the same accused on the same charges.

"The next day in court, same defence counsel turns up (and is) gobsmacked. His client comes out from custody, and Fred tells him: 'You've got to be careful. You might win a victory, but it'll only be a pyrrhic one.'"



Wojtasik in 1991 after he had returned to Adelaide.

“The next day in court, same defence counsel turns up (and is) gobsmacked. His client comes out from custody, and Fred tells him: ‘You’ve got to be careful. You might win a victory, but it’ll only be a pyrrhic one.’

“That was his tenacity. He wouldn’t give it up. But Fred’s just got the judgement experience and he knows how to get the balance right. I always had great confidence in him and his judgement.”

Not even the business elite of SA were ever able to bring their influence to bear on Wojtasik. One outfit that tried was a major transport company facing a charge of breaching registration provisions in the 1980s.

It had allowed its drivers to drive trucks, registered for use only within South Australia, across state borders.

As the adjudicator on the case, Wojtasik drew the attention of the lawyer acting for the company. He remembers him making a “representation to me about not proceeding” with the prosecution.

The upshot was that, if it did proceed, the company owner would pull his business out of the local area. The implications, such as lost trade and jobs, were obvious.

But both Wojtasik and his superintendent – whom the lawyer also approached – remained totally unmoved. The prosecution went ahead.

“Because,” Wojtasik says, “our role is to objectively, fairly and appropriately apply the law. It doesn’t matter who people are in the community. We shouldn’t be drawing distinctions because of their position. That’s not our role.”

Wojtasik could well have enjoyed a career as a solicitor had he pursued a law degree. The idea did occur to him, as it did many other police prosecutors who became, and still practise as, lawyers.

The arguments against the switch for Wojtasik were his love of prosecuting, his healthy wage, and his senior position. Indeed, he is now the longest-serving and most senior police prosecutor in South Australia. Last November, he kicked off his 39th consecutive year in the field.

And, just last month, his overall service as a police officer clicked over to 44 years.

He joined SAPOL as a 23-year-old in 1975 and began six months’ recruit training with Course 117. The former Willunga High School boy had spent the previous seven years working for the PMG in both Adelaide and Darwin.

But Wojtasik might never have set foot in Australia had his parents been able to immigrate to Canada in 1952. The Great White North was their first choice of destinations after they decided to leave war-torn Germany for a better life.

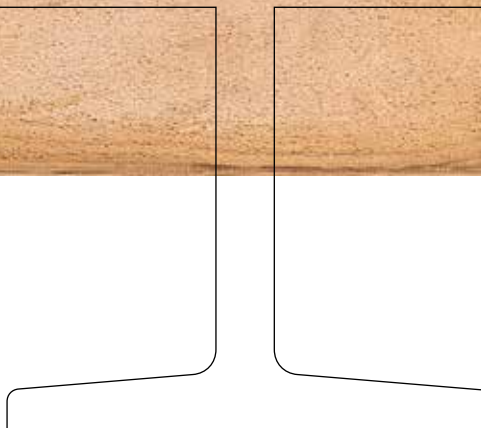
Entry to Canada in post-World War II, however, was not gained so easily. So, in the end, parents Helmut and Ella and their baby son, Manfred, headed for Australia.

And they would make the journey carrying the worst kind of tragedy deep in their hearts. Back in Germany, they had just lost their only other child, young Manfred’s twin baby brother, Joachim.



“.. the illness was such that I needed to refocus on what was important in life. Pursuing officer rank at that stage was not important.”





In Australia, the family wound up at the Bonegilla Migrant Camp in country Victoria before moving to Clare and, later, Currency Creek, South Australia.

Helmut, a former wharfie, found work as a farm labourer and bricklayer, while Ella worked at the Noarlunga meatworks.

The family, which grew to include two more children, finally settled in Morphett Vale – right next door to the local police station.

But it was not that closeness to the station and its activities that influenced Wojtasik to join the police. He had already entertained thoughts of a career as a detective, right from his early childhood.

Before any career, however, there was his education, which began at Morphett Vale Primary School. And there, he copped his first dose of bullying.

It was his short leather pants and braces – sent by his grandmother back in Germany – which made good fodder for a tormentor. So did the German ryebread sandwiches he took to school for lunch.

