

Attn: Lesley Hirten
 21 June 2004
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As you will note, Professor Blaszczyński did not identify the names of the other two Brothers who were present on that weekend break. Nor does he have a date. Nor does he have a precise description of the location.

5. To determine what further investigations could usefully be made, we have contacted Professor Blaszczyński to ask him whether he was given any further information. Unfortunately, he was not. He does not know the name of the "other Brother" referred to. He does not know the names of the "two teaching Brothers". He does not know the names of the "three students". He was given no other details about the date of the "weekend break" or the precise location of the "premise in the Southern Highlands". Put simply, he cannot help us in any way with any further information.
6. That being the case, I cannot see that there are any further investigations which Patrick Hill could usefully make in regard to this allegation, unless you wish me first to make enquiries direct of [ACF] (who is not legally represented at the present, and who is dealing with us through Brother Alexis Turton) to see whether he is willing to provide any further information (or indeed whether he is able to do so and has any further information to give).
7. Could you please consider this and let me have your instructions. To be honest, it is my expectation that further investigations will not be of great assistance. The statement made by [ACF] to Professor Blaszczyński was very vague. One would imagine that, if he had the name of the other Brother, he would have given it. In any event, all that Professor Blaszczyński has recorded is a "strong belief" by [ACF] that the other Brother was aware of Brother Koscka's behaviour – no real facts are provided in support of this belief.
8. If [ACF] was represented by a solicitor, one could have a full discussion about the topic and see what further information was available. With him being unrepresented, this becomes a little more difficult. In any event, I would welcome your further instructions on this issue.

Further Inquiries of Brother Alexis Turton

9. When I received your instructions to investigate the "prior knowledge" issue, I also asked Brother Alexis Turton whether he was able to provide any further information.
10. In response, I have received the following (very candid) note from Brother Alexis:-

"I was confident there was no prior knowledge. The Provincial of the time says no. However just to be sure I consulted the Superior at the time, who is still alive. To my surprise he said a father had approached him and said a Brother might be "fiddling" with his son. Real but no more serious than that. The superior approached the Brother – KC – who acknowledged that there had been inappropriate touching and gave an assurance there would be no more. The Superior did not go to the Provincial as he accepted the Brother's word and times were different. The parent was satisfied. I don't know in today's protocols whether that is legally classified as prior knowledge as it didn't go to the Provincial.

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KC was as certain as he could be that no other Brother would have known of his weakness. The Superior had no suspicions at the time and said he doubts he was not at the 'Southern Highland' site or watching the man. To complicate things more the Superior was certain the name was not ACF

11. At this stage, those are all the details which I have been given, and I would seek your instructions as to what further investigations, if any, you require about this new issue.
12. One obvious possibility is for me to engage Patrick Hill to interview Brother Alexis Turton himself and then to speak to the Provincial of the time and the Superior at the time to gather dates and details. Alternatively, I could ask Brother Alexis to provide a more detailed note. Alternatively, you may not require any further investigations at all.
13. Could you please consider this, and also my comments concerning Professor Blaszczyński's report/information, and let me have your instructions as to the further investigations required concerning the "prior knowledge" issue.

Yours sincerely,

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(Senior Partner)
MONAHAN + ROWELL

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