

Statutory Declaration

I, Ann Louise Joy do solemnly and sincerely declare:

1. I hold the rank of Detective Inspector of the NSW Police Force.
2. On 15 March 2013 I signed and produced a statement in answer to a summons for production issued on 13 March 2013 2013 by the Special Commission of Inquiry into matters relating to the Police investigation of certain child sexual abuse allegations in the Catholic Diocese of Maitland-Newcastle.
3. Annexed to this statutory declaration at page 3 and marked "A" is a copy of that statement.
4. I wish to clarify some matters set out in the statement which appears at Annexure A.
5. In that statement, at paragraph 9, I stated that my independent recollection as to my involvement in the Fletcher enquiries was limited, as, at the time of making that statement, I had not had an opportunity to closely examine my duty books and notebooks as well as other documentation in existence.
6. Since preparing that statement I have checked all original records in respect of my duty book D 33555 covering the period from 24 December 2001 through to my transfer to Macksville Criminal Investigation Branch on 20 January 2003.
7. Based on my review of my duty book, only one entry appears in respect of any visit to see Bishop Malone (on 20 June 2002 -see annexure E to my statement) and no entry exists in respect of any visit to see Bishop Clarke. I also have no entry in my duty book with respect to any contact with Father Fletcher.
8. Based on that review, I am confident that my recollection of the events of 20 June 2002 set out in paragraphs 12, 13 and 14 of my statement remains accurate.
9. However, as I have no entry in relation to any other visit to Bishop Malone and no entry with respect to any contact with Father Fletcher it may be that my recollection at paragraphs 10 and 11 of my statement is mistaken. That is, I may not have met Bishop Malone as recalled in paragraph 10 of my statement and I may not have attended at Father Fletcher's residence as recalled in paragraph 11 of my statement. Given that I have no entries in relation to that contact, I think it more likely than not that the contact described in those paragraphs did not occur and I was mistaken in my recollection at the time I made my statement.
10. Subject to the above clarifications, the statement appearing at Annexure "A" is true and correct.
11. This statutory declaration is made on the same basis as set out in paragraph 2 of my statement dated 15 March 2013 which appears at Annexure A to this statutory declaration.

Signed

Detective Inspector
A. L. Joy
15/3/2013

12. I make this solemn declaration conscientiously believing it to be true, and by virtue of the provisions of the Oaths Act 1900.

Declared at ARMIDALE
on 4 July 2013
Signature of declarant

Signed _____

Certificate of witness

I certify the following matters concerning the person who made this statutory declaration (the declarant):

[please strike out the option in each paragraph that does not apply]*

1. * I saw the face of the declarant OR * I did not see the face of the declarant because the declarant was wearing a face covering, but I am satisfied that the declarant had a special justification for not removing the covering; and
2. * I have known the declarant for at least 12 months OR * I have confirmed the declarant's identity using the following identification document:

Signature of witness
Signed

Identification document relied on (may be original or certified copy)

Justice of the Peace

CHRIS PUTEASE

Name

JP# 150300

Registration No

"A"

3

Statement by Ann Louise Joy

Special Commission of Inquiry into matters relating to the Police investigation of certain child sexual abuse allegations in the catholic diocese of Maitland-Newcastle

On 15 March 2013, I say:

Preliminary matters

1. My full name is Ann Louise Joy. I am a Detective Inspector with the NSW Police Force (NSWPF). I am currently carrying out the functions and duties of a Crime Manager within the New England Local Area Command. I have been carrying out those duties since November of 2012.
2. This statement is prepared by me for the sole purpose of responding to a summons dated 13 March 2013 issued on 13 March 2013 by the Special Commission of Inquiry (established by way of letters patent dated 21 November 2012 and varied by letters patent dated 11 January 2013) for me to produce a statement in relation to a number of defined issues. This statement is produced by me to the Special Commission of Inquiry pursuant to the said issued summons unwillingly and only on the basis that, without exception, section 23(2) of the Special Commissions of Inquiry Act 1983 applies to restrict the use of this statement and the documents referred in it, and attached to it. Pursuant to section 23(2) of the Special Commissions of Inquiry Act 1983 I object to the information contained within this statement, and the attachments to the statement, being used in any criminal, civil or other proceedings or inquiries or investigations of any kind.

