

ROYAL COMMISSION INTO INSTITUTIONAL
RESPONSES TO CHILD SEXUAL ABUSE

Public Hearing - Case Study C42
(Day C155)

Newcastle Court House,
343 Hunter Street, Newcastle
Court Room 6.1

On Wednesday, 3 August 2016 at 10am

Before:

| | |
|---------------|----------------------------|
| The Chair: | Justice Peter McClellan AM |
| Commissioner: | Mr Robert Fitzgerald AM |
| Commissioner: | Mr Robert Atkinson AO APM |

| | |
|--------------------|-------------------|
| Counsel Assisting: | Ms Naomi Sharp |
| | Ms Kirstie Raffan |

1 MS SHARP: Good morning, your Honour and good morning,
2 Commissioners. The first witness this morning is Ms Pamela
3 Wilson. A copy of her statement can be found at tab 49 of
4 the second volume of statements.

5
6 <PAMELA WILSON , sworn: [10.05am]

7
8 <EXAMINATION BY MS SHARP:

9
10 MS SHARP: Q. Ms Wilson, could you give your full name
11 to the Royal Commission?

12 A. Pamela Wilson.

13
14 Q. And your address is known to those assisting the
15 Royal Commission?

16 A. It is.

17
18 Q. You have prepared a statement dated 21 July 2016 for
19 the purpose of the Royal Commission. You need to say
20 something so it can be recorded in the transcript rather
21 than just nod. You have prepared a statement?

22 A. Yes.

23
24 Q. That statement is true and correct to the best of your
25 knowledge?

26 A. It is true.

27
28 MS SHARP: I tender that statement.

29
30 THE CHAIR: It will be exhibit 42-010

31
32 EXHIBIT #42-010 STATEMENT OF PAMELA WILSON DATED 21/07/2016

33
34 MS SHARP: Q. Ms Wilson, it is correct that in 1973 you
35 moved into a house at Rankin Park which fell within the
36 Wallsend parish?

37 A. It is.

38
39 Q. At that time the local priest was Father Peter
40 Rushton?

41 A. Yes.

42
43 Q. You had some involvement with the parish at Wallsend
44 at that time?

45 A. Yes.

46
47 Q. What was that involvement, please?

1 A. The things that I did, you mean?
2
3 Q. Yes.
4 A. I was a scripture teacher, a Sunday School teacher,
5 pastoral care training, things like that.
6
7 Q. Did you come to know Father Peter Rushton, given your
8 involvement in the Anglican Church?
9 A. Yes, I did.
10
11 Q. What was your impression of Peter Rushton as a priest
12 in that parish?
13 A. I just believed he was a good man. He was a good
14 orator, he was a good organiser, lots of people worked for
15 him. I never thought anything about when he took little
16 servers to the cinema and things like that, or for
17 breakfast with them.
18
19 Q. I am sorry, who did he take with him to the cinema and
20 to breakfast?
21 A. Little servers.
22
23 Q. You mean --
24 A. The boys.
25
26 Q. -- what they sometimes called the altar boys?
27 A. Yes.
28
29 Q. I see. While you were working within the Wallsend
30 parish, you came to meet an assistant priest within that
31 parish?
32 A. Yes.
33
34 Q. You came to know both him and his wife?
35 A. That's right.
36
37 Q. How would you describe your relationship with them?
38 A. We were friends; we became friends.
39
40 Q. Is it correct that some time in the early 1980s they
41 shared with you an experience that had occurred within
42 their family?
43 A. Yes.
44
45 Q. When I'm asking you this, could I just let you know
46 that the priest's name has been redacted, so that name is
47 not public. Perhaps you could just refer to the priest and

1 his wife while you are speaking?
2 A. Right.
3
4 Q. What experience was it they shared with you?
5 A. They shared with me what had happened from - I can say
6 the name of what happened?
7
8 Q. Was that something that had happened with their son?
9 A. Yes.
10
11 Q. What did they tell you had happened with their son?
12 A. They described what had happened when the wife found
13 her little boy on the bed in their house.
14
15 Q. What did happen when the wife found the boy on the
16 bed?
17 A. He was curled up like a ball and he was crying and to
18 the best of his little knowledge, he described what had
19 happened to him.
20
21 Q. And what was that?
22 A. And what was --
23
24 Q. What were you told that he said about what had
25 happened to him?
26 A. Well, he described, to the best of his ability, what
27 Father Peter had done.
28
29 Q. And what was it that Father Peter had done?
30 A. Well, I know that he ended up with seeing all the
31 stuff that came out of his penis.
32
33 Q. I see. Were you told that Father Rushton had sexually
34 interfered with the son in some way?
35 A. Yes.
36
37 Q. This is something you were told in around 1980-1981?
38 A. Yes.
39
40 Q. You were told this by the priest and his wife?
41 A. Yes.
42
43 Q. To be clear, they were priests within the Parish of
44 Wallsend, the man was?
45 A. Yes.
46
47 Q. When they related to you what had happened to their

1 son, was that something that had recently happened or
2 something that had happened a number of years ago?
3 A. They had already been to the Bishop and hadn't been
4 believed.
5
6 Q. I will come to ask you a little bit about that, but
7 when the priest and his wife told you that something had
8 happened with their son, was that something that had only
9 recently happened to their son or something that had
10 occurred some years in the past?
11 A. It was - well, it was fairly recently but they had
12 already been to the Bishop about it.
13
14 Q. Is it right that they told you something about going
15 to the Bishop?
16 A. Yes.
17
18 Q. Do you know who the Bishop was at the time?
19 A. Bishop Holland.
20
21 Q. What did they tell you about their dealings with the
22 Bishop?
23 A. That they weren't believed.
24
25 Q. It is a very --
26 A. A priest wouldn't do anything like that.
27
28 Q. Did they tell you anything about the circumstances of
29 their meeting with the Bishop?
30 A. No.
31
32 Q. Did they tell you whether they'd met with the Bishop
33 in person or discussed the matter on the telephone?
34 A. They'd gone to see him.
35
36 Q. Do you know where they had gone to see him?
37 A. No idea.
38
39 Q. Did they tell you what they had told the Bishop about
40 what had happened to their son?
41 A. No.
42
43 Q. Did they give you any indication that they had told
44 the Bishop that what had happened with their son involved
45 sexual contact between Father Rushton and the son?
46 A. Well, they told me what had happened about their son
47 and then they told me that they'd already been to see the

1 Bishop.
2
3 THE CHAIR: I think this is what is set out in
4 paragraph 10 of the statement, isn't it?
5
6 MS SHARP: Yes.
7
8 THE CHAIR: We might ask for that to be read, I think.
9
10 MS SHARP: Yes. Ms Wilson, could I ask you to just have a
11 look at paragraph 10.
12
13 THE CHAIR: If you can read from paragraph 10 through
14 I think maybe the rest of the statement because it is very
15 clear, but everyone should understand what is in it
16
17 MS SHARP: Q. Ms Wilson, could I ask you to read
18 paragraph 10 through to paragraph, at this stage - just
19 paragraph 10, if you could read that for the moment --
20
21 THE CHAIR: I think we should keep going after that.
22
23 MS SHARP: Q. Yes, if you could go to the end.
24 A. "[REDACTED] told me that she had found her little boy,
25 lying in a ball on his bed crying. When she settled him
26 down he told her whatever he could explain that Rushton had
27 done to him. I think he was 4 or 5 years old at the time
28 when he was abused. They also told us that they had been
29 to see Bishop Holland and the Bishop didn't believe them.
30 Bishop Holland said it was lies and Rushton would never do
31 a thing like that."
32
33 Q. And then could you read paragraph 11, please?
34 A. "I was horrified when I heard this. I thought Bishops
35 shouldn't be like that. I spoke to them a few times over
36 the next few months and I decided to write a letter to
37 Bishop Holland."
38
39 Q. And if you could keep going, reading your statement.
40
41 THE CHAIR: Just keep on reading your statement. Read it
42 right to the end.
43
44 MS SHARP: Q. Would it be easier if you read a printout
45 of your statement, Ms Wilson, or would you prefer to use
46 the computer?
47 A. (No response).

1
2 THE CHAIR: Q. We are at paragraph 11.
3 A. Right. I'll begin at 11 again.
4

5 "I was horrified when I heard this. I thought Bishops
6 shouldn't be like that. I spoke to them a few times over
7 the next few weeks, and I decided to write a letter to
8 Bishop Holland. The only people I told I was going to do
9 this were the [REDACTED] and this was over the phone a few
10 days later. Bishop Holland has never spoken to me about
11 the matter.
12

13 While I was thinking about writing the letter
14 I thought, if a Bishop doesn't believe one of his priests,
15 he is not going to believe me in telling them the story
16 again. On that basis, I didn't write a letter to
17 Bishop Holland in the end.
18

19 About a week after that, I spoke to them on the phone.
20 I got a call from Rushton.
21

22 He said, 'You're writing a letter to the Bishop.'
23

24 And I said, 'That's right, I'll show it to you.'
25

26 And he said, 'I don't want to see it.'
27

28 Not knowing I had decided not to write one, he said,
29 'I want you to destroy it immediately, because if you don't
30 you'll get a solicitor's letter sent to you quicker than
31 you can turn around.'
32

33 He also said, 'And take [REDACTED] off your team.'
34

35 I and said, 'What for?'
36

37 And he said, 'Because a Priest's wife is too busy to
38 be doing anything like that.'
39

40 I hung up the phone and was thinking to myself, 'Well,
41 evil rides around the church.' The whispers I had heard
42 were really true. The only whispers I had heard at that
43 time was from a friend who was a neighbour with a local
44 detective. He wouldn't let his children go near the church
45 or scout group. But my friend said they were looking at
46 Rushton but the police could not prove anything. I didn't
47 know how he knew I was going to write a letter. The letter

1 was never spoken of again between Rushton and myself, even
2 though I continued to see him through my church
3 activities."

4
5 Q. Could you keep going, please, Ms Wilson?

6 A. "Rushton's comments about [REDACTED] were in relation
7 to her being a part of the Parish Pastoral Care Team. In
8 the Pastoral Care Team, we had a few people to visit.
9 I had a conversation with [REDACTED] and [REDACTED] about
10 Rushton's comments and removing her from the team. I said,
11 'I've got to take you off.' She told me that this decision
12 would be because she visited a family and they had shared
13 with her the same story about their son being abused by
14 Rushton."

15
16 Q. Could I just stop you there, Ms Wilson. Are you able
17 to tell us any more about what the priest's wife told you
18 about the other family who had shared their story of abuse?

19 A. She didn't describe what had happened to that woman
20 and I didn't ask.

21
22 Q. Could I ask you to read from paragraph 15, please.

23 A. In 1981 we moved to Waratah Parish which was run by
24 Father Ken Munns. His Assistant was Father James Bromley.
25 We made the move because I didn't want to be around someone
26 like Rushton. We settled down well in Waratah Parish and
27 got to know the Munns. Munns and his family went to
28 England in this time for a holiday and stayed with our
29 families. My husband and I were close with Munns. We
30 remained friends with the Munns until he retired to Sydney.

31
32 In one of our many conversations we spoke about the
33 letter I was going to write to Bishop Holland. I asked if
34 [REDACTED] told Rushton what I was going to do. [REDACTED]
35 said that he hadn't although they had since found out that
36 their phone was linked to a Warden's phone in the Wallsend
37 Parish, so Rushton would have had the ability to listen
38 into the phones.

39
40 During my time at Waratah Parish, Munns and I had
41 a conversation in my lounge room. Munns sat on the lounge
42 and the following conversation occurred:

43
44 He said, 'You think Rushton is a homosexual don't you,
45 Pamela?'

46
47 And I said, 'Yes.'

1
2 And he said, 'You're wrong, he's a paedophile!'

3
4 The term paedophile wasn't really used back then but
5 this is the word that he used. It didn't shock me because
6 I knew about the [REDACTED] story. Munns didn't tell me
7 how he knew. Munns also told me that there was
8 a witch hunt after me. My first thought was, 'Who are
9 these people in the diocese? They are supposed to be
10 priests.'

11
12 At the time of this conversation I just thought Munns
13 was looking after me. Munns was quite charismatic. He
14 knew Rushton very well. They trained at Morpeth together,
15 and were best friends. Rushton was the Godfather of Munns'
16 children.

17
18 In 1984 my husband and I went into Lambton Parish
19 because we knew Father David Fry who had moved into the
20 Lambton church. He had been our Assistant Priest in The
21 Good Shepherd at Kotara South."

22
23 Q. Please continue. If you could read from paragraph 20.

24 A. "In 2010 when Rushton was mentioned for abusing kids,
25 in the paper, it hit the headlines for Anglicans. There
26 was a place of the Woodlands Boys Home, a picture. One of
27 my daughters phoned me. She told me that she recognised
28 the Boys' home as the place Rushton would take them as part
29 of the youth group. She would go there and play games with
30 the kids. My daughters used to make comments that the boys
31 from the Home were strange when they were in Glendale High
32 School. I never saw any of them myself but was told they
33 keep to themselves and they had odd behaviour. They just
34 thought it was because they were little orphans or
35 foster kids, or nobody loves them. That's what was thought
36 in those days. In hindsight, it was the abuse of the boys
37 that was the reason that they had behaved as they did.

38
39 Around this time, in 2010, I was in contact with
40 [REDACTED] again. We just had general conversations about
41 family but spoke about Rushton.

42
43 Around the same time in 2010 I spoke to the [REDACTED]
44 family about why I had left Wallsend. I think their son
45 had just told them about his abuse. One of the other sons
46 called me on the phone and asked me to speak to
47 Michael Elliott about why I left the church. I agreed to

1 this and Michael Elliott came to talk to me and I told him
2 what I knew."
3
4 Q. Thank you, Mrs Wilson. Could I just clarify one
5 thing. You have referred to the Woodlands Boys Home. Is
6 that different to the St Alban's Boys Home?
7 A. Yes.
8
9 Q. Thank you.
10 A. It's the one up from Wallsend and it's been an elderly
11 people's home for years.
12
13 MS SHARP: Thank you. I have no further questions.
14
15 THE CHAIR: Does anyone else have any questions? No, it
16 would seem not. Thank you, Mrs Wilson. Thank you for your
17 evidence. You are excused.
18
19 THE WITNESS: Thank you.
20
21 <THE WITNESS WITHDREW
22
23 MS SHARP: Your Honour and Commissioners, the next witness
24 is Bishop Holland and a copy of his statement can be found
25 at tab 30 of the second volume of the statements.
26
27 MS MOODY: Your Honour, I should just indicate that
28 Bishop Holland is appearing via CCTV.
29
30 MS SHARP: Apparently, he is appearing via CCTV.
31
32 THE CHAIR: Do we have that lined up? Is that ready to
33 go?
34
35 MS SHARP: Yes, it is ready, your Honour.
36
37 <ALFRED CHARLES HOLLAND, sworn: [10.25am]
38
39 <EXAMINATION BY MS SHARP:
40
41 MS SHARP: Q. Can I just ask you, Bishop Holland, am
42 I facing you with this video?
43 A. No. You are not facing me on the screen, you're
44 facing me somewhere else.
45
46 Q. Am I facing you now?
47 A. No. I am seeing a side view of you.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

Q. I will try to work out how I should be doing this.
Bishop Holland, could you state your full name, please?
A. Alfred Charles Holland.

Q. You have prepared a statement for the purpose of this
Royal Commission?
A. Yes, I have.

Q. Your statement is dated 15 July 2016?
A. Yes.

Q. Is the content of that statement true to the best of
your knowledge and belief?
A. Yes, it is.

MS SHARP: I tender that statement.

THE CHAIR: It will be exhibit 42-011.

EXHIBIT #42-011 STATEMENT OF ALFRED CHARLES HOLLAND
DATED 15/07/2016

MS SHARP: Q. Bishop Holland, is it correct that you were
the Bishop of the Diocese of Newcastle from February 1978
to August 1992?
A. It is.

Q. During that time did you come to know a man by the
name of Keith Allen?
A. Yes.

Q. Is it correct that you knew Keith Allen fairly well?
A. Not fairly well, only in a professional capacity.
I never met him on social occasions.

Q. Is it correct that you remain in contact with
Keith Allen from time to time?
A. A Christmas card.

Q. But you speak with him from time to time?
A. No, I've only sent a Christmas card. I haven't spoken
to him since I left Newcastle.

Q. Are you able to tell us what involvement Keith Allen
had in the diocese at the time you were the Bishop of the
diocese?

1 A. Can you repeat that question, please?
2
3 Q. Yes. Are you able to tell us what role Keith Allen
4 had in the diocese while you were the Bishop?
5 A. Yes. He was - I think he was a member of the
6 Diocesan Council. He may have been a Trustee, or that may
7 have been after my time. I've been - I left Newcastle 24
8 years ago and I have no access to files and I can't be
9 accurate, but he was also Chairman of the Anglican
10 Development Fund; that's about all I know.
11
12 Q. Was he also a member of the Board of Trustees in the
13 diocese?
14 A. I can't - yes, I think he might have been. I wasn't
15 sure; I'm not sure.
16
17 Q. Did he provide you with advice on diocesan matters
18 from time to time while you were the Bishop?
19 A. No, except on one occasion.
20
21 Q. And what occasion was that?
22 A. That was the occasion of the Stephen Gray incident
23 when I asked him for advice.
24
25 Q. I will come back to ask you some questions about
26 Reverend Stephen Gray.
27 A. Yes.
28
29 Q. May I ask you this, Bishop: have you ever discussed
30 with Keith Allen giving evidence to the Royal Commission?
31 A. No. I've discussed this with nobody.
32
33 Q. Did you prepare your statement?
34 A. Yes, I did.
35
36 Q. Did you have assistance from anybody in preparing your
37 statement?
38 A. I had my barrister.
39
40 Q. Can I ask you some questions now about Peter Rushton.
41 It is correct that you came to know Peter Rushton well
42 during your time as Bishop of the diocese?
43 A. I think so. He was a very popular priest. He was at
44 Wallsend when I arrived. He seemed to be competent and
45 well respected.
46
47 Q. Was the first time you met Rushton when you became the

1 Bishop of the diocese or had you known him prior to that?
2 A. That was the first time. I had spent 23 years in
3 Western Australia and I was a newcomer to Newcastle, I had
4 never been there before, and I met him then for the first
5 time.

6
7 Q. It is correct, is it not, that he was appointed to the
8 position of Archdeacon of Maitland in 1983?

9 A. Yes, I think so.

10
11 Q. That was an appointment that you made?
12 A. Yes.

13
14 Q. It is correct that there are three Archdeacon
15 positions in the Diocese of Newcastle?

16 A. It varied from time to time. Sometimes there was
17 five, sometimes there was only one, but I think in my time
18 there would have been five.

19
20 Q. Is it correct that the position of Archdeacon is
21 a position of leadership within the diocese?

22 A. Yes.

23
24 Q. Is it correct that you worked closely with
25 Peter Rushton once he was the Archdeacon of Maitland?
26 A. No, I wasn't close to him. We - the archdeacons met
27 with me once a month in a staff meeting to discuss the
28 affairs of their archdeaconries.

29
30 Q. Is it fair to describe Rushton as being part of the
31 leadership team within the diocese once he was appointed
32 Archdeacon of Maitland?

33 A. Yes, it would, yes, it would be.

34
35 Q. Is it right that you appointed Graeme Lawrence as Dean
36 of the Cathedral?

37 A. Yes, in 1984.

38
39 Q. Is it right that once he was appointed the Dean, he
40 assumed a position of leadership within the diocese?

41 A. Yes. It was commonly held that the Bishop and the
42 Assistant Bishop was followed by the Dean in that hierarchy
43 structure.

44
45 Q. Based upon your observations of working with both
46 Lawrence and Rushton, are you able to tell us what you
47 understood the relationship to be between Rushton and

1 Lawrence?
2 A. Well, I don't know if there's any relationship between
3 them, except professionally as a parish priest in the
4 diocese. We would have met on diocesan functions. I am
5 not aware there was any social relationship between either
6 of them.
7
8 Q. Have you got your statement with you, Bishop Holland?
9 A. Yes, I have.
10
11 Q. Could I ask you to go to page 4 of your statement.
12 A. Thank you. I have page 4.
13
14 Q. Could I draw your attention to midway down the page to
15 paragraph 1.
16 A. Yes.
17
18 Q. You there state:
19
20 There were no professional standard
21 structures in place during [the] Newcastle
22 years.
23
24 A. That's right.
25
26 Q. Does that mean there was no framework for reporting
27 allegations of misconduct on the part of priests during
28 that time?
29 A. Could you repeat that question?
30
31 Q. Does that mean there was no framework within the
32 diocese for reporting allegations of misconduct against
33 priests at that time?
34 A. No, there was no structure to deal with that.
35
36 Q. How did you deal with complaints, if you received
37 them, about matters of priests' misconduct?
38 A. May I have that question again, please?
39
40 Q. Yes. I might put it a different way, Bishop Holland.
41 Is it correct that if there was a complaint of misconduct
42 against a priest, it would be dealt with on an ad hoc
43 basis?
44 A. Yes, that would be right.
45
46 Q. Can I direct your attention to paragraph 2.
47 A. Yes, I've got that.

1
2 Q. We have just lost the videolink. Thank you,
3 Bishop Holland, we lost the videolink but it has come back.
4 A. Thank you.
5
6 Q. Could I direct your attention, please, again to
7 page 4, paragraph 2 of your statement.
8 A. Yes, I have that. I have that.
9
10 Q. You say you have no recollection of any allegations of
11 child abuse being made at any time?
12 A. That's right.
13
14 Q. Does that remain your evidence?
15 A. It does.
16
17 Q. There has been some evidence, Bishop Holland, that
18 an assistant priest at Wallsend made known to you
19 an allegation that his son had been sexually abused by
20 Peter Rushton and that this allegation was made to you in
21 around 1980.
22 A. No. I have no memory of that. Can I just say that
23 if - as I understand it, there were two priests involved in
24 this allegation. If two priests had been involved and one
25 was the abuser and the other one was the victim, I would
26 have automatically brought the two priests in and discussed
27 the matter with them. I couldn't possibly have let
28 something of that go by, but it didn't happen.
29
30 Q. You have said you have no recollection. Just now you
31 are saying it didn't happen.
32 A. Well, I'm saying I have no memory of that taking
33 place.
34
35 Q. You would agree that it would be a fairly
36 extraordinary revelation if you were made aware that
37 a priest within your diocese was sexually abusing a child?
38 A. Oh yes, yes, absolutely.
39
40 Q. But you say you have no memory of any fellow priest
41 making an allegation of that nature --
42 A. No.
43
44 Q. -- about Father Rushton?
45 A. No. That's right.
46
47 Q. Is that the truth, Bishop Holland?

1 A. It is the truth. It is the truth.
2
3 Q. While Peter Rushton was the priest in charge at
4 Wallsend and the Archdeacon of Maitland, did you ever
5 become aware of any suggestion that he had behaved in
6 a sexually inappropriate way with boys?
7 A. No.
8
9 Q. Did you ever have cause to visit Peter Rushton at his
10 rectory in Wallsend?
11 A. I think the only time I went into the rectory was when
12 I was there to induct him into the parish when he was
13 beginning his work in Maitland.
14
15 Q. Were you aware that Peter Rushton would foster boys
16 from St Alban's from time to time?
17 A. No, I wasn't.
18
19 Q. Were you aware that from time to time Rushton had
20 young boys living with him at the rectory?
21 A. No, I wasn't.
22
23 Q. You are now aware that there have been very many
24 allegations that Peter Rushton sexually abused boys during
25 his time at Wallsend and Maitland; is that correct?
26 A. That is correct.
27
28 Q. Did that come as a complete and utter surprise to you
29 when you discovered these allegations?
30 A. It did. I think the first I heard was media reports
31 around about 2010, I think, and I was shocked and
32 horrified.
33
34 THE CHAIR: Q. Bishop, others will discuss with you
35 whether you were told of Rushton's behaviour, but, as
36 I understand it, you now have a fairly clear understanding
37 of the extent and nature of his criminal activities; is
38 that right?
39 A. Yes, via the media.
40
41 Q. You were the head of the diocese at the time,
42 weren't you?
43 A. Yes.
44
45 Q. In conventional terms, you were the chief executive
46 officer, weren't you?
47 A. Yes.

