

Independent Commissioner
Peter O'Callaghan Q.C

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Private and Confidential

AFA

REDACTED

Dear AFA

Re: Michael Glennon

I refer to our conference on 18 February, and as arranged I enclose herewith a transcript thereof.

I confirm that I am the Independent Commissioner appointed by the Archdiocese of Melbourne to enquire into allegations of sexual abuse by priests, religious and lay persons within the control of the Archdiocese of Melbourne

If I receive a complaint of sexual abuse, which might constitute criminal conduct, I inform the complainant that he has an continuing and unfettered right to report the complaint to the police and I encourage the exercise of that right.

You have stated to me that it is probably the case that you will not go to the police. Pending your final decision on that matter, I attach herewith an acknowledgment which in the event that you decide not to go to the police I would request you to return the same to me, after of course you have given it due consideration.

I now set out for your consideration matters which you might consider relevant to the question of whether you should go to the police.

1. You are under no obligation to go to the police and indeed many complainants do not do so.
2. You expressed to me the concern of Glennon upon being released will reoffend which possibility would be removed if he were convicted and sentenced to a further term of imprisonment.

3. You point out that first it cannot be assumed that Glennon will be convicted on your evidence, because of it being his word against yours. I would consider it likely that Glennon would be convicted, but there is then the issue of what sentence he might receive. I am aware that Glennon was convicted of offences in the years set out:
- 1973-1977
 - 1974-1977
 - 1978
 - 1980-1981
 - 1982-1983
 - 1980-1983
 - 1982-1983
 - 1983
 - 1982-1986

Many of these offences were similar to that of which you complain, and accordingly it would have to be considered likely that the Court would perhaps not imprison him, or alternatively for a relatively short period. This would be because it would be pointed out on behalf of Glennon that he has done very substantial time for offences similar to that of which you complain.

4. With respect to your enquiry as to what will happen to Glennon upon his release which I believe will take place in October in 2013, I advise that Glennon will be a registered sex offender. The purpose of the Sex Offenders Registration Act is (briefly stated) to require certain offenders who commit sexual offences to keep the police informed of their whereabouts and other personal details for a period of time; to reduce the likelihood that they will reoffend and to facilitate the investigation and prosecution of any future offences that they may commit.
5. It can be assumed that Glennon will be a registered sex offender for life and will be required to report annually after initially providing personal details.
6. I annex hereto Section 14 of the Act which provides the personal details required to be provided initially, and annually thereafter, and upon any change in those particulars.
7. If you went to the police they would take a detailed statement from you, and then consideration would be given by the Office of Prosecutions as to whether Glennon should be charged. There would be a real possibility that the police would decline to charge if they were of the opinion that at the end of the day Glennon would not be imprisoned for a significant period. If he were charged and assuming as is almost certainly the fact he would deny the charges, there would be a Committal Hearing and upon Committal a trial. This would all take place over a period of at least two years.
8. I confirm that in the event of your going to the police I would take no further steps until the completion of the police investigation and any proceedings resulting therefrom.

On the assumption that you decide not to go to the police, I have also forwarded a letter advising you of the process to be followed. If you did go to the police, you should disregard that letter.

I also confirm that I remain ready and willing to discuss with you at any time any queries you have arising from the above.

Kind regards.

Yours sincerely



Peter J O'Callaghan
Independent Commissioner

Encs.