Background

3. I was attested as a police officer in 1984. After my attestation I carried out general duties policing for a period of approximately 6 years. Thereafter, I was engaged in general criminal investigations in relation to crimes from 1990 up until October of 2004. In October of 2004 I was promoted to the substantive rank of Sergeant within the NSWPF. Thereafter, I carried out duties for a period of approximately 8 years, as a general duties, Sector Supervisor, at Nambucca Heads. During the period of my carrying out my general criminal investigatory duties from 1990 to October of 2004, I was attached to Maitland, also carrying out duties covering the Raymond Terrace and Caserock areas. I continued carrying out criminal investigation duties after my transfer to Macksville Criminal Investigation branch in January, 2003, prior to my promotion to the rank of Sergeant.
4. **Annexed to this statement and marked with the letter "A"** is a true copy of a letter forwarded to Mr Michael Greene of Henry Davis York by the Crown Solicitors Office. With respect to the matters raised within that correspondence I can supply the following information.
5. In terms of investigations being carried out by then Detective Sergeant Peter Fox in relation to allegations made against Father James Fletcher, my involvement was limited. To the best of my recollection I was involved in the investigation at the point of time when the enquiries were commenced into the activities of Father Fletcher. Primarily, I would consider myself to have been the corroborating police officer to Detective Sergeant Fox (as he then was) when he was carrying out his enquiries.

Signed

Detective Inspector
4/7/2013

- 6. From my looking at the records which existed in relation to the investigation, it appears to me that the initial report which was made in relation to Father James Fletcher was dated the 3rd of June 2002. I refer to the COPS Event Reference E14348559. I have refreshed my memory from the contents of this document. Annexed to this statement and marked with the letter "B" is a true copy of the COPS Event E14348559.
- 7. As indicated previously in my statement I was transferred to Macksville in January of 2003. Looking at the documentation which I have accessed, Father Fletcher was charged on the 14th of May 2003 in relation to the alleged crimes. Annexed to this statement and marked with the letter "C" is a copy of Charge Reference No H17796328. As recorded within the documentation, the primary informant was Detective Sergeant Fox and the secondary informant was Detective Donald Brown. As I was no longer in the area, I played no role in the charging process.
- 8. I have accessed the case reference in relation to the Fletcher matter. The case reference details are C16128387. Annexed to this statement and marked with the letter "D" is a true copy of the case reference.
- 9. In terms of my independent recollection as to my involvement in the Fletcher enquiries, at this point of time, and without my closely examining my duty books and notebooks as well as other documentation in existence, my memory is limited. However, doing the best that I can based on my current recollection I can indicate that at the stage when I was involved as a corroborative officer, there appeared to have been a victim that had come forward and made allegations against Father James Fletcher. My recollection was that there were a number of incidents of abuse reported by that victim. Presently, I do not recall the specific allegations that were made, however as indicated it was my belief that there were multiple incidents.
- 10. In terms of my involvement with then Detective Sergeant Fox's investigation, my recollection is that I accompanied him to meet the head of the diocese, Bishop Michael Malone. As I understood it at the time, the purpose of the visit was to attempt to establish where Father Fletcher may have been located so as to carry out further investigations in relation to the allegations, and with a view to a possible arrest taking place.
- 11. My best recollection is that after speaking with Bishop Malone, both Detective Sergeant Fox and myself were given details relating to Father Fletcher's then whereabouts. I do not now recall the address that we were given, however I do recollect attending with Detective Sergeant Fox at an address believed to have been Father Fletcher's residence. There were some discussions had with him by Detective Sergeant Fox upon our arrival. It appeared clear to us that upon our arrival Father Fletcher had already sought legal advice in relation to the matter. Arrangements were made by Detective Sergeant Fox to meet with Father Fletcher at a later date with a view to providing Father Fletcher with an opportunity to participate in an interview. It is my understanding that at a later point of time Father Fletcher may have attended the police station but advised Detective Fox that based upon legal advice received he would not provide any information and would not participate in an interview. I was not present when Father Fletcher arrived at the police station. I am basing my knowledge on my access to charge records H 17796328 and the fact that at the time of charging Father Fletcher I was stationed at Macksville Criminal Investigation Branch.
- 12. After Detective Sergeant Fox and I had attended the residence of Father Fletcher, I do have a recollection of accompanying Detective Sergeant Fox when a further visit


Signed

D/INSPECTOR
4/11/2013

was made to speak to Bishop Michael Malone at Newcastle on the 20th of June, 2002. I refer to New South Wales Police Service Duty Book D 33555 page 42 on issue to me on that date. . Annexed to this statement and marked with the letter "E" is a true copy of the duty book entry.