1
2 Q. And you had licensed Rushton which allowed him to have
3 access to children through his church work, hadn't you?
4 A. I licensed him to be a parish priest at Wallsend and
5 to work at Wallsend with the license that I gave him.
6 Without the licence he wouldn't have been able to do that.
7
8 Q. That's right. That licence allowed him access to
9 many, many children, didn't it?
10 A. Well, yes, I suppose it did.
11
12 Q. Do you accept any responsibility in having failed to
13 exercise your management responsibilities effectively?
14 A. I don't acknowledge responsibility because I didn't
15 know any allegations had been made against Rushton.
16
17 Q. But do you think you should have been in a position to
18 know what a person such as Rushton might be doing?
19 A. Well, I'm not sure. There were 70 parishes in the
20 diocese of my time and 80 priests. I didn't have a close
21 relationship with many of them and I certainly didn't have
22 a close relationship with Rushton.
23
24 Q. Did you have an assistant bishop at the time?
25 A. Yes, I did. I think it was 1984 or '85 when he was
26 appointed.
27
28 Q. Before that did you have an assistant bishop?
29 A. Yes. When I arrived in Newcastle in 1978, I had
30 Bishop Geoffrey Parker and he retired.
31
32 Q. What was the management relationship? Was the
33 assistant bishop responsible for parts of the diocese and
34 responsible to you for what happened in those parts?
35 A. Yes, that would be true.
36
37 Q. In terms of Rushton, was there an assistant bishop who
38 had responsibility which included his parish?
39 A. No, not directly. There wasn't a geographic area that
40 he was responsible for. We worked the diocese together.
41
42 Q. The management relationship between you and Rushton
43 was a direct one between the two of you; is that right?
44 A. I beg your pardon? Again, please?
45
46 Q. The management relationship, the relationship in the
47 diocese between you and Rushton was a direct one? There

1 was no assistant bishop in between the two of you?
2 A. That would be true, yes. I mean I suppose I was the
3 ultimate authority in the diocese and the assistant bishop
4 just helped me in that respect.

5
6 Q. You had not only the ultimate authority, but you had
7 the responsibility of ensuring that the priests who you had
8 licensed were carrying out their duties in a proper way,
9 including not engaging in criminal activity, didn't you?
10 A. Yes, that was right.

11
12 Q. Insofar as you had that responsibility, you weren't
13 able to carry it out, were you?
14 A. I knew nothing about allegations made about Rushton.

15
16 Q. That is the point, Bishop, you see. You say you knew
17 nothing. Yet, we know, of course, that he was engaged in
18 multiple, multiple, criminal acts, don't we?

19 A. Yes, but I suppose what I think I'm trying to say is
20 that the relationship between a bishop and his clergy was
21 one of trust in each other and I trusted the priests to do
22 their work because of the promises that they'd made to God,
23 not to me, and I just assumed that if the work was going on
24 well, there was nothing wrong.

25
26 THE CHAIR: Yes, Ms Sharp

27
28 MS SHARP: Q. When you referred to your assistant
29 bishop, was that Richard Appleby to whom you were
30 referring?

31 A. Since 1984 I think that was, yes. The
32 assistant bishop before that was Bishop Geoffrey Parker.

33
34 Q. You would agree with the proposition that it has now
35 been established that Peter Rushton was a prolific child
36 sexual abuser?

37 A. I really don't know because I only know what I hear in
38 the media.

39
40 Q. Let's take the media as a starting point. You would
41 agree from what you know from the media that Rushton was
42 a prolific sexual abuser while you were the Bishop of the
43 diocese?

44 A. Yes, I think that's right.

45
46 Q. Does it indicate to you that something was seriously
47 wrong with your management of the diocese in that you had,

1 you say, no inkling that Peter Rushton --
2 A. Sorry, can you repeat that for me, please?
3
4 Q. Do you agree that something was seriously wrong in
5 your management of the diocese given that you say you had
6 no inkling that Peter Rushton was sexually abusing
7 children?
8 A. No, I don't think that follows. If I knew - if I did
9 not know he was abusing children, I'd have no reason to
10 act.
11
12 Q. Just to be clear, I have already asked you about
13 a parish priest in Wallsend and the suggestion that he told
14 you that his son was abused by Rushton in around 1980. Do
15 you deny that that disclosure ever occurred?
16 A. Yes, I do.
17
18 Q. So it is not simply that you --
19 A. I did not - sorry, I beg your pardon. I did not
20 receive a visit from a priest dealing with a matter of
21 sexual abuse.
22
23 Q. Does it concern you that Rushton was sexually abusing
24 another priest's child within your diocese and you weren't
25 made aware of it?
26 A. I wasn't aware of it. I mean I'm surprised that this
27 has happened because if I was aware of it, I would have
28 pulled both of them in very quickly and had the matter
29 thrashed out. I wouldn't have sat and done nothing about
30 it. Two priests have been involved.
31
32 Q. Would it be your expectation of the priests to whom
33 you had issued a licence that if their children were
34 sexually abused by another priest you had licensed, that
35 they would have made you aware of that?
36 A. Sorry, will you repeat that question, please?
37
38 Q. Was it your expectation as Bishop of the diocese that
39 if a priest that you had licensed had a child who was
40 sexually abused by another priest to whom you had issued
41 a licence, that priest, with the child, would have made you
42 aware of that matter?
43 A. Well, in theory I would have thought he'd come to me
44 at once and told me.
45
46 Q. We have evidence that he did come to you and make this
47 disclosure to you. Are you sure you deny that a disclosure

1 was ever made to you?
2 A. I absolutely deny any disclosure was ever made to me.
3 If it had been made, I was almost bound to have the
4 responsibility of acting on it.
5

6 Q. Bishop Holland, we have already canvassed the fact
7 that you promoted Peter Rushton to Archdeacon of Maitland
8 in 1983. What checks, if any, did you conduct before
9 making that appointment?

10 A. I just checked, really, that he was an efficient
11 operator. I knew nothing about allegations against him.
12 He was a competent priest, a competent leader, and
13 I thought he would do well as an Archdeacon.
14

15 Q. Did you make any inquiries about his personal life
16 before you appointed him to the position of Archdeacon?

17 A. No, I didn't. I would have thought that would have
18 been an abuse of his natural rights. I didn't ask priests
19 about their personal life, no.
20

21 Q. If we accept now that prior to the time you promoted
22 Rushton to Archdeacon he had, in fact, sexually abused
23 children, do you accept that the checks you conducted
24 before making that appointment may not have been
25 sufficiently thorough?

26 A. If I would have known there were allegations against
27 Rushton, he would never have been appointed an archdeacon.
28

29 Q. Can I ask you now some questions about a man named
30 James Michael Brown, sometimes known as Jim Brown. Do you
31 know who I am referring to?

32 A. I do not. I have never met the man. I take it he is
33 a layman.
34

35 Q. Could I ask you to have a look at your statement at
36 page 8, please, Bishop Holland.

37 A. Page?
38

39 Q. Page 8.

40 A. Page 8. Yes, I have it.
41

42 Q. Could I direct your attention to paragraph 13 where
43 you refer to James Brown?

44 A. But that's a priest.
45

46 Q. This is the Reverend James Brown to whom you are
47 referring?

1 A. That's right, yes.
2
3 Q. You say that you have never met James Michael Brown?
4 A. Well, I don't know, even know the name, no, I didn't,
5 and I haven't met him.
6
7 Q. Didn't you issue a licence to James Michael Brown to
8 be a lay preacher in your diocese?
9 A. Yes, I might have done that. Lay readers were common
10 throughout the diocese and they were meant to help the
11 priest with the worship and sometimes to preach. I would
12 normally grant a licence on the request of the parish
13 priest himself.
14
15 Q. You would grant a licence without personally knowing
16 the lay preacher?
17 A. Oh, yes. Yes. I relied on the discretion and the
18 competence of the priest who was nominating him.
19
20 Q. Are you able to say - I appreciate its distance - was
21 it Father Preter Rushton who recommended that James Brown
22 be licensed as a lay preacher?
23 A. Well, I know now from media reports that someone
24 called Jim Brown was close to Rushton. As far as I can
25 make out, I made it for the Parish of Wallsend, was it?
26 I don't know whether it was Wallsend or Maitland.
27
28 Q. You can take it from me it was Wallsend.
29 A. Wallsend. Well, I didn't know James Brown then.
30
31 Q. But you were prepared to issue him with a licence to
32 be a lay preacher?
33 A. Yes, I was.
34
35 Q. On the say-so of the recommending priest?
36 A. Yes, I was, on the recommendation of the priest.
37
38 Q. You wouldn't take any steps in addition to receiving
39 the recommendation of the priest?
40 A. No.
41
42 Q. Bishop Holland, I want to move on and ask you about
43 some evidence that the Commission received yesterday.
44 A witness by the name of Sue Aslin says that you telephoned
45 her in 1979 and she reported to you her concerns about
46 Peter Rushton and James Brown fostering boys from
47 St Alban's. What do you say to that?

1 A. Who was the lady you mentioned?
2
3 Q. Sue Aslin. Suzan Aslin.
4 A. Yes. May I have the question again, please?
5
6 Q. We had evidence yesterday from Ms Suzan Aslin that in
7 1979 she received a telephone call from you and she
8 discussed with you her concerns about Peter Rushton and
9 James Brown fostering boys from St Alban's?
10 A. I never made that telephone call.
11
12 Q. Are you saying that you have no recollection or that
13 you deny that telephone call?
14 A. No, I deny making it. I can't see the reason for me
15 making it.
16
17 Q. I suggest to you that a member of the Diocesan Synod
18 at that time, Professor David Frost, made you aware of
19 concerns that Ms Aslin had expressed about Peter Rushton
20 and James Brown fostering boys from St Alban's.
21 A. No. I have no memory of that and as far as I'm
22 concerned, it didn't happen. I didn't know David Frost
23 very well. This was very early on in my time in Newcastle
24 and I did not have any communication with him about this
25 matter.
26
27 Q. I want to be very clear with you about this,
28 Bishop Holland. I am suggesting to you that you telephoned
29 Suzan Aslin in 1979 and discussed with her her concerns
30 about Rushton and Brown fostering boys from St Alban's. Do
31 you deny that that telephone call happened or do you have
32 no recollection that that telephone call happened?
33 A. I deny that it happened. I deny that it happened.
34
35 Q. I suggest to you that it did and you are not telling
36 the truth to this Commission.
37 A. I'm very sorry, you're wrong. I am telling the truth.
38
39 Q. I suggest to you that Ms Aslin spoke to you after you
40 telephoned her and expressed to you her concern about
41 Rushton and Brown fostering boys from St Alban's and going
42 on what she described as a sex tour of Europe together?
43 A. I did not make a telephone call to Ms Aslin.
44
45 Q. Did you have a telephone conversation - I beg your
46 pardon.
47 A. Yes. Why was I making a call to Ms Aslin? I can't

1 quite understand that.

2

3 Q. I have suggested to you you are making the call to her
4 because David Frost has reported --

5 A. I beg your pardon, yes. Yes. No, I did not hear
6 anything from David Frost, nor did I make that call.

7

8 Q. Is it your evidence to this Commission that Ms Aslin's
9 account is a figment of her imagination?

10 A. Sorry, again?

11

12 Q. Is it your evidence to this Commission that Ms Aslin's
13 account is a figment of her imagination?

14 A. Well, I can't speculate on that, can I, I don't know,
15 but it didn't happen to me.

16

17 Q. Did anyone at any time make you aware of their
18 concerns about Peter Rushton and James Brown fostering boys
19 from St Alban's Boys Home?

20 A. No.

21

22 THE CHAIR: Q. Tell me this, Bishop - if someone had
23 told you that they were fostering boys from the home, what
24 would you have done?

25 A. If there had been no allegations against them, I would
26 have assumed they were making - doing an act of mercy, to
27 look after homeless boys. If there had been allegations
28 against them, of course I would have thought that
29 suspicious.

30

31 Q. In the absence of allegations, if that information had
32 come to you, would you have thought it was a matter that
33 you should concern yourself with to make sure that it was
34 an appropriate arrangement?

35 A. If a priest - no, I don't think I would - let me put
36 it this way. I knew of no allegations against Rushton, so
37 I really had no reason why I should be concerned about him
38 fostering two boys.

39

40 Q. No, I'm not asking you that. I'm asking you upon the
41 assumption that you did know that that was happening, would
42 it have been a matter which in the exercise of your
43 responsibilities as Bishop, you would have wanted to be
44 reassured about?

45 A. I'm sorry, sir, could I have that question again,
46 please?

47

1 Q. If you had been told that they were fostering boys
2 from this home, would you have thought it part of your
3 responsibilities as Bishop to ensure that the arrangements
4 that were in place were appropriate and that it wasn't in
5 fact a circumstance where the children were actually being
6 abused?

7 A. I'm sorry to keep on repeating this, but I would not
8 have made any inquiries of a priest fostering boys if there
9 had been allegations of sexual abuse against him. I did
10 not know that there was sexual abuse - allegations of
11 sexual abuse against Rushton at that time.
12

13 Q. Tell me, today, if you were in the position of Bishop
14 today, and it came to your knowledge that two of your
15 priests were living in a circumstance where they were
16 fostering boys from a home, would that raise any concerns
17 with you today?

18 A. I'm not sure. One assumed that priests were obeying,
19 as I said before, the vows of their ordination. Today, of
20 course, I think the atmosphere is totally different and
21 I think immediately one would be concerned about two men
22 living together and fostering boys. Yes, I think that's
23 right, I'd be concerned if I was a Bishop today, if I was
24 still around.
25

26 Q. Why is it that you would have a different view today
27 to the duty which you say you would have had some 20 or
28 more years ago?

29 A. Given the fact that there is so much talk in the media
30 of child sexual abuse and I'd seen two men fostering two
31 boys, I would have had a suspicion that that was not
32 a thing that could be appreciated.
33

34 MS SHARP: Q. Bishop Holland, do you believe that
35 Peter Rushton sexually abused a large number of boys while
36 he worked in the Diocese of Newcastle?

37 A. While I was in the diocese, no, but since I've been
38 out of the diocese and a matter of some years ago, I've
39 been made aware of sexual abuse allegations against him.
40

41 Q. I will ask the question again.

42 A. Yes.
43

44 Q. Do you believe that Peter Rushton sexually abused
45 a large number of boys while he worked in the Diocese of
46 Newcastle?

47 A. While I was in Newcastle, are you saying?

1
2 Q. I am sorry if it was unclear. As you sit here
3 today --
4 A. Yes.
5
6 Q. -- do you believe that Peter Rushton sexually abused
7 a large number of boys while he worked within the Diocese
8 of Newcastle?
9 A. If I believe the media reports, yes.
10
11 Q. Well, I'm asking you what you believe.
12 A. Pardon?
13
14 Q. I am asking you what your belief is.
15 A. Put the question to me again, please, I'm sorry, I'm
16 not following.
17
18 Q. Yes, Bishop Holland. As you sit here today, do you
19 believe that Peter Rushton sexually abused a large number
20 of boys while he worked in the Diocese of Newcastle?
21 A. Today, yes, I suppose the answer to that is yes,
22 because I've heard about them from other sources.
23
24 Q. That is your belief today?
25 A. Well, only because I've watched some of the media and
26 the media says that these things happened, and I just
27 assumed that they must have happened.
28
29 Q. You have mentioned that Richard Appleby was your
30 assistant bishop during part of your time as the Bishop of
31 the Diocese of Newcastle. At any point while he was your
32 assistant bishop, did he make you aware of allegations of
33 sexual abuse committed by priests or laypersons associated
34 with the diocese?
35 A. No.
36
37 Q. Can I move to ask you some questions about the
38 St Alban's Boys Home. You are familiar with that
39 institution?
40 A. I'm not really familiar with it, no. I think it
41 closed down soon after I arrived. Was that a boys
42 home - may I ask a question?
43
44 Q. Yes.
45 A. Is that a boys' home at Cessnock?
46
47 Q. Yes, that is the boys' home at Cessnock.

1 A. Yes, I've heard of it; I never visited it.
2
3 Q. You never visited the St Alban's Boys Home?
4 A. No. It closed down very soon after I got there.
5
6 Q. It's correct that the Diocese of Newcastle was
7 responsible for administering the St Alban's Boys Home?
8 A. I think so.
9
10 Q. And the diocese was responsible for governance at
11 St Alban's?
12 A. Look, I can't answer that in detail because I'm a long
13 way from the time and I don't really know the background of
14 the St Alban's home and its relationship to the diocese in
15 any detail.
16
17 Q. It is correct, isn't it, that the St Alban's Boys Home
18 was managed by a committee of the Diocesan Synod?
19 A. If you say so I'll believe it, but I don't know.
20 I can't remember that.
21
22 Q. Did you, during your time as Bishop, have any
23 involvement whatsoever in governance at St Alban's Boys
24 Home?
25 A. No.
26
27 Q. At any time during your tenure as Bishop, did you
28 become aware of allegations that sexual abuse was rampant
29 at St Alban's Boys Home?
30 A. Oh, absolutely not, no.
31
32 Q. Given that St Alban's Boys Home was administered by
33 the Diocese, does it concern you in any way that you, as
34 the head of the Diocese, was never made aware of
35 allegations of sexual abuse at St Alban's Boys Home?
36 A. It would concern me, yes.
37
38 Q. Why is that?
39 A. But I never received such - I never received such
40 allegations.
41
42 Q. Is it your evidence that during your time as Bishop,
43 you never had an inkling that there were any allegations of
44 sexual abuse occurring at St Alban's Boys Home?
45 A. That is right.
46
47 Q. Just to be clear, your evidence today is that you had

1 never been informed of allegations of child sexual abuse
2 against priests that you had licensed?
3 A. That is right.
4
5 Q. Bishop Holland, I just wanted to show you some
6 documents if I could. We will have to work through how
7 they can be shown to you. Firstly, could I ask you to have
8 a look at document ANG.0050.002.9906, which is tab 5 in the
9 first volume of the tender bundle.
10 A. Are you showing that to me?
11
12 Q. Yes. Do you have that document?
13 A. I can't see anything.
14
15 MS SHARP: If you will pardon me for one moment.
16 Your Honour, at this point I wanted to take the Bishop
17 through some documents. It may be convenient to have a
18 short adjournment while we organise the technical side of
19 things.
20
21 THE CHAIR: He doesn't have hard copies with him?
22
23 MS SHARP: No.
24
25 THE CHAIR: Where is he? Is he far distant?
26
27 MS SHARP: He is in Sydney, your Honour.
28
29 MS SAMBELL: Ask what the documents are. Ask what the
30 documents are.
31
32 MS MOODY: I can indicate, your Honour, that in the room
33 with the Bishop is his daughter, Mary Sambell. It may be
34 that she can assist.
35
36 THE CHAIR: There are some hard copy documents there, are
37 there?
38
39 MS MOODY: Yes.
40
41 MS SAMBELL: We do have some hard-copy documents, but if
42 you can be specific as to which document it is, my father
43 might be able to find them in his file.
44
45 MS SHARP: Thank you for that indication.
46
47 THE CHAIR: We might do this, Ms Sharp. If you can

1 organise it so that all of the documents you want to take
2 the Bishop to can be identified where the Bishop is and
3 then we can move smoothly through them. In the meantime,
4 we might take the morning adjournment to enable that to be
5 done.

6
7 MS SHARP: Yes, thank you, your Honour.

8
9 SHORT ADJOURNMENT

10
11 THE CHAIR: Yes, Ms Sharp, what is the position?

12
13 MS SHARP: Yes, your Honour and Commissioners, we are
14 having a little bit of technical difficulty getting
15 documents through to Sydney for the videolink. Could
16 I request that this witness be stood down and I will call
17 my next witness.

18
19 THE CHAIR: Yes.

20
21 Q. Bishop, do you understand that what we are going to do
22 is just adjourn your evidence for a short while, while we
23 take another witness and the documents are prepared so they
24 are available to you when you are asked further questions.
25 Do you understand that?

26 A. I understand that.

27
28 THE CHAIR: We will stand Bishop Holland down and then who
29 is the next witness?

30
31 MS SHARP: I call Roger Dyer. Your Honour and
32 Commissioners will find a copy of his statement at tab 12
33 of volume 1 of the statements.

34
35 <WITNESS STOOD DOWN

36
37 <ROGER WILLIAM DYER, sworn: [11.53am]

38
39 <EXAMINATION BY MS SHARP:

40
41 MS SHARP: Q. Mr Dyer, could you tell the Commission
42 your full name, please?

43 A. Roger William Dyer.

44
45 Q. Your address is known to those assisting the
46 Royal Commission?

47 A. I believe so.

1
2 Q. You have prepared a statement for the Commission dated
3 22 July 2016?
4 A. Yes, I have.
5
6 Q. The contents of that statement are true and correct to
7 the best of your knowledge?
8 A. Yes, they are.
9
10 MS SHARP: I tender that statement.
11
12 THE CHAIR: It will become exhibit 42-012
13
14 EXHIBIT #42-012 STATEMENT OF ROGER WILLIAM DYER
15 DATED 22/07/2016
16
17 MS SHARP: Q. Mr Dyer, you have a lengthy statement and
18 I propose only to ask you about a few aspects - well, more
19 than a few aspects of that statement. Can I start with
20 this: you are a Reverend in the Anglican Church?
21 A. Yes.
22
23 Q. From 1991 to 1994 you were an ordinand in the Parish
24 of Mitcham?
25 A. That is correct.
26
27 Q. And from 1996 to 1997 you worked in the Parish of
28 Nhill?
29 A. That is correct.
30
31 Q. Am I pronouncing that correctly?
32 A. That's right.
33
34 Q. You were a priest at that parish?
35 A. Yes.
36
37 Q. Can I refer you to paragraph 13 of your statement,
38 please. You say there that your congregation at Nhill had
39 been affected by the paedophilic activities of
40 Stephen Hatley Gray. Who was he?
41 A. He was a colleague who I had met where I attended
42 various functions throughout the diocese and I then met him
43 in a private home where he was a friend of a family within
44 that parish.
45
46 Q. Was he a priest in the Parish of Nhill?
47 A. He was a priest in the Parish of Kaniva which was

1 subsequently conjoined to Nhill.

2

3 Q. You say in your statement at paragraph 13 that you
4 "learned later of Gray's activities through his own
5 admission to me"?

6 A. Yes, that is correct.

7

8 Q. What did he tell you?

9 A. His words were, "Roger, it was only masturbation".

10

11 Q. Did he tell you who that was with respect to?

12 A. It was with respect to some hitchhikers whom he had
13 accommodated within his rectory.

14

15 Q. Were they adults or children?

16 A. I wasn't made aware of their age.

17

18 Q. You refer to the paedophilic activities of
19 Stephen Grey at paragraph 13. What allegations are you
20 referring to there?

21 A. I'm referring to the fact that he was subsequently
22 named and that what he had left in the parish, particularly
23 in the congregation of Kaniva, was that there were no men
24 in the parish and the people really had lost all trust of
25 the Church and the parish priest. It was very, very hard
26 work to pick that up.

27

28 Q. Is it right that he was convicted of a sexual offence
29 against a child?

30 A. Yes.

31

32 Q. Is it correct that he is now deceased?

33 A. I have not been made aware of that.

34

35 Q. Could I take you to paragraph 17 of your statement.
36 Is it correct that you were the priest at the Parish of
37 St Luke's in the Wallsend Parish from June 2006
38 to December 2010?

39 A. That is as best as my memory serves me; I believe that
40 to be correct.

41

42 Q. It is right that Peter Rushton was earlier the priest
43 in charge of the Wallsend Parish?

44 A. That is correct.

45

46 Q. You refer at paragraph 18 of your statement to your
47 view that parish records within the Wallsend Parish had

1 been falsified?

2 A. That is correct.

3

4 Q. What is the basis of your assertion?

5 A. After my first service I was expecting on the basis of
6 - when I was first looking at the parish, the records
7 indicated a congregation of between 100 and 110, whereas,
8 in fact, on my first Sunday morning I believe it to be
9 probably 40, 30 to 40 was the reality. Mr Ian Morante was
10 a senior member of the parish and had been so for a long
11 time and he saw the disappointment on my face and he said
12 to me, "Roger, the records have been falsified. This is
13 nothing to do with you", and that, "The parish has been
14 going downhill for a long time".

15

16 Q. Did he give you any indication as to who had falsified
17 those records?

18 A. Yes, he did.

19

20 Q. Who was that?

21 A. The Reverend Robert Catt.

22

23 Q. You refer at paragraph 18 of your statement to
24 a conversation you had with Archdeacon David Simpson?

25 A. Yes.

26

27 Q. You report in your statement that he told you that
28 Peter Rushton had been removed to Maitland as he was
29 "colourful" and things had become hot in Wallsend?

30 A. That is correct.

31

32 Q. When was this conversation you had with
33 Archdeacon Simpson?

34 A. When I first arrived to take up my work in the parish
35 I met with the Archdeacon and he described how he saw
36 things in Wallsend to me and told me of his expectation of
37 me to revive the parish.

38

39 Q. Does that mean that the conversation would be
40 somewhere near June 2006 when you commenced?

41 A. It would have been around then.

42

43 Q. What did he say to you in terms of Rushton being
44 colourful and things becoming hot in the Parish of
45 Wallsend?

46 A. As it is italicised in my statement, he made
47 a specific emphasis on those two words, "colourful" and

1 "hot".

