

Statutory Declaration

Oaths Act 1900, NSW, Eighth Schedule

I William James Callinan of **REDACTED**), School Principal, do solemnly and sincerely declare that:-

1. I am currently the principal of Rosary Park Catholic Primary School at Branxton.
2. In the periods including June 2002 and May 2003 I was the principal of both St Brigid's Catholic Primary School at Branxton and St Mary's Catholic Infants School at Greta.
3. On 20 March 2013 I attended an interview with Counsel Assisting the Special Commissioner, Mr Warwick Hunt, at the Justice Access Centre, Suite 2, Level 1, 84 Nelson Street Wallsend ("the Wallsend Interview"). At that interview I was questioned about events concerning Father James Fletcher ("Fletcher") and my involvement in decisions made by the Catholic Diocese of Maitland-Newcastle to not stand Fletcher down as Parish Priest at Branxton and to not exclude him from access to St Brigid's Catholic Primary School when allegations arose in or about June 2002 about possible child sex offences involving him.
4. At the Wallsend Interview I was asked about the circumstances in which I received a copy of the pastoral letter dated 16 May 2003 and sent by Bishop Michael Malone to all parishioners of the Diocese of Maitland-Newcastle ("the Pastoral Letter"). In my response to that questioning I indicated that I first saw the Pastoral Letter when I attended a Catholic church service on Sunday 18 May 2003 at which service the letter was distributed to the parishioners in attendance. At the time that I was asked the question I was reflecting on events that had occurred almost ten years earlier.
5. In my response to that question I said the words "I got to church and I was taken aback by it. I think I left church. I didn't even stay at church. I then got hold of it, screwed it up and just swore a fair bit. I just went home." My response in those terms was based on the fact that I attend church almost every Sunday and I had a recollection that the Pastoral Letter had been circulated at all church services conducted in the Diocese of Maitland-Newcastle on the particular Sunday as I had been required to send a copy of that letter, under cover of a letter from me as Principal, to all of the parents of St Brigid's Catholic Primary School on the next day. However my recollection of screwing up the letter and swearing remain undiminished.
6. Following the Wallsend Interview I had a discussion with my wife, Julie Callinan, who was also present with me providing me support during that interview in words to the following effect:

Julie: "You were mistaken when you told Warwick Hunt that you saw the letter when you were at church on the Sunday. I have a very clear recollection of that day. I went to church at Largs and you didn't as you were at soccer with Joshua. I brought the letter home from church and you did not see it until later that afternoon when you came home from soccer".

William: "Well, you could be right about that".

Signed

Signed

7. On reflection the response that I gave at the Wallsend Interview set out in paragraph 5 above confirms that my memory on that issue was not completely clear at the time that the question was put to me. The response "I think I left church. I didn't even stay at church" shows that my memory on that issue, whilst not imperfect, is consistent with the fact that I may not actually have been at church at all on that particular Sunday.
8. My evidence on 30 July 2013 at the public hearings before the Special Commissioner in Newcastle as to the circumstances in which I first became aware of the Pastoral Letter is set out in the transcript at T2013.14 to 2013.41.
9. Essentially the disparity in the evidence given by me at the Wallsend Interview and the public hearing on 30 July 2013 as to the circumstances in which I first became aware of the Pastoral Letter can be explained by the following facts:
 - a. at the time of the Wallsend Interview I was being asked to rather quickly reflect upon a single event that had occurred almost ten years earlier and the evidence that I gave was what I thought to be true doing the best I could at the time to recall that particular event;
 - b. when I gave evidence on 30 July 2013 before the Special Commissioner at the public hearing my testimony on that day was informed by the discussions that I had with my wife following the Wallsend Interview as set out in paragraph 6 above;
 - c. over the years of our marriage my wife has proven to be a more reliable historian than me when it comes to matters that have not greatly exercised my mind; and
 - d. when giving evidence on 30 July 2013 I was content to adopt what my wife had informed me as a more reliable recollection of how the Pastoral Letter came to my attention rather than potentially give false evidence that I had received the Pastoral Letter at the church service at Largs on 18 May 2003 when in all likelihood I was not at that particular church service.

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

Made and subscribed at Maitland in)
 New South Wales on 23 November 2013)
 in the presence of :)

Signed

 William James Callinan

Signed

 Michael Raymond Nolan
 Solicitor Maitland



**Crown
Solicitor's
Office**

Your Ref:
My Ref: 201203450
T12 Emma Sullivan
Tel: (02) 9224-5029
Fax: (02) 8224-5355
Email: crownsol@agd.nsw.gov.au

22 November 2013

Mr Mike Nolan
Nolan Commercial
Level 1, 245 High Street
MAITLAND NSW 2320

By email

Dear Mr Nolan

Special Commission of Inquiry into matters relating to the Police investigation of certain child sexual abuse allegations in the Catholic Diocese of Maitland-Newcastle ("Inquiry") – Request for Statutory Declaration

I refer to the above matter and your telephone discussions with Ms Jessica Wardle, of my Office, on 21 and 22 November 2013.

