

Report of the
Board of Enquiry
to the Bishop of Tasmania

**Complaint of
Sexual Misconduct
Rev Garth Hawkins**

16 April 2002

Assessors appointed to the Board of Enquiry:

Rev Greg Clifton
Dr Cynthia Dixon
Mr Tim Dyer

Confidential

Table of Contents

Introduction	2
Assessors.....	2
Complaint.....	2
Summary Finding and Recommendation	4
Process of Enquiry.....	5
Observations in relation to complaint 1	6
Observations in relation to complaint 2	7
General observations	10

Introduction

This report is submitted under the requirements of The Ministry and Tribunal Ordinance 1998 Schedule 2 Section 9 (e) and Schedule 2A.

The report is based on four interviews and documentation provided by interviewees. In the interviews with Aspinall and BYF tape recordings were made and transcribed. Quotations in *italics* are verbatim from the transcripts or documentation. Quotes in bold are the Assessors questions. Quotations by Hawkins and REDA are taken from notes made by assessors during the interviews.

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 9 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 is associate Professor and Honorary research fellow at Edith Cowan University. She is an active Lay member of the Anglican Church and a member of the panel investigating Clergy and Church worker abuse in Western Australia.

Complaint

On 14th March, 2002, BYF requested that the Anglican church investigate the complaints outlined in his letter to the Bishop of 2nd March, 2002 against Rev Garth Hawkins.

In his letter BYF outlines two complaints.

The first alleges sexual misconduct in the form of uninvited caressing and an inappropriate request to share a bed.

The second alleges non-consensual sexual penetration including sodomy and fellatio. This allegation involves an extreme breach of the accepted moral basis of Christian ministry and the ethical duty of care of priests over those to whom they minister. The complainant and the assessors are aware that this complaint is potentially a criminal charge of rape. BYF is

aware of his option to pursue the complaint in other judicial processes. He has chosen initially to make to complaint to church authorities within their internal process.

While both complaints have been considered in this report, the emphasis has been on the second due to the severity of the complaint and the implications if it is proved.

Summary Finding and Recommendation

As a result of our preliminary inquiry into the two complaints of sexual misconduct against the Rev Garth Hawkins, we, the assessors, unanimously find that there are sufficient grounds for a charge or charges to be heard by the Diocesan Tribunal.

We recommend that the Bishop convene the Diocesan Tribunal in accordance with Ordinance (1998) Schedule 2 Section 9 (f) and Schedule 2a.

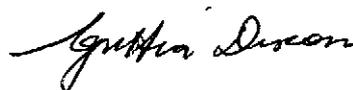
Our finding is based on the summary below:

- The major complaint by BYF [redacted] has a firm basis in a specific time and place. The occasion and some aspects of the complaint are independently confirmed by Aspinall and REDA [redacted] who were present. In particular, there was a physical injury associated with the major complaint that is partially corroborated by REDA [redacted] and was described to us independently of knowledge of the complaint.
- Hawkins is not able to recall the identity of the complainant or the specific circumstances to which either complaint refers. He does not directly deny the specific complaints, however he has concluded that they could not have happened through deductive reasoning i.e. *this wouldn't have taken place because of the people who were there and the location*. It is significant to the assessors that the reasoning in his logic is based on external and circumstantial factors which he argues would be preventative of this behaviour rather than appealing to strong personal commitments to moral or ethical values.
- When asked if it was possible for the events to have taken place but have been forgotten the respondent was only able to respond *I don't know*.
- BYF [redacted]'s current psychological condition is consistent with that of a victim of sexual abuse of the nature under investigation.
- In the judgements of Aspinall (who was present in both situations) and REDA [redacted] (who was present at the location of the major complaint); there is no substantive reason why these complaints would not be likely to be true. Both Aspinall and REDA [redacted] believe BYF [redacted] to be a credible individual and believe the complaints to be consistent with the circumstances they did observe.

