

AWKINS

Tribunal Hearing - 13th May 2002 10.00am

Present The Reverend Dr Jim Young (Tribunal Chairman)
 Mrs Helen Phillips (Tribunal Member)
 Mr Michael Walsh (Tribunal Member)
 Mr Robert Webster and associate (Promoter of the Charge)
 The Reverend Garth Hawkins (Respondent)
 Mr Richard Baker (Representing the Respondent)
 Mr Steven Fisher and Support Person (Witness)

The Chairman opened the proceedings with prayer.

Mr Webster made an application in relation to Charge No. 6 (Fisher).

- delete word 'six' and insert the word 'ten'.

There were no objections and the charge was amended.

Mr Webster stated that subject to that alteration no evidence would be tendered in relation to Charge No 8 (Fisher).

An application to dismiss the reading of the charges was accepted.

Mr Hawkins, responding to a question from the Chairman, stated that he understood the charges.

Mr Webster advised that it was normal practice to take a non-plea as a plea of 'Not Guilty'.

The Tribunal advised that it would accept Mr Hawkins response as being a denial and record a plea of 'Not Guilty' to all charges relating to Mr Fisher.

Mr Baker advised that in relation to ^{BYF} Mr Hawkins denies all charges and pleads 'Not Guilty'.

The Chairman acknowledged the receipt of a plea of 'Not Guilty' to all charges.

Document A - The Offences Canon of the Constitution of the Anglican Church was distributed.

Document B - An agreement of facts document was distributed.

Document C - The Licence of the Reverend Garth Hawkins was attached to Document B.

Mr Robert Webster outlined the case against Mr Hawkins.

Mr Steven Fisher called to give evidence.

Mr Fisher elected to give evidence on oath.

The oath was administered.

Document D - Mr Fisher's written statement was provided to the Tribunal.

Mr Webster presented evidence relating to Mr Fisher.

Document E - Photograph of Mr Fisher presented.

Document F&G - Two photographs of Mr Fisher's baptism.

Document H - Video of Mr Fisher's wedding reception shown.

Mr Baker questioned Mr Fisher.

Document I - Statement by [REDACTED] was presented.

Document J - Statement by BYF [REDACTED] was presented.

The Right Reverend Phillip Aspinall joined the hearing by video hook up from Brisbane.

Archbishop Aspinall elected to give evidence on oath.

The oath was administered.

Document K - Statement by Archbishop Aspinall was presented.

Mr Webster questioned Archbishop Aspinall about identification, but did not ask questions in relation to the statement.

Mr Baker questioned Archbishop Aspinall.

Tribunal met privately with Mr Webster and Mr Baker to ascertain further evidence relating to the Fisher matter.

Mr Webster made application for BYF [REDACTED] to be present during [REDACTED]'s evidence prior to him giving evidence.

Mr Baker objected the application.

The Tribunal met with Mrs Beryl Carmichael to discuss her being a support person for [REDACTED].

The Tribunal advised Messes Webster and Baker that BYF [REDACTED] may not be present during his wife's evidence, but Mrs Carmichael may be present as a Support Person.

[REDACTED] was called to give evidence.

[REDACTED] elected to give her evidence on oath.

The oath was administered.

Mr Webster asked [REDACTED] questions of identification, but did not question her about the statement.

Mr Baker questioned [REDACTED].

Mr Baker requested that [BYF] 's evidence be held over until tomorrow.

Mr Webster opposed the request.

The Tribunal agreed that [BYF] would give evidence, but any cross-examination of [BYF] would be delayed until tomorrow.

Document L - Transcript of notes of interview with the Reverend Greg Clifton was tabled.

[BYF] was called.

Mr Webster questioned [BYF] about identification but did not put questions about the statement.

Mr Baker questioned [BYF].

At 4:37 Mr Baker requested an adjournment which was granted for 15 minutes.

The Tribunal resumed at 4:55.

Mr Baker's questioning of [BYF] continued.

Adjournment at 5:10 until 9:30am tomorrow.

Day 2.

Chairman opened proceedings with prayer.

Chairman reminded those present that this hearing is being held in camera, but those in the courtroom may remain.

Those persons were -

[REDACTED]

[BYF]

Mr Stephen Fisher & Support Person

Condition of being present that proceedings remain confidential.

All agreed to this condition.

The Reverend Greg Clifton was called to give evidence and elected to give evidence under oath.

Document M - Notes of The Reverend Greg Clifton's interviews as Assessor presented.

The Reverend Greg Clifton read his handwritten notes to the Tribunal of his interviews with Hawkins in relation to the Fisher complaint.

Mr Webster questioned the Reverend Greg Clifton.

Mr Baker did not question the Reverend Greg Clifton.

REDACTED was called to give evidence and elected to give evidence on oath.

The oath was administered.

Document N - Statement by REDACTED presented.

Mr Webster questioned REDACTED

Mr Baker questioned REDACTED.

Mr Webster advised that this was the case for the promoter.

The Reverend Garth Hawkins was called to give evidence and elected to give evidence on oath.

The oath was administered.

Mr Baker questioned the Reverend Garth Hawkins.

Mr Webster questioned the Reverend Garth Hawkins.

Mr Webster summed up.

Document O - Tribunal Standard of Proof Paper presented.
(Dixon)

Document P - Decision by Justice Neasey presented.

Mr Baker summed up.

Mr Webster made statement in reply.

The Chairman advised of No's 9, 10(d) and 10(e) of the Ministry and Tribunal.

The Chairman adjourned the Tribunal.