2

3 Q. Did he tell you what he meant by those words at that
4 time?

5 A. No.

6

7 Q. What did you understand them to mean at that time?

8 A. I had a feeling that it could have related to sexual
9 activity. He did say that St Luke's was once a really
10 famous parish under his ministry. There was very colourful
11 liturgy and that - yeah, just that things had become hot
12 for him and he was asked to leave.

13

14 Q. Were you told who asked him to leave?

15 A. No.

16

17 Q. Are you aware that, in fact, Rushton was promoted to
18 be the Archdeacon of Maitland?

19 A. No.

20

21 Q. Can I take you to paragraph 20 of your statement. You
22 say that you learned of allegations against Rushton through
23 innuendo and stories and you became aware that something
24 was seriously wrong in the parish. Can you describe how
25 this process of knowledge on your part evolved?

26 A. I believe I'm a different ilk of priest from those
27 who've trained at Morpeth. I tend not to place emphasis on
28 title. Whilst I hold to the Catholic faith, to me that is
29 in regards to creed and practice at worship, it's not so
30 much about ceremonial and title, and I believe people saw
31 me working around the parish and a fairly quick form of
32 trust developed and then the stories started.

33

34 Q. What were you told?

35 A. In one instance I was told of a family that had been
36 absolutely destroyed by Rushton, where the three children
37 were turned against each other and subsequently parents
38 against children because one of them had alleged that
39 Rushton had interfered with him. There was a rumour, which
40 I refer to later in my statement, about Rushton sending
41 love letters to children who were servers or being prepared
42 for confirmation. When I went to interview people for
43 baptisms, there was a very clear connection with St Luke's,
44 but they didn't want to attend St Luke's and they just sort
45 of spoke in vague terms of Rushton's activities. There was
46 one, I can say his name was Brett, I wouldn't wish to
47 identify him any further, he told me of a time he was taken

1 on a church - no, sorry, I beg your pardon, it was
2 a Wallsend scouting trip, I believe, to the Williams River
3 area and he then said that Rushton and two Vice Squad
4 detectives had laughed and joked as the boys were nude
5 swimming as to whom they would have in their tents that
6 night and he said to this day he lives in fear of the
7 police in Newcastle if he ever spoke out.

8
9 Q. You have said that you commenced as the priest at
10 Wallsend in June 2006.

11 A. Yes.

12
13 Q. Was it soon after commencing in that position that you
14 became aware of these matters, or did it take some years?

15 A. No, it was fairly soon after my appointment that
16 I started to feel the vibes because I've had three previous
17 parishes that have been affected by paedophiles and the
18 signs are the way the men actually relate to you and I just
19 had a really, really bad feeling.

20
21 Q. Can you give us a sense of how well known this
22 innuendo, if we can call it that, was at around the time
23 you commenced in June 2006 at Wallsend?

24 A. If it's not cliché, it felt to me it was the vibe of
25 the place and just side comments. The former Rector
26 referred - and I wish in no way to confuse homosexuality
27 with pedophilia, but the former Rector referred to a group
28 as the "Gay Brigade", and there is one person, in
29 particular, who started around the time of Rushton's ashes
30 being placed in St Luke's that he started to speak more
31 specifically about Rushton's activities.

32
33 Q. Who was that?

34 A. I don't know whether his name is suppressed or not.

35
36 Q. Could you write that on a piece of paper for me,
37 please? I will have a piece of paper made available to
38 you. I can tell you, sir, that person has the pseudonym
39 [CKV], if you would like to write that down. What did
40 [CKV] tell you?

41 A. [CKV] told me that he came to the parish about - he
42 had moved out of the parish because he had had
43 an altercation with Father Catt and some friends had
44 encouraged he and his wife to come back. He spoke of being
45 orphaned at three years of age and he spoke of being placed
46 in Rushton's care from time to time. He spoke very highly
47 of Rushton initially, that he was a great liturgist and he

1 ran a very tight ship as far as the services were
2 concerned. He indicated that there was also some
3 sexualised activity - and again, I don't know if the person
4 I'm going to say is subject to suppression or not: [CKW].
5
6 Q. Were you told that [CKW] had also engaged in sexual
7 activity with people?
8 A. He had appeared in the rectory and came up behind
9 [NAME SUPPRESSED] with an erect penis and rubbed it over
10 his back. Sorry, I used - I beg your pardon.
11
12 MS SHARP: Yes. I might ask that a non-publication order
13 be made over that name.
14
15 THE CHAIR: I think it has been made, but it will be taken
16 out of the transcript.
17
18 THE WITNESS: I am sorry, it's very hard to keep all of
19 this --
20
21 THE CHAIR: That's all right. There are controls on the
22 process here. There is a delay between what you say and
23 what goes to air.
24
25 THE WITNESS: And [NAME SUPPRESSED] --
26
27 MS SHARP: Again, I would ask for that to be struck --
28
29 THE WITNESS: Sorry, [CKW] - no?
30
31 MS SHARP: Q. I think you mean [CKV].
32 A. [CKV] intimated, within the first six months of my
33 being there, that things were awry in his life and he
34 gradually became more specific and after the disposition of
35 Peter Rushton's ashes, he broke down and told me the full
36 story. As I speak, I recall another occasion where a group
37 of ladies looked after Peter Rushton's home and cleaned it
38 and one of them had laughingly said to me, "Oh, we used to
39 find used condoms under Rushton's bed, but he was
40 celibate", and there was laughing and giggling about it and
41 it was just an accumulation of this sort of anecdotal stuff
42 that went on, and I would have to say that Rushton was
43 generally revered by the congregation that had survived in
44 Wallsend. He was very highly regarded.
45
46 Q. Can I ask you this - you started at Wallsend in
47 June 2006.

1 A. Yes.

2

3 Q. Is it right that you at some point became concerned
4 that there was a large number of allegations against
5 Rushton engaging in sexual activity with boys?

6 A. That was building from probably three months into my
7 appointment and just kept growing.

8

9 Q. You have referred to an incident, in your statement,
10 where Peter Rushton's ashes were interred within the
11 St Luke's Church. Could you tell us about that?

12 A. I was invited to the home of Mr John Murray, who was
13 a very prominent undertaker, James Murray Funeral Directors
14 in Newcastle, and he made it clear to me that he was very
15 well connected with Dean Lawrence and the powers that be in
16 Newcastle. He invited me home for dinner and asked me,
17 after giving me a few scotches, would I give my consent to
18 Peter Rushton's ashes being dispersed within the church
19 building of St Luke's, to which I replied, "I have grave
20 concerns about Peter Rushton and I believe that you should
21 get Bishop Farran's consent." I particularly didn't want
22 to get involved in upsetting a prominent parishioner.

23

24 Q. As it happened, Peter Rushton's ashes were interred at
25 St Luke's. What happened there?

26 A. Well, I went away, after the Christmas morning
27 service, on annual leave to go home to my family in
28 Adelaide and I believe, to the best of my recollection, it
29 was the next day that Father Christopher Bird and others
30 contacted Mrs Gail Woodcock, my warden, this is some seven
31 months after Rushton's death, and they interred his ashes,
32 and she was furious that she had been railroaded into it
33 and none of us had any knowledge that it was going to
34 happen.

35

36 Q. Those ashes were ultimately removed from the church;
37 is that correct?

38 A. I believe so.

39

40 Q. If you can explain, why did Father Christopher Bird
41 have anything to do with this?

42 A. I have no idea, other than that he was a curate in
43 Wallsend and I believe he had a close association with
44 Father Peter.

45

46 Q. Was he a curate at Wallsend at the same time as you or
47 during --

1 A. No, this was well prior to my time there.

2

3 Q. This was the time when Rushton was priest in charge at
4 Wallsend?

5 A. Yes.

6

7 Q. You have mentioned at paragraph 23 of your statement
8 that Father Christopher Bird is a member of the Society of
9 the Sacred Cross?

10 A. That is correct.

11

12 Q. What is that?

13 A. It is a group within the Anglican communion that seeks
14 to be reunited with the Roman Catholic Church and they have
15 a particular style of worship. They use Roman Catholic
16 rites in celebrating the communion. They place a high
17 emphasis on titles. They wear birettas, a pre-Vatican II
18 custom. They are absolutely opposed to women participating
19 within the life of the Church. Yeah, they're just a very
20 exclusive little group.

21

22 Q. Are you able to tell the Commission whether there were
23 any prominent members of the diocese who were members of
24 this group?

25 A. I believe Peter Rushton was. Really, I knew that
26 Father Bird was and that was my only real knowledge. Oh,
27 there were - subsequently, I found out that another person,
28 whose name is suppressed [CKC] --

29

30 Q. Yes.

31 A. And as I had worked in Ballarat Diocese and the
32 Murray Diocese, which are the most prominent dioceses, and
33 Newcastle where these priests are employed.

34

35 Q. You have given evidence that you gradually became
36 aware of the allegations against Rushton upon you becoming
37 the priest at Wallsend.

38 A. Yes.

39

40 Q. Did you make anybody within the Diocesan hierarchy
41 aware of these allegations?

42 A. Yes, I did. I was developing a friendship with Father
43 David Battrick because we both had a heartfelt desire for
44 the Church to be in mission mode and to draw people back to
45 worship, and we had a discussion where he was seeking to
46 promote my parish to become instantly involved in that
47 program, which is the best way to describe it, and I said,

1 "This parish is not ready. There has been serious sexual
2 abuse that is gradually being uncovered", and I told him of
3 the family that had been damaged and he subsequently denied
4 my ever telling him about it. I assumed that he would be
5 relatively close to the Bishop and communicate that.

6
7 Q. Could I just stop you there. The Bishop at the time
8 was Bishop Farran; is that correct?

9 A. That is correct.

10
11 Q. Why did you assume he would be close to Bishop Farran?

12 A. Because he was appointed by Bishop Farran to conduct
13 this Communities in Mission Program. As I recall, I also
14 raised my concerns about Rushton in the March, I think, of
15 2008. I was experiencing an extremely difficult time in
16 the parish and Bishop Farran came to assist me and support
17 me and I remember walking across the church grounds and
18 I said how irregular I found it for a priest to be interred
19 in the church building and he replied that he didn't find
20 that unusual. He found that - or he expressed his own
21 desire to be interred within the Cathedral at that time.

22
23 Q. Can I stop you there.

24 A. Yes.

25
26 Q. As at around March 2008, when you had this
27 conversation with Bishop Farran, did you make him aware of
28 the allegations that Rushton had sexually abused boys?

29 A. In limited terms I would have referred to it, yes.

30
31 Q. You say you would have. Does that mean you have no
32 memory or you do have a memory?

33 A. It was - it was around conversation that happened at
34 my dining table and I believe my warden and my - my two
35 wardens were present during that conversation and there was
36 dissatisfaction, because of Rushton's alleged activities,
37 that the ashes were interred.

38
39 Q. And that's what you told to Bishop Farran?

40 A. Yes, he was there during the discussion.

41
42 Q. Did you make anyone else within the Diocesan hierarchy
43 aware of allegations that had been made about
44 Peter Rushton?

45 A. No, and I must confess I had just come from
46 a difficult patch in the Diocese of the Murray and I did
47 not want to get involved in another bun fight in the Church

1 with a Bishop.

2

3 Q. You refer at paragraph 49 of your statement, if I can
4 take you there, to writing a letter to Bishop Farran on
5 10 December 2009 about performing a healing Eucharist at
6 St Luke's?

7 A. Yes, that is correct.

8

9 Q. By that time had you had discussions with
10 Bishop Farran about allegations of abuse at the hands of
11 Rushton?

12 A. Yes, in general terms, and I believe I may have even
13 written a letter, accordingly, that I was experiencing
14 difficulty in connection with that to Bishop Farran.

15

16 Q. You say at paragraph 51 that Bishop Farran did, in
17 fact, conduct a service at St Luke's on the 31st --

18

19 THE CHAIR: Q. I think maybe we should acknowledge
20 paragraph 50, where I think you indicate that you had been
21 trying for a long time --

22 A. That is correct.

23

24 Q. -- with Bishop Farran.

25 A. I was in - I was in discussion with Paul Robertson,
26 our area Dean, and I was experiencing ill-health and
27 feeling quite pressured by the whole situation because it
28 was really unfolding then, and in discussion with
29 Paul Robertson, I was advised to ring Bishop Stephen
30 Pickard in Canberra as he would advise me of the best thing
31 to do because at that stage nothing was in writing and
32 I was advised to get everything in writing from now on.

33

34 Q. I think what you say in paragraph 50 is you had been
35 trying to get Bishop Farran to acknowledge in the diocese
36 the abuse by Rushton?

37 A. Yes, that is correct.

38

39 Q. And "to take steps towards healing"?

40 A. Yes.

41

42 Q. Now, what counsel just took you to was the fact that,
43 ultimately, there was a service conducted over, it would
44 seem, two days; is that right?

45 A. The first day was interview with those who came
46 forward who were affected and the second day was a Sunday
47 where a healing service was conducted.

1
2 Q. I think you express regret, though, that during the
3 service Rushton wasn't actually acknowledged as the
4 problem; is that right?

5 A. That is correct.
6

7 MS SHARP: Q. Was it your perception that Bishop Farran
8 was not prepared to acknowledge publically the abuse by
9 Peter Rushton at that time?

10 A. Yes, I believe so.
11

12 Q. Did he say anything to you to give you that
13 impression?

14 A. Nothing specifically. It took the form of me coming
15 under enormous pressure in 2009. I returned from annual
16 leave where my wardens were up in arms that Father Battrick
17 had been at my parish council and tried to tell them that
18 I had denied any possibility of implementing the Bishop's
19 program and a fairly hot discussion took place and I copied
20 my wardens in on my correspondence and they knew that
21 I asked for a delay to the implementation, whereas they
22 were being told by Battrick that it was my plan to stop the
23 implementation and the pressure really came on me at that
24 point.
25

26 Q. Just to be clear, you felt that David Battrick was
27 acting against you?

28 A. I now know for a fact that he was, yes.
29

30 Q. You have given evidence that you experienced pressure.

31 A. Yes.
32

33 Q. Is there any reason to believe that the pressure you
34 experienced was related to sexual abuse allegations by
35 Rushton that had been made known to you?

36 A. Initially, it would be very - it would be a gross
37 overstatement to say that, but it was my general feeling
38 that that was the case, that the real issue wasn't being
39 addressed.
40

41 THE CHAIR: Q. As I understand it, you identify part of
42 the pressure as coming through a false allegation made
43 against you as to what you had done at the Wallsend aged
44 care facility?

45 A. That was horrific.
46

47 Q. You spoke about that matter with Michael Elliott?

1 A. That was where I first met Michael Elliott.
2
3 Q. Who was the Professional Standards Director?
4 A. That is correct.
5
6 Q. I think he asked you about that allegation?
7 A. Yes.
8
9 Q. What you say is that he accepted your explanation and
10 ultimately, you have come to form a good professional
11 relationship with him?
12 A. I would say almost collegial.
13
14 Q. So the impression one has from your statement is that
15 by about 2007, but certainly by 2009, your concerns about
16 sexual abuse that you had appreciated to have occurred were
17 being aired by you?
18 A. Yes.
19
20 Q. With a consequence that others in the diocese were
21 reacting to put pressure on you; is that right?
22 A. That would be true.
23
24 Q. And that is what your statement tells us?
25 A. Yes.
26
27 Q. And that pressure, you say, is coming, amongst others,
28 from the actions of Bishop Farran; is that right?
29 A. Yes.
30
31 Q. You go on in paragraph 54 to tell us about your
32 engagement with Bishop Stuart; is that right?
33 A. Yes.
34
35 Q. Tell us about that.
36 A. I arrived back in Australia and my warden --
37
38 Q. This is after you had had some leave?
39 A. Yes. My warden, who at that time who was pseudonym
40 [CKV], had told me of the goings on in my absence and the
41 locum tenens, who had been appointed to the parish, started
42 talking to me about accepting payouts from the diocese and
43 that it would be best if I would cease from my work as
44 a priest. I remember him saying that I was just one cog in
45 a big wheel and not to be too distressed about it. I rang
46 Bishop Stuart, whom I had had in my home soon after his
47 appointment, and I said to him I felt as though I was

1 seriously - being seriously undermined within the parish.
2 I was invited to an appointment in the Bishop's office.
3 I remember quite distinctly walking in that office. I was
4 actually wearing this jacket. Bishop Farran and
5 David Battrick came down the stairs and were going out with
6 great joy and frivolity between them. Bishop Farran came
7 up and said hello to me and stroked my jacket and said how
8 nice it was and asked me briefly about my trip and where
9 I'd been. I then went upstairs to find that I faced
10 a pretty aggressive interview, a very aggressive interview,
11 at the hands of Bishop Stuart.
12

13 Q. Aggressive in what way?

14 A. I was told that I wasn't performing properly, that the
15 records indicated that I was not getting the parish going
16 properly. At one stage he said that he was concerned what
17 I might say, with no reference to any subject, and
18 I remember being quite concerned about my status within the
19 diocese after that interview.
20

21 Q. And you understood that the pressure was as a result
22 of your preparedness to raise the issue of sexual abuse; is
23 that right?

24 A. I believe that to be so, yes.
25

26 Q. I think you tell us that you obviously, after that
27 interview, took steps to see how you might protect your
28 financial position going forward?

29 A. I was phoned by John Cleary, the Diocesan Business
30 Manager and he told me that plans were afoot to have me
31 removed.
32

33 Q. I think that in the next short passage in your
34 statement you speak about how you have spoken out
35 publically --

36 A. Yes.
37

38 Q. -- on these issues and the consequences. Perhaps you
39 might read paragraph 56 and following for us.

40 A. "I spoke about this publicly on two occasions. The
41 first occasion was at a clergy conference in defence of the
42 Professional Standards Director, Michael Elliott. On that
43 occasion I remarked in front of Bishop Farran that
44 Professional Standards enquiries were being used
45 politically against priests, meaning that when people bring
46 matters to the attention of Professional Standards, they
47 are treated badly, as I had been. At this meeting my

1 purpose was to stand up for Michael and what he was doing."
2

3 Q. Keep going, if you would.

4 A. "The second occasion I spoke out was at the Synod in
5 2010 where I brought a motion without notice, close to the
6 conclusion of the Synod, requesting that the diocese accept
7 the negative impact of sexual abuse allegations upon the
8 work of the ministry in that Diocese."
9

10 Do you wish me to --
11

12 Q. Keep going, Just keep going.

13 A. "From 2008 onwards Father Chris Bird continually
14 undermined me within the Parish with false rumour and
15 allegations, particularly to my Warden.
16

17 I was also undermined by the fact that Bishop Farran
18 persistently refused to exercise discipline over
19 Father Robert Catt whom I had replaced. Father Catt still
20 functions in the Parish as a chaplain to the RSL and held
21 other public offices - this is contrary to protocol. Once
22 a priest retires it is not proper that they remain
23 conducting duties in the parish. Again, I could only
24 conclude that Bishop Farran allowed this irregularity and
25 failed to support me because it was his agenda to undermine
26 me because I was speaking out.
27

28 I had a number of other conversations with Archdeacon
29 Stephen Pullen in relation to Rushton and his activities on
30 numerous occasions, including one occasion where he stayed
31 behind after a Deanery meeting. However, he did nothing,
32 and I further believe he was a party to trying to get me
33 removed.
34

35 This continued pressure resulted in me being placed on
36 sick leave."
37

38 Q. I think you then recount what happened at the Synod in
39 2010?

40 A. Yes, that is correct.
41

42 Q. Would you read on and tell us about that?

43 A. May I stop for a moment?
44

45 Q. Certainly.

46 A. Paragraph 62. "I believe that the matter which really
47 exposed the issue of child sexual abuse was the Synod in

1 2010 where I spoke on the issue, notwithstanding attempts
2 to stop me from speaking and raising the issue.

3
4 The specific events which prompted my address to Synod
5 were:

6 (i) being informed by John Cleary that plans were
7 afoot to close down professional standards in the Newcastle
8 Diocese, with the sacking of Michael Elliott; and

9
10 (ii) I had sat through a large part of the Synod and
11 no mention was made of Rushton's activities, which by then
12 had been denounced publicly in the Newcastle Herald.

13
14 My motion was that the Newcastle Diocese acknowledge
15 the effect of allegations of child sexual abuse and the
16 effect of this on the work of the Ministry of the Church.

17
18 Those who tried to thwart my motion and speech were:
19 Paul Rosser, the Bishop's Chancellor, David Battrick,
20 Ministry Development Officer, Christopher Bird, Head of the
21 Society of the Sacred Cross Australia; and
22 Archdeacon Stephen Pullen, the Archdeacon of Newcastle.
23 Stephen Pullen attempted to physically stop me from going
24 up the stairs to present my motion, at which point I called
25 him "the Bishop's boy" and pushed him to one side.

26
27 When I spoke, it was received with a standing ovation
28 and carried by a vast majority of the priests, with the
29 exception of those named above.

30
31 Upon leaving the Synod, one of the clergy present said
32 that they thought they had 'just seen a very brave man fall
33 on his sword.' After my speech and motion to the Synod,
34 I phoned the former Assistant Bishop of Newcastle, Bishop
35 Graeme Rutherford, seeking his guidance and support for
36 a new appointment. He told me to 'leave the country'.

37
38 After I spoke at the Synod, Canon Paul Robertson said
39 to me that I had made my mark in Newcastle and that only
40 I could do that because I had come from outside and it
41 needed to be done. On that occasion I said to
42 Canon Robertson words to the effect that 'You all knew', to
43 which he replied, 'Yes, but we could get no proof'."

44
45 Do you wish me to continue?

46
47 Q. Yes, just continue. I think you tell us then about

1 the subsequent events in your life.

2 A. "On 12 August 2010 I wrote to Bishop Brian and asked
3 for a further appointment in the Newcastle Diocese, and
4 actually referred to New Lambton which was, I might add,
5 Paul Robertson's parish, as being a possibility, as I knew
6 that he was retiring. I was told by Bishop Stuart that
7 there was to be no place for me within the Diocese.

8
9 When I was phoned in late 2010 by Bishop Richard
10 Hurford, Bishop of Bathurst, with the prospect of moving to
11 Kelso, I jumped at the chance for another appointment since
12 Bishops Farran and Stuart had stated that I would never get
13 another appointment in the Newcastle Diocese.

14
15 Towards the end of my time at St Luke's I had occasion
16 to call upon the services of Reverend Julia Perry as
17 Locum Tenens for the Parish. In discussion with Julia,
18 I learned of other horrid behaviour that had occurred at
19 St John's College Morpeth and a personal observation of
20 mine is that the priests involved in paedophilia in the
21 Newcastle Diocese were all connected with Morpeth College.

22
23 I first met [CKC] at a clergy event in Victoria in
24 about 1996. At the time he was a Priest in the Diocese of
25 Ballarat. [CKC] was expressing his anger to other clergy
26 at being forcibly removed by Bishop Richard Appleby.
27 I knew Bishop Appleby and I said I liked him. I recall
28 [CKC] saying that he did not like him because he was the
29 one who made him move. Around that time [CKC] came to my
30 Rectory in the company of somebody else. He was trying to
31 get me to join the SSC which is a group I did not like.
32 I do not know him well but I do recall him telling me that
33 he had worked in the Parish of [REDACTED].

34
35 Q. Then you tell us, I think, that you accepted the
36 appointment in Kelso; is that right?

37 A. That is correct.

38
39 Q. And that is in the Diocese of Bathurst?

40 A. That is correct.

41
42 Q. Then you speak about the consequences for you and the
43 impact upon you and you might read that to us.

44 A. Do you wish me to take that --

45
46 Q. Paragraph 74 and on.

47 A. Paragraph 74 and on.

1
2 "When I went to the Diocese of Bathurst I was
3 subjected to false rumours that implied that I had
4 committed criminal acts in the Diocese of Newcastle. I was
5 undermined by senior members of the Anglican Church there
6 because of their connections and relationships with those
7 who had tried to cover this up in Newcastle. This led to
8 a situation where I was asked to resign and forced to go
9 onto a small salary continuance policy.

10
11 Early in 2013, prior to my being placed on salary
12 continuance, I made applications to several Dioceses, to be
13 specific, Canberra-Goulburn, Bendigo, Ballarat and Sydney.
14 One told me there was no place for me. Before I had the
15 one interview where I was rejected, I saw Bruce Hoare,
16 already defrocked from Newcastle, working in the church
17 office in Bendigo. I was also aware of one Wayne Sheahan
18 was working in the Parish of Maryborough and also ..."
19 I'm not allowed to say his name?

20
21
22 Q. [CKC], I think.

23 A. Thank you very much:

24
25 "... was working in the Parish of Soldiers Hill in
26 Ballarat. I was incensed that my applications for
27 positions were rejected, yet they were protected by the
28 Church. I reported this to Michael Elliott.

29
30 I had experienced an excellent working relationship
31 with Michael Elliott over the years, however, after
32 a conversation with him in 2014 I felt totally alone and
33 alienated. In this conversation we discussed past events
34 and also the issue of whether I should take legal action
35 against the Newcastle Diocese for what had occurred to me
36 as a result of speaking out. I asked Michael whether he
37 agreed with Bishop Farran's assessment of me that I was
38 'high maintenance' and he said he did agree, and further to
39 that he said I 'didn't get on in parishes'. Given the work
40 we had done, this was crushing.

