

CAS806S

New South Wales Police Force
COPSDate : 11/02/
Time : 14:08:
Page : 1

Central Hunter

NSWPF (T3) Vol 2/4

Case Report - C 16128387

Case Title : MAIT04/1 *AH* SEXUAL Case Status : FINALISED
Case Type : SEXUAL OFFENCE - ASSAULT
OIC : Not Allocated
Follow Up Freq.: 28 DAYS
Security Level : PROTECTED
Source Reports : E 14348559 SEXUAL OFFENCE - ASSAULT
Party : *AH* - VICTIM
FLETCHER, JAMES - PERSON OF INTEREST
Location :
Organisation : DUNGOG CATHOLIC PARISH - ORG OF INTEREST

Case Narr : Appeal at CCC dismissed in September. Application C 16128387
has been made to appeal to High Court & case case
be re-opened if required if this appeal is
accepted.

Case Narr : POI was sentenced by Judge Armitage in Sydney DC C 16128387
on 11/4/05 to 10 years maximum & 7.5 years minimum
Earliest DOR is 4/6/12 maximum 4/12/14.

Case Narr : matter set for 2 week trial at EMDC commencing C 16128387
22/11/04

Case Narr : Matter appeared before the Newcastle Local Court E 14348559
in February 2004 for a 48E application. The
matter has now been committed ofr trial on a date
to be fixed.

Case Narr : 48E application was heard at Newcastle District C 16128387
Court & the case was put over for a date for trial
to be set. It is anticipated that the Trial may
be set mid year 2004

Case Narr : In 1985 the defendant, James Patrick FLETCHER E 14348559
arrived in the Dungog Parish as the new Catholic
Priest. He worked at both the Dungog & Clarence
Town churches & there met the victim's family.
AH's family had been heavily involved in
numerous church activities & functions. Through
this working relationship the defendant developed
a close friendship with the family becoming a
regular visitor to their home for meals & invited
to family parties & celebrations. Over time he
became a mentor for this family's children,
including their eldest son & victim, *AH*
. *AH* & his other siblings later became
altar boys within the parish creating an even
stronger bond.
The victim aged 12, started at St Peter's High
Maitland in 1990 & was occasionally driven home
by Father FLETCHER. Over this period
conversations occurred between the two in
relation to sexual education & masturbation with
AH being instructed that these conversations
were secret & 'This is our special time.'
During the school holiday period in December -

CAS806S

New South Wales Police Force
COPSDate : 11/02/
Time : 14:08:
Page : 2

Central Hunter

Case Narr : January 1990-1 whilst travelling between churches E 14348559
with AH, Father FLETCHER removed his penis & commenced to masturbate. He encouraged AH (Then aged 13) to do likewise. Again it was emphasised that this was to remain a secret & not be discussed with any other person, especially AH's parents.

Further conversation occurred in 1991 when the victim was further spoken to about sexual matters by Father FLETCHER. In March 1991 Father FLETCHER drove AH after school to the Walka Water Works reserve. He removed his penis & encouraged the victim to perform oral sex on him. The victim was told that this was normal behaviour & given on the pretext of sexual education. The victim's head was held in place by Father FLETCHER until he ejaculated in the victim's mouth, at which point the victim began to dry-wretch. Father FLETCHER reinforced that this remain a secret. He said to the victim, "It's normal & its a natural part of life. A lot of people do it but it is to just stay between you & me. No one else should know about this, it is our secret. You won't mention this to your parents or anyone else will you?" & "You know your father probably did exactly the same thing & he still keeps it a secret."

These assaults then began to occur on a regular basis with the victim being forced to perform oral sex on Father FLETCHER a further 4 times in early 1991.

In June 1991 Father FLETCHER again picked the victim up from school but instead of driving to the Walka Water Works he drove to a park on the outskirts of Paterson. He parked in a secluded area near the river where he performed oral sex on the victim. After the victim failed to have an erection he was asked to get out of the car & removed his school pants. Father FLETCHER then forced his penis into AH's anus whilst the child braced himself in pain against the side of the vehicle. After ejaculating Father FLETCHER comforted AH who was sobbing telling him, "That's okay. Its only natural. It will stop." He again emphasised that these incidents should remain a secret. His demeanour changed on the drive back into Maitland when he saw the distress the child was in. He said, "If anyone finds out about this I am a priest. Everyone knows that priests don't lie. They won't believe you. Remember you have three brothers & if you tell anyone I could hurt them too."

