

CORRS

CHAMBERS

WESTGARTH

S O L I C I T O R S

11 November 1996

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 Writer: Richard Leder
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 Our Ref: ROMA5455 001

Mr P J O'Callaghan QC
 1815
 Owen Dixon Chambers West
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Father Peter Searson

We are referring this matter to you in your capacity as independent commissioner.

We enclose copies of documents provided to us by Monsignor Hart. As you will see, they are not his complete file, and we expect that you will want to see the entire file before deciding how you wish to proceed. In any event, the current difficulty arises out of allegations that Father Searson struck a young boy around the head. If true, this would seem to us to constitute an assault. It may also be conduct the subject of mandatory reporting requirements.

Further, this is not an isolated incident. In 1993 Monsignor Cudmore found it necessary to deliver a formal warning to Father Searson. It was said to arise from "allegations of improper and intimidatory conduct ... against children", which is ambiguous, although the Vicar General's file note of 25 June 1993 only records defamatory conduct by Searson, and nothing more.

In the file summaries there are a number of ambiguous entries that could refer to violent or improper sexual behaviour, and this is supported by the letter from Minter Ellison of 3 May 1993. We consider it appropriate for there to be an investigation by you as to whether Father Searson has engaged in improper sexual behaviour. We ask that in this instance, you extend your investigation to other behaviour that could be of a criminal nature, and that you take account of your findings in this regard when formulating your recommendations to the Archbishop.

You will note that as an interim measure, the Vicar General has instructed that children not assist as altar servers. We presume however that despite this Father Searson has the opportunity to come into contact with children and in the circumstances, you may consider it appropriate for him to be placed on administrative leave until you can complete your investigations.

We are enclosing a copy of our letter to Monsignor Hart of today for your information. Would you please advise Richard Leder if there is anything else you require.



Richard Leder
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 Encl

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