

1 and annexure T, which you refer to there. You describe  
2 a document as "Transcript of June 20, 2002 meeting in  
3 statement form as requested by Anne Barwick". It is  
4 paragraph 69 and annexure T?

5 A. Yes.

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7 Q. And annexure T appears to be a police statement that  
8 you prepared regarding the AH allegation?

9 A. Yes.

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11 Q. Can you turn up annexure T? I will show you  
12 a document.

13 A. Yes, you're right.

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15 Q. You see it refers to an electronically recorded disk  
16 being provided with the hard-copy statement? Do you see  
17 that on the front page of the statement in about  
18 paragraph 4 or 5? Paragraph 3, I am sorry.

19 A. Yes. That electronic disk - I did prepare -  
20 I realised that the conversation I had with Michael Malone  
21 at the time was important and I was thinking I may need  
22 that at court later on. I typed up an electronic version  
23 of the conversation. That's when I had some conversations  
24 with Ann Joy. But I never printed them out. And when  
25 I spoke with Anne Barwick I mentioned that I had prepared  
26 a contemporaneous note electronically of what was had with  
27 Michael Malone, and she then said, "Well, can I get you to  
28 type it up in a statement format", and so I basically  
29 block-copied that into that format.

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31 Q. So that disk that you are talking about, did it  
32 comprise a typed document except stored in electronic form?

33 A. Yes.

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35 Q. It is not a recording of your interview with  
36 Bishop Malone?

37 A. No, it would have been the direct copy of the original  
38 electronic transcript of what was said between Bishop  
39 Malone and myself.

40 Q. And the transcript was something typed by you?

41 A. Yes.

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44 Q. And it was typed by you at about the time the  
45 Ombudsman's Office was interested in these things, or  
46 earlier?

47 A. No, I typed that much earlier. I can't recall the

1 date, and I don't know if the ombudsman - if they would  
2 still have it, if it would have the date imprinted on it.  
3 But the reason I attached it as a disk is I wanted them to  
4 be aware that I wasn't just preparing the statement totally  
5 off my own head nine months later; that I actually had made  
6 notes of it electronically the year before.  
7

8 Q. So annexure B - I am just trying to work out how that  
9 all fits together. Annexure B that you have given evidence  
10 was something that you prepared in 2003 for the Ombudsman's  
11 Office appears to be the conversation part of the document  
12 I have just shown you which is in the form of a police  
13 statement. So if you look at paragraph 3 and onwards, to  
14 the end, it appears to be a direct copy of annexure B to  
15 your statement, which you have already told me was prepared  
16 in 2003?

17 A. And I am sorry for that. I did prepare that much  
18 earlier. That was certainly in 2002. The statement format  
19 I did not do until requested by the ombudsman, but I had  
20 prepared the transcript, "I said", "He said", if you like,  
21 much earlier in 2002, but I don't recall the date. But it  
22 wasn't - I don't mean to say that I did it the very day  
23 that I spoke to Michael Malone; it was some time later,  
24 maybe a month or two.  
25

26 Q. A month or two. And why did you prepare it a month or  
27 two later rather than on the day or within a day of  
28 interviewing him?

29 A. I believed that Michael Malone would have stood  
30 Jim Fletcher down from his duties and removed him from  
31 contact with children. It was after - I didn't do the  
32 transcript before that, before I learnt that he wasn't  
33 intending to remove him and he expanded his parish.  
34 I remember thinking at the time, "Okay, that's not going to  
35 happen", you know? I certainly formed some views. My view  
36 was Michael Malone was saying, "Well, don't you tell me  
37 what to do with my parish", and I thought, "Well, okay  
38 then, if I'm going to take this further later on, which  
39 I intend to show the judge when this goes to court, I am  
40 going to type this up, and if I get the opportunity to get  
41 that into the evidence, I will". It was only when, you  
42 know, the process took a lot longer than I thought, with  
43 AM being able to come forward.  
44

45 Q. Where do you record your further conversations with  
46 Bishop Malone, where he makes it clear to you that he won't  
47 stand Father Fletcher down?

1 A. I never had that conversation. I learnt of that  
2 through basically the media and also just the general  
3 community. Who told me? I don't recall. But I did learn,  
4 you know, and I think it was quite widely published in the  
5 local Catholic media, that his parish had been expanded.  
6

7 Q. Yes. I understand that. But what is the basis of  
8 your information that Bishop Malone said, "Don't tell me  
9 how to run my parish"?

10 A. No, sorry, that was my perception. That was only my  
11 own interpretation of what - I had asked him to remove him,  
12 and a month or so later he had expanded his parish, and  
13 I just - that's my vernacular, I suppose, for saying,  
14 "Well, he just said, 'Well'" - you know?  
15

16 Q. You would agree that the file note is a very detailed  
17 recollection to have a month or two after the conversation?

18 A. It is.  
19

20 Q. You had absolutely no notes to work from to construct  
21 this document?

22 A. No. That's as accurate - it is a month or two later.  
23 I suppose it is like any contemporaneous note, if someone  
24 is asked, "Well, listen, can you type something down?",  
25 a month or two later, after it happened, there may be the  
26 odd word, or something, but it is pretty well damn close to  
27 what was actually said.  
28

29 Q. You would agree with me that a month or two later is  
30 not a contemporaneous note?

31 A. Not under the Evidence Act, no.  
32

33 Q. Not even in --

34 A. Four days or whatever it is, yes.  
35

36 Q. -- common parlance; would you agree?

37 A. No, it is some time after, but - you know, I'm pretty  
38 confident that it's very accurate. If it is out, it is  
39 only out by a few words.  
40

41 Q. And are you confident that the origin of preparing  
42 this note wasn't tied to any particular event that happened  
43 or contact with a person or something of that nature?

44 A. No, I understand what you are saying. No, the only  
45 thing I can tie it to is I remember I typed it up in  
46 reaction to learning that Fletcher wasn't going to be stood  
47 down and his parish was going to be expanded.

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Q. And in reaction to something you read in the media?

A. It may have been something I was told by <sup>BJ</sup> or - but I honestly don't recall. But I do recall I did it directly in response to learning that information, but how I learnt it now, I - it may have been from a number of sources.

Q. I understand. And how was it going to be admissible at the <sup>AM</sup> trial, this document that you prepared?

A. I don't know.

Q. So you were just doing it just in case?

A. It was something I was obviously annoyed at and I thought was irresponsible by the bishop, and I thought if I can make the complaints - had I realised, of course, that the ombudsman oversighted those things, but I remember I contacted Department of Community Services and a lot of other avenues, but no-one seemed to have responsibility for it. When I prepared my statement, of course, I kicked myself that I didn't know, but it is probably outside the police realm of where we go to, responsibility. I don't know of any other police officer that was aware the ombudsman covered that area.

Q. Have a look at paragraph 82 and annexure W - just look at paragraph 82 to start with. This is about a telephone call you received from Ray Hanley --

A. Yes.

Q. -- in December 2003. So, first of all, could I ask you, at this stage, you had already charged Father Fletcher some months before; is that right?

A. Paragraph 82. Monday, 29 December 2003?

Q. Yes.

A. No, I had not.

Q. You hadn't charged him yet?

A. No, I didn't charge Fletcher until March/April - sorry, hang on. My apologies, yes, you are right. Sorry, I was thinking 2002. This is 2003.

Q. Yes. So you charged him in May 2003?

A. Yes.

Q. Sorry, I wasn't asking that question to trick you. So