“There was one particular lad that was a bit of a tyrant and made fun of us,” he recalls. “But, in my life, that’s the only time that I’ve ever experienced anything like that.”

“By the time he got within about eight or nine metres of me, I’d almost made the decision that, if he came any closer, I’d pull the trigger.”

That schoolyard ridicule was perhaps a prelude to his future police career, when he would deal with not only tyrants and bullies but offenders of all types.

In fact, one he had to confront in the late 1970s was armed with a loaded shotgun and out to commit suicide by cop. Wojtasik had graduated in mid-1975 and was working as a first responder out of Darlington patrol base.

The scene, in the early hours of that morning, was a pitch-black Edwardstown park in which Wojtasik and his partner could not initially see the suspect. A moment later, however, they spotted him by the glow of a cigarette he was smoking.

Wojtasik and his unarmed sergeant stepped toward him, and not until then did the shotgun become visible to them. From around 20 metres away, the suspect started to advance on Wojtasik, whose sergeant had had to dive over a fence for cover.

“I’d drawn my pistol and called upon him to drop the firearm,” he says. “Then I crouched down behind a brick fence about two feet tall with my gun pointed at this fellow, directing him to throw the gun down.

“By the time he got within about eight or nine metres of me, I’d almost made the decision that, if he came any closer, I’d pull the trigger. But he threw the gun down, and I raced toward him. Another patrol had come along by then, and we secured him and grabbed the firearm.”

Later, back at Darlington police station, Wojtasik found that he had started to shake.

“Because,” he says, “it dawned on me that there was every potential that I could’ve been shot or, alternatively, I would’ve shot the other person.

“It was something that I thought about often after that, as to how tragic it could’ve been for either of us. The effect of it on me (in my mid-20s) was really quite traumatic.”

After five years as a street cop, first at Darlington and then Region B (Adelaide), Wojtasik made his move into prosecution. He had thought himself a good communicator and public speaker and therefore capable of performing in courtrooms.

So, in 1980, he undertook the four-week prosecution training course, and then assumed the role he would remain in to this day.

Initially based in Adelaide, his first efforts were in traffic courts, sometimes before two justices of the peace rather than a magistrate. It was the kind of beginners’ work on which Wojtasik “cut my teeth”.

“That equipped us adequately to do the basics and then build on that, to do matters in the general courts and to do trials,” he explains.

“We didn’t have the volume of work or the complicated matters we’re dealing with in our jurisdiction today.”

Also helpful to Wojtasik in his early days were the mentors he found inspirational. He speaks of Chief Superintendent Bernie Farrelly, who urged junior prosecutors to read judgements and text books on their daily commutes.

Others were senior sergeants Jimmy Dunsmore and Frank Berry, who Wojtasik saw as something of a father figure.

“He cared about us and made sure that we were supported,” he says. “And that support was important from the point of view of being able to confidently go about the job (of prosecuting).”

Facing page, top left: Wojtasik and Tania Sheldon working as volunteers for the 2017 Ride Like Crazy; **top right:** Wojtasik (right) – representing Blue Light, which had donated \$1,500 to the YMCA for a lounge suite and other items – with YMCA manager Corry Moors in 1986; **centre:** front row centre with Sturt prosecutors in 1998; **bottom left:** receiving his 40-year clasp from Deputy Commissioner Linda Williams in 2018; **bottom right:** receiving the Australian Police Medal from Governor Hieu Van Le in 2018.

Retirement
draws near for
Senior Sergeant
1C Fred Wojtasik.



Wojtasik remained Adelaide-based for four years before making a move to Mount Gambier Prosecution. He remained a country prosecutor for six years before returning to Adelaide in 1990 to work in Youth Prosecution.

With that transfer came a promotion to the rank of sergeant. Wojtasik had risen, and would continue to rise, steadily up the ranks until attaining senior sergeant first class in 2007.

After a two-year stint prosecuting juvenile offenders, he returned to Adelaide Prosecution, with which he continues to serve.

The branch was for some years housed in a former Wright St fish factory. Its then boss, Superintendent Michael “Hank” Ramm, gave the *Police Journal* an interview about the conditions inside the building (*Not quite the executive suite*, November 1997).

Some considered his remarks controversial, but Wojtasik thought Ramm a great supporter of his prosecutors. Indeed, he remembers him as “caring, sincere and approachable”.

