

Hand delivered by 20/4/09  
Bishop's Secretary



**Non-State Schools  
Accreditation Board**  
Queensland Government

20 April 2009

Bishop William M Morris DD  
The Corporation of the Roman  
Catholic Diocese of Toowoomba  
PO Box 766  
TOOWOOMBA QLD 4350

Dear Bishop Morris

On 9 February 2009, the Non State Schools Accreditation Board ("the Board") wrote to you requesting information from you, as the sole director of the Corporation of the Roman Catholic Diocese of Toowoomba, concerning the primary school [redacted]. That information was requested pursuant to the Board's statutory functions and powers under the *Education (Accreditation of Non-State Schools) Act 2001* and the *Education (Accreditation of Non-State Schools) Regulation 2001*.

Your lawyers, Thynne & Macartney, responded on your behalf on 18 February 2009, indicating that a response to the Board's request would be prepared as soon as Thynne & Macartney were able to "review" your intended reply. Following that, the Board received a detailed written submission, dated 20 February 2009, signed by you and prepared by Thynne & Macartney, which included various attachments.

By a letter dated 4 March 2009, the Board requested further information and documents.

Thynne & Macartney responded to that request by letter dated 19 March 2009, prepared on your behalf. Essentially, that letter asserts that "most" of the further information and documentation requested in the Board's 4 March 2009 letter is not available to you at this time, due to restrictions imposed by Queensland Police on Thynne and Macartney's ability to speak with relevant staff and that any information or documents that you would be able to give to the Board at this stage would be incomplete and of little assistance in considering the matter.

It was therefore proposed that you would delay providing a comprehensive response to the Board's 4 March 2009 letter until after Thynne & Macartney have had an opportunity to interview staff, take statements and complete its own investigations on behalf of the Diocese.

The Board is not in agreement to that course of action.

The Board does not accept that many of the responses sought in its 4 March 2009 letter are dependent on Thynne & Macartney having first interviewed relevant staff or examined their written statements, nor are they dependent upon documentation said to be exclusively in the hands of Police or the Court and unavailable to you.



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The Board affirms its request for the information and documents mentioned in paragraphs B, C, D(i) and (iv), E, F(i) and (ii), G and I of the Board's letter dated 4 March 2009, to the extent that the respective information or documents, or copies of them, are currently in your possession or control. The Board accepts that Thynne & Macartney's ability to interview relevant persons and take statements is restricted as a result of Police enquiries and criminal proceedings in respect of the Defendant. However, it is clear from your detailed submission dated 20 February 2009 that much of the material and information mentioned in paragraphs B, C, D(i) and (iv), E, F(i) and (ii), G and I of the Board's letter dated 4 March 2009 are currently in Thynne & Macartney's possession.

The Board considers that you would be in a position to provide the information mentioned in paragraphs A, H, J, K and M immediately, as those paragraphs do not seek information that relates to the Defendant.

The Board accepts that the balance of information and documents mentioned in the Board's letter dated 4 March 2009, including that mentioned in paragraphs D(ii) and (iii), F(iii) and (iv) and L, may not currently be in your possession or control and is agreeable for that information and any additional or supplementary information to be provided as soon as possible after the Police indicate that the criminal proceedings are finalised.

The Board requests that you provide the material as soon as possible, but no later than close of business, Friday, 1 May 2009.

Yours sincerely



**Emeritus Professor Roy Webb AO**  
Chairperson