- 13. On that date I record travelling with Detective Sergeant Fox to meet with Bishop Malone regarding sexual assault allegations. My recollection in relation to what transpired at that visit was that concern had been expressed by Detective Sergeant Fox regarding Father Fletcher having been forewarned by Bishop Malone of the fact that the police were investigating allegations against him, and that police were looking for his whereabouts. I recall in general terms Detective Sergeant Fox asking the bishop how and why it occurred. I recall Bishop Malone did provide an explanation, however, I do not recall the exact content of the conversation but I do recall during that response the bishop told us that Father Fletcher needed counselling regarding the matter.
- 14. I recall that Detective Sergeant Fox was concerned and annoyed at the time as to the forewarning that had been given by Bishop Malone to Father Fletcher. He expressed the view to me that he believed that he had lost an opportunity to obtain information from Father Fletcher, and the ability to investigate the allegations had been compromised by the warning having been given to him by Bishop Malone.
- 15. Some time after my accompanying Detective Fox to see Bishop Malone for the second time, I transferred out of the area to Macksville. To the best of my recollection I didn't have any further involvement in relation to the investigation.
- 16. I do not recall seeing Bishop Clarke at the St Francis Village, Catholic Care Eleebana in mid 2002 when he was a resident of that facility. However, I will check my duty book and diary in order to ascertain whether I accompanied Detective Inspector Fox on that occasion. If it transpires that I did accompany Detective Sergeant Fox, then I have no recollection whatsoever of the terms of any conversation that may have occurred. At the time of making this statement I have not been in a position to locate the relevant duty book entry as I am presently stationed at Armidale Police Station and the original book is being held at Nambucca Heads Police Station.
- 17. I do not recall taking any statements from the victim who made the allegations against Father Fletcher, and I have no recollection of engaging in any other enquiries being carried out with respect to the investigation. My best recollection at this point of time would be that my involvement in the investigation was minimal.

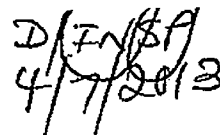
Signed


Signature of Ann Louise Joy

15TH MARCH, 2013

Date

Signed


4/7/2013

"A"

6



Crown Solicitor's Office

Your Ref: MGS/MKS/3131624
My Ref: 201203450
T20 Emma Sullivan
Tel: (02) 9224 5039
Fax: (02) 8224-5355
Email: crownsof@agd.nsw.gov.au

22 February 2013

Mr Michael Greene
Solicitor/Partner
Henry Davis York Lawyers
44 Martin Place
SYDNEY NSW 2000

THIS IS THE ANNEXURE MARKED - A -
ANNEXED TO STATEMENT OF
ANN LOUISE JOY
SIGNED THIS 15TH DAY OF MARCH,
2013.

Signed

By facsimile (02) 9947-6999

Email: michael_greene@hdy.com.au

Dear Mr Greene

Inquiry into Police Investigation of certain child abuse allegations ("Inquiry") – request for additional statements

I refer to recent communications between your firm and my Office in relation to the provision of statements by officers of the NSWPF for the assistance of the Commissioner in relation to the above Inquiry.

As foreshadowed in your discussion with Ms Sullivan today, I confirm that the Commissioner would be assisted by the provision of statements from the following officers of the NSWPF:

1. Detective Inspector Mark Watters (at the relevant time, a Detective Senior Constable) ("Detective Watters");
2. Detective Inspector Ann Joy, (at the relevant time, a Detective Senior Constable) ("Detective Joy").

Investigations undertaken by Inspector Mark Watters

I understand that in October 1999, Detective Watters commenced investigations into allegations of child sexual abuse by Father Denis McAllinden following a complaint by AE concerning allegations of abuse in 1953. AE's complaint was recorded on the NSWPF COPS database by Detective Watters. Detective Watters obtained a statement from AE. Subsequently, Detective Watters made inquiries (including of the Maitland Newcastle Dioceses) in order to determine the whereabouts of Father McAllinden (without success). On 1 December 1999, an arrest warrant for Denis McAllinden was taken out at Maitland Local Court House in relation to the offences alleged by AE. I understand that Detective Watters may have then transferred to another Local Area Command. I am not presently aware of the nature of Detective Watters' involvement in investigations concerning Father McAllinden thereafter.

