

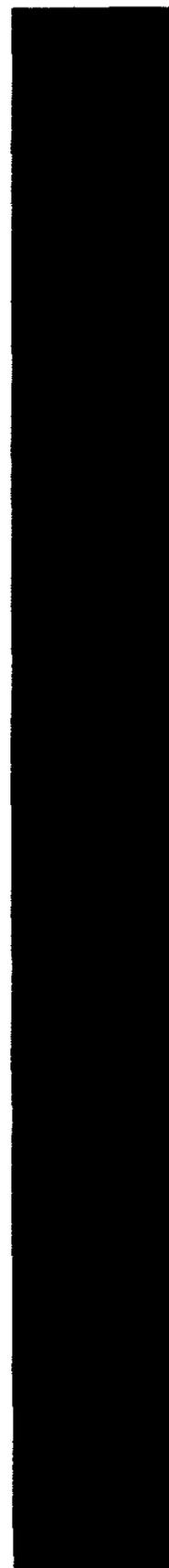
Report of the
Board of Enquiry
to the Bishop of Tasmania

**Complaint of
Sexual Misconduct
Mr Louis Daniels**

6 September 2003

Assessors appointed to the Board of Enquiry:

Rev Greg Clifton
Dr Cynthia Dixon
Mr Tim Dyer



Introduction

In April 2002, we, the Board of Enquiry made recommendations in relation to two complaints made by [BYF] currently of Perth, Western Australia, against Rev Garth Hawkins. In his letter, [BYF] also outlined a complaint against Rev Lou Daniels. The present report is in response to a request from the Bishop to make a recommendation in relation to the complaint against Daniels.

Our report is submitted under the requirements of The Ministry and Tribunal Ordinance 1998, Schedule 2A.

Complaint

In his letter of March 2002, [BYF] alleges sexual misconduct by Rev Lou Daniels in the form of uninvited caressing of the genitals in spite of attempted resistance. According to [BYF] the misconduct took place between April 1981 and April 1982, while he was 17 years old.

Investigation

Our findings are based on letters to the bishop from [BYF] and Archbishop Philip Aspinall and transcripts of interviews with [BYF] and also with Archbishop Philip conducted in 2002. At both interviews, Dr Cynthia Dixon was present in person and Mr Tim Dyer and Rev Greg Clifton participated by teleconference. Rev Lou Daniels declined to respond to the complaint and has not been interviewed in relation to this matter. We make the following observations in relation to the complaint against Daniels.

- [BYF] had become part of a group where he experienced personal faith, community and trust. To be abused within this context was a betrayal of trust on the highest level and it had an impact on him that was psychologically traumatic. He mentions Daniels as a key figure in his life at this point. Daniels was an affectionate person and commonly hugged youth. The progression of this to sexual abuse took [BYF] by surprise and brought significant emotional turmoil.

"Then going to youth camps where these Christians were open and loving- they hugged, they gave compliments, they were encouraging, and it was just brilliant and Lou Daniels was a hugger, and that was great and I thought wow this was just fantastic to have this-well-agape love. It was wonderful. So having built up that emotional 'this is what Christianity is about' and that attachment to him and the church through this and built up a trust and then that trust was abused. So that destroyed me- whereas (the other priest) I never knew. I only met him 2 weekends. There was no emotional relationship built up. It was just more of a physical trauma. .. to this day Lou remains the most terrifying experience of my life. It's just horrific and scary and I know of nothing more frightening that has ever happened or could happen than that. Even although the actual physical incident was fairly minor compared to what (other priest) did.

