

To: ""Emma_Sullivan@agd.nsw.gov.au"" <Emma_Sullivan@agd.nsw.gov.au>
cc:
From: "Janet O'Hare" <janet.ohare@bunburycatholic.org.au>
Date: 05/03/2013 04:32:44 PM
Subject: RE: 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 Emma

I have spoken with Bishop Gerard and he advises as follows :

" No, since 2001 when I came to the diocese: I have not heard of any requests prior to that. "

I can further confirm that we have given you copies of everything we have in relation to Fr McAlinden.

Kind regards

Janet O'Hare

Secretary

Catholic Diocese of Bunbury

PO Box 2005, Bunbury WA 6231

Ph: (08) 9721 0515

Fax: (08) 9721 3216

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From: [Emma Sullivan@agd.nsw.gov.au](mailto:Emma_Sullivan@agd.nsw.gov.au) [mailto:[Emma Sullivan@agd.nsw.gov.au](mailto:Emma_Sullivan@agd.nsw.gov.au)]
Sent: Monday, 4 March 2013 10:57 AM
To: Janet O'Hare
Subject: FW: 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 Janet,

Counsel Assisting has also requested that I follow up with you whether the files held by the Bunbury Dioceses relating to Father McAlinden have been summonsed or subpoenaed by any party for any legal proceedings, and if so when and by whom (if you are able to ascertain such information)?

With thanks in advance,

Kind regards,

Emma Sullivan
Special Counsel
for Crown Solicitor

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: emma_sullivan@agd.nsw.gov.au | Tel: (02) 9224 5029 | Fax: (02) 8224 5355

Emma Sullivan/CSO/NSW_AG

04/03/2013 08:07 AM

To "Janet O'Hare" <janet.ohare@bunburycatholic.org.au>

cc

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

Dear Janet,

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01/03/2013 05:17 PM

cc

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matters relating to the Police
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- Bishop Gerard Holohan's letter to you
- McAlinden File Search
- McAlinden Priest Register Entry
- McAlinden 'Bishop's' File
- McAlinden P62 File

If you require any further information please do not hesitate to contact me.

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Secretary to Bishop Gerard Holohan
Catholic Diocese of Bunbury
PO Box 2005, Bunbury WA 6231
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From: Emma_Sullivan@agd.nsw.gov.au [mailto:Emma_Sullivan@agd.nsw.gov.au]
Sent: Tuesday, 19 February 2013 7:00 AM
To: Janet O'Hare
Cc: Maria_Lagoudakis@agd.nsw.gov.au
Subject: Re: Fw: Special Commission of Inquiry into matters relating to the Police investigation of certain child sexual abuse allegations in the Catholic Diocese of Maitland-Newcastle

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"Janet O'Hare" <
janet.ohare@bunburycatholic.org.au>

18/02/2013 07:25 PM

To "'maria_lagoudakis@agd.nsw.gov.au'" <
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> Sent: Monday, 18 February 2013 3:53 PM
> To: Janet O'Hare
> Subject: FW: Special Commission of Inquiry into matters relating to
> the Police investigation of certain child sexual abuse allegations in
> the Catholic Diocese of Maitland-Newcastle
>
>
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> From:
> Maria_Lagoudakis@agd.nsw.gov.au<mailto:Maria_Lagoudakis@agd.nsw.gov.au
> > [mailto:Maria_Lagoudakis@agd.nsw.gov.au]
> Sent: Monday, 18 February 2013 3:09 PM

> To: Judi Clark
> Cc: akohn@makdap.com.au<mailto:akohn@makdap.com.au>;
> sean.tynan@mn.catholic.org.au<mailto:sean.tynan@mn.catholic.org.au>;
> Emma Sullivan@agd.nsw.gov.au<mailto:Emma Sullivan@agd.nsw.gov.au>;
> Jessica Wardle@agd.nsw.gov.au<mailto:Jessica Wardle@agd.nsw.gov.au>
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> Maria Lagoudakis