Assaults of both anal & oral intercourse continued in various forms & locations over the next 3 years until March 1994 when the victim

CAS806S

New South Wales Police Force
COPSDate : 11/02/
Time : 14:08:
Page : 3

Central Hunter

- Case Narr : was old enough to prevent any further occurrence following a major confrontation between Father FLETCHER & himself. Over the four year period a total of 56 offences occurred. E 14348559
- The victim experienced a lot of difficulties in dealing with these offences & in September 1995 after a heavy bout of drinking he attempted to hang himself in a shed on his parents rural property. His mother & young brother located him whilst this was occurring & lifted him down after he had been hanging for a short period. In desperation to find answers the victim's parents (Unaware of their son's reasons for depression) took him to see the family priest who was now located at Branxton. He stayed in the presbytery that night & believes he was raped whilst in a vulnerable state. This was the last occasion he had any contact with Father FLETCHER.
- The victim has led a troubled life since that time until disclosing to his family in late 2000. In June 2002 he was encouraged to approach Police with his allegations & investigations commenced. Police learned that Father FLETCHER had been notified of the Investigation by a member of the Catholic Church & was permitted to continue his duties in the Branxton Parish.
- Investigations continued over the next year & in March 2003 Father FLETCHER was stood down from the Branxton Presbytery.
- Police contacted members of the church & Father FLETCHER presented at the Maitland Police Station on Wednesday the 14th of May 2003 with solicitor Eric LACEY & a support person Father Jim SAUNDERS. FLETCHER emphatically denied the allegations of sexual misconduct & disputed other matters pertaining to the investigation. He was very upset at the allegations & is generally not of the best of health.
- Case Narr : About 1985 the defendant, Father James Patrick FLETCHER arrived in the Dungog Parish as the Catholic Priest. He also took in the Clarence Town church where he met the victim's family. The victim's family were heavily involved & assisted with many of the church's functions within the parish & a friendship was struck between the defendant & AM family. At the time the victim C 16128387
- Case Narr : Following inquiries Police spoke to Arch-Bishop Michael MALONE at 11.30am in his office at Newcastle. He was present with 'father Jim' Police spoke to him regarding the allegation of AM without disclosing detail of the allegation. The Bishop has indicated that he was told that the victim had approached Police & had learnt of this through the victim's father who is C 16128387

CAS806S

New South Wales Police Force
COPSDate : 11/02/
Time : 14:08:
Page : 4

Central Hunter

Case Narr : responsible for the within the C 16128387
Newcastle Diocese.

The bishop later approached father Jim FLETCHER at Branxton as he was concerned for the priest's wellbeing as he had recently recovered from a heart condition. He told Police that the priest was not well after being told there had been a complaint & strongly denied the matter.

Investigators have told Bishop MALONE that it would have been more desirable to have approached police prior to confronting the priest as it had also forwarned him of an investigation.

The Bishop has also indicated that they would be looking at the possibility of relocating the priest which the investigation is being conducted.

Case Narr : The victim has made an allegation against a catholic priest (POI) that between 1991 & 1995 he was sexually assaulted on numerous occasion. These assaults varied from fondling to both anal & oral intercourse. E 14348559

The victim alleged that threats were made by the priest that he would commit similar offences against the victim's younger brothers should he disclose the offences.

The victim later left to live in Tasmania & over the years has come to terms with these offences, gradually disclosing them to his family and a counsellor.

After watching the 60 minutes programme on 2/6/02 the victim was concerned that others could become victims of the same POI & has decided to report the matter to Police.

It is alleged the offences occurred in the Clarendetown & Dungog areas whilst the victim was an alter-boy.