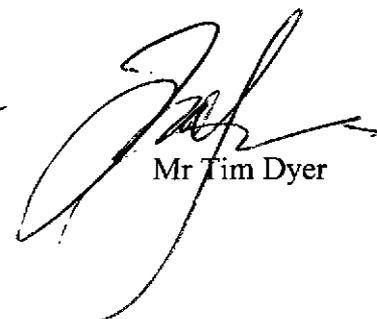
Signed:



Rev Greg Clifton



Dr Cynthia Dixon



Mr Tim Dyer

Process of Enquiry

Date	Description
28 February, 2002	BYF [redacted] contacts Archbishop Philip Aspinall of Brisbane by phone following observing him on TV.
2 March, 2002	Letter of complaint written by BYF [redacted] to the Bishop of Tasmania.
6 March 2002	The Bishop receives the letter on 6 March, 2002. The Bishop responds immediately and begins the process of appointing a case coordinator and assessors – Rev Greg Clifton, Mr Tim Dyer and Dr Cynthia Dixon.
13 March, 2002	Archbishop Phillip Aspinall writes to the Bishop outlining his phone conversation with BYF [redacted]
18 March, 2002	The Bishop receives formal request to investigate the complaints.
19 March, 2002	1.5 hour interview with Archbishop Philip Aspinall in Perth WA conducted by Cynthia with Tim and Greg present by teleconference. The interview was taped and transcribed. Documentation of Aspinall's contact with BYF [redacted] was provided.
21 March, 2002	2 hour interview with BYF [redacted] in Perth WA conducted by Cynthia with Tim and Greg present by teleconference. BYF [redacted] wife REDA was present as a support person. The interview was taped and transcribed.
27 March, 2002	Interview with Rev Garth Hawkins in Huonville, TAS with Mr Roger Baker (Hawkins' solicitor) present. The interview was conducted by Greg and Tim with Cynthia present by teleconference. There was no recording taken. Garth provided documentation of his psychological and physical condition.
12 April, 2002	Teleconference interview with REDACTED [redacted] – Tim, Greg and Cynthia present by teleconference.
17 April, 2002	Assessor's report submitted to the Bishop

Observations in relation to complaint 1

According to [BYF]

At a youth synod event (committee meeting perhaps?) in Devonport, Phillip Aspinall and I were staying in the Rectory .. in East Devonport sleeping on the floor of his study. At night, we were in our sleeping bags, and Garth came in to say goodnight. He sat next to me, playing with my hair, and giving me lots of compliments. He then said that he had a big bed with lots of room for another, and invited me in. ... The next day I discussed this with Phillip Aspinall, who had been present the whole time. He fobbed me off, not believing this could be possible. I tried to talk to someone .. and was not listened to, I never tried again.

1. Aspinall does recall the circumstances and the conversation.

There was a group of us staying at the East Devonport Rectory when the conversation happened the following morning – a number of us stayed overnight.

Now I remember that conversation occurring. ... I can remember him saying something to the effect that Hawkins had approached him improperly and that's about all I can tell you about that.

2. Aspinall does not recall observing the actions or hearing the conversation between Hawkins and [BYF]

I don't remember that – I don't remember being present when that happened.

3. Aspinall believes [BYF]'s story to be credible.

Yes I believe him... for what it's worth I believe what he is saying about Garth that these incidents occurred.

4. When questioned on this incident, Hawkins does not recall a [BYF] or the situation. Throughout the interview, he frequently commented:

I'm saying that I cannot recall, not that it couldn't have happened"

5. When informed of the situation and complaint according to [BYF] Hawkins did not categorically deny that he made the advance but deduced that given the situation of a being in a rectory and in the presence of *upstanding church personnel*, it was unlikely that the event had occurred.

6. [BYF] recalls Hawkins on this occasion as a *loud, raucous man. He reached over the bar and grabbed the breasts of the barmaid. He swore and told dirty jokes. He smoked like a chimney and was the most bizarre picture of an Anglican minister that I have ever seen.*

7. Aspinall however remains personally unaware of any abusive behaviour on the part of Hawkins:

I personally never saw any behaviour that I regarded as untoward or which indicated to me that abuse was occurring.

8. [BYF] noted that he had not been acquainted with Rev Hawkins and there was no personal friendship or relationship between them.