> Legal Secretary

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> > | Tel: (02) 8224 5347 | Fax: (02) 9224 5177

>

> ----- Forwarded by Maria Lagoudakis/CSO/NSW AG on 18/02/2013 06:10 PM

> ----- Maria Lagoudakis/CSO/NSW AG

>

> 18/02/2013 06:05 PM

>

> To

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> dio@bunburycatholic.org.au<mailto:dio@bunburycatholic.org.au>

>

> cc

>

> akohn@makdap.com.au<mailto:akohn@makdap.com.au>,

> sean.tynan@mn.catholic.org.au<mailto:sean.tynan@mn.catholic.org.au>,

> Emma Sullivan/CSO/NSW AG@NSW AG, Jessica
> Wardle/CSO/NSW AG@NSW AG

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> <ltr to Bishop Holohan - 18 Feb 2013.pdf> <Terms of Reference.pdf>



"Janet O'Hare"
<janet.ohare@bunburycath
olic.org.au>
05/03/2013 04:23 PM

To ""Emma_Sullivan@agd.nsw.gov.au""
<Emma_Sullivan@agd.nsw.gov.au>
cc
bcc

Subject 201203450 - D2013/107218 : RE: 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 Emma

I am resending the McAlinden letter of 22/11/92. It was only one page but the last line and sign off was cut off the previous scan I sent you. I hope this clarifies the situation.

Kind regards

Janet O'Hare

Secretary

Catholic Diocese of Bunbury

PO Box 2005, Bunbury WA 6231

Ph: (08) 9721 0515

Fax: (08) 9721 3216

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Sent: Monday, 4 March 2013 5:08 AM

To: Janet O'Hare

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

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> To: Janet O'Hare
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> sean.tynan@mn.catholic.org.au<<mailto:sean.tynan@mn.catholic.org.au>>;
> Emma_Sullivan@agd.nsw.gov.au<mailto:Emma_Sullivan@agd.nsw.gov.au>;
> Jessica_Wardle@agd.nsw.gov.au<mailto:Jessica_Wardle@agd.nsw.gov.au>
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> ----- Maria Lagoudakis/CSO/NSW AG

>

> 18/02/2013 06:05 PM

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> To

>

> dio@bunburycatholic.org.au<<mailto:dio@bunburycatholic.org.au>>

>

> cc

>

> akohn@makdap.com.au<<mailto:akohn@makdap.com.au>>,

> sean.tynan@mn.catholic.org.au<<mailto:sean.tynan@mn.catholic.org.au>>,

> Emma Sullivan/CSO/NSW AG@NSW AG, Jessica

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> <ltr to Bishop Holohan - 18 Feb 2013.pdf> <Terms of Reference.pdf>



McAlinden Letter - resend.pdf

CATHOLIC PRESBYTERY,

P.O. Box 430,

DENMARK, W.A.

6333.

22.II.'92

Most Rev. Peter Quinn, D.D.,
Bishop of Bunbury.

Dear Bishop,

I'm writing this letter after a few weeks thought and on the advice of my Spiritual advisor.

I've been concerned over the Bremer Bay incident. But, first of all, let me make it clear that, from a natural point of view, I didn't wish to go to Bremer Bay, when you first proposed it, but after some consideration and a somewhat sleepless night, I felt I was being selfish in putting my own likings before the needs of the people there; and it was ^{w.70} this in mind that I rang you as soon as possible next morning to try to remedy my mistaken attitude.

However, to be told at 11a.m. that you were "so pleased" and "grateful" that I had agreed to accept the appointment - even being advised as to how I could use my "practical ability" to fix the open space between the Chapel and the priest's quarters there - then, to be told a few hours later that your Consultors prefer me to stay where I am - with no explanation as to why - the whole matter seemed beyond credibility. I had hoped that, perhaps, some explanation might be forthcoming during the impending "Visitation"; but it seemed the time given to that event was deliberately shortened to the very limit. Furthermore, your parting word that evening after the Confirmation ceremony "Relax" - far from clarifying the mystery, only added to the trauma, so much so that I felt it necessary to seek advice, as the whole matter was becoming quite unsettling.