41
42 At no stage has anyone ever apologised to me for the
43 treatment I have received as a consequence of speaking out.

44
45 My intention at St Luke's was to expose and
46 acknowledge the pain caused by pedophilia and to enable the
47 Parish to heal from the abuse it had experienced and to

1 move forward, and to the best of my ability I believe I did
2 that. The impact of my having spoken out to expose the
3 child sexual abuse and to try to heal the Ministry in the
4 Parish of St Luke's includes the following:

5
6 It has affected by Ministry and I have lost the
7 opportunity to continue in the Ministry that I love and
8 believe in.

9
10 I have suffered serious physical and mental illness
11 and I was diagnosed with PTSD in 2011/2012 relating to the
12 trauma of my experience at St Luke's.

13
14 I have been ostracised, and my reputation and
15 credibility have been damaged.

16
17 By speaking out I have lost the opportunity to
18 exercise my vocation which is devastating to me. I cannot
19 get another paid position as no Bishop would offer me
20 a position when they had vacancies.

21
22 I have suffered significantly financially and
23 I receive little income."

24
25 It's actually two-thirds of a basic stipend.

26
27 "Most significantly, I am saddened that the demise of
28 the Anglican Church and the crisis it is in as
29 a consequence of its failure to acknowledge and act in
30 child sexual abuse matters.

31
32 As a personal comment, it is my firm belief that the
33 Anglican Church has been adversely affected across
34 Australia by the actions of pedophiles and there has been
35 systemic failure by our Bishops to deal with it
36 effectively. They would rather punish the whistle-blowers
37 and silence the victims rather than bring the perpetrators
38 to justice. This must be addressed at the highest echelons
39 before we can proceed with any thought of mission or
40 a renewed church in our land".

41
42 MS SHARP: Q. Sir, this is just one other aspect of your
43 statement that I wish to ask you about which relates to
44 paragraph 37 where you recount a conversation you had with
45 Archdeacon Colvin Ford. You there say that Archdeacon Ford
46 told you that he had been instructed to destroy between 200
47 and 250 pornographic videos belonging to Rushton. Could it

1 be that he reported to you that somebody else had been
2 given those instructions and somebody else had destroyed
3 those videos?
4 A. To the best of my memory that's how it sounded to me,
5 but I must add, at the time I was taking migraine
6 medication, I had extremely high blood pressure and I was
7 an emotional wreck.

8
9 MS SHARP: Thank you. I have no further questions.

10
11 THE WITNESS: Could I also add that Father Colvin Ford
12 came to my assistance and gave me fellowship and comfort,
13 where no-one else would.

14
15 MS SHARP: Thank you.

16
17 THE CHAIR: Does anyone else have any questions?
18 Mr Temby?

19
20 <EXAMINATION BY MR TEMBY:

21
22 MR TEMBY: Q. My name is Temby and I act for the State
23 of New South Wales. Could you look at paragraph 33 of your
24 statement. You there relate information you received from
25 a person you describe as a victim of child sexual abuse.
26 A. Yes.

27
28 Q. Could you write on this piece of paper the name of the
29 individual who provided that information to you?

30 A. I only have a Christian name.

31
32 Q. How old, or about how old was that person at that
33 time?

34 A. Possibly 40 years of age.

35
36 Q. Can you provide any information as to when, or about
37 when you understand the incident to which you refer took
38 place?

39 A. No, no specific year was given. It was that whilst he
40 was a member of Wallsend second scout group, that
41 was - that was it.

42
43 Q. For all we know, 25 years previously, or something of
44 that order, when he was in his teenage years?

45 A. Could well be.

46
47 Q. You don't have any information, I suppose, as to the

1 name or names of the Vice Squad detectives who are said to
2 have behaved in an inappropriate fashion?
3 A. No. He lives in fear. I have tried to get him to
4 come forward, but he won't come forward because he lives in
5 fear and terror to this day.
6
7 MR TEMBY: All right. Thank you. I don't know what
8 further can be done, but thank you for that information.
9
10 THE CHAIR: Yes. Anyone else? Mr O'Brien.
11
12 <EXAMINATION BY MR O'BRIEN:
13
14 MR O'BRIEN: Q. My name is O'Brien. I appear for Mr
15 Paul Gray and if you check your pseudonym list, you will
16 see [CKA].
17 A. Yes.
18
19 Q. And also [CKG].
20 A. Yes.
21
22 Q. I want to ask you questions in relation to your
23 statement, in particular paragraph 72.
24 A. Yes. I think you've confused the pseudonyms.
25
26 Q. Oh, have I? [CKC].
27 A. Yes. You said [CKA].
28
29 Q. I appear for [CKA], do you understand?
30 A. Yes. Oh, right.
31
32 Q. I want to ask you about [CKC].
33 A. Mmm-hmm.
34
35 Q. What you say there is that in 1996, you met [CKC] at
36 a clergy event. Was that the first time you met him?
37 A. Yes.
38
39 Q. Do you remember the event?
40 A. It was a Diocesan gathering in a town, Horsham. We
41 were standing in line ready to proceed in and the usual
42 chatter that goes on amongst clergy was going on, and I had
43 been befriended by a priest by the name of Father Allan
44 Cole and he introduced me to [CKC] and we naturally shared
45 where we'd come from, and I had recently returned from
46 Darwin where I was working for Bishop Appleby, and I found
47 Bishop Appleby to be very fair-minded and agreeable and

1 easy to get on with, and I was disturbed to hear him being
2 bagged out.
3
4 Q. This conversation that you had with [CKC], was Father
5 Allan Cole present when it occurred?
6 A. Yes.
7
8 Q. During the conversation, you said that [CKC] was
9 bagging out Bishop Appleby?
10 A. That is correct.
11
12 Q. He was bagging him out because he disliked him,
13 evidently?
14 A. He had - he said he'd been moved from west Wallsend.
15
16 Q. Forcibly?
17 A. That was the implication. He'd been asked to leave
18 would be a minimal statement to the general tenor of
19 conversation.
20
21 Q. Can you remember the words that [CKC] used?
22 A. Specifically, no, but they raised my ire because
23 I heard somebody who I really had high regard for at that
24 stage, and I didn't like hearing it.
25
26 Q. That is why the conversation was so prominent in your
27 memory?
28 A. That is correct.
29
30 Q. Did you inquire or did [CKC] relay to you why it was
31 that he had been forcibly removed?
32 A. No.
33
34 Q. Did you form any presumption from what he told you as
35 to why that had happened?
36
37 MR SKINNER: I object to that.
38
39 THE CHAIR: Mr O'Brien, I think we might need a bit more
40 before you can ask that question.
41
42 MR O'BRIEN: Okay. Yes.
43
44 THE CHAIR: It is placed, at the moment, without any
45 structural support at all, I think.
46
47 MR O'BRIEN: Very well.

1
2 Q. You describe this conversation having occurred as you
3 were filing into a meeting of some sort?
4 A. Yes. It was - look, we were all gathered and robed,
5 I remember that. We were in line. It could have been
6 after or before, I'm not sure which, but I remember it
7 because I heard Bishop Appleby's name being misused in my
8 opinion.
9
10 Q. And you came to Bishop Appleby's defence?
11 A. Yes. That I had always got on well with him and
12 I considered him to be a good bloke.
13
14 Q. But [CKC] remonstrated with you that he didn't share
15 the same view; is that right?
16 A. That is correct. And then went on to say he had been
17 working there and was moved out.
18
19 Q. What was the duration of the conversation, would you
20 say?
21 A. Two or three minutes.
22
23 THE CHAIR: Q. Can we go directly to it. Did he tell
24 you why he had been moved?
25 A. No.
26
27 Q. Did you, yourself, reach any view as to why he had
28 been removed?
29
30 MR SKINNER: I object, your Honour. This is exactly what
31 was put before --
32
33 THE CHAIR: I am going to ask the question. I am going to
34 ask the question.
35
36 Q. Did you form any view yourself?
37 A. I formed a view, yes.
38
39 Q. What was that view based on?
40 A. My previous experience with clergy who engaged in
41 certain activities.
42
43 Q. What you're saying is that you, yourself, although not
44 told by [CKC], formed a view that --
45 A. That is correct.
46
47 Q. -- there was a misbehaviour that was covered?

1 A. That is correct.
2
3 THE CHAIR: Yes, very well. Mr O'Brien, there is probably
4 not any more that can be received, is there?
5
6 MR O'BRIEN: No.
7
8 Q. Just on a point also flowing from the paragraph,
9 please, the SSC was something which was raised in
10 a subsequent meeting, it would seem?
11 A. Yes, that's correct.
12
13 THE CHAIR: Q. I take it that is the Society of the
14 Sacred Cross, is it?
15 A. Sacred Mission. Sacred Cross.
16
17 MR O'BRIEN: Q. These are the members of your church who
18 were keen to affiliate with the Roman Catholic Church, is
19 that the case?
20 A. That is correct.
21
22 Q. That is a very ignorant way of putting it, I am sure.
23 He was a member of that order or that group; is that right?
24 A. That is correct.
25
26 Q. Where did this second meeting with [CKC] happen? In
27 your rectory?
28 A. Yes.
29
30 Q. Who was there?
31 A. Father Allan Cole brought [CKC] to my home. I kid
32 myself that I am a bit of a cook sometimes and Father Allen
33 asked me if I would mind if [CKC] came with him and I said,
34 no, I wouldn't mind.
35
36 Q. You cooked dinner?
37 A. Yes.
38
39 Q. And you shared a meal with [CKC]?
40 A. Yes, that is correct.
41
42 Q. Did the subject of Bishop Appleby --
43 A. No.
44
45 Q. -- arise again?
46 A. No.
47

1 Q. Did the subject of [CKC]'s being forcibly removed from
2 Wallsend come up again?
3 A. No.
4
5 MR O'BRIEN: Thanks very much.
6
7 THE CHAIR: Yes.
8
9 MR BOOTH: I note the time but I can probably finish.
10
11 THE CHAIR: We have plenty of time, keep going.
12
13 MR BOOTH: Thank you, your Honour.
14
15 <EXAMINATION BY MR BOOTH:
16
17 MR BOOTH: Mr Dyer, my name is Booth; I appear for
18 Mr Rosser. Can I take you to the Synod in 2010, please.
19 A. Can you give me a paragraph number?
20
21 Q. Sorry, it is paragraph 62.
22 A. Thank you.
23
24 Q. Really I wish to talk to you about the subparagraph,
25 speaking out publicly where you have described in 56 and
26 57, in particular paragraph 57, the second occasion you
27 spoke out publicly was at the Synod in 2010.
28 A. That is correct.
29
30 Q. For those of us who don't know it, a Synod is like the
31 annual general meeting of the Diocese, isn't it?
32 A. Yes.
33
34 Q. All clergy from the Diocese are there?
35 A. Yes.
36
37 Q. The Bishop?
38 A. The Bishop, the Assistant Bishop.
39
40 Q. About 300 people?
41 A. I think that would be a reasonable estimation.
42
43 Q. A reasonable estimate, yes. It makes ordinances?
44 A. That is correct.
45
46 Q. Which are rules; it discusses issues?
47 A. That is correct.

1
2 Q. It passes motions?
3 A. That is correct.
4
5 Q. And it has to be, because of its very nature,
6 conducted appropriately?
7 A. Yes.
8
9 Q. It requires, and it has, Standing Orders?
10 A. That is correct.
11
12 Q. As you have said in paragraph 57, you brought a motion
13 firstly without notice; is that correct?
14 A. That is correct.
15
16 Q. And, secondly, close to the conclusion of the Synod?
17 A. That is correct.
18
19 Q. Had you turned your mind to making such a motion
20 before this?
21 A. I was surprised at how quickly the Synod was wrapping
22 up, and there was no discussion of Peter Rushton.
23
24 Q. But had you turned your mind to putting forward the
25 motion that you wished to put without notice?
26 A. I did, yes.
27
28 Q. But you didn't do it, with notice?
29 A. It was late in the afternoon. Business was still
30 being discussed and I left my seat, which was high in
31 the - up in the Gods of the conservatorium, and I went down
32 to present my motion to the secretary.
33
34 Q. You could have put the Synod on notice, could you not?
35 A. I'm not really au fait with business procedure of
36 meetings.
37
38 Q. In paragraph 59, you talk about Father Catt still
39 functioning in the parish as a chaplain to the RSL?
40 A. Yes.
41
42 Q. You noted that that was a breach of protocol?
43 A. Yes.
44
45 Q. You noticed that was an irregularity?
46 A. I do think it's an irregularity, yes.
47

1 Q. That caused you some concern?
2 A. Yes.
3
4 Q. See, I suggest to you that you know that Mr Rosser is
5 a lawyer?
6 A. I do now. I didn't before.
7
8 Q. You didn't? You didn't in 2010?
9 A. He was not much of a name to me.
10
11 Q. You had had no dealings with him as a solicitor?
12 A. No.
13
14 Q. Could it possibly --
15 A. I knew who he was by introduction at that Synod.
16
17 Q. Thank you. I suggest to you that his concern was that
18 it was a breach of Standing Orders to put a motion before
19 the Synod, without notice, and mindful of as you have said
20 yourself --
21 A. That could well be the case. I am just merely
22 reporting that he audibly said "No" to my putting a motion
23 without notice.
24
25 Q. Which would have been proper protocol, wouldn't it?
26 A. He could. He's quite entitled to his own view.
27
28 Q. And not an irregularity?
29 A. I think, before you make a judgment, that you need to
30 have been there to have experienced it.
31
32 Q. What you are saying, if I can paraphrase, is that you
33 felt quite concerned and emotional about - well, the
34 elephant in the room - Mr Rushton?
35 A. Oh, that was beautifully put.
36
37 THE CHAIR: Mr Booth, I am not sure I have seen the
38 Standing Orders. Do we have them?
39
40 MR BOOTH: I don't believe we have, your Honour.
41
42 THE CHAIR: I think we should have them, shouldn't we,
43 if you --
44
45 MR BOOTH: We should.
46
47 THE CHAIR: If you are going to advance that

1 proposition --
2
3 MR BOOTH: Yes.
4
5 THE CHAIR: -- do you do so on instructions that the
6 Standing Orders preclude a motion without notice?
7
8 MR BOOTH: I do so, your Honour, yes.
9
10 THE CHAIR: Then I think we would like to see them.
11
12 MR BOOTH: Perhaps I can through Counsel Assisting.
13 I don't have the resource --
14
15 THE CHAIR: I assume the meeting, however, can vary its
16 own orders, can it?
17
18 MR BOOTH: Yes, perhaps it can, your Honour, but as
19 I say --
20
21 THE CHAIR: We need to see that too.
22
23 MR BOOTH: -- the concern I have is my client. He is
24 otherwise busy within another place within this building
25 and I haven't been able --
26
27 THE CHAIR: That may be, but I assume you operate on
28 instructions?
29
30 MR BOOTH: I do, your Honour, yes.
31
32 THE CHAIR: Then I think what we --
33
34 MR BOOTH: But what I am saying is that I can't seek his
35 immediate instructions, but I am sure that I can liaise
36 with counsel assisting.
37
38 Q. I think the last question I put to you was that maybe
39 you were emotionally attached to this motion because of the
40 elephant in the room?
41 A. Oh, that would be an understatement.
42
43 Q. Thank you. I suggest that as Mr Rosser was a lawyer,
44 he may not have been disinclined to follow the protocol?
45 A. No, I think I've already replied, that could well be
46 the case --
47

1 Q. Thank you.
2 A. -- but it was significant insofar as those who said
3 "no", when everyone else was saying "yes". It was just
4 something that struck me.
5
6 Q. Are you aware if any of the other members of the
7 people you described as saying "no" - Mr Battrick, Mr Bird,
8 Mr Pullen, were they lawyers?
9 A. No.
10
11 MR BOOTH: Thank you.
12
13 <EXAMINATION BY MR HEAZLEWOOD:
14
15 MR HEAZLEWOOD: Q. Mr Dyer, I represent Bishop Farran.
16 I just wanted to ask you a few matters, if I may. You
17 indicated during the course of your evidence that from 2007
18 - your words were you were an emotional wreck?
19 A. 2007-2008.
20
21 Q. Yes. Earlier in your evidence you had said that in
22 2011 you were diagnosed with PTSD?
23 A. That is correct.
24
25 Q. Between 2007/8 to 2011, was that an issue with you the
26 whole time, your mental state, if you like?
27 A. No. It was something which came upon me when I was
28 exposed to information from those affected, and I was able
29 to brace myself and get up and do my job properly.
30
31 Q. Are we talking now at the early stages of 2007/8?
32 A. Yes.
33
34 Q. There was a program put in place to assist you in that
35 regard; that is, to get on with your work, was there not?
36 A. I believe that is - I'm not quite sure what you're
37 actually saying.
38
39 Q. There was a program called Ministry In Mission, was
40 there not?
41 A. There was a program called Ministry In Mission, yes.
42
43 Q. It was sought to have you involved in that program to
44 assist you?
45 A. That is not correct.
46
47 Q. What is incorrect about it?

1 A. What is incorrect is that it would have demanded key
2 people in the Parish to attend study, and the people who
3 supported me in Ministry would not be available to help me,
4 they would be away on many occasions, and it would increase
5 the actual workload of paperwork on me when I was already
6 under pressure from these other issues. It would have
7 increased my workload significantly.

8
9 Q. May I summarise it then by suggesting that you were
10 resistant to this program, for whatever reason?

11 A. That is not correct.

12
13 Q. Were you wishing to comply with it then?

14 A. I asked that it be delayed, and I wrote to the Bishop
15 accordingly, until the Parish receives healing.

16
17 Q. Who did you write to?

18 A. I believe that I conveyed that to Bishop Farran and
19 there is an email to that effect. "Delay" was my specific
20 word because in my heart of hearts, I would wish that
21 everyone were a priest.

22
23 Q. The program wasn't implemented, you just sought to
24 delay it; is that right?

25 A. I asked for permission to delay it because it was
26 untimely for that parish in those circumstances.

27
28 Q. Was that permission granted?

29 A. It was never actually discussed with me. It proceeded
30 to a discussion between Michael Battrick and my Parish
31 Council in my absence from the parish.

32
33 Q. Were you having difficulties at 2007/8 in managing the
34 workload at your parish?

35 A. I was coping with the workload, but I wasn't coping
36 with the undercurrents and the issues of sexual abuse.

37
38 Q. Was Mr Cleary in any way instrumental in trying to
39 implement the program of the Ministry In Mission program?

40 A. Not to my knowledge. It wasn't in his area of
41 function.

42
43 Q. You talked about a couple of pressures which you
44 inferred or considered came from Bishop Farran; is that
45 correct?

46 A. He made his displeasure with me known, yes.

1 Q. One of the issues you had insofar as he was concerned
2 was the manner in which the complaint concerning the aged
3 care home was dealt with?
4 A. Yes.
5
6 Q. That's correct, isn't it?
7 A. That is correct.
8
9 Q. There was an inquiry undertaken by Mr Elliott, was
10 there not, in relation to those complaints?
11 A. Yes, that is correct.
12
13 Q. Mr Elliott investigated it?
14 A. That is correct.
15
16 Q. Investigated the allegations?
17 A. Yes, that is correct.
18
19 Q. And I suppose to use a legal term, you were acquitted?
20 A. No.
21
22 Q. No?
23 A. No. Mr Elliott said he didn't find any grounds for
24 further investigation. But this must be put into its
25 narrative context. A sign had just gone up in the church
26 asking people to come forward with any allegations of abuse
27 on behalf of priests.
28
29 Q. Yes.
30 A. And it was just after that sign that went up that some
31 anonymous party indicated that I had verbally abused people
32 in aged care and I had spoken in derogatory terms of them.
33 That was evidently someone in the parish.
34
35 Q. Yes.
36 A. My concern was that people in the parish were under
37 the impression that I was an abuser. Naturally, I wanted
38 the Bishop to write and clear my name of that allegation.
39
40 Q. When you say "an abuser", what specifically are you
41 referring to?
42 A. I don't know what other word you could use.
43
44 Q. What, abuser of children or abuser of people at an
45 aged home?
46 A. No, abuser of aged care people. That was the context
47 you set for our discussion.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

Q. Exactly. Did you not receive an email from Bishop Farran indicating to you that you had been cleared by the Professional Standards Board, and, as far as he was concerned that was an end of the matter, you were not guilty and he saw that as the end of it?

A. May I put a question to you?

Q. If you could just answer my question, please.

THE CHAIR: Q. Counsel is entitled to an answer from you but if there is something more to add, we will find out.

A. I don't believe it was sufficient in the circumstances which I've outlined to you previously.

MR BOOTH: Q. So the answer is, (a), you did get an email?

A. I did get an email which I really had to fight to get.

Q. All right. But you say it didn't go far enough?

A. No. It should have been made public from the Bishop's hand.

Q. It wasn't the fact of the email, it was the fact that the email wasn't made public?

A. That is correct. And I believe that to be the Bishop's duty.

Q. There may be different views about that view, do you accept that?

A. Not really, no.

THE CHAIR: Q. I understand what you are saying to us is that your understanding was the allegation effectively had become public?

A. That is correct.

Q. And you were concerned that it should be answered publicly?

A. I believed so, and by the highest authority because of the serious nature of the allegation.

THE CHAIR: Very well. I think we will take lunch now.

MR BOOTH: Thank you, your Honour.

LUNCHEON ADJOURNMENT

1 UPON RESUMPTION:
2

3 MS SHARP: Your Honour and Commissioners, can I take a
4 moment to tender some documents that will be relevant to
5 the rest of Mr Heazlewood's examination of this witness and
6 some other relevant documents that have come to hand.
7

8 Could I start with an email exchange between
9 Bishop Farran and Roger Dyer dated 14 September 2009.
10 IND.0496.001.0002.
11

12 THE CHAIR: We will make that together exhibit 42-013.
13

14 EXHIBIT #42-013 EMAIL EXCHANGE BETWEEN BISHOP FARRAN AND
15 ROGER DYER DATED 14/09/2009
16

17 THE CHAIR: There is just one copy of it or --
18

19 MS SHARP: I'm sorry, your Honour, there should be
20 multiple copies for your Honour and the two Commissioners.
21

22 THE CHAIR: Yes. It would help if we had staples in them.
23

24 MS SHARP: Yes, I apologise for that.
25

26 THE CHAIR: Yes.
27

28 MS SHARP: The next email is an email from John Southerden
29 to Bishop Brian Farran, dated 11 December 2008, with the
30 document ID: IND.0496.001.0001.
31

32 THE CHAIR: I will make that exhibit 42-014.
33

34 EXHIBIT #42-014 EMAIL FROM JOHN SOUTHERDEN TO
35 BISHOP BRIAN FARRAN DATED 11/12/2008
36

37 MS SHARP: The third document is an email exchange. The
38 first email is from Bishop Peter to Roger Dyer dated
39 30 July 2009, and that's document number IND.0495.001.0001.
40

41 THE CHAIR: We will make that exhibit 42-015.
42

43 EXHIBIT #42-015 EMAIL FROM BISHOP PETER TO ROGER DYER
44 DATED 30/07/2009
45

46 THE CHAIR: Yes.
47

1 MS SHARP: Could I then tender a copy of the Diocesan
2 Standing Orders. The document ID is ANG.0335 --
3
4 THE CHAIR: They are the present orders, are they?
5
6 MS SHARP: Yes. There is an amendment I need to hand up
7 as well.
8
9 THE CHAIR: Are these the orders that were relevant at
10 the --
11
12 MS SHARP: That is what I am instructed, yes.
13
14 THE CHAIR: We will make the standing orders
15 exhibit 42-016.
16
17 EXHIBIT #42-016 COPY OF THE DIOCESAN STANDING ORDERS,
18 INCLUDING DOCUMENT ENTITLED "AMENDMENT TO STANDING ORDERS
19 2009"
20
21 THE CHAIR: Can you identify which order or particular
22 orders would be of significance for us?
23
24 MS SHARP: I will have to take instructions on that your
25 Honour. There is then an amendment to those standing
26 orders which I am told is also relevant. It is entitled
27 "Amendment to Standing Orders 2009", being document ID
28 ANG.0339.001.0001.
29
30 THE CHAIR: We will add that to exhibit 42-016. Yes.
31
32 MS SHARP: Finally, your Honour, may I tender a copy of
33 the minutes of the second day of the 2010 Synod meeting,
34 that is for 24 October 2010, with the document ID
35 ANG.0061.001.2147.
36
37 THE CHAIR: That will be exhibit 42-017.
38
39 EXHIBIT #42-017 MINUTES OF THE SECOND DAY OF THE 2010 SYNOD
40 MEETING, DATED 24/10/2010
41
42 MS SHARP: Thank you, your Honour.
43
44 THE CHAIR: Yes, Mr Heazlewood.
45
46 MR HEAZLEWOOD: Q. Mr Dyer, I was asking you questions
47 just before lunch about the aged care home incident.