Observations in relation to complaint 2

According to **BYF**

Garth Hawkins moved to a parish on the East Coast ... A group of young people were going to stay with him and go sailing on his large yacht. We were camped out on his lounge room floor. He came out at night when we were all in our sleeping bags and said that he had a big bed and someone could share it with him instead of the floor. Phillip Aspinall volunteered me. I believed it to be deliberate, as I had told Phillip of my fears regarding Garth. ... Phillip made a big thing of it and told me to go and not to be daft. ... so I went begrudgingly to his room. ... Once in his room, Garth commenced sexually abusing me; he sodomised me holding my legs down around my ears as I lay on my back (I thought my legs would break off) with the pain of being sodomised excruciating and the mental anguish something else again. He clawed my back with his barbarous fingernails (I had long scratches from one end of my back to the other – as one friend later noticed and enquired how I got them. Of course my reply was that I knew nothing). Hawkins made me perform fellatio on him – at which I was not very good, as I was biting him. GOOD, I hope it hurt! After it was over, he was very excited and said how he wished he had met me years ago. I curled up on the side of the bed feeling sick, sore, and sorry for myself. The next morning I got up very early, had a long, scrubbing shower, and left before breakfast, not speaking to anyone. I didn't go sailing. I went to church on the Sunday morning. (Where I stayed Saturday night I don't know, but I had my tent with me, also why I went to his church I don't know) and looked on incredulously as Garth officiated in his robes looking holier than thou, with me dying to stand up and scream out what had happened to me. That was the last time I ever saw him. I had not mentioned his name to anyone until last Thursday when, as I say, Phillip Aspinall's face kept goading me into dealing with this issue that I had put in a box and left there.

... The picture I have of him at Devonport is of a strong forceful man ... me being a skinny little runt. ... 22 years older than me I have discovered. In a parish position. ... I said "No" and I said "No" again and I said "No" again then it was almost resignation on my part there is nothing I can say or do to stop this. ... I should have said it 4 or 5 or 6 times.

When further questioned about Hawkins use of physical force, **BYF** noted:

Well when he wanted me to perform fellatio he just grabbed my head and pushed it- so that kind of force- that this is what you're going to do - holding my legs down and pushing me into position- I had no idea – he arranged me and pushed me- whatever- more like a beanbag just being tossed around.

1. **BYF** had been on a weekend trip with **REDACTED**. **REDACTED** recalls this clearly. When the places and dates as **BYF** had outlined them were provided to **REDACTED** she responded: *Yes I remember the weekend.*
2. Both **BYF** and **REDACTED** were from St John's parish, Launceston. Neither **BYF** nor **REDACTED** knew the members of the group apart from Phillip Aspinall, who was a friend of **BYF**'s. The other young people were from Hobart.
3. **BYF** believes the date to have been January 1982 from a photo he has of the return trip home with **REDACTED**.
4. Both **BYF** and **REDACTED** independently indicate that connection with the group at Triabunna was more co-incidental than planned. **REDACTED** recalls that the reason for dropping in on the group was to catch up with someone **BYF** thought was 'wonderful'. She assumed this to be the Rector, Hawkins, and was surprised when she met him as she was not impressed due to his consumption of alcohol. She also remembers a person being present who was working with the church in the youth area.

*There was alcohol around. I felt very uncomfortable- felt like it was an intrusion us being there. My impression was he (older man-rector) was an alcoholic. **Would you happen to remember what he was drinking? He was drinking white wine.** They were not drunk, just loud – bravado.*