Wojtasik makes clear the reason he has committed so many decades to just one field of police work. His plan was to rise further up the ranks, into officer territory, which would have taken him out of prosecution.

He passed the exam, and undertook the subsequent course, for inspector rank in 1990 but was not selected for promotion. Another shot at it was in his thinking, until a crisis struck his family. His wife, Sigrid, was found to be suffering from breast cancer.

“We had young children who were still at school,” he says, “and the illness was such that I needed to refocus on what was important in life. Pursuing officer rank at that stage was not important.

“I made the decision that this (prosecuting) would be my career, and I’ve enjoyed it from day one. I still enjoy it today. The opportunities I’ve had within the Prosecution Services Branch is really the thing that kept me in it.”

But Wojtasik understands that, at times, some see the behaviour in magistrates’ courts as inappropriate. Police prosecutors have, for example, criticized the conduct of magistrates over the years.

In 2009, four prosecutors told the *Police Journal* of incidents which highlighted virtual tantrums by magistrates in open court. One magistrate literally threw a file across the bar table directly at a female prosecutor.

Another threatened a male prosecutor with contempt and stormed out of court. It was all because the prosecutor suggested, with good reason, that the magistrate disqualify himself from the case before him.

And yet another magistrate wound up apologizing – privately and in open court – for yelling at, and humiliating, that same prosecutor in the courtroom.

Wojtasik himself speaks of a magistrate he encountered in both Mt Gambier and Adelaide and considered “an extremely difficult individual”.

“In my view, he had a dislike for police,” he says. “And, from time to time, I felt he had a dislike for me.

“The pressures that people face, in all parts of the judicial system, can sometimes make them a bit testy, a bit intolerant.

“I make no particular judgement about the behaviour of colleagues or magistrates. The important thing for me is courtesy and appropriate behaviour by all in the court.

“(It) demonstrates that business is being conducted appropriately, and in a manner that the general public would expect.”

Police Association president Mark Carroll has long observed that commitment Wojtasik has had to proper conduct, and causes he considers worthy.

“That has included the association,” he says. “Right throughout the four-plus decades of his membership, Fred has been loyal, supportive and involved.

“He’s backed us in our most important challenges, such as the Protect our Cops campaign and many others.

“Whether it’s been a phone call, an e-mail, or a chat on the street, he’s always given us his encouragement and good wishes. And we’ve valued that, particularly from a member of his experience.”

“What concerns me about what I see these days, and what I’ve seen in the past, is the amount of violence I’ve prosecuted. The vast majority of people really don’t understand...”

Naturally, in his time, Wojtasik has seen, and heard the lies and excuses of, every criminal type, including killers and rapists. While he *has* never come to hate any of them, he has lost a measure of faith in humanity.

He recently appeared for the prosecution in the case of the alleged stabbing murder of 63-year-old grandfather Steven Hinrichsen at Morphett Vale.

“What concerns me about what I see these days, and what I’ve seen in the past, is the amount of violence I’ve prosecuted,” he says.

“The vast majority of people really don’t understand, or would be horrified if they knew, what one human being does to another.

“Drug offending is a concern too, not only to me but to the broader community. No doubt about that.”

In the coming weeks or months, however, Wojtasik will leave the courtroom sparring to others. He expects to retire. Not because he has lost his passion for the job. He still has it. But he will have turned 67 and knows that he must step down at some point.

“I didn’t think I’d find it difficult to walk away into retirement,” he says, “but I think I will for a while.

“What I think I’ve enjoyed the most is seeing people come into the branch, ones who are really good at prosecuting. It gives me a lot of confidence about where we’re going in the future.”

Apart from the type 2 diabetes he suffers, he is in good health, and wife Sigrid is now 24 years clear of cancer.

She, too, is German-born and immigrated to Australia as an 11-year-old with her parents and sister.

The Wojtasiks have taken 18 trips back to Germany over the years and intend to take even more as retirees. They will revisit many other parts of the world as well.

Wojtasik will also continue his long involvement with the Australian arm of the International Police Association, which he currently serves as secretary-general.

He concedes that whichever day turns out to be his last as a copper, it is likely to be an emotional one for him.

“That,” he says, “is because of the decent people that I’m surrounded by, and the really wonderful memories. But I’ve eventually got to make the break.” PJ