

**JEFFERY GLEESON SC**

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13 May 2013

Private and Confidential

His Grace Archbishop Hart
Presbytery
P.O. Box 146
East Melbourne 3002

Dear Archbishop Hart

Father [REDACTED]

I regret to advise you that I am satisfied that Father [REDACTED] was guilty of sexual abuse of [REDACTED] in [REDACTED]

I enclose a copy of my Determination dated 29 April 2013. This Determination has been forwarded to [REDACTED] and to the solicitors for Father [REDACTED]

By letter dated 2 May 2013, the solicitors for Father [REDACTED] inquired as to:

- (a) what consequences, if any, flow from my Determination;
- (b) what right of appeal exists in relation to my Determination; and
- (c) what use is intended to be made of the Determination and to whom is it to be provided.

By correspondence dated 6 May 2013, I replied to this letter by advising that:

- (a) the terms and conditions of my appointment require me to advise the Archbishop and make such recommendation as to action to be taken by the Archbishop as I consider appropriate;
- (b) The Melbourne Response does not provide a right of appeal against the Determination;
- (c) it was my present intention to recommend to the Archbishop that, given that I have found that Father [REDACTED] engaged in sexual abuse of a young person, Father [REDACTED] should permanently remain on administrative leave.

I invited the solicitors for Father [REDACTED] and Counsel Assisting to make any submissions they may wish to make in relation to this proposed recommendation by 4 pm on Friday 10 May 2013.

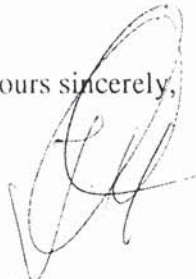
By letter dated 7 May 2013, the solicitors for Father [REDACTED] informed me that Father [REDACTED] had instructed that firm not to make a submission to me in relation to my proposed recommendation.

I then requested that Counsel Assisting make inquiries of Father [REDACTED] directly to ascertain whether he proposed to (himself) make any submissions in relation to my recommendation.

By email dated 8 May 2013 the solicitor for Father [REDACTED] informed me that he had spoken to Father [REDACTED] in relation to my inquiry. He stated that he was instructed to advise that Father [REDACTED] does not wish to be contacted by Counsel Assisting in relation to the matter and does not wish to make any submission to me regarding my recommendation.

Accordingly, I advise that it is my respectful recommendation that Father [REDACTED] should permanently remain on administrative leave.

Yours sincerely,



Jeff Gleeson
Independent Commissioner

c.c. Monsignor Greg Bennett