1 A. Mmm-hmm.

2

3 Q. I just want to ask you a couple more questions in
4 relation to that. Allegations that were made and
5 ultimately unsubstantiated came, you believe, from a
6 parishioner; is that right?

7 A. I don't have any idea where they came from.

8

9 Q. But it occurred, that is the allegations arose shortly
10 after this particular notice had been put up in the church?

11 A. That is correct.

12

13 Q. Relating to abuse?

14 A. Yes.

15

16 Q. Abuse more prominently directed towards sexual abuse?

17 A. I can't recall the specific nature of it. I just know
18 that it was "Please contact Michael Elliott, Professional
19 Standards".

20

21 Q. But it wasn't a notice that was designed specifically
22 for your church? As far as you were aware, it was
23 exhibited in all the churches certainly in the diocese?

24 A. I have no knowledge. I just know that I received
25 instructions to put it up. What others did is - whether
26 they did or not, I don't know.

27

28 Q. You don't even know whether they received them or not,
29 do you - or do you?

30 A. I don't know. I just know that I was under
31 instructions, through Professional Standards, to put one of
32 these signs up.

33

34 Q. Be it in response to the notice going up or not, the
35 fact of the matter is that the timing of it occurred
36 shortly after the notice went up?

37 A. Yes.

38

39 Q. Which drew you to the conclusion, I gather from your
40 evidence, that the notice was the catalyst for the
41 complaint?

42 A. Yes.

43

44 Q. The complaint was never made public within your
45 church, was it?

46 A. I have been trying to protect people's reputations in
47 saying what I have said. The issue is that I have several

1 suspicions, and it is only suspicion.

2

3 Q. No, no, I think you have missed the point. What I
4 am --

5 A. I'm finding it very hard to establish the point of
6 this.

7

8 Q. The allegations that were made against you - right --

9 A. Yes.

10

11 Q. -- and later dismissed were not widely - the fact of
12 that allegation - right - was not widely known within the
13 parish?

14 A. That would be reading into the situation.

15

16 Q. Well, I don't understand. Do you agree with that
17 proposition I put to you, or not?

18 A. I can't answer that and I don't think anyone can.

19

20 Q. All right.

21 A. Because once an allegation against a priest is made,
22 you have no knowledge how far and wide it's gone.

23

24 Q. Why was it so important to you for Bishop Farran to
25 publicise the fact that (a) there had been an allegation
26 against you and that allegation had been dismissed?

27 A. Well, I believe that any allegation against a priest
28 of that nature which strikes to the heart of their
29 ministry, needs to be given episcopal support that you are
30 conducting yourself properly.

31

32 Q. You would have been happier if he had have distributed
33 information, whichever way that is done - just a moment,
34 whichever way that is done within the parish, firstly
35 outlining what the allegation was and then outlining,
36 secondly, the fact that it had been dismissed or not
37 proved?

38 A. Yes.

39

40 Q. The email that Bishop Farran sent to you clearly
41 indicated to you that there was nothing for you to worry
42 about in this matter, you had been deemed innocent?

43 A. In private circles I had been.

44

45 Q. That's what he said to you in the email?

46 A. He was quite terse when we had discussed this and he
47 was quite terse about the matter.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

Q. He indicated to you in this email that his attitudes, plural, to you are not in the slightest altered?

A. Yes.

Q. What he was saying here is, "Look, you have been found innocent. That's the end of the matter so far as I'm concerned and my attitudes to you haven't changed one little bit. I'm supporting you"?

A. And that needed to be said publicly because I hold a very public office, and if people choose to make unsubstantiated allegations, they need to know that it will be taken seriously, because it amounted to defamation.

Q. What the email indicated was that he supported you in your ministry and the Church?

A. I don't think that was in question.

THE CHAIR: Mr Heazlewood, I think we now understand your position or your client's position.

MR HEAZLEWOOD: Yes, I was moving on from that, your Honour, thank you.

Q. I just want to deal with Rushton. He died sometime late in 2007?

A. No, that's not correct.

Q. When was it?

A. May, I believe.

Q. He was interred late in 2007?

A. After Christmas Day.

Q. Very late in 2007?

A. I guess that would be, yes, very late.

Q. At that point in time you had heard allegations about Rushton's involvement with children?

A. Yes.

Q. You had no concrete proof. It was, if you like, hearsay information?

A. Yes.

Q. Did you ever obtain any concrete information, for example, a particular victim complaining to you?

1 A. That didn't happen until the ashes were interred and
2 it became common knowledge the ashes were there and then
3 people started to get quite hostile, my two wardens
4 included.
5
6 Q. They might have got hostile. The question related to
7 whether or not there were any victims who came forward to
8 you and said, "Look, he's a dreadful man. He abused me."
9 A. Yes, there was. [CKV].
10
11 Q. One. Only the one?
12 A. Yes, at that stage.
13
14 Q. You knew, as a minister, that once that information
15 had been given to you, your obligation was to take it to
16 Mr Elliott, the Professional Standards man?
17 A. I wasn't aware of his office at that stage.
18
19 Q. It may not have been Mr Elliott at that stage, I grant
20 you that, but someone holding that office?
21 A. The person in question asked me to just listen to them
22 initially.
23
24 Q. Right.
25 A. And they wanted confidentiality because it had been
26 devastating on their life, and they divulged over a period
27 of time.
28
29 Q. Were you aware at that time - we're talking now
30 probably early 2008; is that correct?
31 A. Around then, yes.
32
33 Q. Of what the practice would be absent the complainant
34 or the victim, if you like, telling you to tell no-one, if
35 you didn't have that embargo, what would be the practice?
36 A. Normally the practice would be to go straight forward,
37 which I did on subsequent occasions.
38
39 Q. To go straight forward to whom?
40 A. To Professional Standards.
41
42 Q. Thank you. Did you approach Professional Standards at
43 any time between then and 2010 when the service was held?
44 A. I think that was 2009 that I met Michael Elliott.
45
46 Q. Yes. That was your first official discussion about
47 the --

1 A. I believe it was early 2009 but my memory's --
2
3 Q. I am not trying to get you exact on that. Were you
4 told then by Mr Elliott that he would investigate these
5 allegations into Rushton?
6 A. The precise context of it, he came to me apropos the
7 false allegation against me.
8
9 Q. Yes.
10 A. And he then raised the matter of Rushton.
11
12 Q. Yes.
13 A. And then it was pursued.
14
15 Q. By him?
16 A. Yes.
17
18 Q. Why then in this intervening period were you wanting
19 Bishop Farran to do anything?
20 A. If you appreciate, I had been laughed at and mocked in
21 my own parish, whilst presiding and preaching by
22 John Murray and other parishioners, because I had taken the
23 stand of seeking the Bishop's permission for the interment
24 of Rushton's ashes. I had advised John Murray to go to the
25 Bishop. That is clear in correspondence. Subsequent to
26 that, I had an absolutely horrid time merely for raising
27 that, and I was under so much pressure you can't imagine.
28
29 Q. All right. Did you, in that period of time, seek to
30 contact Bishop Farran?
31 A. I can't recall specifically.
32
33 Q. Thank you. Can I just ask you about Mr Catt, or
34 Reverend Catt?
35 A. Mmm-hmm.
36
37 Q. He was the person that was the priest there. Was he a
38 priest?
39 A. Yes. He was the Rector of the parish is his correct
40 title.
41
42 Q. Immediately before you?
43 A. Yes.
44
45 Q. Upon his retirement, he remained still active within
46 the Church community, if you like?
47 A. No, not within the Church community, within the public

1 community.

2

3 Q. That involved his role as a Chaplain at the local -
4 I think it was the RSL club; is that right?

5 A. No, he actually persisted in that role against even
6 the RSL's wishes, and he wouldn't lay down the role.

7

8 Q. All right. Be it --

9 A. It was considered to be an Anglican clergyman's role
10 and a Rector literally means one who cares for the parish
11 and he had resigned that office and he was in breach of
12 protocol.

13

14 Q. You saw that as him performing duties that fell to
15 you?

16 A. Yes, that is correct, but it wasn't only my opinion.
17 I had been phoned by Bishop Appleby and told that he had
18 actually castigated Catt for continuing in this manner, and
19 it wasn't giving me a proper go.

20

21 Q. It was Bishop Farran who tried to, if you like, pour
22 oil on troubled waters by getting John Southerden to speak
23 to both you and Catt?

24 A. I don't recall that.

25

26 Q. Do you recall meeting John Southerden --

27 A. Yes.

28

29 Q. -- about this issue?

30 A. Look, I'm not clear on it, but if you prompt me we'll
31 see what happens.

32

33 Q. Is it Reverend Southerden or was he a minister at the
34 time?

35 A. Yes, I believe so. I only recall him, as I saw him
36 yesterday and spoke to him.

37

38 Q. Thank you. He spoke to you - and I am not expecting
39 that you would remember the date - on Thursday, 11 December
40 2008. I'm sorry, probably the day before that, Wednesday,
41 10 December. I might be wrong in that too, I'm sorry,
42 I don't want to misquote it. At about Thursday,
43 11 December 2008, he spoke to you over a cup of coffee
44 about the subject of him speaking to Father Catt to get him
45 to move on and remain away from what he was doing?

46 A. That may well be the case, but I recall speaking
47 directly to Bishop Farran on the subject because I had just

1 driven past a parish where Father Bird was conducting a
2 memorial service on November the 11th --

3

4 Q. Of what year, sorry?

5 A. Oh, I remember it as a date because it was
6 Remembrance Day, and Father Bird was in the street in his
7 parish conducting a service for the returned servicemen and
8 women.

9

10 Q. Yes.

11 A. And I approached Bishop Farran because I was not able
12 to make contact within the wider community, which is a
13 natural and normal practice for the priest of the parish.
14 Bishop Farran did not want to pursue the matter.

15

16 Q. What matter are you talking about?

17 A. I am talking about Father Robert Catt presiding in the
18 RSL and also holding an office in the Wallsend Community
19 Advancement Committee.

20

21 Q. What do you mean when you say "Bishop Farran did not
22 want to pursue it"?

23 A. He said that Father Catt should be just given a fair
24 go and do that work, which was totally and utterly against
25 all protocol that I've understood in some 20-odd years of
26 priesthood.

27

28 Q. What was your understanding of what control
29 Bishop Farran would have over Father Catt at that time?

30 A. He could remove his licence to officiate.

31

32 Q. Yes. And what would that achieve?

33 A. Well, that would mean that his function - he's a
34 public functionary without a licence.

35

36 Q. Does that necessarily stop him from doing it?

37 A. Well, it comes to the matter that this is the Bishop's
38 authority; it's not for me to answer.

39

40 MR HEAZLEWOOD: Thank you.

41

42 THE CHAIR: Yes. Anyone else?

43

44 MS McLAUGHLIN: I have some questions, your Honour.

45

46

47

1 <EXAMINATION BY MS McLAUGHLIN:
2

3 MS McLAUGHLIN: Q. Mr Dyer, how would you like me to
4 address you? I recall earlier in your evidence I think you
5 made some comment about the way in which you'd like to be
6 addressed. Is it "Reverend Dyer" or "Father Dyer"?

7 A. I said that I have no preference --
8

9 Q. I see.

10 A. -- and I'm very open to being called pretty much
11 anything.
12

13 Q. I'll stick with Mr Dyer. Mr Dyer, my name is
14 McLaughlin and I appear for Assistant Bishop Peter Stuart.
15 You have given some evidence today about the aggression you
16 say was displayed towards you by Assistant Bishop
17 Peter Stuart?

18 A. Yes, that's correct.
19

20 Q. In your statement, if you have a copy there, in
21 paragraph 54 you go into some detail about that which,
22 I think, his Honour drew your attention to. Do you have
23 that before you?

24 A. Yes.
25

26 Q. You describe in your statement being "subjected to
27 bullying and harassment by Bishop Stuart, once in his
28 office, and again on the foreshore of Newcastle Beach"?

29 A. That is correct.
30

31 Q. Would you accept from me that those two meetings
32 occurred respectively on 13 and 29 July 2009?

33 A. Well, I think in my statement I say "July/August".
34

35 Q. Yes. Would you accept those dates as being --

36 A. Possibly, yes.
37

38 Q. Yes. That was when you were on a period of extended
39 sick leave; is that correct?

40 A. Which he insisted I take, yes.
41

42 Q. You were already on sick leave at that point, weren't
43 you? You started sick leave in April of that year, would
44 that be correct?

45 A. I can't recall that.
46

47 Q. You went back to work in September of that year, would

1 that seem to accord with your memory?
2 A. Yes. Yes.
3
4 Q. So this was smack-bang in the middle of that period of
5 sick leave?
6 A. I think it's - by your dates, it's nearer the end.
7
8 Q. Yes. All right, nearer the end. In your evidence
9 before the luncheon adjournment you gave some further
10 description of the conversations you say took place between
11 yourself and Assistant Bishop Peter Stuart and I think you
12 were referring to what occurred in his office. Your
13 evidence early today was:
14
15 I was told that I wasn't performing
16 properly, that the records indicated that
17 I was not getting the parish going
18 properly.
19
20 And then you said this:
21
22 At one stage he said that he was concerned
23 what I might say, with no reference to any
24 subject.
25
26 A. That's correct, yes.
27
28 Q. That's not included in your statement. Is that a
29 memory that you have come across since you made your
30 statement on 22 July?
31 A. As we were in fact going through it and I was
32 speaking, yes, it did come to my mind.
33
34 Q. It came to you today?
35 A. Yes. And I am under oath.
36
37 Q. I understand that, yes. You say he was concerned or
38 said he was concerned but didn't say what the reference
39 was?
40 A. No.
41
42 Q. What did you take him to mean?
43 A. Well, it was really quite an unusual statement that
44 I don't believe had any basis.
45
46 Q. You are saying you didn't know what he was referring
47 to?

1 A. No.
2
3 Q. I see. Any inference that could be drawn in relation
4 to it relating to, perhaps, the matters concerning Rushton
5 and your parish is not one that you drew at the time or in
6 your evidence today?
7 A. I did not know what it was alluding to at the time.
8
9 Q. Is it the case that you have a clear memory of those
10 words actually being spoken?
11 A. Yes.
12
13 Q. And that memory is clear today?
14 A. That memory is as clear as crystal.
15
16 Q. The bullying and harassment you describe in those two
17 meetings, is it your evidence that you felt those feelings
18 at the time?
19 A. Yes.
20
21 Q. You felt bullied and harassed?
22 A. When you are told that no parish is available and that
23 you're not wanted and you're not performing, doing your job
24 properly, yes. It's a pretty heavy subject.
25
26 Q. Yes. You described the behaviour as being aggressive;
27 is that correct?
28 A. Yes. Yes.
29
30 Q. How was it aggressive, do you say?
31 A. In terms of the language used and the manner in which
32 it was said.
33
34 Q. I see. You were in no uncertain terms feeling bullied
35 and harassed on those two meetings; is that correct?
36 A. I was feeling bullied and harassed on those meetings,
37 yes.
38
39 Q. I am going to suggest to you that there was no
40 bullying and harassment and that the topic of conversation
41 in those two meetings was primarily about your health and
42 your wellbeing. What do you say about that?
43 A. That is not correct.
44
45 Q. And that you may have mentioned in passing some
46 concerns about allegations of abuse to Assistant
47 Bishop Stuart, but when you did he directed you to speak to

1 Michael Elliott?

2 A. That's not in my memory.

3

4 Q. And indeed, he didn't want to discuss the underlying
5 causes of your health at that point, he wanted to ensure
6 that you were getting proper treatment. What do you say
7 about that?

8 A. That doesn't fit within the memory that I have of the
9 events.

10

11 Q. Indeed, what I am going to suggest to you is that at
12 the end of the two meetings, which I am going to suggest
13 were two weeks apart, there was actually a positive
14 relationship between the two of you?

15 A. I allowed that to be the case.

16

17 Q. I see. At the end of the two meetings, you took the
18 view that the two meetings had assisted with developing a
19 positive attitude?

20 A. No, that is not correct, and in the intervening
21 period, if I may answer that, I was phoned by John Cleary
22 and told with no doubt that I was being moved on.

23

24 Q. I see. Are you saying that was in your mind at the
25 time you spoke to Peter Stuart?

26 A. That was in - there was a subsequent meeting with
27 Andre Prosper, which I mention in passing.

28

29 Q. Yes. That occurred after these two meetings with
30 Peter Stuart?

31 A. Yes, and his attitude changed entirely once this other
32 person was representing me.

33

34 Q. Yes. All right. Perhaps the witness could be shown
35 exhibit 42-015. I have a copy if that would assist. I am
36 not sure if it has been made electronically available yet.
37 Perhaps this could be shown to the witness. (Shown).

38

39 THE CHAIR: What is the document?

40

41 MS McLAUGHLIN: It is exhibit 42-015. It is an email
42 exchange between this witness and Assistant Bishop
43 Peter Stuart. It was tendered immediately before the
44 commencement of proceedings after lunch.

45

46 THE CHAIR: The date of it is?

47

1 MS McLAUGHLIN: The emails were sent on 30 July 2009.
2
3 Q. Please just take some time to read the two emails.
4
5 THE CHAIR: Do we have a capacity here to put it on the
6 screen?
7
8 MS SHARP: It was only recently obtained, your Honour, so
9 it hasn't been --
10
11 THE CHAIR: We don't have a copy yet.
12
13 MS McLAUGHLIN: I provided a scanned copy to my friend
14 this morning.
15
16 THE CHAIR: Yes, put it on there.
17
18 THE WITNESS: Yes.
19
20 MS McLAUGHLIN: Q. Have you read those two emails?
21 A. Yes.
22
23 Q. You can see the email on the second page is one that
24 you sent to Bishop Peter --
25 A. Yes.
26
27 Q. -- on 30 July, just before midday?
28 A. Yes.
29
30 Q. It appears to be relating directly to the conversation
31 the two of you had the day before, on 29 July?
32 A. That might be so, yes.
33
34 Q. Do you see on the first line, you say:
35
36 Dear Bishop Peter,
37
38 I have had time to think about our
39 conversation 29th July ...
40
41 A. Yes.
42
43 Q. You would accept that that is referring to one of the
44 conversations you relate in paragraph 54 of your statement?
45 A. Yes, but that was in part the conversation that now
46 comes to my mind, but further to that, there was discussion
47 of my performance within the parish, and he would not

1 accept my answers that the parish was going well.
2
3 Q. Yes, but the email relates to the conversations that
4 you describe at paragraph 54; that's correct, isn't it?
5 A. In part, yes.
6
7 Q. Yes. The other conversation occurred two weeks before
8 that, on 30 July?
9 A. Yes, and then I was informed what was going on.
10 Please appreciate, this was a gruelling time.
11
12 Q. Yes, I understand you have that belief. If you could
13 have a look at the - well, would you accept this, that the
14 first half dozen lines of your email to Bishop Peter are
15 talking about the mental health issues that the two of you
16 discussed, your mental health issues that the two of you
17 discussed in that meeting?
18 A. I put it back to him because I felt he was speaking in
19 a language to me that was not helpful and he was
20 unqualified to make.
21
22 Q. I see. Did you say that in the email?
23 A. No.
24
25 Q. You note in this email that the discussion on 29 July
26 related to, and I am quoting from the second page, midway
27 down:
28
29 ... my personal anxiety not the underlying
30 causes which you maintain will always be
31 there.
32
33 That would seem to accord, wouldn't it, with my proposition
34 to you earlier that the discussion between the two of you
35 was about your mental health?
36 A. In part, as I said previously.
37
38 Q. I see. You then talk in that email about the meeting
39 you had with him on 13 July. You say:
40
41 Again, I shall act upon your given advice
42 at our meeting on Monday, the 13th of July,
43 to take the matter of the causes of my
44 anxiety to the Director of Professional
45 Standards.
46
47 A. Yes.

1
2 Q. You had raised with him some concerns about
3 Professional Standards matters?
4 A. Yes.
5
6 Q. And he had advised you to speak to Michael Elliott?
7 A. That appears to be the case, yes.
8
9 THE CHAIR: Q. What were the Professional Standards
10 matters that you had raised?
11 A. Rushton.
12
13 MS McLAUGHLIN: Q. I see. He didn't say anything to
14 you - I mean, your evidence before cross-examination was
15 that he said something to you about concern about what you
16 might say. This email seemed to indicate that he was quite
17 happy for you to discuss it with Professional Standards in
18 accordance with the usual procedure, doesn't it?
19 A. Yes.
20
21 Q. If you look at the next two lines, you say this:
22
23 In the spirit of openness and trust we have
24 established, I also give you permission to
25 contact ...
26
27 And you then give the details of your medical practitioner?
28 A. Yes.
29
30 Q. You use the words "openness and trust we have
31 established".
32 A. Yes.
33
34 Q. That wouldn't accord with your description of the
35 nature of those meetings. You have referred to aggression,
36 bullying and harassment?
37 A. That was my approach to getting him off my back.
38
39 Q. I see.
40 A. And also, if you wish to pursue this further, I could
41 add something else that can be verified.
42
43 Q. I am not sure what you are alluding to there.
44
45 THE CHAIR: Perhaps we can find out.
46
47 MS McLAUGHLIN: Q. Yes.

1 A. Well, my doctor was appalled at the language that he
2 had received in correspondence from Bishop Stuart.
3
4 Q. Right. I see. Then you say:
5
6 Thanking you for your time, pastoral care
7 and concern.
8
9 A. Yes, sir, no, sir, three bags full.
10
11 Q. Your feelings of bullying and harassment or that you
12 had been spoken to in some sort of improper way, you didn't
13 convey back to Bishop Peter?
14 A. No, I didn't. One doesn't.
15
16 Q. One doesn't?
17 A. No, not as a priest with a bishop.
18
19 Q. You didn't raise this with Bishop Brian Farran either,
20 did you?
21 A. No. One tries to get on in a difficult situation.
22
23 Q. Yes. Do you see that in the email he sent to you in
24 response he talks about, and this is the third paragraph
25 down on the first page - or the second paragraph, I should
26 say. He says:
27
28 I am concerned that you may have
29 misunderstood my question to you
30 yesterday ...
31
32 This is the question in relation to psychotherapeutic
33 counselling. In paragraph 3, from the bottom of that
34 email, he says:
35
36 Roger, my primary concern yesterday was
37 your pastoral health and wellbeing. I am
38 concerned, lest there be any
39 misunderstanding, that we are cleared of
40 complex pastoral issues in any parish,
41 including Wallsend, will often take a long
42 period to work through.
43
44 He has used the word "misunderstanding" and seeks to
45 clarify potential misunderstanding in that email. You
46 don't send him any reply to that, do you?
47 A. No.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

Q. You don't clarify that there has been a misunderstanding or that he has misinterpreted anything that you said?

A. As I said before, I was in a position where I was just wanting to go away.

Q. I see. I am going to suggest to you that these emails reflect really the true nature of the conversations that took place between yourself and Bishop Peter Stuart on those two occasions?

A. And I could also call on Dr Adam Frost who would give witness to the contrary.

Q. He wasn't at those two meetings, though, was he?

A. No. He was the recipient of correspondence.

Q. Were you aware that after that --

THE CHAIR: Do you have that correspondence?

MS McLAUGHLIN: No, I'm not.

THE WITNESS: No.

MS McLAUGHLIN: The first I was made aware of it was in the conversation today.

THE CHAIR: What about counsel, do we have it?

MS SHARP: Your Honour, I can make steps to liaise with this witness after his examination, to see if we can obtain that correspondence.

THE CHAIR: Very well.

MS McLAUGHLIN: Q. Were you aware that on 26 August that year, so a month or so later, Bishop Peter recommended to Bishop Farran that you return to work?

A. I'm not aware of that.

Q. The two of you then engaged in regular discussions to assist with your return to work?

A. I don't recall that.

Q. I suggest to you that there was a fortnightly meeting schedule put in place with you --

1 A. Yes.
2
3 Q. -- returning to work?
4 A. Yes. And that's where the work of Andre Prosper from
5 the Commonwealth Employment came in to those meetings
6 because that is where I had been advised that they were
7 trying to get rid of me --
8
9 Q. I see.
10 A. -- by the Diocesan business manager.
11
12 Q. Is the sole source of your concern about being got rid
13 of predicated on the conversation you say you had with
14 John Cleary?
15 A. No. There was an undertone of harassment throughout
16 the whole time, that I felt as though I was really a
17 problem for the Diocese.
18
19 Q. Was the only explicit mention to you that someone or
20 some people were trying to get rid of you based on the
21 conversation from John Cleary?
22 A. That confirmed my suspicions.
23
24 Q. Yes. No-one else had said that to you explicitly,
25 though?
26 A. No.
27
28 Q. You say that conversation took place between the two
29 meetings --
30 A. Yes, otherwise I wouldn't have contacted
31 Commonwealth Employment.
32
33 Q. I see. You have mentioned seeking a further
34 appointment perhaps to the New Lambton Diocese --
35 A. Parish.
36
37 Q. I beg your pardon, parish, at paragraph 69 of your
38 statement.
39 A. Yes.
40
41 Q. That didn't come to fruition, did it?
42 A. No, I was told specifically that there was no other
43 place for me within the Diocese.
44
45 Q. Yes. Were you told that your name was put forward to
46 that parish as a possible replacement?
47 A. No.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

Q. Were you told that the parish indicated to Bishop Farran that they did not want you to be one of their --

A. I was never party to any of those discussions.

Q. Was it the case that you just concluded that you not being given that position was perhaps because of some underlying belief that you shouldn't be in the diocese anymore?