201203450 12/81 (165943)

Signed

DI INSPECTOR
4/7/2013

Investigations undertaken by Detective Inspector Ann Joy

I understand that in or around June 2002, Detective Joy assisted Detective Chief Inspector Peter Fox ("Detective Fox") with investigations concerning allegations of child sexual abuse by Father James Fletcher. These investigations included the Detectives attending Saint Francis Village Catholic Care, Eleebana in mid 2002 for the purposes of discussing certain matters with retired Bishop Clarke, who was then a resident at that facility. It appears that Detective Joy also accompanied Detective Fox on 20 June 2002 to speak with Bishop Malone and Monsignor Saunders following allegations that Bishop Malone had "tipped off" Father Fletcher about the police investigation concerning him.

Matters to be covered by the statements

Having regard to the foregoing background (and with reference to the specific incidents noted above, where relevant) I request that statements be obtained from the officers nominated, addressing the following matters to the best of their recollection:

A. With respect to Detective Watters:

- 1. The officer's views regarding whether with respect to officials of the Catholic Church, he experienced co-operation, hindrance (whether or not any hindrance etc be a criminal offence), or otherwise in relation to his investigations of Father Denis McAlinden (from 1999 and any time thereafter), and if so,
 - a. from whom and in what respects including in particular, whether in that officer's view, any official of the Catholic Church:
 - i. Failed to report alleged criminal offences;
 - ii. Discouraged witnesses to come forward;
 - iii. Alerted alleged offenders to possible police action; or
 - iv. Destroyed evidence.

2. Any other matters considered relevant to the Inquiry's Terms of Reference.

B. With respect to Detective Joy:

- 1. The officer's views regarding whether with respect to officials of the Catholic Church, she experienced co-operation, hindrance (whether or not any hindrance etc be a criminal offence), or otherwise in relation to her investigations of Father Fletcher, and if so,
 - a. from whom and in what respects including in particular, whether in that officer's view, any official of the Catholic Church:
 - i. Failed to report alleged criminal offences;
 - ii. Discouraged witnesses to come forward;
 - iii. Alerted alleged offenders to possible police action; or
 - iv. Destroyed evidence;

Signed

D. JENKINS
4/9/2013

2. Any other matters considered relevant to the Inquiry's Terms of Reference.

Format and timing of the statements

Consistent with standard practice for statements prepared by officers of NSWPF, I would ask that the statements be each signed by the relevant officer, contain numbered paragraphs and include the endorsement provided for by rule 3.6(2) of the *Local Court Rules 2009*.

The Commissioner would be assisted by the provision of the statements by no later than Monday, **11 March 2013**.

Please do not hesitate to contact Ms Sullivan of my Office on (02) 9224 5029 should you wish to discuss any aspect of the above.

Yours faithfully...

Signed

Emma Sullivan
Special Counsel
for Crown Solicitor

Signed

INSPECTOR
TJ/2013

"B"

9

KVR026P

New South Wales Police Force
COPS

Date : 11/02/
Time : 14:08:
Page : 1

Event Ref No : E 14348559

General Event Details
Date/Time Reported
Event Classification
Clear Up Status/Date
Created By
Updated By

: 03/06/2002 14:00
: ACCEPTED
: CLEARED - 22/03/2004
: INSP FOX, PETER RAYMOND - CENTRAL HUNTER
: DET MONGAN, JOHN PHILLI - CENTRAL HUNTER
Event Status : VERIFIED

Narrative Details
Date/Time Created
Created By

: 03/06/2002 15:35
: CENTRAL HUNTER - FOX, PETER RAYMOND
The victim has made an allegation against a catholic priest (POI) that between 1991 & 1995 he was sexually assaulted on numerous occasions. These assaults varied from fondling to both anal & oral intercourse. The victim alleged that threats were made by the priest that he would commit similar offences against the victim's younger brothers should he disclose the offences. The victim later left to live in Tasmania & over the years has come to terms with these offences, gradually disclosing them to his family and a counsellor. After watching the 60 minutes programme on 2/6/02 the victim was concerned that others could become victims of the same POI & has decided to report the matter to Police. It is alleged the offences occurred in the Clarencetown & Dungog areas whilst the victim was an alter-boy.