It would seem that, when you invited me to your diocese, four years ago, after the consecration of Geraldton cathedral, the opinion of Consultors was not required now, suddenly it becomes so crucial that a decision can be ~~XXXXXXXXXX~~ reversed without any explanation whatsoever. Sure, I fully realize that, in your capacity as Bishop, you have the right to do so; but, with respect, I couldn't treat one of my parishioners, even a child, in a similar manner without feeling guilty.


The second purpose of this letter is to enquire whether in my capacity as "assistant to a deacon" am I still entitled to claim $\frac{1}{2}$ my HBF fund from the parish; - last year, being without a parish, I paid it fully from my own A/C..

Finally, not because of any of the above considerations, but purely from a practical point of view, I shall not be attending the "Christmas dinner" at Bunbury.

I'm still hoping that some reasonable explanation may be forthcoming concerning the above, but, whether or not, I'll continue to endeavour to carry on my duties to the people wherever I happen to be, satisfied, at least that I have carried out the wish of my Spiritual advisor.

With every best wish,
Sincerely yours in Christ,

Signed

To: janet.ohare@bunburycatholic.org.au
cc:
From: Emma Sullivan/CSO/NSW_AG
Date: 04/03/2013 01:57:15 PM
Subject:  Re: FW: Special Commission of Inquiry into matters relating to the Police investigation of certain child sexual abuse allegations in the Catholic Diocese of Maitland-Newcastle

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Emma Sullivan/CSO/NSW_AG

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To: "Maria Lagoudakis" <maria_lagoudakis@agd.nsw.gov.au>
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SubFW: Special Commission of Inquiry into matters relating to the Police investigation of certain
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Catholic Diocese of Bunbury
PO Box 2005, Bunbury WA 6231
Ph: (08) 9721 0515
Fax: (08) 9721 3216

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> From: Judi Clark
> Sent: Monday, 18 February 2013 3:53 PM
> To: Janet O'Hare
> Subject: FW: Special Commission of Inquiry into matters relating to
> the Police investigation of certain child sexual abuse allegations in
> the Catholic Diocese of Maitland-Newcastle

>
>
>

> From:
> Maria_Lagoudakis@agd.nsw.gov.au
> mailto:Maria_Lagoudakis@agd.nsw.gov.au
> > [mailto:Maria_Lagoudakis@agd.nsw.gov.au]
> Sent: Monday, 18 February 2013 3:09 PM
> To: Judi Clark
> Cc: akohn@makdap.com.au<<mailto:akohn@makdap.com.au>>;
> sean.tynan@mn.catholic.org.au<
> <mailto:sean.tynan@mn.catholic.org.au>>;
> Emma_Sullivan@agd.nsw.gov.au<
> mailto:Emma_Sullivan@agd.nsw.gov.au>;
> Jessica_Wardle@agd.nsw.gov.au<
> mailto:Jessica_Wardle@agd.nsw.gov.au>
> Subject: Fw: 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 Bishop Holohan
>
> Please find a copy of the Terms of Reference attached which
> were left out of the previous email.

>
> 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<http://www.cso.nsw.gov.au>

> Email:

