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**From:** Nicholas Tonti-Filippini <ntonti-filippini@jp2institute.org>  
**Sent:** Friday, 20 July 2012 8:06 PM  
**To:** Bishop Anthony Fisher Private  
**Subject:** Enquiries  
**Attachments:** Crime or Forgivable Sin[1].doc

My Lord,

I do not want to raise the details of some sensitive matters in an email or by mobile phone conversation, particularly as the subject involves matters about which I still consider myself bound by the confidentiality clause of the contract that I signed with the Australian Bishops Conference in 1989, and the matters are extraordinarily sensitive.

However, I do not think that I am breaching that contract in communicating with an Australian Bishop even though you were not then an Australian Bishop.

In 1990-1991 I was consulted by Bishop Mulkearns, then either Secretary or Chairman of the Bishops Committee for Clergy and Religious about a policy that had been drafted by Fr Brian Lucas and Fr John Usher and which was, at that time, used to guide the process for responding to complaints or allegations of crimes against clergy or religious in New South Wales, or referred to the Bishops Conference process from elsewhere. This was at a time before the development of the Melbourne Response or Towards Healing, the national response. The policy in place in 1990-1991 was described as the policy of the Bishops Conference although it was implemented exclusively by NSW priests. named in the recent reports. I was asked to meet with those priests to discuss their practices and to review that policy and I completed both tasks.

I was also asked at that time to meet with the principals and to review the then two existing agencies funded by the Bishops Conference for the spiritual rehabilitation of priests who had been asked to undertake spiritual renewal after events had given cause for thinking that such renewal was necessary, before the priest could return to ministry. The suggestion had been made that the agencies might be amalgamated or that one or other might be closed by the Bishops.

I now find myself in a position to have knowledge that bears upon the veracity or otherwise of the statement reportedly made to Cardinal Pell by one of those priests in relation to the admissions of abuse made by a priest of your diocese. I also have knowledge of the policy that was in effect and the implications of the policy for like matters.

In my role as a consultant to Archbishop Frank Little at earlier times, I also have information about some practices in this archdiocese.

With the establishment of a Victorian Parliamentary enquiry into this matter and the establishment of the enquiry into matters relating to the priest of your diocese reported in the statement by Cardinal Pell, I have felt increasingly uncomfortable with the possession of knowledge that might be of assistance to either enquiry. It is, of course, a dilemma in that I do not think I should, nor am I free to propose myself as a witness to either enquiry. In relation to the matter concerning a priest of your diocese and given the internal nature of the enquiry, I think it would be consistent with my contractual obligations were you as the local ordinary for the priest whose admissions are being considered, or the Cardinal, whose offices were the location of events and who was the recipient of the claim being investigated, were to suggest, request, direct or simply permit me to be a witness to that internal inquiry.

The situation in relation to the Victorian enquiry is more difficult obviously because it is a Parliamentary enquiry and my evidence, even if given in camera, which is an option, might be used by those who do not have the interests of the

address with the President of the Bishops Conference. I am also reluctant, given my own health, to expose myself to a Parliamentary enquiry. Given my experiences in this matter at the time that issues were of moment, I have written an opinion that I offered to Archbishop Hart. I attach that opinion. It does not mention any direct knowledge of the policy that was then implemented and relies only on matters already in the public forum. Archbishop Hart responded by indicating that my assessments were correct. However he thought it might not be opportune to offer this explanation at this time but asked if he could make it available to another. I have not yet been asked to assist the committee appointed by Archbishop Hart to develop a response to the enquiry.

Regards in Christ,

Nicholas

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