A. I'm merely going by what I was told. No presumption. I was told there was no room for me in that diocese.

Q. I see. You have made some reference to the issue of the falsification of the numbers for the parish at St Luke's being an issue.

A. Yes.

Q. Is it what you're trying to say that you were concerned that the low numbers would mean that the parish might close or you may not have a position there anymore?

A. No. That it would be used to reflect on my ability as a parish priest.

Q. Right. That parish is still in existence, though, isn't it?

A. Yes, and it was being built up in my time there.

Q. You left after you found a position at the Kelso Parish?

A. Yes.

Q. You found that yourself?

A. I didn't find it. It was put to me.

Q. By bishops or persons outside of the current diocese?

A. Yes.

Q. You weren't asked to leave?

A. No.

Q. At any point?

A. No.

MS McLAUGHLIN: No further questions, thank you.

THE CHAIR: Anyone else?

1
2 <EXAMINATION BY MS DAVID:

3
4 MS DAVID: Q. Reverend Dyer, as you know, I represent
5 yourself. I just want to go back to some of the questions
6 you were asked by counsel for Mr Rosser.

7 A. Yes.

8
9 Q. In relation to the notice of motion at the Synod in
10 2010, was it your understanding that it was an option at
11 the Synod to move a motion without notice?

12 A. Yes. It was to be put in writing and presented to the
13 secretary and seconded.

14
15 Q. Did you do that, put it in writing?

16 A. Yes, it was in writing and seconded by the Reverend
17 Mandy Wheatley.

18
19 THE CHAIR: Q. When did you give that to the secretary?

20 A. During the last - well, what appeared to be the last
21 matter of business discussion.

22
23 MS DAVID: Q. I understand from your evidence that you
24 gained the impression that the meeting, the Synod, was
25 going to be shut down fairly quickly; is that correct?

26 A. Yes.

27
28 Q. What gave you that impression? What was it?

29 A. Talk at the afternoon break that we're all wrapped up.

30
31 Q. And that surprised you?

32 A. Yes.

33
34 Q. It surprised you in particular because of the recent
35 articles in the paper about the specific issue of child sex
36 abuse in the Anglican Diocese of Newcastle?

37 A. Yes.

38
39 Q. Mr Rosser's counsel also referred to the "elephant in
40 the room". Just to be absolutely clear, the elephant in
41 the room was that child sex abuse which had not, at that
42 point, close to the end of the Synod meeting, ever been
43 referred to; is that correct?

44 A. That is correct.

45
46 Q. Are you aware that at such a meeting you would be
47 entitled to put up a motion, or that you would expect a

1 matter like that to be discussed in general business?
2 A. Yes.
3
4 Q. And it was not?
5 A. No.
6
7 Q. Did you find it somewhat extraordinary that that was
8 the case at this Synod?
9 A. I was astounded.
10
11 THE CHAIR: Q. Mr Dyer, can you just help us to
12 understand, who chairs the Synod?
13 A. The Bishop.
14
15 Q. In terms of rulings as to whether or not to accept
16 motions and enforcement of the Standing Orders, is that
17 done by the Bishop or is it done by someone else?
18 A. Look, I'm not sure.
19
20 Q. Does the Bishop, in chairing the meeting, act with the
21 assistance or advice of the Chancellor?
22 A. Probably, yes. Yes, that would be right.
23
24 Q. When you say in paragraph 65 that those who tried to
25 thwart your motion were the various people --
26 A. Yes.
27
28 Q. -- how did they try to thwart it?
29 A. There was running from seat to seat in the body of the
30 Synod between Father Bird and Rushton - Battrick and there
31 was a fair bit of noise from them, and who I now learn is
32 Mr Rosser, the Chancellor, sort of all said, "No", but --
33
34 Q. Said "No" to who?
35 A. "No" to my motion going forward.
36
37 Q. How did they do that? How did they --
38 A. It was just yelling out "No".
39
40 Q. What, from the floor of the Synod?
41 A. Yes.
42
43 Q. Was that after the Bishop had said he had the motion?
44 How did it happen?
45 A. As best as I can recall, the Synod was told that it
46 had the ability to receive or not receive the motion and it
47 had to be received by a vast majority to be in. The Synod

1 was then given that opportunity --
2
3 Q. Who told the Synod that?
4 A. The Bishop.
5
6 Q. So the Bishop told the Synod that he had your motion?
7 A. Yes.
8
9 Q. But in order for it to be received, as you recall, a
10 vast majority would be required --
11 A. That's correct.
12
13 Q. -- to agree to accept it?
14 A. Yes
15
16 Q. You say when that was happening, as I understand it,
17 these persons who you mention in paragraph 65 --
18 A. Yes.
19
20 Q. -- were making audible "Nos"?
21 A. Yes.
22
23 THE CHAIR: Right. I understand.
24
25 MS DAVID: Thank you.
26
27 Q. You were actually physically attempting to walk up to
28 the front of the room, is that as I understand it?
29 A. Yes.
30
31 Q. When you were doing that, what occurred?
32 A. Archdeacon Pullen, when I was initially putting my
33 written motion, he was trying to stop me from going up the
34 stairs.
35
36 Q. Thank you. You were asked some questions by learned
37 counsel for Bishop Farran in relation to the
38 Ministry of Mission. Is it the case that the Ministry of
39 Mission was a program to increase the role of the laity
40 across the whole of the Diocese of Newcastle?
41 A. Yes, that is correct.
42
43 Q. It was in fact a program that you were attracted to --
44 A. Yes, that is correct.
45
46 Q. -- and when you were making the decision to come to
47 Newcastle, that was an attraction to you --

1 A. Absolutely.

2

3 Q. -- that particular program. It is not the case, is
4 it, that that was a program specific to the Parish of
5 Wallsend?

6 A. Definitely not.

7

8 Q. It was to be implemented across the Diocese?

9 A. That is correct.

10

11 Q. You also agree that you were not against that program,
12 just about the timing of that program?

13 A. That is correct.

14

15 Q. You were against that for the reasons, just to
16 confirm, that you have set out in your statement which was
17 that the parish was not ready because of the healing that
18 it needed to do?

19 A. That is correct.

20

21 Q. That was as a consequence, in your view, of what had
22 occurred under Rushton and by reason of the child sex
23 abuse?

24 A. That is correct.

25

26 Q. You were asked some questions by counsel representing
27 Bishop Stuart. You said in that that your response - if
28 I can put it this way: you were asked about your response
29 in which you said:

30

31 Thanking you for your time, pastoral care
32 and concern.

33

34 Your servant in Christ.

35

36 Can I suggest to you that is a fairly gracious response?

37 A. I wanted all the problems to go away.

38

39 Q. Can I suggest to you or ask you this: in relation to
40 giving such a response to a bishop and to the senior
41 bishops, you were - sorry, I will withdraw that. You
42 raised, under examination by counsel for Bishop Stuart,
43 that it was difficult for you to raise the bullying and
44 harassment and to complain, if I can say, to the Bishop and
45 to confront them about their manner towards you.

46 A. It was difficult.

47

1 Q. Yes. Can I ask you, given the experience that you had
2 and the difficulties you had in raising what you have
3 described as bullying and harassment, given the
4 difficulties in that, what recommendations would you make
5 to this Commission to ensure that should you find yourself
6 in a parish where you perceived you were being bullied and
7 harassed by reason of exposing the child sex abuse, what
8 recommendations would you suggest to ensure that you could
9 take your complaint somewhere where it might be heard and
10 be protected?

11 A. That an independent body be set up where clergy can go
12 and receive unbiased support.

13
14 Q. Where do you propose that independent body sit within
15 the structure and hierarchy of the Anglican Church?

16 A. Definitely outside the structure.

17
18 Q. When you say "outside the structure", do you mean
19 outside the structure of the Newcastle Diocese?

20 A. Yes.

21
22 Q. Do you mean outside the structure but attached to the
23 Anglican Church as a whole across Australia?

24 A. I believe that to be the case, yes.

25
26 Q. Because it is the case, isn't it, that in your
27 statement what you are suggesting, in the last parts of
28 your statement, is that it is your view that what occurred
29 to you, the harassment and your experience, the negative
30 experience you had in the Newcastle Diocese, has followed
31 you from parish to - well, subsequent to?

32 A. Yes, it has.

33
34 Q. Across dioceses?

35 A. Yes.

36
37 Q. It would need to be some body aside from the national
38 body and outside the parish?

39 A. Yes.

40
41 Q. Sorry, outside the actual dioceses?

42 A. Yes.

43
44 Q. And quite independent?

45 A. Absolutely. I mean, you must appreciate that if a
46 priest is moved from interstate, that person has no home to
47 go to, they are in an incredibly vulnerable situation if

1 their licence is removed or revoked, and they have nowhere
2 to turn.
3
4 MS DAVID: Thank you.
5
6 THE CHAIR: Yes. Ms Sharp, any questions?
7
8 MS SHARP: I do have a few matters arising.
9
10 <EXAMINATION BY MS SHARP:
11
12 MS SHARP: Q. First of all, may I show you the Standing
13 Orders, Mr Dyer. They are exhibit 16 which I just tendered
14 to your Honours. I will see if I can have a copy put on
15 the projector.
16
17 THE CHAIR: Are you going to the amendment or to the --
18
19 MS SHARP: To the amendment. It is the "Amendment to
20 Standing Orders 2009".
21
22 THE CHAIR: I think what you are after is clause 27; is
23 that right?
24
25 MS SHARP: That is where I am going, yes, your Honour
26 anticipates me.
27
28 THE CHAIR: Could we put clause 27 on the screen.
29
30 MS SHARP: The pinpoint reference is 0005.
31
32 THE CHAIR: Can we just lift it up a bit so the whole of
33 paragraph 27 is visible. Yes.
34
35 MS SHARP: I am afraid it is not coming up on the screen.
36
37 THE CHAIR: It is on my screen.
38
39 MS SHARP: Technology is not my friend today, your Honour.
40
41 I will just read out the relevant parts of clause 27
42 of the Amendment to the Standing Orders and it is headed
43 Notice of Motions and Questions. It relevantly says that:
44
45 Except in pursuance of such notice of
46 motion ...
47

1 That being one where notice has been given:

2
3 ... no member shall bring any subject under
4 the consideration of Synod unless it
5 appears on the first day's business paper
6 or supplementary list or unless by
7 permission of a two thirds (2/3rds)
8 majority ...
9

10 Q. May I ask you, when you gave evidence about a majority
11 vote before were you referring to a notice of motion
12 without prior notice --

13 A. Yes.

14
15 Q. -- being listened to because it had been voted on by a
16 two-thirds majority?

17 A. Yes.

18
19 Q. Thank you. I think it was put to you that the
20 elephant in the room during that Synod was in relation to
21 the allegations against Mr Rushton?

22 A. That is correct.

23
24 Q. Could I show you the minutes for the first day of the
25 Synod's meeting which are located at tab 249, if I could
26 call that up. The document reference is ANG.0006.001.015.
27 Mr Dyer, you will see that this is the minutes for the
28 first day of the Synod on 23 October 2010.

29 A. Mmm-hmm.

30
31 Q. May I ask that you have regard to the bottom of that
32 first page. You will see there is a heading
33 "Presidential Address"?

34 A. Yes.

35
36 Q. If you have regard to that first paragraph, you will
37 see that there is a reference to the Herald "publicising
38 serious allegations against a high profile priest of this
39 Diocese who died in 2007". Do you accept that at the
40 commencement of the Synod, Bishop Farran did raise the
41 allegations in these terms?

42 A. Well, if it's written, it must be the case.

43
44 Q. Was it your concern that Rushton was not named by
45 Bishop Farran?

46 A. Yes, that was my concern.

1 Q. Is that why this matter was considered the elephant in
2 the room to you?
3 A. Yes, and may I make a comment pursuant to that?
4
5 Q. Yes.
6 A. My wife also attended a Clergy Wives' Conference just
7 after that public notice and she came into me crying her
8 eyes out that no nobody had made reference to it or how she
9 was going in the middle of it, and she was treated with
10 some contempt and sidelined during the procedures. There
11 was an attitude of denial.
12
13 Q. Is it right, Mr Dyer, that the Synod in 2010 went over
14 two days, the meeting?
15 A. They usually do, yes.
16
17 Q. When you proposed to put forward your motion, did you
18 do it on the second day?
19 A. Yes.
20
21 Q. Can I show you the minutes for the second day of the
22 Synod.
23
24 MS SHARP: Your Honour and Commissioners, I tendered those
25 just after the luncheon adjournment.
26
27 THE CHAIR: Yes. Can we just see - I don't have it - the
28 whole of 4.1? Presumably it goes over to the second page.
29 Can we put that on the screen?
30
31 THE WITNESS: Your Honour, I have had a recent medical
32 procedure which limits the timespan between trips to the
33 loo. May I have a recess?
34
35 THE CHAIR: You want an adjournment? Yes, certainly.
36 A. Yes, and I'll be relieved to be back.
37
38 THE CHAIR: We understand that. Let us know when you're
39 ready. We will adjourn.
40
41 SHORT ADJOURNMENT
42
43 THE CHAIR: Yes, Ms Sharp.
44
45 MS SHARP: Q. Mr Dyer, I think we got to the point where
46 you had agreed that you put your motion on the second day
47 of the Synod's proceedings?

1 A. Yes.

2

3 Q. Is it right that you put the matter by way of a motion
4 which was passed?

5 A. Yes.

6

7 Q. Tendered in evidence is a copy of the minutes of the
8 second day and that is exhibit 17. You will see it in
9 front of you. I might ask that you scroll through that
10 quickly, but you can take it from me that there's no
11 reference to your motion anywhere in these minutes.

12 A. I'd find it easier just to take your word for that.

13

14 THE CHAIR: You can take my word for it too. I've looked,
15 it's not there.

16

17 MS SHARP: Q. Do you have any explanation - and you may
18 not - for why your motion was not recorded in the minutes?

19 A. No, because it was seconded by another priest.

20

21 Q. Could you just give the name of that seconder?

22 A. Reverend Mandy Wheatley.

23

24 Q. Thank you.

25 A. I think there are many people in this room who would
26 verify that that speech was made.

27

28 Q. Could I take you back to some evidence you gave about
29 having a conversation with [CKC] about what Bishop Appleby
30 had done with him - that is, moved him.

31 A. Yes.

32

33 Q. It is right that Bishop Appleby was the Bishop in the
34 Northern Territory from 1992?

35 A. Mmm-hmm.

36

37 Q. Do you accept that if [CKC] moved parishes in 1996,
38 Bishop Appleby could not have had any responsibility for
39 that?

40 A. I'm only going by what he actually said. I don't
41 normally come out batting for a bishop when his name is
42 being dragged through the mud.

43

44 MS SHARP: Thank you. Those are my questions.

45

46 THE CHAIR: Yes. Thank you, Mr Dyer. That concludes your
47 evidence. Thank you, you are excused.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

THE WITNESS: Thank you, your Honour.

<THE WITNESS WITHDREW

MS SHARP: Could we now return to the videolink with Bishop Holland.

<ALFRED CHARLES HOLLAND, on former oath: [3.08pm]

THE CHAIR: Q. Bishop Holland, can you see and hear me again?

A. I can.

Q. Can you see counsel?

A. I can.

<EXAMINATION BY MS SHARP CONTINUING:

MS SHARP: Q. Bishop Holland, early on in your evidence today, you said that there was one occasion on which Keith Allen gave you advice and that was about Reverend Stephen Gray. What advice did Keith Allen give you?

A. I'm sorry, may I have that question again, please?

Q. Yes. You gave evidence earlier today that on one occasion Keith Allen did give you advice, while you were Bishop, and that related to Reverend Stephen Gray.

A. Yes.

Q. What advice did Mr Allen give you?

A. It was when I was at the Wyong Rectory and Mr Allen - I'm not sure that he held any legal position in the diocese at the time, but I knew him to be a good supporter of the diocese and would do lots of pro bono work. I said to him, "What do you think we should do?", and he said, "Well, remove the licence straight away", which I did. And then he said something like, "You don't need to worry about this, I'll look after it and you need not be concerned."

Q. Were you aware that Mr Allen acted for Mr Gray in criminal proceedings?

A. No, I wasn't. When he said to me that I didn't need to be concerned, I took that literally.

Q. Are you sure you weren't aware that Mr Allen acted for

1 Stephen Gray in criminal proceedings?
2 A. I thought I just answered this. Yes, I wasn't aware
3 of it. He had told me that I need not be concerned. Some
4 time later he told me that Stephen Gray had appeared before
5 the court, but I didn't know what the charges were.
6
7 Q. When you say "some time later", how much later did he
8 advise you that Gray was before the courts?
9 A. I'm sorry, I can't tell you. I don't know.
10
11 Q. Your evidence is that at no point did you become aware
12 that Mr Allen was acting for him before the courts?
13 A. I wasn't aware that he was doing that, no.
14
15 Q. Could I show you a document that I understand is
16 available in Sydney which is headed "Crime Information
17 Report", with the document ID: NPF.045.001.0168.
18 A. Yes, I have a copy in front of me.
19
20 MS SHARP: Your Honour and Commissioners, I am not sure
21 that this has made it into the computer yet so I will hand
22 up some copies. I will seek to tender it in due course.
23
24 THE CHAIR: We might as well mark it now, I think.
25
26 MS SHARP: Yes, I tender it now.
27
28 THE CHAIR: We will make it exhibit 42-018.
29
30 EXHIBIT #42-018 DOCUMENT HEADED "CRIME INFORMATION REPORT"
31 DOCUMENT ID NPF.045.001.0168
32
33 MS SHARP: Q. Bishop Holland, you will not have seen
34 this document before. It has been produced by NSW Police.
35 Could I ask you to have regard to the row four rows down on
36 the left-hand side that says the "Type of Incident" is
37 homosexual intercourse with a male over 10 to 16 years. Do
38 you see that?
39 A. Just a moment. Does the - does the report end with
40 "Toukley Police Station", or is it something below that?
41
42 Q. It should be a document that --
43
44 MS SAMBELL: Here.
45
46 THE WITNESS: I see, up there, I'm sorry. I've just had
47 it pointed out to me. Yes, I did not know that at the

1 time.

2

3 MS SHARP: Q. Could I just have you look two further
4 rows down and then across to the right-hand side where it
5 says "Date Reported", and do you see it says 12 February
6 1990?

7 A. Oh, yes, that's right, thank you. Got that.

8

9 Q. And then if I ask you to have a look just a little bit
10 past halfway down the page, you'll see at number 63 it says
11 "Gray, Stephen Hatley"?

12 A. Got that.

13

14 Q. I will suggest to you that this is a police report
15 created on 12 February 1990 that records an allegation of
16 Stephen Gray committing the act of homosexual intercourse
17 with male 10 to 16 years?

18 A. Sorry, what was the question that you're asking me
19 to - whether I knew back then or --

20

21 Q. I'll ask you to assume that it was on 12 February 1990
22 that this allegation against Reverend Stephen Gray was
23 reported to NSW Police.

24 A. Yes, got that.

25

26 Q. You say you weren't aware of the nature of the
27 allegation at the time; is that correct?

28 A. Yes, that is correct.

29

30 Q. Were you aware that he had been alleged to have
31 conducted some kind of sexual impropriety with a boy?

32 A. I only knew that there was some sexual difficulties
33 with Gray when I saw the letter from Bishop John Reid from
34 Sydney who in that letter said that he had spoken to me
35 beforehand about Gray's sexual difficulties.

36

37 Q. Could I stop you there --

38 A. But I --

39

40 Q. -- Bishop Holland. Did you just read that letter in
41 the last couple of hours?

42 A. No, I've had it on the - sorry, which letter are we
43 talking about, the letter to --

44

45 Q. The one from John Reid you just referred to?

46 A. Yes, that was in my list of documents sent to me two
47 or three weeks ago, and I have printed that one off for my

1 own purposes.

2

3 Q. Thank you. Could I take you to that document now
4 which is tab 6 of the tender bundle, ANG.0050.002.9911.

5 A. I've got that.

6

7 Q. This is the letter from John Reid and it is right he
8 is from the Sydney Diocese?

9 A. Yes.

10

11 Q. You will see the date in the top right-hand corner is
12 14 February 1990?

13 A. Yes.

14

15 Q. It is addressed to you?

16 A. Sorry, yes, it's addressed to me, sorry. Yes.

17

18 Q. And you agree that you did receive this letter in
19 about February of 1990?

20 A. Yes.

21

22 Q. You will see in the first paragraph it says:

23

24 Stephen Gray has just rung to inform me of
25 the problem of his resignation.

26

27 A. Yes.

28

29 Q. A little further down:

30

31 I informed you in good faith that
32 I believed that his problems with his
33 sexuality had been resolved.

34

35 And a little further down:

36

37 ... this tragedy has now struck.

38

39 A. I read that, yes.

40

41 Q. Is it correct that some time prior to Mr Gray's
42 resignation, you had had a conversation with Mr Reid about
43 Stephen Gray's sexuality?

44 A. That is the indication that the letter suggests.
45 I have no knowledge or memory of talking to John Reid
46 beforehand. If I had talked with him and he had told me
47 there were problems with Stephen Gray's sexuality, it is

1 highly unlikely that I would have appointed him to Wyong in
2 the first place. So I did not know that. I wasn't short
3 of priests at the time. I had plenty of priests at the
4 diocese and I would not have wanted a man to come into the
5 diocese that had problems with his sexuality. I did not
6 know that.

7
8 THE CHAIR: Q. Bishop, the letter says, "I informed
9 you", that is, Bishop Reid informed you, "in good faith
10 that I believed that his problems with his sexuality had
11 been resolved". It is difficult to read that as other than
12 Bishop Reid saying that he had raised with you that Gray
13 had sexual problems?

14 A. Oh, I have no memory of a conversation with
15 Bishop Reid prior to reading this letter.

16
17 Q. I understand that. Could you suggest to me any other
18 explanation for what Bishop Reid has said there?

19 A. Again, please, I didn't hear that.

20
21 Q. Could you give me any other explanation for what
22 Bishop Reid says other than that he says he raised Gray's
23 sexual problems with you?

24 A. I think the point I'm making is that I have no memory
25 of talking with Bishop Reid about Gray before I received
26 this letter from him saying about a problem with his
27 sexuality. I have no --

28
29 Q. You may - sorry.

30 A. Sorry.

31
32 Q. You may have no recollection, but Bishop Reid is
33 saying to the contrary of that, isn't he?

34 A. Yes, that's right, I understand that. I'm saying
35 I did not - I have no memory of a conversation with
36 Bishop Reid prior to this letter.

37
38 MS SHARP: Q. Given that Mr Reid has expressly written
39 in this letter to you that he had a prior conversation with
40 you, you accept it's most likely that he did have that
41 conversation with you, don't you?

42 A. No, I'm not saying that - no, I'm not saying that for
43 a moment. I have no memory of it and I'm really saying if
44 I haven't got a memory of it, I didn't have that
45 conversation with him.