- [BYF]'s description of the events is detailed and specific. He recalls the house in Glenorchy, the room and the events of the evening and morning clearly. According to [BYF], he and another young man were invited to stay at Daniels' house after a Youth Synod Committee Meeting. The house had

two bedrooms as Daniels shared it with another male who was hosting a party. The only room available to sleep in was Daniels' bedroom. The other young man slept on the floor and BYF was expected to share the bed with Daniels. *"I got to share Lou's bed. He gave me a goodnight hug, which wasn't unusual – so the hug didn't bother me because he was a hugging kind of person. But then he placed his hand down my pyjamas and handled my genitals. I was horrified and pushed his hand away. He again placed his hand there and began moving it around and I was in complete shock- and stunned and horrified."*

- The event was BYF's first experience of sexual abuse and he is able to describe an emotional reaction that is fully consistent with abuse including surprise, shock and fear.
 - "... the terror that I felt was just extreme"*
 - "I moved over to the furthest edge of the bed facing away and just crying quietly and trying to work out a plan how I would get out..."*
 - "I just thought he would kill me rather than anyone find out what .. he had done – just – its not very logical – but just the terror."*
- BYF attempted to resist the inappropriate behaviour of Daniels. He twice mentions attempting to remove Daniels' hand from his genitals. He reports moving to the far side of the bed and then left the room to use the outside toilet. He reports remaining outside the house in the cold, too traumatised to come back inside. He finally re-enters the house but waits unable to move at the door until Daniels comes to find him. Daniels makes him up a bed on the couch as the party had finished.
- BYF reports Daniels telling him *"Don't ever tell"*. This indicates Daniels was well aware of the inappropriate nature of his behaviour.
- Although not the subject of a specific complaint, BYF outlined a further incident of a verbal nature in which Daniels made an inappropriate remark about the placement of hands while they BYF and Daniels were together in a car. This further indicates a pattern of behaviour on the part of Daniels consistent with that of the complaint.
- Aspinall believes BYF to be a credible individual.
- Daniels is not available for interview and so has neither confirmed nor denied the allegations. While every case must be decided purely on its own merits, the assessors are aware of Daniels' admission to other similar charges of sexual misconduct. The allegations made by BYF are consistent with Daniels' other admissions.
- In relation to Aspinall, the assessors note that while BYF outlines several matters in his letter and interview, he did not make, or wish the church to investigate, a formal complaint. The assessors do acknowledge, however, that in accepting the testimony of BYF as credible, there does remain an unresolved issue in relation to Aspinall. BYF refers to an attempt on his part to discuss his concerns (about Hawkins) with the then Youth and Education Officer of the Diocese, Aspinall. He claims he was ignored. He also claims that on a separate occasion, in spite of knowing his fears, Aspinall 'volunteered' him into an inappropriate sleeping arrangement, which resulted in the abuse that was the subject of our earlier report. After seeing Aspinall on TV, he phoned him on 28 February, 2002 to discuss these events and this call was the catalyst that resulted in the letter of complaint to the Bishop. Aspinall

met with [BYF] while in Perth and discussed his complaints in person. Aspinall encouraged [BYF] to pursue the complaints and gave him several options for doing so. Aspinall indicated to us that [BYF] confirmed to him by phone that he did not wish to make a complaint in relation to him.

Finding and Recommendation

As a result of our preliminary inquiry into the complaint of sexual misconduct against the Rev Lou Daniels, we, the assessors, unanimously find that there is a case to answer.

We note that due to previous charges against Daniels being proved, he has been deposed from Holy Orders and the Church has no current jurisdiction over him.

We therefore recommend that the Bishop request the Board of Enquiry to make a finding in relation to the complaint as provided for by The Ministry and Tribunal Ordinance 1998 Schedule 2A (11).

Signed:

Rev Greg Clifton

Dr Cynthia Dixon

Mr Tim Dyer

Assessors

The Reverend Greg Clifton is currently the Rector of St John's Parish, Launceston. He has had 30 years experience as a Parish Priest and served as Archdeacon of Launceston for 5 years. He has been ministering in the Diocese of Tasmania for 10 years.

Mr Tim Dyer is the director of Southland Ministries in Sheffield, Tasmania. He is a trainer and consultant who works with congregations and denominational leadership. He has previously been an independent consultant to the Diocese in dealing with moral and ethical issues in leadership. The Diocese uses his services in an educational role for clergy.

Dr Cynthia Dixon is a Clinical Psychologist resident in Perth, Western Australia. She was associate Professor and Honorary research fellow at Edith Cowan University. She is an active Lay member of the Anglican Church and synod and was member of the panel investigating Clergy and Church worker abuse in Western Australia.