Date/Time Created
Created By

: 09/05/2003 08:43
: CENTRAL HUNTER - FOX, PETER RAYMOND
In 1985 the defendant, James Patrick FLETCHER arrived in the Dungog Parish as the new Catholic Priest. He worked at both the Dungog & Clarence Town churches & there met the victim's family. AH's family had been heavily involved in numerous church activities & functions. Through this working relationship the defendant developed a close friendship with the family becoming a regular visitor to their home for meals & invited to family parties & celebrations. Over time he became a mentor for this family's children including their eldest son & victim, AH. AH & his other siblings later became altar boys within the parish creating an even stronger bond. The victim aged 12, started at St Peter's High Maitland in 1990 & was occasionally driven home by Father FLETCHER. Over this period conversations occurred between the two in relation to sexual education & masturbation with AH being instructed that these conversations were secret & 'This is our special time.' During the school holiday period in December -

THIS IS THE ANNEXURE MARKED " B "
ANNEXED TO STATEMENT OF
Ann Louise Joy
SIGNED THIS 15TH DAY OF MARCH, 2013

Signed

DIRECTOR
4/3/2013

Signed

EVR026P

New South Wales Police Force
COPS

Date : 11/02/
Time : 14:08:
Page : 2

Event Ref No : R 14348559

Narrative Details

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

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

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

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

Assaults of both anal & oral intercourse continued in various forms & locations over the

Signed

D. J. INSPECTOR
4/7/2013

EVE026P

New South Wales Police Force
COPS

Date : 11/02/
Time : 14:08:
Page : 3

Event Ref No : E 14348559

Narrative Details

next 3 years until March 1994 when the victim was old enough to prevent any further occurrence following a major confrontation between Father FLETCHER & himself. Over the four year period a total of 56 offences occurred.

The victim experienced a lot of difficulties in dealing with these offences & in September 1995 after a heavy bout of drinking he attempted to hang himself in a shed on his parents rural property. His mother & young brother located him whilst this was occurring & lifted him down after he had been hanging for a short period. In desperation to find answers the victim's parents (Unaware of their son's reasons for depression) took him to see the family priest who was now located at Branxton. He stayed in the presbytery that night & believes he was raped whilst in a vulnerable state. This was the last occasion he had any contact with Father FLETCHER.

The victim has led a troubled life since that time until disclosing to his family in late 2000. In June 2002 he was encouraged to approach Police with his allegations & investigations commenced. Police learned that Father FLETCHER had been notified of the investigation by a member of the Catholic Church & was permitted to continue his duties in the Branxton Parish.

Investigations continued over the next year & in March 2003 Father FLETCHER was stood down from the Branxton Presbytery.

Police contacted members of the church & Father FLETCHER presented at the Maitland Police Station on Wednesday the 14th of May 2003 with solicitor Eric LACEY & a support person Father Jim SAUNDERS. FLETCHER emphatically denied the allegations of sexual misconduct & disputed other matters pertaining to the investigation. He was very upset at the allegations & is generally not of the best of health.

Date/Time Created
Created By

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

Police Involved
Police in Charge
Created By
Date/Time Created

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

Signed

W. J. FLETCHER
4/11/2013

EVB026F

New South Wales Police Force
COPS

Date : 11/02/
Time : 14:08:
Page : 4

Event Ref No : E 14348559

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

Person Reporting
Name Used

: AM

Record Name

: AM

CNI Number/Summary

: 16550875 - OV-WRXTAD-H-----

Date of Birth/Age Rge

: REDACTED Sex : M

Contact Address

Home Phone

Work Phone

: REDACTED

Case File - Table of Contents

No	Title	Type	Brief/ Sensitive	Date Logged	Status
1	BRISP INTERVIEW	AUDIO	IN BRIEF	08/04/2004	CURRENT
2	AM	STATEMENT	IN BRIEF	08/04/2004	CURRENT
3	BT	STATEMENT	IN BRIEF	08/04/2004	CURRENT
4	BB	STATEMENT	IN BRIEF	08/04/2004	CURRENT
5	BI	STATEMENT	IN BRIEF	08/04/2004	CURRENT
6	BC	STATEMENT	IN BRIEF	08/04/2004	CURRENT

Event Link Details

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

Signed

DIANE SPENCER

4/7/2013

CAS803S

New South Wales Police Force
COPS

Date : 11/02/
Time : 14:08:
Page : 5

Event Ref No : R 14348559

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

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

Modus Operandi Details : SEXUAL INTERCOURSE - ANAL/ORAL
SEXUAL ACT METHOD

Victim : TRAUMA
Name Used/Status : AH
Record Name : AM
CNI Number/Summary : 16550873 OV-XXXXX-H-----
Date of Birth/Age Rge : redacted Sex : M
Tourist/visitor State : NSW
Tourist/visitor Cntry : AUSTRALIA
Aboriginal : NO
Torres Strait Islander : NO
Contact Address : redacted
Home Phone : redacted
Work Phone : redacted
Occupation/Skill : MANAGER - LARGE BUSINESS
Background :
Place of Birth/Naty : NEWCASTLE - AUSTRALIAN

