



Royal Commission
into Institutional Responses
to Child Sexual Abuse

10 November 2016

Miranda Moody
Forbes Chambers
11/185 Elizabeth Street
Sydney NSW 2000

By email: mmoody@forbeschambers.com.au

Dear Ms Moody

**Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission)
Case Study CS42: Anglican Diocese of Newcastle**

We refer to our letter dated 2 November 2016 and subsequent correspondence.

Chronology of relevant events

We set out below a chronology of relevant events:

1. On 1 July 2016, we wrote to you (CORR.0333.001.0001) requesting that your client prepare a statement addressing the matters set out in Schedule 1 of that letter, including your client's knowledge of, or involvement in, the response of the Anglican Church in any diocese to allegations of child sexual abuse made against Peter Rushton.
2. On 15 July 2016, your client provided us with his statement (STAT.1061.001.0001_R). In paragraph 33 of that statement, your client states:

The first I knew of there ever having been allegations made of child sexual abuse in the Newcastle Diocese was when I read about it in the media years later.

3. Prior to the commencement of the public hearing on 2 August 2016, we served you with a copy of Pamela Wilson's statement dated 21 July 2016 (STAT.1092.001.0001_R). Ms Wilson states that in around 1980, COA and COC told her that Peter Rushton had sexually abused their young son, COE. COA told Ms Wilson that he had reported the abuse to your client but was not believed. Ms Wilson states that she intended to write to your client about the matter but did not ultimately do so because Peter Rushton had threatened her. Ms Wilson gave oral evidence at the hearing on 3 August 2016.
4. On 3 August 2016, your client gave oral evidence at the hearing. When taken by Counsel Assisting to the matters set out in Ms Wilson's statement, your client stated (at C16398:16-24

and C16401:5-14) that he was never made aware of allegations that Peter Rushton had sexually abused COE. Further, your client said (at C16401:42-44):

I had no knowledge at all that there were any allegations made of child sexual abuse from anybody in the diocese. I had no conversations at all.

5. On 24 August 2016, we wrote to you (CORR.0335.001.0001) requesting that your client provide a supplementary statement addressing the matters set out in that letter, including the statement of Lesley Danger dated 5 August 2016 (STAT.1120.001.0001_R). Ms Danger states at paragraphs 9 and 10 that she met with your client in early 1980 and raised the allegation that Peter Rushton had abused COE to which your client responded in words to the effect that he could do nothing as Rushton had threatened legal action.
6. On 26 August 2016, your client provided us with his supplementary statement (STAT.1151.001.0001). At paragraphs 19 to 22 of that statement, your client denied having any knowledge of Ms Danger raising the allegation and responding in the manner referred to in paragraph 5 above.
7. On 2 November 2016, we served you with the statements of Valerie Hall (STAT.1214.001.0001_R) and Christopher Hall (STAT.1213.001.0001_R). We also wrote to you on 2 November 2016 (CORR.0332.001.0001) advising that the statements of Mr and Mrs Hall will be tendered when the hearing resumes on 16 November 2016. Mr and Mrs Hall state that they recall attending a meeting with COC, COA and your client in 1978 or 1979. They state that at this meeting, COC said words to the effect that Peter Rushton had sexually abused COE but that your client did not believe the allegations.
8. Please find **attached** a copy of COC's statement dated 9 November 2016 (STAT.1259.001.0001_R). In that statement, COC states that she recalls that she and her husband, COA, met with your client in 1980 and reported Peter Rushton's sexual abuse of their young son, COE. COA states that your client did not believe the allegations. COA states that following the meeting with your client, at the end of 1980, Peter Rushton threatened her with legal action.

Each of the above pieces of correspondence with you are **attached** and may be tendered at the hearing.

Of the five witnesses identified above:

- a. three witnesses (being COC, Valerie Hall and Christopher Hall) said that they were at a meeting with your client sometime between 1978 and 1980, during which Peter Rushton's sexual abuse of COE was reported; and
- b. two witnesses (being Pamela Wilson and Lesley Danger) said that they received contemporaneous reports of that meeting.

In light of the above, we provide notice that Counsel Assisting may submit that the evidence provided by these witnesses should be accepted and that your client's evidence should not be accepted. Your client's credit may also be put in issue.

Next steps

We expect to provide you with a copy of COE's statement in the coming days.

Your client will be afforded an opportunity, if sought, to respond to the further material served on you by way of a supplementary statement or further oral evidence. We ask that, by **12 noon on Monday, 14 November 2016**, you:

1. provide us with any further supplementary statement, should your client wish to provide one;
2. advise us whether your client wishes to provide further oral evidence; and
3. advise us whether your client wishes to make an application to call COC, COE, Valerie Hall or Christopher Hall, and if so, the basis for such application.

Please do not hesitate to contact me or Kirstie Raffan on (02) **REDACTED** if you would like to discuss any aspect of this letter.

Yours sincerely



Tony Giugni
Solicitor Assisting
Telephone: 02 **REDACTED**
Email: tony.giugni@childabuseroyalcommission.gov.au