I now **enclose** a redacted transcript of the interview of Mr William Callinan dated 20 March 2013. Please note that this transcript should be treated as confidential and not disseminated beyond your client and his legal representatives.


As foreshadowed by Ms Wardle, the Commissioner would be assisted by a statutory declaration from Mr Callinan addressing the issue of the circumstances in which he first became aware of the pastoral letter from Bishop Malone regarding Father Fletcher dated 16 May 2003 ("Pastoral Letter"). The statutory declaration from Mr Callinan might accordingly address the following:

1. The apparent inconsistency between the information he gave to Mr Hunt of Counsel and Ms Wardle on 20 March 2013 (see **enclosed** portions of transcript of interview) and the evidence he gave before the Commissioner on 30 July 2013 (T2012.38-2013.41) regarding this issue;
2. The basis upon which the two accounts relating to your client's awareness of the Pastoral Letter have been provided and what is said to be the correct one; and
3. Any further matters that he considers are of relevance to the Commissioner regarding this issue.

If you wish to discuss these matters, please contact Ms Emma Sullivan on (02) 9224 5029 or Ms Jessica Wardle on (02) 9224 5052.

Yours faithfully

Signed

 **Emma Sullivan**
Special Counsel
for **Crown Solicitor**

Encl.

**SPECIAL COMMISSION OF INQUIRY
INTO MATTERS RELATING TO THE POLICE INVESTIGATION OF
CERTAIN CHILD SEXUAL ABUSE ALLEGATIONS IN THE CATHOLIC
DIOCESE OF MAITLAND-NEWCASTLE**

Private Hearing of William James Callinan

At Justice Access Centre
Suite 2, Level 1, 84 Nelson Street,
Wallsend, New South Wales

On Wednesday, 20 March 2013 at 2.22pm

INTERVIEW

Counsel Assisting: Mr Warwick Hunt

Also present: Ms Jessica Wardle
Mrs Julie Leanne Callinan
Mr William Potter, Barrister
Mr Michael Nolan, Solicitor

.20/3/13

1

*Transcript produced by Merrill Corporation
Transcript-In-Confidence*

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

<WILLIAM JAMES CALLINAN:

[2.22pm]

<EXAMINATION BY MR HUNT:

MR HUNT: This is a private confidential interview between William James Callinan - generally known as Will Callinan - and Warwick Hunt, counsel assisting, in the presence of Jessica Wardle of the Crown Solicitor's Office. Will is accompanied by his wife and by his solicitor and barrister.

The purpose of this interview is to confirm or explore material that Mr Callinan would be able to give under oath or affirmation, in either a written or an oral form, if it would further assist the Special Commissioner.

We have had - the six people I've just named - some informal discussions to inform Mr Callinan and those who support him about the purpose of today's interview and where this interview fits within the wider more formal investigative structures of the special commission.

Mr Callinan has asked for permission to refer to some typewritten notes that assist his memory in relation to matters and there's certainly no difficulty with that. The other thing, Mr Callinan, that I hope I stressed outside is that if at any time, first of all, you don't understand what I'm asking, that you'll clarify it.

If I put any facts in a question for you to agree with that I have got from somewhere else and I haven't got the complete facts or you don't agree with the way that I'm saying that, that will simply be just a shortcut mechanism: if I'm doing that you'll tell me. If you want a break at any stage for a breather, or whatever, you'll let me know as well.

MR CALLINAN: Thank you.

REDACTED [Redacted text block]

1 REDACTED
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

24
25 REDACTED
26
27
28
29
30
31
32
33

34 MR CALLINAN: REDACTED
35
36
37
38
39

40 After that
41 pastoral letter came out I did approach Mick Bowman.
42 We had a principal's meeting at Lochinvar one afternoon.
43 I wasn't really sure how to approach him in case,
44 I suppose, I had somewhere in there that I'd got it wrong,
45 but I knew in my own heart I hadn't, and I asked him had he
46 ever had a phone call about the letter, the conversation
47 about whether Father Fletcher should have continued in the

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

school or not, and he said to me, no, he didn't get a phone call.

REDACTED [redacted]
[redacted]
[redacted]
[redacted]

[redacted] [redacted]
[redacted]

[redacted] [redacted]
[redacted]

MR CALLINAN: I was very disappointed. We got to church that Sunday --

MR NOLAN: Do you want to have a break for a while, Will?

MR HUNT: It is all right to get upset, Will. This stuff is upsetting. Tell us if you actually want a break. If you want to have a bit of a cry and then go on, it's all right.

MR CALLINAN: No, it's all right. I got to church and I was taken aback by it. I think I left church. I didn't even stay at church. I then got hold of it, screwed it up and just swore a fair bit. I just went home.

MR HUNT: Do you have a copy of that pastoral letter anywhere?

MR CALLINAN: No, it wasn't a priority.

REDACTED [redacted] [redacted]
[redacted]
[redacted]
[redacted]

[redacted] [redacted] [redacted]
[redacted]
[redacted] [redacted]

[redacted] [redacted] [redacted]
[redacted] [redacted]