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

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

Signed

DI INSP/ACTOR

4/7/2013

CAS8039

New South Wales Police Force
COFS

Date : 11/02/
Time : 14:08:
Page : 6

Event Ref No : E 14348559

Occupation/Skill

: CLERGY

* * * END OF LIST * * *

Signed

D/Inspector

4/7/2013

PART B - Current Charges for registrable offences

Charge : H 17796328

Arresting police officer to complete						Court Administration to complete		
Column 1 Incident No. and date	Column 2 Charge laid	Column 3 Age of victim at time of registrable offence	Column 4 Defendant a child at time of registrable offence? (Y/N)	Column 5 Col 1 offence (Y/N)	Column 6 Col 2 offence (Y/N)	Column 7 Finding of guilt and date of finding of guilt (Y/N)	Column 8 Date of sentence	Column 9 Sentence
<p>Group charges arising from two or more incidents under the same section number (1, 2, etc) and any such separate incidents</p>	<p>Specify section of Criminal Code under which the offence is charged (e.g. 273(1) or 273(2))</p>	<p>Specify the age of the victim (17) at the time of the registrable offence</p> <p>Specify whether it is established the victim was a child at the time age is not known</p>	<p>Y if defendant 17 or under at the time of the registrable offence</p> <p>N if defendant 18 or over at the time of the registrable offence</p>	<p>Y if in column 1 then N in any row of column 6</p>	<p>Y if in Column 6 then N in any row of column 5</p>	<p>See section 3(2) for definition of finding of guilt</p> <p>Y if finding of guilt</p> <p>Specify date of finding</p>	<p>Specify the date of sentence</p>	<p>Specify the sentence</p> <p>Note that the following orders are included as sentences for the purposes of the Act:</p> <ul style="list-style-type: none"> - Any order under s27(1) of the Children (Criminal Proceedings) Act 1967 - An order of detention under s7 or 19 of the Mental Health (Criminal Procedure) Act 1960 - An undertaking under s23 of the Pre-Trial Division of s27 Act 1967
1 15/12/1989	Lawpart : 263 Section : 61E(1A)	13	N	N	Y			
2 16/03/1996	Lawpart : 267 Section : 61D(1A)	13	N	Y	N			
3 01/04/1990	Lawpart : 267 Section : 61D(1A)	13	N	Y	N			
4 01/06/1990	Lawpart : 267 Section : 61D(1A)	13	N	Y	N			
01/06/1990	Lawpart : 267 Section : 61D(1A)	13	N	Y	N			
5 01/06/1990	Lawpart : 267 Section : 61D(1A)	14	N	Y	N			
Signed _____		Police Service Arresting Officer		Date: 14-5-03				
Signed _____		Court Administration Officer		Date:				

Signed

INTERACTOR
4/7/2013

THIS IS THE ANNEXURE MARKED 'C'
ANNEXED TO STATEMENT OF
ANN LOUISE JOY
SIGNED THIS 15TH DAY OF MARCH, 2013

Signed

16

PART B - Current Charges for registrable offences

Charge : H 17796328

Arresting police officer to complete						Court Administration to complete		
Column 1 Incident No. and date	Column 2 Charge laid	Column 3 Age of victim at time of registrable offence	Column 4 Dependent on child at time of registrable offence (Y/N)	Column 5 Class 1 offence (Y/N)	Column 6 Class 2 offence (Y/N)	Column 7 Finding of guilt by plea or finding of guilt (Y/N)	Column 8 Date of Sentence	Column 9 Sentence
6 01/11/1990	Charge: 257 Section: 81B(1A)	14	N	Y	N			
01/11/1990	Charge: 257 Section: 81B(1A)	14	N	Y	N			
Signed	Signed	Police Service Arresting Officer: <i>Peter Fox</i>			date			
					<i>14-5-03</i>			
Signed		Court Administration Officer			date			

Signed
 INSPECTOR
 7/7/2013

"D"

