

BYF

REDACTED

Western Australia

REDACTED

14<sup>th</sup> March 2002

Dear BYF

I understand Beryl Carmichael has contacted you by phone to start the discussion of these issues with you. I am glad to hear that you have good support at this time but if a need arises for further support please let me know. Again I stress that I am more than willing to conduct a church inquiry into these matters because I strongly believe that sexual abuse, harassment or assault, is both wrong and extremely damaging.

Two of the preliminary things I would like to do are;

- make very sure I am clear about your choices, and the path you wish to take
- give you an outline of procedures and what you may expect to happen down the track.

The matters which you describe are criminal offences and as such the Church regards them very seriously. We certainly agree to carry out a church inquiry, but offer to first assist you to take these serious matters to the police or to your lawyer. As a criminal investigation takes precedent, we would then need to suspend our own inquiry until that had concluded.

If however as you indicated on the phone, you are choosing not to take these matters to the police at this time, but are asking the Church to investigate the offences, could you please indicate that intention by signing the statement included with this letter and returning it to us.

I will now outline to you the procedures that follow when we receive a signed request to investigate a complaint against a priest or licensed church worker. Beryl would have mentioned some of these to you over the phone, but we thought you may prefer to have a written copy.

Our procedures are governed by The Ministry and Tribunal Ordinance, with particular reference to Schedule 2A. I have enclosed a copy of this Ordinance, but you may prefer this slightly simplified version.

When the matters raised are serious, there can be two stages to the process. When the matters raised are unlikely to result in cancellation of priest's Licence, there is usually only one stage.

In the first instant, I would appoint two assessors whose initial task is to inquire impartially, gather evidence and then report to me as to whether or not there is a case for the accused person to answer. The assessors would talk first to the person making the complaint (you) and later to the accused person who would have the right to know the name of the person he is alleged to have harmed. During the process the accused will be asked to respond to the details of your complaint. The assessors are free to make other enquiries as they see fit.

If the assessors find that there is a case to answer in a case like yours, then a second stage called a Tribunal would also be held.

If the complaint is admitted the Tribunal will only meet to recommend a penalty however if the complaints are denied then a Tribunal hearing will occur to determine the matter.

You have raised complaints about L Daniels and G Hawkins. At the first stage, two assessors would talk to you about all the matters you wish us to inquire into. If a second stage proved necessary, it is likely that things would then divide. Separate tribunals would be conducted for each of the persons who had a 'case to answer' of such seriousness that loss of Licence could result. It would most likely be necessary to fly you to Tasmania to be a witness at such a tribunal. Inquiries may take some time, but you will definitely be kept informed.

You have expressed issues concerning Phillip Aspinall and said to Beryl Carmichael that you do not wish to make a formal complaint regarding these matters. If a formal complaint was made it would be referred to the primate and dealt with under a different procedure because P Aspinall is now an Archbishop. Until you advise otherwise we will not proceed further with those matters.

Any questions you have are best directed to Beryl Carmichael as it is best that I remain as impartial as possible at this stage. As it happens I will be in Perth next week but because this impartial inquiry must report back to me, it may be better that we don't meet on this occasion. However if it is important to your healing to meet me at this stage I will arrange a meeting.

Yours sincerely in Christ's service

Shalom

John Harrower  
Bishop of Tasmania

*Please read this statement carefully before completing and returning it to us.*

To the Bishop of Tasmania

Representatives of the Anglican Diocese of Tasmania have told me that the behaviour I described in my letter to you of the 2<sup>nd</sup> March 2002 is against the law. They have offered to assist me to take the matter to the police or a lawyer. I have had contact with the police but have chosen not to take the matter further with the police at this time, however I recognise I am free to take the matter to the police at any future time.

I request the Anglican Church to formally investigate and enquire into the complaints contained in my letter of the 2<sup>nd</sup> March 2002 against the following persons: *(list the persons)*

Signed: .....

BYF

REDACTED

Dated this            day of March 2002