Job Title/
Status

Job Type/
Completing Unit Date Due/
Job Ref N

Actions

Action Title : MONITORING OF SEXUAL OFFENCES BY MEMBERS OF SEXUAL
Action Type : DISSEMINATION
Created By : INSP PETER FOX - SCC POLICE CORRECTION INTELLIGENCE
Date/Time Created : 03/06/2002 15:46 COMPLETE
Completed By : INSP PETER FOX - 03/06/2002 15:46

Action Title : SGT PETER FOX
Action Type : OFFICER IN CHGE
Created By : INSP PETER FOX - CENTRAL HUNTER COMPLETE
Date/Time Created : 03/06/2002 15:36
Completed By : INSP PETER FOX - 03/06/2002 15:36

CAS807S

New South Wales Police Force
COPSDate : 11/02/
Time : 14:08:
Page : 5

Central Hunter

Brief Title	CNI Number/ Offender	Status	Prosecut Due Date
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No records found for specified search criteria.

Case History

Date	Administrative Action	Status	By Person
27/10/2005	FINALISE CASE	AUTHORISED	INSP PETER FOX
16/09/2005	COMMENT CASE	AUTHORISED	DETSSG BRETT GODF
07/04/2005	COMMENT CASE	AUTHORISED	DETSSG BRETT GODF
26/04/2005	FINALISE CASE	REFUSED	INSP PETER FOX
12/03/2004	INVESTIGATION COMPLETE CASE	AUTHORISED	INSP PETER FOX
11/06/2002	ADD POLICE EMPLOYEE ROLE	AUTHORISED	INSP PETER FOX
11/06/2002	REMOVE POLICE EMPLOYEE ROLE	AUTHORISED	INSP PETER FOX
04/06/2002	COMMENT CASE	AUTHORISED	SENSGT PAUL DEACO
04/06/2002	ADD POLICE EMPLOYEE ROLE	AUTHORISED	SENSGT PAUL DEACO
04/06/2002	LINK INITIATE EVENT	AUTHORISED	SENSGT PAUL DEACO

**** END OF LIST ****

EVE026P

New South Wales Police Force
COPSDate : 11/02/
Time : 14:08:
Page : 1

Event Ref No : E 14348559

General Event Details

Date/Time Reported : 03/06/2002 14:00
 Event Classification : ACCEPTED
 Clear Up Status/Date : CLEARED - 22/03/2004
 Created By : INSP FOX, PETER RAYMOND - CENTRAL HUNTER
 Updated By : DET MONGAN, JOHN PHILLI - CENTRAL HUNTER

Event Status : VERIFIED

Narrative Details

Date/Time Created : 03/06/2002 15:35
 Created By : CENTRAL HUNTER - FOX, PETER RAYMOND

The victim has made an allegation against a catholic priest (POI) that between 1991 & 1995 he was sexually assaulted on numerous occasions. These assaults varied from fondling to both anal & oral intercourse. The victim alleged that threats were made by the priest that he would commit similar offences against the victim's younger brothers should he disclose the offences. The victim later left to live in Tasmania & over the years has come to terms with these offences, gradually disclosing them to his family and a counsellor. After watching the 60 minutes programme on 2/6/02 the victim was concerned that others could become victims of the same POI & has decided to report the matter to Police. It is alleged the offences occurred in the Clarencetown & Dungog areas whilst the victim was an altar-boy.

Date/Time Created : 09/05/2003 08:43
 Created By : CENTRAL HUNTER - FOX, PETER RAYMOND

In 1985 the defendant, James Patrick FLETCHER arrived in the Dungog Parish as the new Catholic Priest. He worked at both the Dungog & Clarence Town churches & there met the victim's family. ^{AM'S} family had been heavily involved in numerous church activities & functions. Through this working relationship the defendant developed a close friendship with the family becoming a regular visitor to their home for meals & invited to family parties & celebrations. Over time he became a mentor for this family's children, including their eldest son & victim, ^{AH} & his other siblings later became altar boys within the parish creating an even stronger bond.

The victim aged 12, started at St Peter's High Maitland in 1990 & was occasionally driven home by Father FLETCHER. Over this period conversations occurred between the two in relation to sexual education & masturbation with ^{AH} being instructed that these conversations were secret & 'This is our special time.' During the school holiday period in December -

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Narrative Details

January 1990-1 whilst travelling between churches with *AH*, Father FLETCHER removed his penis & commenced to masturbate. He encouraged *AH* (Then aged 13) to do likewise. Again it was emphasised that this was to remain a secret & not be discussed with any other person, especially *AH*'s parents.

