



**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

31 May 2013

Bishop D Lippert OFM.Cap  
Diocese of Mendi  
PO Box 69  
MENDI  
Southern Highlands  
Papua New Guinea

**By email: [dlippert.mendi@gmail.com](mailto:dlippert.mendi@gmail.com)**

Dear Bishop Lippert

**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 the above Inquiry, and to your email dated 23 May 2013 in relation to Father McAlinden.

Thank you for your confirmation that the records held by the Diocese of Mendi do not contain any pertinent information in relation to Father McAlinden.

I am most grateful to you for the assistance that you have provided to the Inquiry in going to such lengths to endeavour to locate any information held by the Diocese of Mendi in relation to Father McAlinden, and for your detailed reply as to same.

Please contact Ms Sullivan of my Office on (02) 9224 5029 should you have any queries relating to this matter, or in the event that any relevant information should come to your attention.

Yours faithfully

*Signed*

Emma Sullivan  
Special Counsel  
**for Crown Solicitor**

Maria  
Lagoudakis/CSO/NSW\_AG  
23/05/2013 06:01 PM

To "Bishop Donald F. Lippert, OFM Cap"  
<dlippert.mendi@gmail.com>  
cc Emma Sullivan/CSO/NSW\_AG@NSW\_AG, Jessica  
Wardle/CSO/NSW\_AG@NSW\_AG  
bcc  
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 - Diocese of  
Mendi

History: This message has been forwarded.

Dear Bishop Donald

Thank you for your email. I will forward it to Emma Sullivan and the team assisting the Commissioner .

There is no need to also send this information via post as this email will be our record .

Thank you for your assistance. Our officers will be in touch with you should they need anything further .

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) 8224 5355

"Bishop Donald F. Lippert, OFM Cap" <dlippert.mendi@gmail.com>



"Bishop Donald F. Lippert,  
OFM Cap"  
<dlippert.mendi@gmail.com  
>

23/05/2013 05:36 PM

To Maria\_Lagoudakis@agd.nsw.gov.au  
cc  
Subject Re: Special Commission of Inquiry into matters relating to the  
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in the Catholic Diocese of Maitland-Newcastle - Diocese of  
Mendi

Dear Maria,

(Your ref: 201203450)

Peace and goodness. First of all I wish to confirm that I have received both my  
email and by regular post all of the pertinent documentation from the NSW Crown  
Solicitor's Office...

It has taken me a while to get back in touch with you, but I wanted to be thorough in  
my investigation.

As you know we are speaking about the case of the deceased Rev. Denis  
McAlinden who served in the Diocese of Mendi as a missionary in during 1969 -  
1972. (During those years I was leaving Grade School and entering High School in  
Pittsburgh, Pennsylvania, USA. My immediate predecessor was just arriving in  
Papua New Guinea around that time... and the bishop at the time is now deceased.

I questioned my immediate predecessor as well as those serving now in the same pastoral area where the Rev. McAlinden was assigned. None of them ever heard of any reports of abuse or sexual misconduct. There is no 'talk' or 'gossip' or anything in the oral record of the people of that area that has come to the notice of the above-mentioned. If something happened, the story of it would no doubt still exist in the oral history of this story telling culture. That is certainly not proof that nothing happened, only that nothing has ever been reported to church officials over the years.

The written record is no more illuminating. As mentioned above, this matter never came to the attention of my immediate predecessor who became bishop many years after the departure of Rev. McAlinden.

The "archives" of papers of the first bishop produced no pertinent documents either... I found folders with correspondence with other bishops, etc... But there was nothing that made any reference to Rev. McAlinden...

I am running out of places to search.... I feel that I have to conclude that there is no pertinent information on the case of Rev. McAlinden either in the oral or written record of the Diocese of Mendi.

I would be grateful if you would be so kind as to pass on this information to Ms Emma Sullivan, Special Counsel... and any other interested parties.

If necessary, I can send this via regular post, which could take up to 6 weeks to arrive, given the state of our postal service here. Please advise.

If there is any other way in which I can be of assistance, please do not hesitate to ask.

Respectfully,

Bishop Donald

On Wed, Apr 3, 2013 at 1:04 PM, <[Maria\\_Lagoudakis@agd.nsw.gov.au](mailto:Maria_Lagoudakis@agd.nsw.gov.au)> wrote:

Dear Bishop Lippert

Thank you for confirming receipt of the email.

Kind regards

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Legal Secretary

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"Bishop Donald F. Lippert, OFM Cap" <

[dlippert.mendi@gmail.com](mailto:dlippert.mendi@gmail.com)>

27/03/2013 07:38 PM

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*Stap Wanbel Wantaim Sios + Sentire Cum Ecclesia + Sentir con la Iglesia + Be of One Mind and One Heart with the Church*

On Mon, Mar 25, 2013 at 6:01 PM, <[Maria\\_Lagoudakis@agd.nsw.gov.au](mailto:Maria_Lagoudakis@agd.nsw.gov.au)> wrote:

Dear Bishop Lippert

Please see letter and enclosures below.

Kind regards

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23/05/2013 05:36 PM

To Maria\_Lagoudakis@agd.nsw.gov.au

cc

bcc

Subject 201203450 - D2013/221304 : 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 - Diocese of Mendi

History:

✉ This message has been replied to and forwarded.

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03/04/2013 02:04 PM

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cc  
bcc Maria Lagoudakis/CSO/NSW\_AG@NSW\_AG  
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25 March 2013

Bishop D Lippert OFM.Cap  
Diocese of Mendi  
PO Box 69  
MENDI  
Southern Highlands  
Papua New Guinea

**By email:** [dlippert.mendi@gmail.com](mailto:dlippert.mendi@gmail.com)

Dear Bishop Lippert

**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 the above enquiry, and to your telephone conversation with Kate Vale, of my Office, on 21 March 2013.

Pursuant to letters patent dated 21 November 2012 and 25 January 2013, issued by the Governor of New South Wales in accordance with the *Special Commissions of Inquiry Act 1983 (NSW)* (copy **attached**), Ms Margaret Cunneen SC has been appointed as Special Commissioner to inquire into and report on the investigation of certain child sexual abuse allegations in the Catholic Diocese of Maitland-Newcastle, specifically in relation to allegations of sexual abuse against Father Denis McAlinden.

I assist the Commissioner in relation to the Inquiry.

*Inquiry's terms of reference*

Pursuant to the Letters Patent, the Terms of Reference for the Inquiry require that the Commissioner 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 may be aware, Father Denis McAlinden spent some time in Mendi from 1969 to 1972. Specifically, I understand that:

- from about April 1969 to January 1972, Father McAlinden was on loan from the Maitland-Newcastle Diocese to the Diocese of Mendi, based at the Capuchin Mission, Talibu, Southern Highlands District.

During the whole of this period, Father McAlinden remained incardinated to the Maitland-Newcastle Diocese. Father McAlinden died in Western Australia in November 2005.

As part of its investigations, the Inquiry desires to obtain copies of certain documents that may be held by the Mendi Diocese relating to Father 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 Father 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 (Mendi) with Police (Papua New Guinea or New South Wales), and/or the Maitland-Newcastle Diocese regarding Father McAlinden, including any documents 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 Mendi 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 be holding public hearings in May and June 2013, your expedition in this matter would be much 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. (2)