> maria.lagoudakis@agd.nsw.gov.au<
> mailto:maria.lagoudakis@agd.nsw.gov.au

> > | Tel: (02) 8224 5347 | Fax: (02) 9224 5177

>
> ----- Forwarded by Maria Lagoudakis/CSO/NSW AG on 18/02/2013
> 06:10 PM

> ----- Maria Lagoudakis/CSO/NSW AG

>
> 18/02/2013 06:05 PM

>
> To

>
> dio@bunburycatholic.org.au<
> mailto:dio@bunburycatholic.org.au>

>
> cc

>
> akohn@makdap.com.au<mailto:akohn@makdap.com.au>,

> sean.tynan@mn.catholic.org.au<
> mailto:sean.tynan@mn.catholic.org.au>,

> Emma Sullivan/CSO/NSW AG@NSW AG, Jessica
> Wardle/CSO/NSW AG@NSW AG

>
> 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

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>
>
> Department of Attorney General and Justice - Promoting a
Just and Safe Society.
>
> Visit us at www.lawlink.nsw.gov.au<
http://www.lawlink.nsw.gov.au>.
>
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communication. If you have received this message in error
please delete and notify the sender. When communicating by
email you consent to the monitoring and recording of that
correspondence.
> <ltr to Bishop Holohan - 18 Feb 2013.pdf> <Terms of

 
Reference.pdf> McAlinden Letter to Crown Solicitors Office.pdf.pdf McAlinden File Search.pdf.pdf
  
McAlinden Priests Register.pdf.pdf McAlinden Bishops File.pdf.pdf McAlinden File P62.pdf

To: "Janet O'Hare" <janet.ohare@bunburycatholic.org.au>
cc:
From: Emma Sullivan/CSO/NSW_AG
Date: 04/03/2013 08:07:40 AM
Subject:  Re: 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 Janet,

Thank you very much for sending through this information , it is much appreciated.

May I note though, that the second page of Fr McAlinden's letter of 22/11/92 appears to be missing. Could I trouble you to send it through?

With thanks,

Emma Sullivan
Special Counsel
for Crown Solicitor

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: emma_sullivan@agd.nsw.gov.au | Tel: (02) 9224 5029 | Fax: (02) 8224 5355
"Janet O'Hare" <janet.ohare@bunburycatholic.org.au>

"Janet O'Hare"
<janet.ohare@bunburycatholic.org.au>
01/03/2013 05:17 PM

To "Emma_Sullivan@agd.nsw.gov.au"
<Emma_Sullivan@agd.nsw.gov.au>
cc

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 Emma

Further to our recent exchange of emails regarding information relating to Father Denis McAlinden we can now enclose the following:

- Bishop Gerard Holohan's letter to you
- McAlinden File Search
- McAlinden Priest Register Entry
- McAlinden 'Bishop's' File
- McAlinden P62 File

If you require any further information please do not hesitate to contact me.

Kind regards

Janet O'Hare
Secretary to Bishop Gerard Holohan
Catholic Diocese of Bunbury
PO Box 2005, Bunbury WA 6231
Ph: (08) 9721 0515
Fax: (08) 9721 3216

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From: Emma_Sullivan@agd.nsw.gov.au [mailto:Emma_Sullivan@agd.nsw.gov.au]
Sent: Tuesday, 19 February 2013 7:00 AM
To: Janet O'Hare
Cc: Maria_Lagoudakis@agd.nsw.gov.au
Subject: Re: Fw: 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 Janet,

Noted, with thanks.

Kind regards,

Emma Sullivan
Special Counsel
for Crown Solicitor

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: emma_sullivan@agd.nsw.gov.au | Tel: (02) 9224 5029 | Fax: (02) 8224 5355

"Janet O'Hare" <janet_ohare@bunburycatholic.org.au>
To: "maria_lagoudakis@agd.nsw.gov.au" <maria_lagoudakis@agd.nsw.gov.au>
cc

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

18/02/2013 07:25 PM

Bishop Gerard is currently recuperating from knee surgery but will be happy to forward all documentation we have in relation to Denis McAlinden as soon as he can access files, hopefully by Friday.