Further conversation occurred in 1991 when the victim was further spoken to about sexual matters by Father FLETCHER. In March 1991 Father FLETCHER drove *AH*'s after school to the Walka Water Works reserve. He removed his penis & encouraged the victim to perform oral sex on him. The victim was told that this was normal behaviour & given on the pretext of sexual education. The victim's head was held in place by Father FLETCHER until he ejaculated in the victim's mouth, at which point the victim began to dry-wretch. Father FLETCHER reinforced that this remain a secret. He said to the victim, "It's normal & its a natural part of life. A lot of people do it but it is to just stay between you & me. No one else should know about this, it is our secret. You won't mention this to your parents or anyone else will you?" & "You know your father probably did exactly the same thing & he still keeps it a secret." These assaults then began to occur on a regular basis with the victim being forced to perform oral sex on Father FLETCHER a further 4 times in early 1991.

In June 1991 Father FLETCHER again picked the victim up from school but instead of driving to the Walka Water Works he drove to a park on the outskirts of Paterson. He parked in a secluded area near the river where he performed oral sex on the victim. After the victim failed to have an erection he was asked to get out of the car & removed his school pants. Father FLETCHER then forced his penis into *AH*'s anus whilst the child braced himself in pain against the side of the vehicle. After ejaculating Father FLETCHER comforted *AH* who was sobbing telling him, "That's okay. Its only natural. It will stop." He again emphasised that these incidents should remain a secret. His demeanour changed on the drive back into Maitland when he saw the distress the child was in. He said, "If anyone finds out about this I am a priest. Everyone knows that priests don't lie. They won't believe you. Remember you have three brothers & if you tell anyone I could hurt them too." Assaults of both anal & oral intercourse continued in various forms & locations over the

Event Ref No : E 14348559

Narrative Details

next 3 years until March 1994 when the victim was old enough to prevent any further occurrence following a major confrontation between Father FLETCHER & himself. Over the four year period a total of 56 offences occurred. The victim experienced a lot of difficulties in dealing with these offences & in September 1995 after a heavy bout of drinking he attempted to hang himself in a shed on his parents rural property. His mother & young brother located him whilst this was occurring & lifted him down after he had been hanging for a short period. In desperation to find answers the victim's parents took him to see the family priest who was now located at Branxton. He stayed in the presbytery that night & believes he was raped whilst in a vulnerable state. This was the last occasion he had any contact with Father FLETCHER. The victim has led a troubled life since that time until disclosing to his family in late 2000. In June 2002 he was encouraged to approach Police with his allegations & investigations commenced. Police learned that Father FLETCHER had been notified of the Investigation by a member of the Catholic Church & was permitted to continue his duties in the Branxton Parish. Investigations continued over the next year & in March 2003 Father FLETCHER was stood down from the Branxton Presbytery. Police contacted members of the church & Father FLETCHER presented at the Maitland Police Station on Wednesday the 14th of May 2003 with solicitor Eric LACEY & a support person Father Jim SAUNDERS. FLETCHER emphatically denied the allegations of sexual misconduct & disputed other matters pertaining to the investigation. He was very upset at the allegations & is generally not of the best of health.

Date/Time Created
Created By

: 18/03/2004 19:19
: CENTRAL HUNTER - FOX, PETER RAYMOND
Matter appeared before the Newcastle Local Court in February 2004 for a 48E application. The matter has now been committed ofr trial on a date to be fixed.