5. Aspinall is fairly certain he recalls Russell Judd, Stewart Day, Greg Clifford, and Lou Daniels being present. He suspects someone of this group may have a photo of the day sailing. This day was a special one-off occasion not a regular event.
6. Aspinall has no recollection of the events ^{BYF} describes as occurring on this evening. *Now I have no recollection of any of that – nor do I recall ^{BYF} disappearing the next morning.* However Aspinall does believe the event occurred on the testimony of ^{BYF} (see point 1.3 above).
7. ^{BYF} recalled his response to a recent sermon in his own church (Easter 2002) where the preacher had asked: *“What would be your most memorable kiss?” and I thought “The Reverend Garth Hawkins with an ashtray mouth”- and then that set me off on a bit of a sad old day - thinking that my most memorable kiss was with him and not REDA. but I have since done a bit of self monitoring and my favourite kiss is with REDA so I changed but that took a while - and that thought in my mind was pretty revolting.*
8. While ^{RED ACTE} recalled the afternoon visit to the Rectory at Triabunna and her negative impressions of the Rector drinking in the Kitchen with others. She has no recollection of where they stayed that night. She does remember people preparing for sailing.
9. ^{REDA CTED} was able to recall camping near the beach at the Orford Caravan Park one night on the trip in the tent. This confirms ^{BYF}’s memory of having his tent.
10. ^{REDA CTED} recalled that ^{BYF} had a sore back. *There was sunburn – burnt on our backs - one of us got sun burnt- it must have been ^{BYF} because he didn’t want to be touched on his back. I didn’t realize...he didn’t want me to touch his back. He was sore with the driving, I asked if he wanted cream or anything - he didn’t want me to touch it- “I’ll be fine”. ^{REDA CTED} does not recall actually seeing his back. He did not remove his shirt. (This information was disclosed to us prior to ^{REDA CTED}’s possession of any knowledge of the details of the complaint and the scratches to his back.) Under questioning ^{REDAC} was clear that this was on the return trip and not on the way down the coast.*
11. ^{REDA CTED} has a recollection of attending a white stone church which she associates with the trip. She recalls waiting in the car while ^{BYF} spoke with someone afterwards.
12. ^{BYF} recalls the service. *It was just a sickening sight to see him in those lovely white robes looking all holier and blameless. ... **Did he have any interaction with you that morning? No! We went straight away.***
13. When questioned about the sexual abuse, ^{BYF} wondered if (^{REDACTED} may have heard anything. He recalls her staying in the next bedroom. *His bedroom is away from the lounge room and the other bedroom was in between. I wonder if ^{REDA CTED} heard anything but don’t know.*
14. ^{REDA CTED} does not recall staying at the Rectory or any details of the evening. ***Were you the only girl? Yes Would you have slept separately from the guys? Definitely. I can’t remember if I slept in my sleeping bag or in another bed.***
15. On being provided with a minimal outline of the complaint at the end of her interview, ^{REDA CTED} was asked if what she knew of ^{BYF} and the circumstances of the trip was

consistent with this complaint as she now understood it. She responded that she thought it was a credible story- and thought it consistent with her impressions.

I believe it is a credible story! Is [BYF]'s story of what happened consistent with the events as you recall them. Yes! ... I'm going to cry - why couldn't he trust me enough to tell me? ...Are you surprised by what [BYF] claimed happened? No!

16. When Hawkins was asked directly if he had sexually assaulted [BYF] using force, sodomising him and forcing him to perform fellatio, before Rev Hawkins could answer, Mr Roger Baker, interrupted to say

I am reluctant to have Garth answer

Then continued a discussion on [BYF]'s age at the time. Rev Hawkins then said *I am saying I cannot recall, not that it couldn't have happened.*

17. When asked about the number of scratches [BYF] described on his back Rev Hawkins replied "*No Comment.*"

18. Rev Hawkins then noted that his memory was not very accurate; both long term and short term memory. He attributes this to a combination of his history of alcoholism, and a range of medications including some for late onset epilepsy. He believes the effect of the medication results in a general difficulty in recalling all the events of his life, and that there are blanks.

When asked if it was possible for him to have committed the alleged act and then forgotten it, he responded:

I can't say 'yes' or 'no' to that. I don't know.

General observations

1. The context of the complaints: Youth ministry in the Diocese

On request, BYF [redacted] described the activities and ministry he was involved in the Diocese of Tasmania as a young adult. He described significant involvement in both his own congregation (Sunday School teacher, vestry member, lay leader and musician) and in the wider youth ministry of the Diocese, (member of Youth Synod, Camp leader, travelling with ministry and music group). He was evidently very creative and energetic and thoroughly enjoyed the sense of Christian community among young adults.

I met a lot of other Christian Anglican youth from around the State. It was really great to be part of a larger scene that had lots of other youth to be involved with. I really enjoyed that. The practice of moving around parishes and staying the night in the available rectory or church hall, sleeping on the floor in sleeping bags, was the norm. This ministry was described vividly in detail by BYF [redacted], and confirmed in the interviews both by Aspinall, who was Youth and Education Officer at the time and a leader of these activities, and by Hawkins.

2. BYF [redacted]

Following his youth in Tasmania, BYF [redacted] achieved a successful professional career as a music teacher. He enjoyed a stable and happy marriage and family life, involved with his wife and children positively and lovingly. He has been an active Christian involved in church life.

This has all been totally disrupted by the emergence of the effects of the abuse which had never been dealt with. In 2001 BYF [redacted] experienced a mid-life breakdown, which was characterized by the development of severe depression. The depression was eventually traced to the effects of the earlier abuse. The emergence of his depression occurred when he was watching a training video for church personnel on the necessity for safe procedures to be in place to protect children, including police clearance for personnel. This produced in BYF [redacted] an involuntary reaction where in his words:

I broke down in tears just watching it. I was mad at myself because it had been over 20 years since the abuse had occurred and yet suddenly out of the blue it was able to bring out these strong emotions.