Janet O'Hare
Secretary
Catholic Diocese of Bunbury
PO Box 2005, Bunbury WA 6231
Ph: (08) 9721 0515
Fax: (08) 9721 3216

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Diocese of Bunbury

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> Sent: Monday, 18 February 2013 3:53 PM
> To: Janet O'Hare
> Subject: FW: Special Commission of Inquiry into matters relating to
> the Police investigation of certain child sexual abuse allegations in
> the Catholic Diocese of Maitland-Newcastle
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> From:
> Maria_Lagoudakis@agd.nsw.gov.au<
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> To: Judi Clark
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> sean.tynan@mn.catholic.org.au<
mailto: sean.tynan@mn.catholic.org.au>;
> Emma_Sullivan@agd.nsw.gov.au<
mailto: Emma_Sullivan@agd.nsw.gov.au>;
> Jessica_Wardle@agd.nsw.gov.au<
mailto: Jessica_Wardle@agd.nsw.gov.au>
> Subject: Fw: Special Commission of Inquiry into matters relating to
> the Police investigation of certain child sexual abuse allegations in
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> Dear Bishop Holohan

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> Kind regards

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> Maria Lagoudakis
> Legal Secretary

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> NSW 2000 GPO Box 25 SYDNEY 2001 | DX 19 SYDNEY |
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> ----- Forwarded by Maria Lagoudakis/CSO/NSW AG on 18/02/2013
06:10 PM
> ----- Maria Lagoudakis/CSO/NSW AG
>
> 18/02/2013 06:05 PM
>
> To
>
> dio@bunburycatholic.org.au<
mailto:dio@bunburycatholic.org.au>
>
> cc
>
> akohn@makdap.com.au<mailto:akohn@makdap.com.au>,
> sean.tynan@mn.catholic.org.au<
mailto:sean.tynan@mn.catholic.org.au>,
> Emma Sullivan/CSO/NSW AG@NSW AG, Jessica
Wardle/CSO/NSW AG@NSW AG
>
> Subject
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Police
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> > | Tel: (02) 8224 5347 | Fax: (02) 9224 5177
>
>
> Department of Attorney General and Justice - Promoting a
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>

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> <ltr to Bishop Holohan - 18 Feb 2013.pdf> <Terms of



Reference.pdf> **McAlinden Letter to Crown Solicitors Office pdf.pdf** **McAlinden File Search pdf.pdf**



McAlinden Priests Register pdf.pdf **McAlinden Bishops File pdf.pdf** **McAlinden File P62.pdf**




"Janet O'Hare"
<janet.ohare@bunburycath
olic.org.au>
01/03/2013 06:02 PM

To "Emma_Sullivan@agd.nsw.gov.au"
<Emma_Sullivan@agd.nsw.gov.au>
cc
bcc

Subject 201203450 - D2013/107219 : Special Commission of Inquiry
Email 2

History:

 This message has been forwarded.

Dear Emma

Further to the email I sent you a few minutes ago – the attached 3 page correspondence forwarded to us from the CCI (Catholic Church Insurance) on 12th February was inadvertently omitted.

Sincere apologies

Janet O'Hare

Secretary

Catholic Diocese of Bunbury

PO Box 2005, Bunbury WA 6231

Ph: (08) 9721 0515

Fax: (08) 9721 3216

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- McAlinden CCI Correspondence.pdf

John Ogilvie

From: Peter Rush <Peter.Rush@ccinsurance.org.au>
Sent: Tuesday, 12 February 2013 9:06 AM
To: John Ogilvie
Subject: FW: Summons to produce documents - Fr McAlinden - ETL notification
Attachments: SpecialIssues_2013_02_10_22_56_07_901.pdf

Sensitivity: Confidential

Dear John,
Copy of document as discussed on last Friday - there are actually two of them.
If it would be helpful, I could ask a colleague to prepare some information about the background of this declaration so that Bishop Hoholan and you are better informed.
Perhaps you could let me know.
Kind regards,
Peter

Peter Rush

Chief Executive Officer



Catholic Church Insurance Limited
Level 8, 485 La Trobe Street Melbourne Vic 3000
GPO Box 180 Melbourne Vic 3001
Tel. +61399343001 | Fax. +61399343461 | Mob. +61418148586

Have a look at our new website - www.ccinsurance.org.au
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Contact Details:
485 La Trobe Street, Melbourne, 3000, AUSTRALIA.
Telephone - (03) 9934 3000
Facsimile - (03) 9934 3460
Interstate Callers - 1300 655 001
Email - ServiceDesk@ccinsurance.org.au

06/26/W003/91000
82000

SPECIAL ISSUES INCIDENT REPORT

For our review purposes we need to have updated information on all matters which may give rise to civil claims for criminal sexual misconduct. Your co-operation is requested in completing this form in relation to all known incidents which may later become subject to claims or litigation.