Police Involved
Police in Charge
Created By
Date/Time Created

: INSP FOX, PETER RAYMOND - CENTRAL HUNTER
: INSP FOX, PETER RAYMOND - CENTRAL HUNTER
: 03/06/2002 15:36

Event Ref No : E 14348559

Disseminations
For the Attention Of : ROBUFFO, LINDA KATHERINE - SCC POLICE CORRECTION INT
Dissemination Reason : MONITORING OF SEXUAL OFFENCES BY MEMBERS OF
SEXUAL ASSAULT TEAM.
Created By : INSP FOX, PETER RAYMOND - SCC POLICE CORRECTION INTE
Date/Time Created : 03/06/2002 15:46
Completed By : INSP FOX, PETER RAYMOND - 03/06/2002 15:46

Person Reporting
Name Used : AH
AH
AH
Record Name :
CNI Number/Summary : 16550875 - OV-WRXTAD-H-----
Date of Birth/Age Rge : Sex : M
Contact Address :
Home Phone :
Work Phone :

Case File - Table of Contents

No	Title	Type	Brief/ Sensitive	Date Logged	Status
1	ERISP INTERVIEW	AUDIO	IN BRIEF	08/04/2004	CURRENT
2	AH	STATEMENT	IN BRIEF	08/04/2004	CURRENT
3	BJ	STATEMENT	IN BRIEF	08/04/2004	CURRENT
4	I BB	STATEMENT	IN BRIEF	08/04/2004	CURRENT
5	BI	STATEMENT	IN BRIEF	08/04/2004	CURRENT
6	BC	STATEMENT	IN BRIEF	08/04/2004	CURRENT

Event Link Details
Ref No. Linked Event : E 20846269
Assoc Type/Status : INVESTIGATION - CONFIRMED
Reason for Assoc. :
Ref No. Linked Event : E 22762312
Assoc Type/Status : CAUSE & EFFECT - CONFIRMED
Reason for Assoc. :

Event Ref No : E 14348559

Incident Details : 01/01/1991 00:01 to 31/12/1995 23:59
 Incident Date/Time : ACTUAL SEXUAL OFFENCE - INDECENT ASSAULT
 Incident Type : CHILD VICTIM REPORTED WHEN ADULT
 Further Class. : VERIFIED - ACCEPTED
 Incident Status/Class. : CLEARED - 14/05/2003
 Clear Up Status/Date : SEXUAL ABUSE RELATED
 Associated Factor : CHILD ABUSE RELATED

SEXUAL

Incident Location : 83 CLARENCETOWN RD MAITLAND NSW 2320
 Address : RESIDENTIAL RESIDENTIAL - DWELLING HOUSE - DETACHE
 Premise Type : CENTRAL HUNTER - MAITLAND - NA - NA
 L.A.C./Sector/Beat/NHW :

Modus Operandi Details
 SEXUAL ACT METHOD

SEXUAL INTERCOURSE - ANAL/ORAL

Victim :
 Name Used/Status : AM
 Record Name : AM
 CNI Number/Summary : 16550875 - OV-WRXTAD-H-----
 Date of Birth/Age Rge : Sex : M
 Tourist/Visitor State : NSW
 Tourist/Visitor Cntry : AUSTRALIA
 Aboriginal : NO
 Torres Strait Islander : NO
 Contact Address :
 Home Phone :
 Work Phone :
 Occupation/Skill : MANAGER - LARGE BUSINESS
 Background :
 Place of Birth/Naty : NEWCASTLE - AUSTRALIAN

TRAUMA

Org Of Interest :
 Organisation Name : DUNGOG CATHOLIC PARISH
 Branch/Outlet Name : DUNGOG
 Organisation Type : RELIGIOUS SECT
 CNI Number/Summary : 695177194 -VX-----
 Contact Address : DUNGOG CATHOLIC PRESBYTERY
 57 BROWN ST DUNGOG NSW 2420

Person Of Interest :
 Name Used/Status : FLETCHER, JAMES PATRICK PERSON CHARGED
 Record Name : FLETCHER, JAMES
 CNI Number/Summary : 657816910 - OV--RX----H--IDE---
 Date of Birth/Age Rge : 20/11/1941 Sex : M
 Drivers Licence/State : 2136PK NSW
 Tourist/Visitor State : NSW
 Tourist/Visitor Cntry : AUSTRALIA
 Aboriginal : NO
 Torres Strait Islander : NO
 Contact Address : RECTORY
 44 STATION ST BRANXTON NSW 2335
 Home Phone : 02 49381211

CAS803S

New South Wales Police Force
COPS

Date NSW P 264
Time : 14:08:
Page : 6

Event Ref No : E 14348559

Occupation/Skill

: CLERGY

* * * END OF LIST * * *