17

CAS8068

New South Wales Police Force
COFS

Date : 11/02/
Time : 14:08:
Page : 1

Central Hunter

Case Report - C 16128387

Case Title : MAIT04/1 ^{AM} SEXUAL Case Status : FINALISED
Case Type : SEXUAL OFFENCE - ASSAULT
OIC : Not Allocated
Follow Up Freq.: 28 DAYS
Security Level : PROTECTED
Source Reports : E 14348559 - SEXUAL OFFENCE - ASSAULT
Party : ^{AM} FLETCHER, JAMES - VICTIM
- PERSON OF INTEREST
Location : MAITLAND, NSW, 2320
Organisation : DUNGOG CATHOLIC PARISH - ORG OF INTEREST

- Case Narr : Appeal at CCQ dismissed in September. Application C 16128387 has been made to appeal to High Court & case case be re-opened if required if this appeal is accepted.
- Case Narr : POI was sentenced by Judge Armitage in Sydney DC C 16128387 on 11/4/05 to 10 years maximum & 7.5 years minimum Earliest DOR is 4/6/12 maximum 4/12/14.
- Case Narr : matter set for 2 week trial at RMDC commencing C 16128387 22/11/04
- Case Narr : Matter appeared before the Newcastle Local Court E 14348559 in February 2004 for a 48E application. The matter has now been committed ofr trial on a date to be fixed.
- Case Narr : 48E application was heard at Newcastle District C 16128387 Court & the case was put over for a date for trial to be set. It is anticipated that the Trial may be set mid year 2004
- Case Narr : In 1985 the defendant, James Patrick FLETCHER E 14348559 arrived in the Dungog Parish as the new Catholic Priest. He worked at both the Dungog & Clarence Town churches & there met the victim's family. The ^{AM} family had been heavily involved in numerous church activities & functions. Through this working relationship the defendant developed a close friendship with the family becoming a regular visitor to their home for meals & invited to family parties & celebrations. Over time he became a mentor for this family's children. including their eldest son & victim, ^{AM} ^{AM}. ^{AM} & his other siblings later became altar boys within the parish creating an even stronger bond. The victim aged 12, started at St Peter's High Maitland in 1990 & was occasionally driven home by Father FLETCHER. Over this period conversations occurred between the two in relation to sexual education & masturbation with ^{AM} being instructed that these conversations were secret & 'This is our special time.' During the school holiday period in December -

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DIAN SPRECTOR

4/7/2013

THIS IS THE ANNEXURE MARKED "D"
ANNEXED TO STATEMENT OF
ANN LOUISE JOY
SIGNED THIS 15TH DAY OF MARCH, 2013

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CAS9068

New South Wales Police Force
COPS

Date : 11/02/
Time : 14:08:
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Central Hunter

Case Narr : January 1990-1 whilst travelling between churches E 14348559

with AM, Father FLETCHER removed his penis & commenced to masturbate. He encouraged AM (Then aged 13) to do likewise. Again it was emphasised that this was to remain a secret & not be discussed with any other person, especially AM's parents. Further conversation occurred in 1991 when the victim was further spoken to about sexual matters by Father FLETCHER. In March 1991 Father FLETCHER drove AM after school to the Walka Water Works Reserve. He removed his penis & encouraged the victim to perform oral sex on him. The victim was told that this was normal behaviour & given on the pretext of sexual education. The victim's head was held in place by Father FLETCHER until he ejaculated in the victim's mouth, at which point the victim began to dry-wretch. Father FLETCHER reinforced that this remain a secret. He said to the victim, "It's normal & its a natural part of life. A lot of people do it but it is to just stay between you & me. No one else should know about this, it is our secret. You won't mention this to your parents or anyone else will you?" & "You know your father probably did exactly the same thing & he still keeps it a secret."

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

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

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

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INSPECTOR

4/7/2013

CAS8069

New South Wales Police Force
COPS

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Central Hunter

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

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DETECTIVE

4/11/2013

CAS806S

New South Wales Police Force
COPSDate : 11/02/
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Central Hunter

Case Narr : responsible for the church's finances within the Newcastle Diocese. C 16128387

The bishop later approached father Jim FLETCHER at Branxton as he was concerned for the priest's wellbeing as he had recently recovered from a heart condition. He told Police that the priest was not well after being told there had been a complaint & strongly denied the matter. Investigators have told Bishop MALONE that it would have been more desirable to have approached police prior to confronting the priest as it had also forewarned him of an investigation. The Bishop has also indicated that they would be looking at the possibility of relocating the priest which the investigation is being conducted.