46
47 Q. Bishop Holland, you would accept that there is a

1 difference between something not happening and you not
2 remembering it?
3 A. Yes, I imagine so.
4
5 Q. Well, it's not something to be imagined. There is a
6 difference, isn't there?
7 A. I have a memory - I'm not quite sure where you're
8 going. I have a --
9
10 Q. I'll put the question again, Bishop Holland.
11 A. I have --
12
13 Q. Bishop Holland, if I can put the question again.
14 There is a difference between something not happening and
15 you not remembering it. Do you accept that?
16 A. In theory, yes, possibly, but not about this
17 particular issue.
18
19 Q. Well, I'll put this very clearly, Bishop Holland.
20 I suggest to you that John Reid did have this conversation
21 with you where he mentioned to you a problem with
22 Stephen Gray's sexuality?
23 A. I have no memory of him saying that to me.
24
25 Q. But you cannot exclude the possibility --
26
27 THE CHAIR: I think we understand the position.
28
29 MS SHARP: Thank you, your Honour.
30
31 Q. Bishop Holland, I would now like to show you another
32 document. Could I take you to the document at tab 8 which
33 is a letter from you to Mr Allen?
34 A. Yes. Yes, I have that.
35
36 Q. Yes. You will see that this is a letter dated 31 May
37 1990 that you authored?
38 A. Yes, I've got that, thank you.
39
40 Q. That's your signature?
41 A. Yes.
42
43 Q. It is directed to Mr Allen?
44 A. Yes.
45
46 Q. And you have said:
47

1 Is this the sort of thing you want, or
2 would you like to guide me into other areas
3 that I could write about?
4
5 A. Yes.
6
7 Q. Could I then take you to a document at tab 10.
8 A. Yes.
9
10 Q. You will see that this is a draft letter?
11 A. Yes.
12
13 Q. I might ask that this document be called up. It is
14 ANG.0050.002.9893.
15 A. I have it, but --
16
17 MS SAMBELL: Not that one.
18
19 THE WITNESS: It's not that one?
20
21 MS SAMBELL: No.
22
23 THE WITNESS: This was, I think, the original one that
24 Keith Allen asked me to write.
25
26 MS SHARP: Q. My question to you is that document headed
27 "Draft" is a document that you sent to Mr Allen, isn't it?
28 A. Yes.
29
30 Q. All right. You will see it says, "Mr Allen,
31 solicitor, acting on behalf of Stephen Gray"?
32 A. Yes.
33
34 Q. Surely you did know that Keith Allen was acting on
35 behalf of Stephen Gray in a criminal prosecution?
36 A. I knew then when I wrote this reference. I did not
37 know beforehand.
38
39 Q. Just to get the dates right, you knew by 31 May 1990;
40 that's the date of your cover letter?
41 A. I thought - I thought it was a general reference for
42 Keith - sorry, for Gray in order to start a new life and
43 I wrote it in that sort of spirit.
44
45 Q. But, Bishop Holland, on your draft you've said,
46 "Acting on behalf of Stephen Gray"?
47 A. Yes, I know.

1
2 Q. Surely you understood that it was acting on behalf of
3 Stephen Gray in criminal proceedings?
4 A. Yes, I do know that then, but I thought the criminal
5 proceedings were the trashing that had been done to the
6 house.
7
8 THE CHAIR: Q. Are we to understand that you asked what
9 were the criminal proceedings?
10 A. I did not, no.
11
12 Q. So you were prepared to write a reference without
13 knowing what the criminal proceedings were all about; is
14 that right?
15 A. Yes, I think so, but I didn't - I really didn't know -
16 when I wrote this letter I didn't know there were criminal
17 proceedings taking place.
18
19 Q. You have said in the letter, the second-last
20 paragraph:
21
22 Until this incident that led to his being
23 charged, his record at Wyong was exemplary.
24
25
26 A. It was.
27
28 Q. That clearly indicates that in writing that letter,
29 you knew he had been charged with criminal offences,
30 doesn't it?
31 A. Well, it could be - it could be - it could --
32
33 Q. Could there be any other explanation for it?
34 A. That's - it could be interpreted in another way.
35 I think I'm trying to say there that he had done good work
36 in Wyong until this incident had taken place.
37
38 Q. And he was charged. Well, did you not understand that
39 when charged and convicted, that people would be sentenced
40 and that references might be tendered to the sentencing
41 judge in relation to that individual?
42 A. Look, I think I have to be truthful about this.
43 I really think I didn't take a great deal of notice of what
44 I was doing in terms of what Keith Allen wanted me to do.
45
46 Q. Is it right to think that Mr Allen didn't tell you all
47 that he knew --

1 A. Well, I've got no memory --
2
3 Q. -- about what Mr Gray had done?
4 A. I can't - I don't - I have no memory of talking to
5 Keith in detail about this. He had told me I need not be
6 concerned and I'd almost switched off even thinking about
7 it.
8
9 Q. Did you prepare this draft yourself or did someone
10 else prepare it?
11 A. No, I prepared it myself.
12
13 Q. Did you dictate it to your secretary?
14 A. Yes.
15
16 Q. And as far as its content was concerned, how did you
17 know what to put in it?
18 A. Well, I think I just drew that out of my own
19 experience of Gray, that I was writing to hope that he
20 would be able to rebuild his life, as I said.
21
22 Q. And that rebuilding was presumably after he had been
23 punished for his offending; was that right?
24 A. Yes, I suppose that could be said to be so.
25
26 Q. So we are to understand that you were providing this
27 reference to assist in his sentencing for criminal
28 offences; is that right?
29 A. Well, I didn't - I didn't know it exactly in those
30 terms. As I said a little while ago, I'd really switched
31 off the issue. All I knew I was trying to give Gray a
32 reference that would help him settle back into secular life
33 and I point out in the final paragraph there where I say:
34
35 It is highly unlikely ...
36
37 The last sentence:
38
39 It is highly unlikely that any Bishop will
40 license him for priestly work, and
41 I believe his life, for a number of years
42 at least, will be channelled into a secular
43 occupation.
44
45 Q. That's right, but before you get to that sentence you
46 say you're deeply sorry that this matter - or you're sorry
47 this matter has occurred. What matter did you have in mind

1 when you wrote that?

2 A. Well, the trashing of the rectory.

3

4 Q. Why was that a criminal offence requiring you to
5 provide a reference?

6 A. I'm sorry, I don't - I don't know what the criminal
7 offence involves. All I can say is I thought I was trying
8 to write a reference that would help this chap get on with
9 his future life. It was not in my mind that he was charged
10 with a criminal offence.

11

12 MS SHARP: Q. Bishop Holland, may I take you to the
13 final version of this document. We have been looking at
14 your draft.

15 A. Yes.

16

17 Q. May I ask you to have regard to tab 11, which is
18 ANG.0050.002.9884?

19 A. I've got that.

20

21 MS SAMBELL: Is it this one?

22

23 THE WITNESS: Is that the document that's got the
24 amendments made by Mr Allen?

25

26 MS SAMBELL: It's this one, is it? No.

27

28 THE WITNESS: I have document 0050.002.9888. Is that the
29 document you're referring to?

30

31 MS SAMBELL: It's not this one.

32

33 THE WITNESS: I sent a letter back to Keith Allen asking
34 him to respond to that reference that we've just been
35 talking about and then he sent to me - he wrote some
36 amendments on that and I included those amendments in this
37 reference which you have just now had in front of you. If
38 you look at the last sentence, "I would ask you that you
39 consider this reference when determining this matter", it
40 occurred to me that that might have been a sentence
41 hearing.

42

43 MS SHARP: Q. Bishop Holland, are you suggesting that as
44 the leader of your diocese you would write a letter for one
45 of your priests without having any understanding of what
46 that letter was to be used for and what it was the priest
47 was alleged to have done?

1 A. Look, I think I was probably moved more by a desire to
2 help Gray in his future life.
3
4 Q. If you could attend to my question.
5 A. Sorry, yes.
6
7 Q. Is it right that you as the leader of your diocese --
8 A. Yes, got that.
9
10 Q. -- was prepared to write a letter, not knowing what it
11 was to be used for, about allegations the substance of
12 which you say you did not know about?
13 A. Yes, that's right.
14
15 Q. Isn't that seriously remiss of a person in the
16 position of the Bishop of a diocese?
17 A. It could be said so, yes.
18
19 Q. Well, it is seriously remiss, isn't it?
20 A. Yes, I think probably I should have taken more care.
21
22 Q. What I'm going to suggest to you, Bishop Holland, is
23 that you were perfectly well aware that Stephen Gray had
24 been charged with a criminal offence; is that correct?
25 A. No, it isn't correct. I did not know that. I did not
26 know that, really, until I - that last sentence about a
27 reference determining the sentence, I realised that it had
28 been a court case. I did not know what the charges were
29 even then.
30
31 THE CHAIR: Q. You see, Bishop, the effect of that is
32 what you're telling us is that Mr Allen didn't tell you the
33 whole story; you understand?
34 A. That is probably so, yes.
35
36 Q. The effect of what you're saying, do you appreciate
37 this, is that he deceived you; do you understand that?
38 A. Well, he said to me in the first case, "This need not
39 concern you." That was a day or two after my visit to
40 Wyong and I took that fairly literally.
41
42 Q. Maybe, but, in asking you to sign this reference, the
43 effect of the evidence you're giving, having regard to what
44 you say you knew, is that Mr Allen deceived you. Do you
45 understand that?
46 A. I hesitate to say so, but I think that must be the
47 case.

1
2 MS SHARP: Q. Can I show you another document, please,
3 Bishop Holland, appearing at tab 7, which is
4 ANG.0050.001.2484.
5 A. Yes.
6
7 Q. This is not addressed to you, Bishop Holland, this is
8 addressed to your Assistant Bishop at the time,
9 Richard Appleby. Do you see that?
10 A. Yes, right. Yes, I do.
11
12 Q. Do you see that it comes from Keith Allen?
13 A. Yes, I do.
14
15 Q. And it's sent at around the time you're discussing a
16 draft reference with Keith Allen, on 30 May?
17 A. Can I read the letter? Yes. 31 May, got that.
18 (Witness reads letter). Well, it's the first time I've
19 seen this letter, of course.
20
21 Q. I just want to draw your attention to some particular
22 points in the letter.
23 A. Right.
24
25 Q. You'll see the reference in the first paragraph to
26 acting for Stephen Gray. Yes?
27 A. Yes.
28
29 Q. Do you see another reference in that first paragraph
30 to a matter coming before the District Court?
31 A. Yes.
32
33 Q. Do you see in the second paragraph:
34
35 We believe that there will be no press
36 present.
37
38 A. Yes.
39
40 Q. You will see, in the third paragraph, that counsel
41 acting has requested that a reference be given?
42 A. Yes.
43
44 Q. Are you suggesting that none of these matters that
45 were made known by Mr Allen to your deputy were made known
46 to you at the time?
47 A. Yes, I am saying that.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

Q. Are you suggesting that your Deputy Bishop, Richard Appleby, never made these matters known to you at the time?

A. I have no memory of having a conversation with Bishop Richard about this matter.

Q. I am just wondering was it common for the senior leaders of the diocese to be asked to write references for priests who had matters in court?

A. When you say "senior leaders of the diocese", who do you mean? The Diocesan Bishop?

Q. Yes, I mean the Diocesan Bishop and Assistant Bishop.

A. Yes. There were areas of responsibility that I left with Bishop Richard and he had - I gave him complete authority to act in the way he thought best.

Q. Are you suggesting that your Assistant Bishop failed to notify you of these matters?

A. I've got no memory of him talking to me about it.

Q. Tell me, have you been advised by anybody to say you have no memory of events that you're questioned about today?

A. No, I've made all these decisions myself. I haven't seen this letter to Bishop Appleby. I've never seen that letter before.

Q. I suggest to you that as at mid-1990, you perfectly well understood that Stephen Gray had been charged with an offence of sexually abusing a boy. What do you say to that?

A. I really became aware of that charge when I read about it three weeks ago and I've been here.

Q. Does that mean you disagree with my proposition?

A. Which was again?

Q. I suggest to you that you knew perfectly well, as at mid-1990, that Stephen Gray had been charged with a child sexual abuse offence?

A. I did not know.

Q. I suggest to you that you knew perfectly well that you wrote a character reference for him for use in those proceedings?

1 A. I did write a reference, yes.

2

3 Q. And I suggest to you you knew perfectly well that the
4 purpose of you writing that reference was for use in the
5 criminal proceedings for the child sexual abuse matter?

6 A. No, I did not.

7

8 Q. And I suggest to you that you had previously been made
9 aware, via your conversation with John Reid, that there was
10 a problem with Reverend Gray's sexuality before you
11 licensed him in the diocese?

12 A. I did not have a conversation in terms of what you've
13 put - of what you're saying, no.

14

15 Q. Bishop Holland, are you telling the truth in answer to
16 my questions?

17 A. Yes, I am.

18

19 Q. Bishop Holland, could I take you to a document at
20 tab 5, which is a document ANG.0050.002.9906.

21 A. Yes.

22

23 Q. That is a letter from Stephen Gray to the Bishop. You
24 will agree that was a letter to you?

25 A. Yes.

26

27 Q. Do you recall receiving that at the time?

28 A. I don't, no.

29

30 Q. You will see that it is dated 11 February 1990?

31 A. Yes. This may be the letter that was given to
32 Richard Appleby when he came back from the Wyong rectory.
33 I didn't know - his visit to that, to the rectory, I can
34 only think that I asked him to go. My visit was a little
35 while after. I see Bishop Richard in his statement said
36 that he brought the resignation back with him from the
37 Parish of Wyong and I would have just accepted it as it
38 was.

39

40 Q. Do you recall that I previously asked you about a
41 police report and showed that to you?

42 A. Yes, I do.

43

44 Q. Do you recall that the date of that report was
45 12 February 1990?

46 A. Yes, I do.

47

1 Q. Do you have any comment on the fact that this
2 resignation is apparently dated one day before that police
3 report?
4 A. Well, I can see it, yes. Yes. I see the letter is,
5 yes.
6
7 Q. Do you have any comment on that?
8 A. No.
9
10 Q. Have you ever been --
11 A. Sorry?
12
13 Q. Have you ever been made aware of a suggestion that
14 Stephen Gray's letter of resignation was deliberately dated
15 to precede the police report of his misconduct, even though
16 he did not resign until after the police matter had been
17 reported?
18 A. Could you let me have that question again?
19
20 Q. I will put it a different way. Have you ever been
21 made aware of a suggestion that this written letter of
22 resignation was deliberately dated one day prior to a
23 complaint being made to the police about Stephen Gray?
24 A. I only know now that the police report was on the
25 12th; this is on the 11th. What is the question you're
26 raising about it?
27
28 Q. Have you ever been made aware of the suggestion that
29 the written letter of resignation was deliberately dated a
30 day before a report was made to the police complaining
31 about Stephen Gray?
32 A. No, I have never heard that.
33
34 Q. Does it strike you as remarkably coincidental that the
35 letter of resignation is dated one day before a report is
36 made to the police about Reverend Gray's misconduct?
37 A. No, because I've never seen the report until today.
38
39 Q. There has been some evidence today that
40 Archdeacon Simpson told Reverend Dwyer that Peter Rushton
41 was moved to the Maitland Parish because things had become
42 hot for him and colourful in Wallsend. Had you ever been
43 made aware of that?
44 A. No. When you use the expression "move", I did not
45 have complete authority to move a parish - a priest from
46 one parish to another. There's a Presentation Board with
47 three representatives from the parish and three elected by

1 the Diocesan Synod. I would chair that and we would throw
2 names in the ring and Rushton's name was thrown into that
3 ring and there was a unanimous report that Maitland Parish
4 would be prepared to have him.

5
6 Q. It is right that the ultimate responsibility for
7 appointing an archdeacon lies with the Bishop of the
8 diocese, isn't it?

9 A. Yes, ultimately, yes.

10
11 Q. Was Peter Rushton moved from Wallsend to Maitland
12 because allegations of child sexual abuse had emerged
13 against him?

14 A. No, absolutely not. That would have come out in the
15 meeting of the Presentation Board if that were so.

16
17 Q. I want to ask you about some evidence that another
18 witness is expected to give in these proceedings. Will you
19 pardon me for one moment. There is a statement that has
20 been served by a witness given the pseudonym [CKR]. For my
21 friends at the Bar table, that is at tab 19 of the first
22 volume of statements. I don't need to show it to you, but
23 I do need to put one aspect of it.

24 A. What was that pseudonym, please?

25
26 Q. [CKR].

27 A. [CKR]. Yes, got it.

28
29 Q. [CKR] gives evidence, at paragraph 7 of her statement,
30 that she lived at Morpeth College in 1979 while her husband
31 of the time was undertaking theological studies.

32 A. Yes, right.

33
34 Q. She says that while she was there she heard a lot of
35 rumours about certain people and certain priests and
36 "certain priests who might fancy little boys". You were
37 the Diocesan Bishop at this time. Did you ever hear
38 rumours of this nature in relation to Morpeth College?

39 A. I did not.

40
41 Q. Bishop Holland, I want to go back to one area I asked
42 you about earlier which I think was asked in a confusing
43 way and I'll try again. I wanted to show you an unredacted
44 version of the statement of Pam Wilson.

45 A. Yes, got that.

46
47 Q. I will ask that you don't give the names of the people

1 that I'm going to draw your attention to because they have
2 been redacted.
3 A. Right.
4
5 Q. Bishop Holland, could I draw your attention to
6 paragraph 8 of that statement?
7 A. Yes, got it.
8
9 Q. You will see there's a name of a priest set out there?
10 A. Yes. Yes, got it.
11
12 Q. You'll see that the name of his wife is set out in the
13 second sentence?
14 A. Yes.
15
16 Q. Ms Wilson says in her statement that these two people
17 came and spoke to you in around 1980, 1981, to report that
18 their little boy had been abused by Rushton. Now that you
19 have seen those names, do you agree that those people did
20 make that report to you in around 1980, 1981?
21 A. No, I do not agree.
22
23 Q. Do you say that that assertion is completely wrong?
24 A. Yes. I have - yes.
25
26 Q. I would like to show you a document at tab 392 of the
27 tender bundle. The document reference is
28 ANG.0132.001.0014_R.
29 A. Yes, got that.
30
31 Q. Bishop Holland, you are not a party to this file note
32 but I wish to draw certain matters recorded in it to your
33 attention. You will see that this is a file note of a
34 conversation between Mr Allen and Mr Cleary on 11 February
35 2015?
36 A. Yes, got that.
37
38 Q. This file note is made by Mr Cleary. Could I take
39 your attention to the third page which is pinpoint
40 reference 0016.
41 A. Yes, got that.
42
43 Q. You will see that up the top it's recorded that:
44
45 Allen is intending to obtain a medical
46 certificate for former Bishop Alfred
47 Holland ... that he is in no fit state to

1 give evidence to the Royal Commission.
2
3 A. Yes, I read that.
4
5 Q. Did you have any conversation in 2013, 2014, 2015, up
6 to now, about a medical certificate with Mr Allen?
7 A. No, I did not.
8
9 Q. Do you see that the second dot point is that:
10
11 Allen has previously advised me, as
12 Holland's legal adviser, that he would be
13 advising Holland to say that he cannot
14 recall anything.
15
16 Have you been --
17 A. What is the question - sorry?
18
19 Q. Have you had a conversation in the last five or so
20 years with Mr Allen where he has advised you not to
21 recollect anything?
22 A. No, I have not had a conversation.
23
24 Q. Was he your legal adviser some time in the last few
25 years?
26 A. Look, I'm not sure. I saw him as a friend of the
27 diocese and I can't remember whether he had a position as a
28 legal adviser in the diocese during my time.
29
30 Q. I think we might be at cross-purposes. I am asking
31 you whether in the last few years Mr Allen has been your
32 legal adviser?
33 A. Oh, no, I'm sorry, no, absolutely not.
34
35 Q. Does your evidence remain that you have had no contact
36 whatsoever with Mr Allen in the last five or so years?
37 A. Yes, I haven't had any contact - oh, look, I'm sorry,
38 I send him a Christmas card, but I haven't met him at all
39 to speak with.
40
41 Q. Can I show you a document at tab 240 of the bundle,
42 please, Bishop Holland.
43 A. Yes, got it.
44
45 Q. I think you've got it before me. This is pinpoint
46 reference ANG.0050.003.5053_R?
47 A. Yes, got that.

1
2 Q. You will see that this is an email from you to
3 "Bishop Brian". I take it that's Brian Farran?

4 A. Yes.
5

6 Q. It is dated 20 October 2010?

7 A. Yes.
8

9 Q. Is it correct that what you sought to convey to
10 Bishop Farran in this email was that until the recent
11 publicity, you had no idea about the allegations against
12 Peter Rushton?

13 A. Yes, that is right.
14

15 Q. Was that a representation of the truth,
16 Bishop Holland?

17 A. Yes, it is. I mean this letter sets out that
18 I clearly did not know that I'd seen the article in the
19 Newcastle Herald. That was in 2010.
20

21 MS MOODY: Your Honour, perhaps Counsel Assisting will
22 allow the Bishop to read the email out: it's very short.
23

24 MS SHARP: Q. Could you read the email out, please
25 Bishop Holland?

26 A.

27 Thank you for informing me of this dreadful
28 business. I have also, through the web,
29 seen the article in the Newcastle Herald.
30 Needless to say, I shall be deeply
31 interceding for you and the diocese,
32 including the victims and their families,
33 but especially for you because of the
34 crucial burden that has been placed on your
35 shoulders.
36

37 It has quite taken 'the wind out of my
38 sails' because Rushton was a punctilious
39 priest, known and respected widely
40 throughout the diocese, and popular among
41 his fellow priests. I have, hitherto, had
42 a sense of pride that the diocese seemed to
43 have a clean sheet about abuse, unlike
44 other places.
45

46 Perhaps you will keep me informed if
47 further allegations are made? Again, my

1 thanks for keeping me in the loop.

2

3 And that is signed by me, "Alfred".

4

5 Q. Bishop Holland, you'll recall that I just showed you
6 the statement of Pam Wilson and that the unredacted version
7 of that statement referred to the names of a parish priest
8 and his wife?

9 A. Yes.

10

11 Q. Your evidence is that these people never made you
12 aware of allegations that Rushton had sexually abused their
13 son?

14 A. That's right.

15

16 Q. And it is your evidence that you never had a telephone
17 conversation with Sue Aslin where she advised you of her
18 concerns with Rushton and Brown fostering children from
19 St Alban's?

20 A. That's right.

21

22 Q. And it is your evidence that during your time as
23 Bishop, you'd never heard any suggestion whatsoever of
24 child sexual abuse occurring at St Alban's?

25 A. No, that's right.

26

27 Q. And it is your evidence that you never, during your
28 tenure as Bishop, heard any suggestion whatsoever as to any
29 allegations that Peter Rushton sexually abused children?

30 A. That's right.

31

32 Q. Is that the truth?

33 A. Yes, it is the truth. I would have thought my letter
34 to Brian Farran sets that out clearly: "It has quite taken
35 'the wind out of my sails'". I was reading this - I was
36 reading about it for the first time.

37

38 Q. Do you accept that in view of the prolific sexual
39 offending of Peter Rushton during your tenure as Bishop,
40 the fact that you had no inkling about it means something
41 was seriously remiss in the management of your diocese?

42 A. No. I had no knowledge at all that there were any
43 allegations made of child sexual abuse from anybody in the
44 diocese. I had no conversations at all.

45

46 MS SHARP: I have no further questions.

47

1 THE CHAIR: Yes. Does anyone else have any questions?
2
3 MR GYLES: I have a couple of questions, your Honour.
4
5 THE CHAIR: Yes, we haven't heard from you, Mr Gyles, so
6 you can go first.
7
8 MR GYLES: Thank you, your Honour.
9
10 <EXAMINATION BY MR GYLES:
11
12 MR GYLES: Q. Bishop, my name is Gyles. I appear for
13 Bishop Thompson. Do you have a copy of your statement
14 given to the Commission?
15 A. I do have a copy.
16
17 Q. In paragraph 16 you tell us that you became aware of a
18 problem in the Wyong Parish?
19 A. Yes.
20
21 Q. And that was --
22 A. That was the trashing of the rectory.
23
24 Q. Yes, and that was a problem that you needed to deal
25 with, agreed?
26 A. Sorry?
27
28 Q. That was a problem that you needed to deal with,
29 wasn't it?
30 A. I had to deal with it? Are you saying - are you
31 asking me that?
32
33 Q. All right. Yes.
34 A. Yes.
35
36 Q. And you, in fact, travelled to Wyong, you tell us in
37 paragraph 17, to deal with it?
38 A. Yes.
39
40 Q. And then you make reference to Mr Allen who you
41 describe as being a solicitor and Trustee of the diocese.
42 Do you see that?
43 A. Yes.
44
45 Q. Do you recall at that time how you came into contact
46 with Mr Allen in relation to this matter?
47 A. I have a feeling I asked him. I don't think at the

1 time he held an official position in the diocese. I asked
2 Keith Allen because he lived in that area and I thought he
3 would give me some advice. The advice he gave me was to
4 de-license Gray and I did that immediately.
5

6 Q. Is it fair to say, Bishop, that the matter that you
7 required Mr Allen's advice on was how you should deal with
8 the serious misconduct of Mr Gray; agreed?

9 A. Yes. I think what I was really saying was, "What do
10 we do next?", because Gray had vacated the rectory and
11 I never saw him again, or his family. The rectory was
12 empty when I got there.
13

14 Q. In relation to the misconduct of Gray, you would
15 agree, wouldn't you, that there was a range of sanctions
16 that you could impose upon him arising from his misconduct?

