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• Anglican Diocese of Newcastle •

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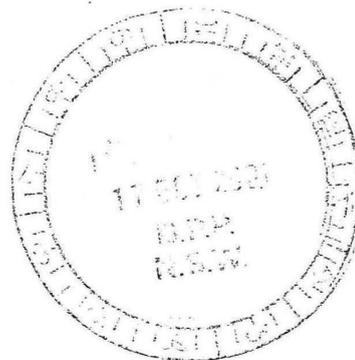
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3 October, 2001

Mr Nicholas Cowdery QC
 Director of Public Prosecutions in and for the
 State of New South Wales
 265 Castlereagh Street
 SYDNEY NSW 2000



Dear Mr Cowdery

DPP – v – George Parker, Case No. 2012490

We refer to the trial at Newcastle District Court which commenced on 10 September, 2001. On 12 September the Crown “no billed” the matter and the Judge discharged the jury.

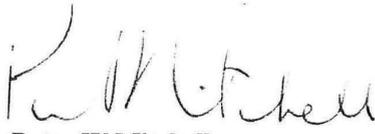
The charges before the court were of allegations of sexual assault by a priest on two boys some twenty five years ago. We wish to express our concern that during police interviews and pre-trial hearings insufficient investigation was made into the allegations. The timing and nature of allegations changed several times during the process, not only creating inconsistencies in the evidence of the complainants, the defendant also had insufficient time to respond to the changes.

We are concerned that publicity after such trials commence enables details of allegations to be widely reported. Yet, when the case does not proceed, there seems to be no opportunity or obligation on the DPP to explain to the public the reasons the case was withdrawn. If this is the case, we believe the DPP is under an obligation to investigate the evidence with greater diligence than we experienced in this particular matter. This office provided evidence in response to a subpoena issued by the defence. We also obtained information at the request of the DPP (which was not collected as arranged) and we answered a number of general telephone inquiries. We were therefore surprised that the DPP was quoted in a television report as saying “the Dean’s Office was unwilling to assist.” This comment is quite untrue, as the Dean’s office was not contacted. Records are held at the Bishop’s Registry, and as I have indicated we were contacted on a number of occasions and provided answers to all questions raised.

The process has left a great number in the community questioning the integrity of the individual priest, the Dean, this office and the Church generally. We have had protocols and procedures for dealing with allegations of sexual abuse for some years. We recognise that such matters are not easy to deal with and that many remain hesitant to pursue such matters. We are concerned that the way this particular matter was handled will make those most at risk even more unsure and cynical about pursuing genuine allegations.

We seek your comments on how the pre-trial investigation process might be amended to ensure the presumption of innocence until proven guilty. Both Bishop Roger Herft and I would be happy to meet with you to discuss the matters raised.

Yours faithfully,



Peter W Mitchell
REGISTRAR

Please obtain a report on the matter raised.

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