

Commission into Sexual Abuse
Peter O'Callaghan Q.C.

Owen Dixon Chambers West
18/15
205 William Street
Melbourne 3000

23rd April, 2004

Tel: 9225 7979

Fax: 9225 7114

e-mail

pjocallaghan@vicbar.com.au

Private and Confidential

His Grace Archbishop Hart,
PO Box 146,
EAST MELBOURNE 3002

Dear Archbishop,

Re: Graeme Sleeman

As long ago as March 1998, Archbishop Pell asked me to report upon the complaints of the abovenamed, relative to his tenure as the principal of the Holy Family School at Doveton, and his resignation from that post in September 1986.

His resignation was stated to be for "irreconcilable personal differences" between him and the parish priest Father Peter Searson. Within that compendium of "differences" there lies complex and troublesome factual matters, which have been sporadically referred to, discussed and to some extent deal with over a very protracted period.

I have prepared a report which details the events of which Graeme complains, and the context in which they took place.

I enclose a copy of that report, in which Graeme is referred to as the principal and Father Peter Searson as the parish priest.

My recommendation is, that in all the circumstances Graeme should be offered a without prejudice ex gratia payment of \$150,000.00. To put it mildly, Graeme disagrees with my findings that the Archdiocese was not negligent in the sense that this caused Graeme's resignation, and he likewise disagrees with the amount of the payment recommended, and contends that he should receive a vastly greater sum than that. I will return to this later.

What I do first is to endeavour to summarise the report. It is lengthy, inter alia, because it refers to detailed correspondence between officers of the Catholic

Education Office and teachers at the school. This is done so as to illustrate the problems which retained there for so long and so persistently.

In my report I again detail the undoubtedly bizarre and troublesome conduct of Peter Searson. His impact upon those around him in the parish of Sunbury, then at Doveton, was enormous and far reaching.

From the beginning his relationship with Graeme was difficult. As was the case continuing after Graeme resigned, Searson intruded into the activities of teachers at the school and students in a way which could not be justified by reference to the normal conduct of a parish priest. These matters are detailed to some extent in the report. However, in 1986 whilst strong suspicions abounded in relation to Searson's sexual misconduct there was no hard evidence establishing that. In that context it will be appreciated that the child (called AB) whom, later events demonstrated was seriously abused by Searson, was not prepared (nor were her parents) in 1986 to disclose the details of that abuse. It was only in 1997 when AB was then twenty years of age, that she agreed to meet with me and to review her complaint.

The report seeks to paint a full picture of the position at the school both before and after Graeme's resignation. This is done to illustrate the problems with Searson and the turmoil he created at the school. It reflects the pressures which Graeme was under, and to which pressure he eventually responded by resigning.

As appears in my report, I can attribute no blame to the Archdiocese as at 1986. Undoubtedly in retrospect, Searson was engaging in conduct which was truly reprehensible, as later investigations revealed. In that sense Graeme's action in resigning was justified, but at the time he did resign it was not able to be, and was not attributed to, the sexual misdemeanours of Searson.

Graeme makes strong criticism of the Archdiocese and the Catholic Education Office. I found no evidence of a black-balling process in relation to Graeme's applications for principalships. However the advice he had received from an officer of the Catholic Education Office to state that he resigned for personal reasons, probably produced an insurmountable hurdle to his acceptance as a principal. To provide no explanation as to why he had resigned would have left the interviewers with an unresolved doubt, such that other applicants would be preferred. Had the interviewers been apprised of what in retrospect can be seen as the intolerable situation in which Graeme found himself, no doubt things would have been different.

Whilst I have not found there was any breach of the Archdiocese contractual or tortious obligations, I do find that the course of Graeme's resignation was the egregious conduct of the parish priest. It is for that reason that I recommend a without prejudice ex gratia payment of \$150,000.00. In that context, I have had regard to the reports of Dr Byrne and Professor Ball, extracts of which appear in the report.

Because of Graeme's disagreement with the extent of my recommendations, I enclose herewith relevant correspondence I have had with him in relation to the matter.

I have the greatest of sympathy for Graeme and his wife. I understand that he wishes to have the opportunity of meeting with you to explain and support his position. I respectfully suggest that this may be an appropriate course to follow.

I have forwarded a copy of this letter to Richard Leder.

Yours sincerely,

Peter O'Callaghan
Independent Commissioner