Case Narr : The victim has made an allegation against a catholic priest (POI) that between 1991 & 1995 he was sexually assaulted on numerous occasions. E 14348559

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

Job Title/
StatusJob Type/ Date Due/
Completing Unit Job Ref N

Actions

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

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

Signed

D/INSPECTOR

4/7/2013

CAS8078

New South Wales Police Force
COPS

Date : 11/02/
Time : 14:08:
Page : 5

Central Hunter

Brief Title

CNI Number/
Offender

Status

Prosecut
Due Date

No records found for specified search criteria.

Case History

Date	Administrative Action	Status	By Person
27/10/2005	FINALISE CASE	AUTHORISED	INSP PETER FOX
15/09/2005	COMMENT CASE	AUTHORISED	DETSSG BRETT GODF
27/04/2005	COMMENT CASE	AUTHORISED	DETSSG BRETT GODF
26/04/2005	FINALISE CASE	REFUSED	INSP PETER FOX
12/03/2004	INVESTIGATION COMPLETE CASE	AUTHORISED	INSP PETER FOX
11/06/2002	ADD POLICE EMPLOYEE ROLE	AUTHORISED	INSP PETER FOX
11/06/2002	REMOVE POLICE EMPLOYEE ROLE	AUTHORISED	INSP PETER FOX
04/06/2002	COMMENT CASE	AUTHORISED	SENSGT PAUL DRACO
04/06/2002	ADD POLICE EMPLOYEE ROLE	AUTHORISED	SENSGT PAUL DRACO
04/06/2002	LINK INITIATE EVENT	AUTHORISED	SENSGT PAUL DRACO

**** END OF LIST ****

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D. T. ASPECTOR

4/7/2013

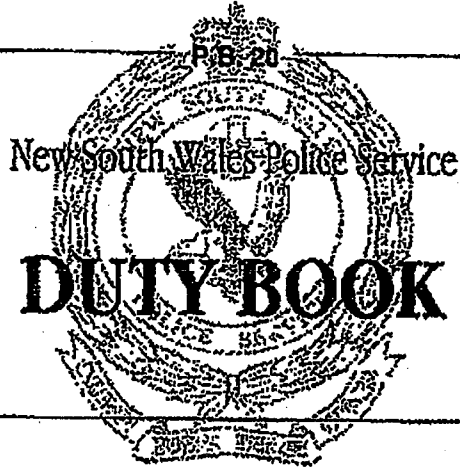
FOLIO 18
BOOK 4

"E"

THIS IS THE ANNEXURE MARKED
"E" ANNEXED TO STATEMENT
OF ANN LOUISE JOY
SIGNED THIS 15TH DAY OF
MARCH, 2013.

Signed

D 33555



Issued To

At Police Station

Date Commenced

Date Completed

CAT. 81263

Signed

DIRECTOR
4/7/2013

DATE 20/6/02

Commenced duty 7.00 am/pm Signed

Off duty 4.00 am/pm Signed

To be completed when performing additional duty (non cont...)

Commenced duty am/pm Signature

Off duty am/pm Signature

MEAL PERIOD/S

From 2.30pm To 3.00pm ⁴²

Claim submitted

Claim checked

OVERTIME PERFORMED

From

To

No. of hours

Claim submitted

Claim checked

ACTUAL DUTY

7 hrs On duty: Maitland. Review station summaries. Prepare briefs of MOLLER v CHAM. Out with D SGT FOX to Newcastle P.S. drop off S/SGT POLLOCK. then to 84 Hunter St, Newcastle see Bishop MARONE with D. SGT FOX re. s.a. allegations to Newcastle P.S. DPP. legal aid re service of documents. Case MOLLER to Newcastle Court re charge sheet for ELDERS return Maitland Station. Meal: 2.30pm - 3.00pm. Copy tapes for BADIOR v forward for transcription. enter exhibit PHUMB re fax documents to DPCS helpline. PHUMB attempt call DEAN re return of exhibit. Message to Det. Sgt DEVONSHIRE to contact DEAN re return of property.

Off duty 4.00pm

21/6/02 R2	29/6/02 R1
22/6/02 R3	30/6/02 R2
23/6/02 RD	1/7/02 R3
24/6/02 - 28/6/02 ANN LEAVE	2/7/02 RD P22/6/02

Signed

INSPECTOR 4/7/2013