
To: akohn@makdap.com.au
cc: Emma Sullivan/CSO/NSW_AG@NSW_AG (bcc: Maria Lagoudakis/CSO/NSW_AG)
From: Maria Lagoudakis/CSO/NSW_AG
Date: 25/01/2013 06:15:04 PM
Subject: Special Commission of Inquiry into matters relating to the Police investigation of certain child sexual abuse allegations in the Catholic Diocese of Maitland -Newcastle

Dear Mr Kohn

Further to your discussions with Ms Sullivan, please see letter and summons relating to the Catholic Schools Office, Catholic Diocese of Maitland-Newcastle.

Kind regards

Maria Lagoudakis
Legal Secretary

NSW Crown Solicitor's Office | Level 5, 60-70 Elizabeth Street, Sydney NSW 2000
GPO Box 25 SYDNEY 2001 | DX 19 SYDNEY | www.cso.nsw.gov.au
Email: maria_lagoudakis@agd.nsw.gov.au | Tel: (02) 8224 5347 | Fax: (02) 9224 5177



Letter to Catholic Schools Office 250113.pdf



Crown
Solicitor's
Office

Your Ref:
My Ref: 201203450
T20 Emma Sullivan
Tel: (02) 9224-5029
Fax: (02) 8224-5355

Email: Emma_Sullivan@agd.nsw.gov.au

25 January 2013

Mr Ray Collins
Director
Catholic Schools Office
Catholic Diocese of Maitland-Newcastle
c-/ Mr Alex Kohn
Makinson & d'Apice
Level 12, 135 King Street
SYDNEY NSW 2000

By email: akohn@makdap.com.au

Dear Sir/Madam

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") – service of Summons 19(a)

I enclose by way of service a Summons to attend to give evidence and produce documents issued by Commissioner Cunneen on 25 January 2013 pursuant to s 14 of the *Special Commissions of Inquiry Act 1983*.

The Summons is returnable before the Special Commission at **4.00pm** on **Friday 8 February 2013**. However, you need not personally attend before the Special Commission in response to the Summons if all the documents referred to in it have been produced to the Special Commission by the nominated time.

In this respect, the Commissioner will regard as sufficient compliance with the Summons the provision by you of the required documents to the solicitor for the Inquiry prior to the nominated time.

When providing documents in response to the Summons, please indicate (in a covering letter or accompanying table) in respect of which paragraph(s) of the Summons the particular documents relate.

You may produce copies of the documents instead of originals in response to the Summons. The Commissioner may request the original document(s) at a later date if necessary.

Yours faithfully

Signed

Emma Sullivan
Special Counsel
for Crown Solicitor

Encl.

SUMMONS TO PRODUCE DOCUMENTS



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

Summons No. 19(a)

TO: Mr Ray Collins
Director
Catholic Schools Office
Catholic Diocese of Maitland-Newcastle
c-/ Mr Alex Kohn
Makinson & d'Apice
Level 12, 135 King Street
SYDNEY NSW 2000

Attention: Mr Ray Collins, Director, Catholic Schools Office, Catholic Diocese of Maitland-Newcastle

You are required to attend 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 c/ Crown Solicitor's Office, Level 5, 60-70 Elizabeth Street, Sydney, at **4.00 pm on Friday 8 February** to give evidence and to produce the documents specified in the annexure to this Summons.

Pursuant to s. 23 (1) of the *Special Commissions of Inquiry Act 1983* you are not excused from answering any questions or producing any document on the ground that the answer or production may criminate or tend to criminate you, or on the ground of privilege or on any other ground.

If you have any queries concerning this Summons, please contact Ms Emma Sullivan, Senior Solicitor of the Crown Solicitor's Office, on (02) 9224 5029.

Signed

Margaret Cunneen SC
Commissioner

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

25 January 2013

ANNEXURE TO SUMMONS TO PRODUCE DOCUMENTS
Summons No. 19(a)

Any and all reports, investigations, letters, notes, minutes of meetings regarding any reports of misconduct or concerns relating to Father Denis McAlinden, including but not limited to a report made in 1975 or 1976 by or on behalf of parishioners and all the school community Forster Holy Name Primary School at Forster.

In this Summons:

"document" means any record of information and, without limitation, includes emails and SMS messages.

MAKINSON & d'APICE
LAWYERS

8 February 2013

Partner: Alex Kohn
Direct Line: 9233 9036
Direct Facsimile: 9233 9136
Email: akohn@makdap.com.au

Our Ref: 122178:AXK
Your Ref: 2012 03450 T20 Emma Sullivan

BY HAND

Ms Emma Sullivan
Special Counsel
Crown Solicitor's Office
60-70 Elizabeth Street
SYDNEY NSW 2000

Dear Emma:

**Special Commission of Inquiry
Catholic Diocese of Maitland-Newcastle
Summons to Produce Documents addressed to Ray Collins, Director of the
Catholic Schools Office**

We refer to the Summons to Produce Documents addressed to Ray Collins, Director of the Catholic Schools Office for the Catholic Diocese of Maitland-Newcastle being Summons 19(a) returnable Friday, 8 February 2013.

We are instructed to advise that, after a search of the records held by the Catholic Schools Office, no documents have been located falling within the scope of the Subpoena.

Accordingly, the Catholic Schools Office has no documents to produce at this stage. However, should it uncover documents in the future falling within the scope of the Summons, they will be immediately forwarded to the Inquiry.

Yours faithfully

Signed

Makinson & d'Apice



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