

Commission into Sexual Abuse
Peter O'Callaghan Q C

Optus House
Level 25 Suite 36
367 Collins Street
Melbourne 3000

15 April 1997

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Attention Mr Bernie Moore
Borchard & Moore

Fax No. 9546 8424

Dear Mr Moore,

I have been appointed as an Independent Commissioner by the Archbishop of Melbourne to enquire into allegations of sexual abuse by priests, religious and lay persons working within the Archdiocese of Melbourne.

I enclose herewith a copy of the Terms and Conditions of my appointment and also my appointment as a delegate of the Archbishop pursuant to Canon 1741.

I confirm that you act for Miss Julie Stewart whom I interviewed on 20 March 1997. I enclose herewith a somewhat imperfect transcription of that interview, the imperfection arising because of the quality of the recording equipment.

As appears from that transcript, I understand that Miss Stewart is not desirous of reporting this matter to the police though I emphasise again she has a continuing and unfettered right to do so, and I would

encourage her to exercise that right. However if she does not wish to exercise that right I maintain the undertaking I gave to her that all that she has told me so far will be treated confidentially.

Because what she has told me does constitute a complaint against Fr Searson within the terms of my reference I propose that Miss Stewart attend at a hearing which I would conduct in the presence of Fr Searson and then deal with the complaint. At that hearing there would be a number of other persons present and called including Mr Graeme Sleeman, Mrs Shirley Barrett and ^{BTV}

It would be my intention to provide to the solicitors for Fr Searson a statement of particulars in respect of the complaint, and in that context it would be of considerable assistance if you were to have Miss Smith make an appropriate statement detailing the essence of the complaint. It will be appreciated that the transcript of the interview contains a deal of material which is quite irrelevant and immaterial to the subject complaint.

As also appears from the transcript Miss Stewart authorised me to obtain a report from Miss Leah Goldman, her psychologist. Such a report would be relevant first for the purposes of the issue of the complaint made against Fr Searson and second in the event that Miss Stewart seeks to apply for compensation being a subject of sexual abuse by a church person.

Should there be any amplification of the above matters required I would be pleased to discuss same with you.

Yours sincerely,

Peter O'Callaghan
Independent Commissioner