



10 November 2016

Mr Mathisha Panagoda  
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**By email:** [mlpanagoda@codea.com.au](mailto:mlpanagoda@codea.com.au)

Dear Mr Panagoda

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

We refer to our letter dated 13 September 2016 and subsequent correspondence.

**Chronology of relevant events**

We set out below a chronology of relevant events:

1. On or about 18 July 2016 your client provided a Statement to the Royal Commission in which he stated that the first time he became aware of allegations of child sexual abuse against CKC was during the criminal proceedings in 2001.
2. During the public hearing in Newcastle in August 2016, the Royal Commission heard evidence from CKA alleging that he met with your client in 1984 and disclosed allegations of child sexual abuse against CKC to your client. [REDACTED] (a former Church worker), also gave evidence that she met with your client in 1987 and disclosed allegations of child abuse against James 'Jim' Brown (**the Brown Allegation**).
3. On 4 and 5 August 2016 your client gave oral evidence at the public hearing to the effect that he had no recollection of meeting with CKA in 1984 or [REDACTED] in 1987, or of receiving allegations concerning child sexual abuse as alleged. Your client also gave evidence that he had consulted his diaries and could not locate any record of these meetings.
4. We draw your attention to the following transcript pinpoint references relating to your client's oral evidence:
  - a. **Oral evidence of Bishop Appleby concerning any recollection of meeting CKA and receiving his disclosure of allegations against CKC.**
    - i. Transcript of R F Appleby, Case Study 42, 4 August 2016 at C16522:33 — C16523:10.

- ii. Transcript of R F Appleby, Case Study 42, 4 August 2016 at C16522:27-43 and C16524:1-13.
  - b. **Oral evidence of Bishop Appleby in relation to checking his diaries from 1983 to 1985 and there being no single entry for a meeting with CKA.**
    - i. Transcript of R F Appleby, Case Study 42, 5 August 2016 at C16525:21-27 and C16556:15-19.
  - c. **Oral evidence of Bishop Appleby in relation to the likelihood he met with CKA and his family over the issues concerning Arthur Bridge.**
    - i. Transcript of R F Appleby, Case Study 42, 4 August 2016 at C16523, 16555, 16558.
  - d. **Oral evidence of Bishop Appleby concerning any recollection of a meeting with the former Church worker regarding the Brown Allegation.**
    - i. Transcript of R F Appleby, Case Study 42, 4 August 2016 at C16529 —16532.
- 5. On 5 August 2016, the Royal Commission summonsed your client to produce his diaries for the years 1984, 1987, 1989 and 1990 to the Royal Commission (Summons to Produce S-NSW-753). Those diaries were produced, and showed entries for a meeting with CKA's parents in July 1984 and a meeting with CKA in August 1984.
- 6. The diaries also showed entries for meetings in relation to the reported victim the subject of the Brown Allegation on 12 February 1987 and 22 May 1990. There were also entries for meetings with Jim Brown on 16 February and 12 June 1987, and in relation to Jim Brown on 4 July 1989.
- 7. On 13 September 2016 we wrote to you (CORR.0334.001.0001) requesting that your client prepare a statement addressing his oral evidence and each of the diary entries set out in that letter, which related to meetings with CKA in 1984 and the former Church worker in 1987.
- 8. On 22 September 2016, you were advised that Counsel Assisting intended to re-call your client to give evidence addressing the conflicts between your client's evidence and the evidence of CKA and Ms Burns.
- 9. On 14 October 2016 the Royal Commission issued a Summons requiring your client to attend to give evidence at the public hearing in Sydney on 16 November 2016.
- 10. On 31 October 2016, your client produced a supplementary statement (STAT.1085.001.0001\_R), in which your client acknowledged that his diary entries show that he arranged meetings with CKA and his parents in 1984, and meetings in relation to the reported victim the subject of the Brown Allegation. However, his evidence remains that he cannot recall with certainty whether those meetings took place and that he has no recollection of those meetings.

Each of the above pieces of correspondence, together with your client's supplementary statement, may be tendered at the hearing commencing 16 November 2016.

**Next Steps**

As your client's evidence is that he does not recollect any of the meetings at issue, Counsel Assisting no longer considers it is necessary for your client to attend to give further evidence at the public hearing on 16 November 2016. However, we provide notice that Counsel Assisting may submit that the meetings in 1984 and 1987 did occur and that the disclosures in relation to CKC and James Brown were made at those meetings as alleged.

We ask that by **COB on Friday, 11 November 2016** you advise us whether your client wishes to provide any further statement or oral evidence.

Please do not hesitate to contact me or Kirstie Raffan on (02) 8282 3964 if you would like to discuss any aspect of this letter.

Yours sincerely



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