



The Roman Catholic Bishop of San Pablo

Marcos Paulino Street,
4000 San Pablo City, Laguna
Philippines

P.O. Box 08, 4000 San Pablo City
Tel. No. (049) 5624-250
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May 9, 2013

MS. EMMA SULLIVAN
Special Counsel
Crown Solicitor's Office
60-70 Elizabeth Street
Sydney NSW 2000

Dear Ms. Sullivan,

I am writing to you in reference to your letter dated March 25 and sent to our office via e-mail. The letter pertains to inquiries on sexual abuse allegations against Fr. Denis McAlinden of the Diocese of Maitland-Newcastle.

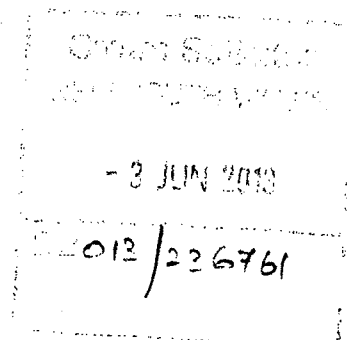
In view of your objective to establish the truth, I am sending copies of existing documents on Fr. McAlinden as found in the Diocese of San Pablo's archives. I regret that, as much as I would like to cooperate, these are all the documents that we have of him.

I hope these documents will help in your search for truth and for the establishment of justice and peace.

With high esteem, I remain

Signed

✱ BUENAVENTURA M. FAMADICO, D.D.
Bishop of San Pablo



COPY

November 8, 1994

Most Reverend Msgr Pedro Bantique DD
Bishop's Residence
PO Box 8
SAN PABLO CITY E-126
PHILIPPINES

Your Excellency,

On my return from annual holidays this week I found awaiting me a letter from one of my priests, Fr D McAlinden, dated 13th September.

In this letter Fr Mc Alinden has asked my approval of one of two options suggested by yourself (his words):

- a) that he be excardinated from Maitland Diocese and incardinated in San Pablo Diocese immediately (the preferred option)
- or
- b) that I permit Fr McAlinden to work in San Pablo Diocese with a view to future incardination

Yours Excellency I cannot give approval of either option and Fr McAlinden is fully aware of the reasons for this decision.

With fraternal best wishes,

Yours sincerely in Christ

Most Reverend L M Clarke, DD
Bishop of Maitland

+LMC/ed



DIocese OF MAITLAND

CHANCERY OFFICE:
224 Parry Street
HAMILTON NSW 2303
PO Box 2192
DANGAR 2309
Phone (049) 65 3777
Fax (049) 65 3548

May 10, 1995

Bishop Pedro Bantigue
PO Box 8
4000 SAN PABLO CITY
PHILIPPINES

My Lord,

I wrote to you on 8th November, 1994 when I received a letter from a priest of this Diocese, Fr Denis McAlinden, requesting permission to work in your Diocese. I enclose a copy in case you did not receive it.

I now wish to explore the reasons why I could not give this permission.

In 1994 serious allegations were made against Fr Denis. In being confronted by these accusations by a priest deputed by the Australian Episcopal Conference, Fr Denis admitted to the accusations. The agreement entered into was that Fr Denis should retire to Ireland. This agreement found endorsement from those who had filed the accusations.

Some people of my Diocese have now learnt that he is not in Ireland but is supposedly working in your Diocese. They have demanded to know whether this is true.

Could you please advise me that if he has been working in your Diocese that you will now withdraw his faculties and that you will advise him to return to Ireland.

I fear that if this is not done then the people concerned could well proceed to the next step. This would have serious implications to both your Diocese, this Diocese and to Fr Denis and the Church.

Thanking you for your cooperation in this difficult matter.

Yours fraternally in Christ

Signed

Most Reverend L M Clarke, DD
Bishop of Maitland

†LMC/ed

Diocese of San Pablo

P.O. Box 8
San Pablo City 4000
Philippines

14 October 1995

His Excellency
Most Rev. Gian Vincenzo Moreni, D.D.
Apostolic Nuncio to the Philippines
Apostolic Nunciature
2140 Taft Avenue, Manila

Your Excellency;

Enclosed herewith are the pertinent documents regarding Fr. Denis McAlinden which Msgr. Francis Chullikatt sent me last September 19th, plus another letter of Fr. Denis which we found in our files.

Concerning the present situation of Fr. McAlinden, I was told by the Rector of San Pablo Cathedral, Fr. Mar Castillo, that Fr. Denis left the Philippines last August 3 for Australia. We do not know the exact address of his residence, although information can be sought from New Wales, Australia, concerning his whereabouts in that country. Fr. Denis McAlinden no longer has any connection with the San Pablo diocese, and all his faculties have been revoked. It is unfortunate that there was no swift communication between the Dioceses of Maitland and San Pablo in order to have avoided this uncomfortable situation. However, Your Excellency may be assured that such cases would no longer be accepted and repeated in our diocese, and would be duly avoided by conducting the most detailed inquiry concerning any guest priest that may decide to help in the diocese.

With high esteem and respectful regards, I remain

The servant of God

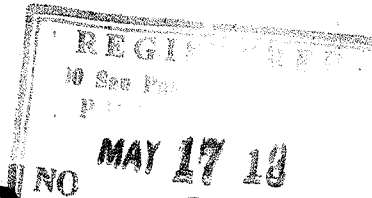
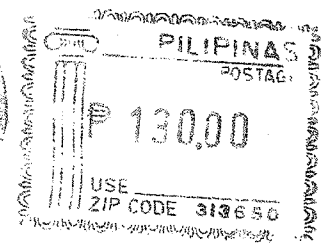
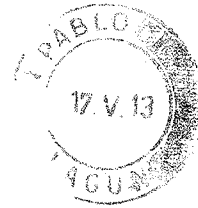
Signed

+Francisco C. San Diego, D.D.
Bishop of San Pablo

Bx 25

MS. EMMA SULLIVAN
Crown Solicitor's Office
60-70 Elizabeth Street
Sydney NSW 2000

REGISTERED MAIL DELIVERY





**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

25 March 2013

Bishop B M Famadico
Diocese of San Pablo
PO Box 8
SAN PABLO CITY 4000
Philippines

By email: residencia_rcbsp@yahoo.com

Dear Bishop Famadico

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 the telephone conversation between Catherine Vale, of my Office, and Father David Reyes, on 21 March 2013.

As explained by Ms Vale, 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 San Pablo Diocese from 1994 to 1995. Specifically, I understand that:

- from about September 1994 to August 1995, Father McAlinden lived in the Chaplain's Residence in San Pablo City and was actively involved in work in the San Pablo Diocese.

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 San Pablo 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 (San Pablo) with Police (Philippines 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 San Pablo 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)