17 A. The most effective thing I could do was to remove his
18 licence and that meant he could not operate as a priest.
19

20 Q. Would you agree with me that there were a range of
21 sanctions that were available to you to deal with him?

22 A. No.
23

24 Q. You don't agree that there were a range of sanctions
25 that were available?

26 A. I don't - I can't think what you mean by
27 "sanctions available".
28

29 Q. All right. Well --

30 A. There were no professional standards available.
31

32 Q. Yes, but if something was of sufficient seriousness,
33 it was open to you, wasn't it, to remove his holy orders?

34 A. I thought the - I thought the charges being made, or
35 at least what I thought - what I was told was that there
36 had been a wild party in the rectory, it had been a
37 gathering of homosexuals, and it had turned nasty and they
38 trashed the rectory. That's what I thought it was all
39 about.
40

41 Q. All right. Do you agree that you sought the counsel
42 of Mr Allen to decide what you should do about it?

43 A. Yes, I did.
44

45 Q. And Mr Allen advised you that Mr Gray should be
46 de-licensed?

47 A. Yes, he did.

1
2 Q. Would you agree with me that you followed the advice
3 that you were given by Mr Allen as to how to deal with
4 Mr Gray?
5 A. I did follow that advice.
6
7 Q. In circumstances that Counsel Assisting has already
8 taken you to, you were subsequently approached by Mr Allen
9 seeking a reference for Mr Gray?
10 A. Yes.
11
12 MR GYLES: I have no further questions, thank you,
13 your Honour.
14
15 THE CHAIR: Yes, Mr O'Brien.
16
17 THE WITNESS: That's Keith Allen there, yes.
18
19 <EXAMINATION BY MR O'BRIEN:
20
21 MR O'BRIEN: Q. My name is O'Brien. I appear for
22 Mr Paul Gray, [CKA] and [CKG]. Would you check your
23 pseudonym list there and you'll see who they are?
24 A. Sorry, what were they again? [CKA]?
25
26 Q. Yes.
27 A. And what?
28
29 Q. [CKG].
30 A. Yes, got that.
31
32 Q. I want to ask you about some events from 1984 in
33 relation to the Mt Sugarloaf Youth and Community
34 Association. Are you familiar with the organisation?
35 A. No, I'm not.
36
37 Q. The Mt Sugarloaf Youth and Community Association was
38 opened in February of 1984 and, as I understand it, you
39 officiated at the opening of that association, do you
40 recall?
41 A. That's possible; that's possible.
42
43 Q. It was run under the guidance of Father Arthur Bridge?
44 A. Yes, I remember him.
45
46 Q. Yes. [CKA] worked as the administrator of the
47 association under Father Bridge.

1 A. Did I know that, are you asking?
2
3 Q. Did you know that?
4 A. No, I didn't know that. Can you just tell me what the
5 function of this organisation was, please?
6
7 Q. It was a youth and community service. You're telling
8 the Royal Commission you don't remember anything about it?
9 A. Yes, I've got no memory of this.
10
11 Q. All right. Can you have a look at your pseudonym
12 list, please, and find the letters [CKY]?
13 A. CK --
14
15 Q. Y.
16 A. Y.
17
18 Q. Have you got that?
19 A. Do I know the person, are you saying?
20
21 Q. Yes, do you know that person?
22 A. No, I don't know that person.
23
24 Q. Do you recall that - you see, [CKY] is [CKA]'s father.
25 Do you accept that?
26 A. Sorry, again?
27
28 Q. [CKY] is [CKA]'s father?
29 A. [CKY], yes - I don't know. I have no - no, I don't
30 know that.
31
32 Q. Up until September of 1984, [CKY] was a warden and had
33 a lay licence within the church. I suspect that you don't
34 know that; is that right?
35 A. Oh, no. What was the licence for?
36
37 Q. He was I think a lay preacher.
38 A. A lay reader.
39
40 Q. He was permitted to issue the chalice?
41 A. Sorry, again, I'm not getting this. Is it a
42 lay reader you're referring to? A lay reader?
43
44 Q. He was a Eucharist Assistant at the Anglican Church?
45 A. Right. He helped in the distribution of
46 Holy Communion.
47

1 Q. Yes.
2 A. But I don't know which church you're referring to.
3
4 Q. The name of the church has, in fact, been redacted and
5 I can't identify it, but I want to ask if you recall
6 whether anyone at any stage, to your recollection, had
7 raised concerns about the conduct of Father Arthur Bridge?
8 A. No.
9
10 Q. I want to suggest to you that in the latter part of
11 1984 the conduct of Arthur Bridge had been raised by [CKY]
12 with you directly?
13 A. I have no knowledge of that.
14
15 Q. I want to show you a document. I have put the
16 Counsel Assisting's team on notice that I will be showing
17 you this.
18
19 MS SHARP: May I hand up copies, including one to go on
20 the projector, and I will tender it in due course.
21
22 THE CHAIR: We might as well mark it now. 42-019 will be
23 its number. Does the Bishop have a copy?
24
25 MS SAMBELL: No. Yes, we now have a copy.
26
27 EXHIBIT #42-019 LETTER FROM [CKY] TO BISHOP HOLLAND
28 DATED 25/09/1984
29
30 MR O'BRIEN: Q. This is a --
31 A. Yes, I see it. I have it in front of me. I'm reading
32 it.
33
34 Q. I will let you read it. Can you tell me when you've
35 done that?
36 A. Yes. Just a moment.
37
38 MS SHARP: I am sorry to interrupt my friend, but it has
39 been drawn to my attention that there is a person named
40 Arthur Bridge who is in the Catholic Church and I wanted to
41 make it clear that this is not the Arthur Bridge that is
42 being referred to. It is. I withdraw that, your Honour.
43
44 THE WITNESS: Yes, Arthur Bridge eventually left the
45 diocese and he applied to be received into the
46 Roman Catholic Church and I think he was received into the
47 Diocese of Parramatta. I'm not sure about that.

1
2 THE CHAIR: Mr O'Brien, you take your course.
3
4 MR O'BRIEN: Thank you, your Honour.
5
6 Q. Have you had the opportunity to read that letter now?
7 A. Just a second. Yes, I've read it, thank you.
8
9 Q. Does that remind you that [CKY] --
10 A. Yes.
11
12 Q. -- was, indeed, a licensed layperson within the
13 Anglican Church?
14 A. If you say so, yes. You said that.
15
16 Q. What this letter does is set out his resignation from
17 such a post, doesn't it?
18 A. Who is signing this letter?
19
20 Q. [CKY]. His signature has been redacted and you can
21 just see the very small print, [CKY].
22 A. Oh, I see, it was from [CKY]. Yes. What question are
23 you asking me?
24
25 Q. This note advises you of his resignation under protest
26 as a Synod representative for the parish and
27 Eucharistic Assistant at the Church. Do you see?
28 A. Yes. Why is he resigning, please?
29
30 Q. I wanted to ask you if you remember the circumstance
31 in which this resignation came about?
32 A. No, I can't remember.
33
34 Q. This letter is dated 25 September 1984. Do you see
35 that?
36 A. Yes, got that.
37
38 Q. And you can see that he, that is [CKY], refers to a
39 meeting with yourself, Reverend A Bridge and the
40 Parish Council the day prior?
41 A. Yes.
42
43 Q. Do you remember that meeting?
44 A. No, I don't remember that meeting. I resigned from
45 the Diocese 24 years ago and there are many things probably
46 I have forgotten. I don't remember any of this that you're
47 placing before me.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

Q. I want to suggest to you, Bishop - and I am not meaning to have any sort of memory test of you - that this meeting came out of concerns raised by [CKY] with your Auxiliary Bishop, Bishop Appleby, in relation to the conduct of Arthur Bridge. Are you assisted by that?

A. Look, I've got no memory of it, I'm sorry.

Q. Do you recall ever having any discussions with your Auxiliary Bishop about Arthur Bridge's conduct within the Church?

A. Look, I might have done but I can't recall them now, and I have no memory of them.

MR O'BRIEN: I have nothing further, your Honour.

THE CHAIR: Yes. Anyone else?

MR WATTS: May I announce my appearance before the Commission? My name is Watts. I appear on behalf of Keith Allen who has been granted leave to appear and I have some questions of the witness.

THE CHAIR: Do you have any questions now?

MR WATTS: Yes. I note the time.

THE CHAIR: You start and we'll see how we go.

MR WATTS: I'll make it as succinct as possible.

<EXAMINATION BY MR WATTS:

MR WATTS: Q. Bishop Holland, you appreciate that I appear on behalf of Keith Allen?

A. Just hang on. I have got no vision at the moment.

THE CHAIR: Is there a camera that can be --

THE WITNESS: Yes, got it. Sorry, it's come on.

MR WATTS: Q. I'll just ask that again.

A. Yes.

Q. Do you understand I appear on behalf of Keith Allen?

A. Yes, I do.

1 Q. I want to ask you questions in relation to the
2 Stephen Gray matter that you have already been asked
3 questions about.
4 A. Yes.
5
6 Q. You have been shown Mr Gray's letter of resignation,
7 the handwritten short letter, dated 11 February 1990.
8 A. Yes.
9
10 Q. You accept, don't you, that was directed to you,
11 wasn't it?
12 A. Yes.
13
14 Q. It is addressed to "The Bishop of Newcastle" and that
15 was you, wasn't it?
16 A. Oh, it's addressed to me, yes, of course it is. Yes.
17
18 Q. You have also been shown some correspondence between
19 yourself and Bishop John Reid. You have already been taken
20 to this, but clearly in Bishop John Reid's letter to you,
21 he refers to some discussion the two of you had had at some
22 point previously about Stephen Gray.
23 A. Yes, he does, mmm-hmm.
24
25 Q. Right.
26 A. He refers to that.
27
28 Q. You say you have no recollection of that?
29 A. No, I say I've got no recollection. And I also say
30 it's unlikely I would have appointed Gray if I knew he had
31 sexual difficulties.
32
33 Q. What do you mean by "sexual difficulties"?
34 A. Well, the word that - the words that John Reid says
35 are "problems with his sexuality".
36
37 Q. Yes. You don't mean that he was gay, do you?
38 A. Sorry?
39
40 Q. You don't mean that the issue was that he may have
41 been gay, do you?
42 A. Oh, no, no, no, no. No, not at all. It could have
43 been --
44
45 Q. In your own statement you make a point of saying that
46 if a person, a priest, was gay, that didn't matter to you.
47 You didn't see that of any consequence; correct?

1 A. That's right.
2
3 Q. Right.
4 A. That's right.
5
6 Q. Whatever the issues or sexual difficulties were, if
7 I could suggest that you had some idea from some prior
8 discussion with Bishop John Reid that Stephen Gray may have
9 engaged in sexually inappropriate behaviour, if I can put
10 it that way, didn't you?
11 A. Something like that, yes. Yes. Without defining it
12 further.
13
14 Q. The fact is that you did appoint him to Wyong, didn't
15 you?
16 A. Yes, I did, not knowing about those sexual problems.
17
18 Q. He hadn't been there for very long before he resigned,
19 had he?
20 A. I think he - I think a matter of about 18 months.
21
22 Q. Right.
23 A. 18 months.
24
25 Q. All right. You were also taken to a letter dated
26 30 May from Keith Allen, it was on the letterhead of the
27 firm that he was a partner in, which was in fact addressed
28 to Bishop Appleby?
29 A. Bishop Appleby, yes.
30
31 Q. That was apparently prepared and sent on 30 May 1990
32 and there's a "Received" stamp on it, indicating "Received
33 Auxiliary Bishop of Newcastle, 31 May 1990", do you see
34 that?
35 A. Yes, I see that.
36
37 Q. It appears as though you responded to that letter or,
38 from some other source of information, you responded to
39 Mr Allen as if that letter had been directed to you. Would
40 you agree with that?
41 A. I was approached, I think, by Mr Allen to write a
42 reference for Gray. I've never seen this letter before.
43
44 Q. You correspond with Mr Allen on 31 May?
45 A. Yes.
46
47 Q. Indicating, effectively, that you would write a

1 reference?

2 A. Yes.

3

4 Q. There's a process by which the reference was prepared?

5 A. Yes.

6

7 Q. You told us you drafted it and you dictated it to a
8 secretary, or something to that effect?

9 A. Yes.

10

11 Q. Is it possible, for example, that Bishop Appleby may
12 have been away, or something, and that's the reason why, on
13 the face of it, Keith Allen has written to Bishop Appleby
14 on 30 May, but you the very next day, in fact on the day
15 it's received in Newcastle, respond to it?

16

17 THE CHAIR: I think we need to be clear because I don't
18 think reference has been made to document 8 in the bundle.
19 I don't know whether the Bishop has it, but the letter to
20 Bishop Appleby is dated 30 May and then Bishop Holland
21 writes to Mr Allen on 31 May, obviously enclosing a draft,
22 saying:

23

24 Is this the sort of thing you want, or
25 would you like to guide me into other areas
26 that I could write about?

27

28 I assume that's your client's handwriting on the copy of
29 that letter:

30

31 I would suggest amendments. Look forward
32 to receipt of this reference.

33

34 Is that right?

35

36 MR WATTS: Yes, it is.

37

38 THE CHAIR: "Kind regards". I'm not quite sure what the
39 sequence is, but it's plain that Bishop Holland is writing
40 directly to Mr Allen and Mr Allen is responding.

41

42 MR WATTS: Yes. What I am putting to this witness is that
43 it may well have been the letter dated 30 May that prompted
44 him to make that contact with Mr Allen, but --

45

46 THE CHAIR: Well, no. "Is this the sort of thing you want
47 or would you like to guide me?" It's plainly a

1 correspondence directly between your client and
2 Bishop Holland, isn't it?
3
4 MR WATTS: There is no record of any document other than
5 the letter to Appleby.
6
7 THE CHAIR: Presumably there must have been a phone
8 conversation.
9
10 MR WATTS: There may well have been.
11
12 THE CHAIR: It must have been, or a face-to-face meeting.
13
14 MR WATTS: Q. In any event, at the time you wrote the
15 reference and went through this process of drafting it and
16 seeing if there were any amendments needed, and so on, it
17 was the case, you understood, that Stephen Gray, firstly,
18 was represented by Keith Allen in relation to criminal
19 proceedings, you understood that, didn't you?
20 A. At what stage? I understood that, I think, only in
21 the second stage when Keith Allen had suggested that I put
22 at the bottom of my reference, "I would ask that you would
23 consider this reference when determining this matter", and
24 then I presumed it was a sentence hearing. I did that at
25 Keith Allen's request.
26
27 Q. At the time Bishop John Reid wrote to you - the letter
28 we've already referred to - were you not aware at that
29 point of the criminal charge against Stephen Gray of a
30 sexual assault on a young person?
31 A. I did not know. I said before I thought it was some
32 case to do with the trashing of the rectory and maybe some
33 harassment of the young men that were at that wild party,
34 something like that.
35
36 Q. Bishop John Reid in his letter to you talks of it
37 being a tragedy, doesn't he?
38 A. Talks about what, sorry?
39
40 Q. It being a tragedy.
41 A. Well, yes, it was a tragedy for Gray, wasn't it?
42
43 Q. Do you seriously suggest you thought at that time he
44 was talking about a bit of damage to the rectory and a
45 party, are you?
46 A. I was thinking he was talking about that Gray had had
47 to resign, because he does say in his letter:

1
2 Stephen Gray has just rung to inform me of
3 a problem and of his resignation.
4

5 Q. In your statement at paragraph 18, you say:

6
7 On the advice of Keith Allen, a solicitor
8 and trustee for the Diocese, I immediately
9 delicensed him ...
10

11 -- referring to Stephen Gray --
12

13 ... after that because of the damage done
14 to the rectory and his having absconded.
15

16 A. Yes.
17

18 Q. What I suggest is at the time Mr Allen gave you any
19 advice, he made you aware that Mr Gray had been charged
20 with a matter of sexual misconduct involving a person under
21 the age of 16, hadn't he?

22 A. No, because he told me I need not concern myself and
23 that he would handle it.
24

25 Q. Did you seriously think that doing some damage to the
26 rectory, a couple of holes in a wall, or something to that
27 effect, and him being AWOL; that is, having absconded, to
28 use your word, was a matter that should see him
29 de-licensed?

30 A. Oh, yes, I would have thought so. He wasn't there and
31 I would have thought it appropriate. Keith Allen said to
32 me "take his licence", and that's what I did.
33

34 Q. I am putting to you that Mr Allen made you aware of
35 the nature of the criminal charge that Stephen Gray was
36 facing, and that is the basis for why he said you should
37 de-license him?

38 A. No, I'm sorry, that's not so.
39

40 Q. I don't mean any offence by this, Bishop Holland, but
41 what is your memory like now of events that happened
42 approximately 25, 26 years ago?

43 A. What is my memory like now? I mean, I don't know how
44 to answer a question like that.
45

46 Q. Specifically, in relation to matters relating to
47 Stephen Gray and his leaving, his being de-licensed,

1 et cetera, would you --
2 A. Well, I've thought back. When I had to prepare this
3 statement, I thought back on the matter and I wrote what
4 I thought took place at the time. That was my memory.
5
6 Q. One of the things that you put in your statement about
7 what your memory was of things that happened at the time -
8 this appears at paragraph 24 --
9 A. I say in that --
10
11 Q. The last line, in particular, you're talking about at
12 paragraph 24, this is to do with writing the reference for
13 Stephen Gray, you say:
14
15 When I enquired of Keith as to the
16 particulars of the matter he said to me
17 "Leave it to me, I will handle things and
18 you need not be concerned."
19
20 That's what you put in your statement, didn't you?
21 A. Yes, that's right.
22
23 Q. Earlier today, in your evidence this afternoon, you
24 said when you went to the Wyong Rectory and you say that
25 you saw something to do with the damage to the rectory and
26 there was some advice from Mr Allen about removing
27 Stephen Gray's licence; you said that he used almost
28 exactly the same words at that time. You said he said,
29 "You don't need to worry about this", et cetera. Do you
30 remember telling us that earlier this afternoon?
31 A. I said - yes. He used words to the effect "Leave it
32 to me, I will handle things and you need not be concerned."
33 I trusted Keith Allen and I thought I need not be
34 concerned.
35
36 Q. The point I'm putting to you, Bishop Holland, is that
37 you had him saying those words at the time you went and
38 visited the Rectory at Wyong; it wasn't in the context of
39 writing a reference for him?
40 A. No, this is when I was at Wyong itself, looking at the
41 Rectory.
42
43 Q. That was just about damage to the Rectory, et cetera,
44 and the fact that he wasn't there, Mr Gray wasn't there?
45 A. Yes. That's where I saw Keith Allen. That's my
46 memory.
47

1 Q. All right.
2 A. And he used those words.
3
4 Q. You seem to have him saying almost exactly the same
5 words at another time in relation to the writing of your
6 reference - that's what I'm drawing to your attention.
7 That's what you put in your statement. Do you understand
8 that?
9 A. No, I don't understand it.
10
11 Q. I'll make it plain.
12 A. What words am I putting into the reference?
13
14 Q. I'll make it plain. Mr Allen never said to you words
15 to the effect of: "You don't need to worry about this", in
16 relation to the writing of the statement. "You don't need
17 to worry about this, I'll take care of it", or anything to
18 that effect, he never said those words to you in relation
19 to the writing of the statement, did he?
20 A. I think the request for writing a reference came
21 several months after this event.
22
23 Q. Exactly. What I suggest is: you in fact offered,
24 when speaking to Mr Allen, to come to court personally to
25 give evidence on behalf of Stephen Gray, didn't you?
26 A. No, I did not.
27
28 Q. And I suggest the only time that Mr Allen ever used an
29 expression along the lines of "Well, you don't need to
30 worry about this", or that, was in relation to you
31 personally appearing at court to give evidence; that he
32 said something to the effect of, "Just give me the
33 reference, we may or may not use it, but you don't need to
34 worry yourself about coming to court"?
35 A. And what is the question you're asking?
36
37 Q. I'm putting to you that that's what he said to you,
38 words to that effect? The only time he used the expression
39 "You don't need to worry about this, leave it to me" was
40 when you offered to attend court proceedings on behalf of
41 Stephen Gray?
42 A. He only used those words when we were, as I remember,
43 on the rectory site at my first visit.
44
45 Q. That's months before you were asked to write the
46 reference, you're saying?
47 A. Yes, two months before.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

Q. I think it's about three, but anyway. Did you ever become aware, by the way, that your reference was not tendered in Mr Gray's sentence proceedings?

A. The first reference? Yes, the first draft.

Q. No, any reference by you.

A. Well, I sent the first draft to Keith Allen, he made a number of amendments, one of which was to add the final sentence to my reference:

I would ask that you consider this reference when determining this matter.

That's what Keith Allen asked me to put at the bottom of my letter and that first alerted me that it was a court case.

Q. I will finish with this, Bishop Holland - do you say you did de-license Stephen Gray?

A. Yes, I did.

Q. Did you become aware that he later on was working, apparently in, I think, Victoria for the Church?

A. No. No. The last I heard of him is that he was mowing lawns, something like that. I never took any more interest in Stephen Gray. I didn't know where he was or what he did. I did say in my reference, though, that it would be highly unlikely for any Bishop to give him a licence to operate as a priest and that he should do some years in the secular world to adapt himself.

Q. To make sure he doesn't damage rectories anymore, is that what you're saying?

A. Sorry?

Q. To make sure that he doesn't do any damage to rectories, that's why he needed a few years in the secular world?

A. No, no, I'm not saying that. No, no, no, I'm not saying that at all. In am saying that in my reference I made it quite clear that it was most unlikely that he would be given a job as a priest anywhere in Australia.

Q. The reason --

A. Sorry?

Q. Sorry, I didn't mean to interrupt you. Have you

1 finished?

2 A. Sorry, again?

3

4 Q. The reason you put that in your reference was because
5 you knew the nature of the charge that he was facing before
6 the court, didn't you, at the time you wrote the reference?

7 A. I knew it once I got this amendment from Keith Allen.
8 That's the first time I knew that there was a court case in
9 process.

10

11 THE CHAIR: I think that answer is probably at
12 cross-purposes with your question. You may want to put it
13 again.

14

15 MR WATTS: Q. The reason why you put in your reference
16 that you believed it would be unlikely Mr Allen [sic] would be
17 able to be working as a priest for some period of time,
18 perhaps years, was because you knew the nature of the
19 offence that he had committed that he was before the court
20 to be dealt with?

21

22 THE CHAIR: Mr Watts, I think the ambiguity is in your
23 question. I think you need to put it bluntly, that he knew
24 that the charge related to the sexual assault of a child.

25

26 MR WATTS: Yes.

27

28 Q. Bishop Holland, the reason you put that reference in
29 your --

30 A. Could I --

31

32 Q. The reason you put in your reference that it was
33 unlikely he would be employed as a priest, et cetera, any
34 time soon was because you knew Stephen Gray was being dealt
35 with by the court in relation to a charge of having
36 homosexual intercourse with a person under the age of 16.
37 You knew that, didn't you?

38 A. No, that is wrong. I did not believe - I did not
39 know - I did not know that it concerned child sexual abuse.

40

41 Q. It is the case, isn't it, that when Mr Gray had been
42 dealt with by the court, you became aware from either
43 reading correspondence or speaking to Mr Allen over the
44 phone that it was his view that the Newcastle Diocese that
45 you were in charge of should write to all Australian
46 Bishops, advising them not to employ the former rector of
47 Wyong without contact with the Newcastle Diocese first.

1 That happened, didn't it?
2 A. I can't remember writing to all the dioceses. I would
3 probably inform the Primate, and there were things --
4
5 Q. I'm not asking whether you did it. I'm asking
6 Mr Allen suggested to you that that's what should happen?
7 A. Oh, right. That's possible, I don't know.
8
9 MR WATTS: Yes, I have nothing further.
10
11 THE CHAIR: Does anyone else have any questions?
12
13 MS DAVID: No.
14
15 THE CHAIR: No?
16
17 MS SHARP: No questions arising.
18
19 THE CHAIR: Thank you, Bishop. Thank you for making
20 yourself available on two occasions today. That concludes
21 your evidence and you are now excused.
22
23 THE WITNESS: May I just say one thing, sir, in
24 conclusion, and that is that the harming of a child through
25 sexual abuse is, in my opinion, an ugly and grotesque thing
26 and there is some evidence in the New Testament that
27 perpetrators are beyond redemption: the millstone in the
28 outermost depths of the sea.
29
30 I have three children of my own and I could imagine
31 some of the anguish the victims and their families are
32 feeling at the present time. I can only hope that they
33 will accept the fact that I was not aware of what was going
34 on in child sexual abuse while I was the Bishop of
35 Newcastle '78 to '92. I hope you won't mind me saying
36 that. Thank you.
37
38 THE CHAIR: Yes. Very well, Bishop, you are excused.
39
40 THE WITNESS: Thank you.
41
42 <THE WITNESS WITHDREW
43
44 THE CHAIR: Ms Sharp, is there anything else today?
45
46 MS SHARP: No, there is not, your Honour.
47

1 THE CHAIR: Is 10 o'clock suitable in the morning?

2

3 MS SHARP: Yes, your Honour.

4

5 THE CHAIR: Very well, we will adjourn until 10.

6

7 AT 4.30PM THE COMMISSION WAS ADJOURNED TO THURSDAY,

8

4 AUGUST 2016 AT 10AM

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47