PLEASE COMPLETE A SEPARATE FORM FOR EACH INCIDENT

Identity of Insured Roman Catholic Diocese of Bunbury
(Diocese/Religious Institute)
Address St Patrick's Cathedral, 3 Brendtor Street (PO Box 1084)
Bunbury WA Post Code 6230
Contact Person Name Bishop Peter Quinn Phone No. (097) 218 016

Identity of "alleged" offender Fr McAlinden
Identity of "alleged" victim 9 year old girl, known to Dr Margaret Doherty
Date of "alleged" Incident 1982

IMPORTANT Please indicate the date on which the Diocesan/Religious Authorities first became aware of this problem Date September 1991
To whom was it advised? Bishop Peter Quinn

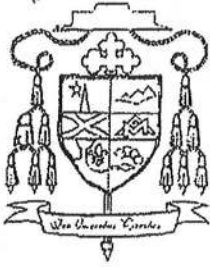
Details of alleged Incident _____
Allegations of inappropriate touches. The allegation was brought to the attention
of the police, independently of any complaint being made to Church authorities.
The police took it to court and the court found the priest not guilty. The priest is
no longer resident in Australia.

This information is required for our review of the existing Special Issues Cover. All matters disclosed to us will be eligible for consideration as claims in the light of subsequent developments.

KNOWN MATTERS NOT DISCLOSED TO US CANNOT LATER BE ACCEPTED AS CLAIMS

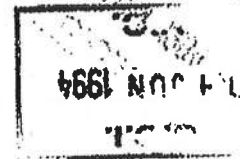
Signed Signed On behalf of Diocese of Bunbury
(Diocese/Religious Institute)
Date 6. May 1994

COMPLETED FORMS TO BE RETURNED BY 2nd MAY 1994



St. Francis Xavier's Cathedral

Geraldton, .W.A.



Mr Laurie Rolls
Catholic Church Insurances Ltd
PO Box 180B
MELBOURNE VIC 3004

Dear Laurie

Further to the form I sent you when I was at the Bishop's Conference in April regarding special issues in our Diocese (where I stated that I know of no instances in the Diocese), I now wish to make a statement. I discussed the matter with Bob Fragomeni when he was up recently and he suggested I send you the following:

Father Denis McAlinden is a priest of the Diocese of Maitland who was born on 24 January 1923. He was ordained on 5 June 1949 in St Kieran's, Kilkenny, Ireland. He spent time in the Maitland Diocese from 1949 to 1968. From 1968 to 1981 he was in Papua New Guinea. He came to the Geraldton Diocese in November 1981 and was appointed Parish Priest of Wickham and Pannawonica a few days later. To my knowledge he spent two years in the parish. A good number of years later while he was helping in the Bunbury Diocese he was charged by a young lady with sexual abuse of her as a child while he was in Wickham. When the matter eventually got to court he was acquitted of the charge. I have no knowledge of any other charge or mention of an instance of sexual abuse by Denis. However in recent times it has come to my knowledge that while he was in the Diocese of Maitland there were various complaints brought against him with regard to sexual abuse, but they were carried no further by the people involved on the condition that Denis be taken out of the priestly ministry. His Bishop, Leo Clarke prohibited Denis from exercising any public priestly ministry. Nothing may come of this but in discussion with Bob Fragomeni he thought it best that I mention it to you and do so in the form of a private letter.