Severe depression was precipitated, followed by a serious suicide attempt resulting in hospitalization and intensive therapy. In the process of the therapy, BYF [redacted] disclosed a first incident of abuse in relation by another individual (the complaint is currently being investigated). BYF [redacted] gained insight into how this had affected him, was given strategies to help manage his acute anxiety and has been able to challenge his tendency to blame himself. A second trigger was the recent (2002) media blitz on the Governor General when he was accused of not listening well and not dealing appropriately with complaints of sexual abuse when in office. This was compounded by seeing on television (in a role sympathetic to the abused) the very person who had been his friend and colleague in the Tasmanian ministry, but who had not believed him and in whom he was unable to confide.

BYF [redacted] then revealed the abuse from Hawkins to his wife and called Aspinall on 28 February. This was the first disclosure of the Hawkins incident. The discussion with the [redacted] was only the second situation in which the story had been told.

BYF [redacted]'s breakdown has had extensive and very damaging effects. His mother now blames herself for having let him go to camps. BYF [redacted]'s wife has been totally supportive, but to stay home to look after him when things are really bad means she has been off work a great deal. So there are major financial consequences. BYF [redacted]'s ability to cope with work has been severely affected, and he has had more time off in recent months than in his whole

working life. The children are affected because the father they knew is now replaced by someone different .

and my kids- when I get home from work I go and lie on the couch and don't move and eh RE says don't talk to your Dad. And don't bat the basketball on the wall- my family life is suffering incredibly

3. Garth Hawkins

Hawkins was able to recall the major events of his career; place names, geography, medication etc. When questioned on incidents in the past his memory was very selective. At times he quickly answered with little hesitation i.e. 'Yes' or 'no' to various queries which were factual and not related to his interpersonal behaviour- such as parish details, the rectory, membership of the Yacht Club etc. However when it came to questions concerning his sexual behaviour he was very well defended. He used deductive logic to argue against the probability rather than admit or deny his actual involvement.

Rev Hawkins' memory recollections appeared far too vivid to represent systemic long-term memory loss, but did present a particular selectiveness. In describing life in the parish at that time he clearly and quickly remembered many details. He could talk clearly about his boat, the various factors in crewing it and having people join him, to include "always a core of educated sailors and younger people". He could readily cite the local rules re drinking with respect to young people at the Yacht Club. He recognized names and something of their character. He did remember that he "got on well with young people" Yet he claims to have no memory of personal relationships.

Hawkins never protested any innocence, rather a combination of memory loss which allowed the possibility of the events claimed being true, however deducing that because such events were unacceptable to others present they were unlikely to have occurred in that setting. Hawkins' response to questions on his sexuality was to cite his current low libido with the inference that if it were so low now then how would he have been otherwise in earlier years. When asked how he coped with celibacy Rev Hawkins replied: "got pissed." The mode of responding was thus appeared extremely well defended and evasive to the highest degree, with little appropriate affect in the light of the serious nature of the complaints if they were totally unfounded.

After the conclusion of the interview, Hawkins indicated he wanted to say something further to Greg Clifton (who had acted as an assessor in relation to another complaint). Hawkins indicated that Clifton would notice that answers given at this assessment were different to those he gave at the first interview. He indicated that some would be contradictory. Hawkins commented that he had misunderstood Clifton's questions and that they were speaking at cross-purposes. Hawkins claimed he thought the questions and discussion was hypothetical. Clifton replied that this would be a matter to take up with the tribunal.

4 REDACTED

REDA was able to recall the weekend with BYF after minimal prompting. She was co-operative and willing to assist our enquiry. She has not had recent contact with BYF or ever discussed the abuse with him.

It was important that she recalled injury to BYF s back without prompting and interpreted it as sunburn. The details of this comprise partial but significant independent corroboration of BYF s account.

She was able to provide details that BYF had forgotten such as the location of where they camped the Saturday evening.

She could not recall unusual changes or specifics of BYF s mood, affect or emotions

over this time.

While she communicated distress at hearing a minimal version of BYF's complaint, she felt it was a credible and believable story.