Yours sincerely

Signed

JUSTIN JOSEPH BIANCHINI
BISHOP OF GERALDTON

9 June 1994



**Crown
Solicitor's
Office**

Your Ref:

My Ref: 201203450

T20 Emma Sullivan

Tel: (02) 9224-5029

Fax: (02) 8224-5355

Email: crownsol@agd.nsw.gov.au

18 February 2013

Bishop Gerard Holohan
Bishop of Bunbury
PO Box 2005,
BUNBURY WA 6230

By email: dio@bunburycatholic.org.au

Dear Bishop Holohan

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")

I refer to your recent discussions with Bishop Bill Wright of the Catholic Diocese of Maitland-Newcastle and Mr Sean Tynan, Manager of Zimmerman Services for the Diocese, in relation to the above Inquiry.

As you may now be aware, Ms Margaret Cunneen SC has been appointed as Commissioner to inquire into matters relating to the Police investigation of certain child sexual abuse allegations in the Catholic Diocese of Maitland-Newcastle.

The Commissioner has been appointed by Letters Patent issued under the *Special Commissions of Inquiry Act 1983* (NSW).

Ms Julia Lonergan SC, Mr David Kell and Mr Warwick Hunt of Counsel and the Crown Solicitor assist the Commissioner.

Inquiry's terms of reference

Pursuant to Letters Patent dated 21 November 2012 and 25 January 2013, the Commissioner is to inquire into and report on:

1. the circumstances in which Detective Chief Inspector Peter Fox was asked to cease investigating relevant matters and whether it was appropriate to do so; and
2. whether, and the extent to which, officials of the Catholic Church facilitated, assisted, or co-operated with, Police investigations of relevant matters, including whether any investigation has been hindered or obstructed by, amongst other things, the failure to report alleged criminal offences, the discouraging of witnesses to come forward, the alerting of alleged offenders to possible police actions, or the destruction of evidence,

“**relevant matters**” means any matter relating directly or indirectly to alleged child sexual abuse involving Father Denis McAlinden or Father James Fletcher, including the responses to such allegations by officials of the Catholic Church (and whether or not the matter involved, or is alleged to have involved, criminal conduct).

A copy of the Inquiry's Terms of Reference are **attached** for your reference.

Request for documents relating to Father Denis McAlinden

As you are no doubt aware, Father Denis McAlinden spent some time in Western Australia in the 1980s and early 1990s. Specifically, I understand that:

- from about November 1981 to 1983, Father McAlinden was on loan from the Maitland-Newcastle Diocese to the Diocese of Geraldton in Western Australia, being appointed as Parish Priest of Wickham and Pannawonica;
- from about 1988 to 1993, Father McAlinden worked as a parish priest in the Diocese of Bunbury in Western Australia;
- during this period, in or around 1992, criminal charges were laid against Father McAlinden in Western Australia relating to alleged child sexual abuse committed in 1982 at Wickham.

During the whole of this period, Father McAlinden remained incardinated to the Maitland-Newcastle Diocese.

As part of its investigations, the Inquiry desires to obtain copies of certain documents that may be held by the Bunbury Dioceses relating to Fr McAlinden. In effect, the documents sought are:

- (i) the 'Bishop's file' relating to Father McAlinden (or comparable file, howsoever named, containing records of complaints, misdemeanours, etc relating to Fr, McAlinden);
- (ii) documents regarding any complaints, reports or recorded suspicions of child sexual abuse by Father McAlinden; and
- (iii) documents recording communications between the respective Diocese (Geraldton or Bunbury) with Police (WA or NSW), the Maitland-Newcastle Diocese or each other (ie Geraldton Diocese to Bunbury Diocese and vice versa) referring or relating to any complaints, reports or recorded suspicions of child sexual abuse by Father McAlinden.

The Commissioner would be most assisted if you could undertake a review of documents held by the Bunbury Diocese (including in the diocesan archives) to ascertain whether any such documents are held, and if so, to provide copies of the same.

As the Inquiry will commence public hearings on 6 May 2013, your expedition in this matter is appreciated.

Please contact Ms Sullivan of my Office on (02) 9224 5029 should you have any queries relating to this matter.

Yours faithfully

Signed |

Emma Sullivan
Special Counsel
for Crown Solicitor

Encl.

