

OUR REFERENCE

## DIRECTOR'S CHAMBERS

2012490

YOUR REFERENCE

DATE

29 November 2001



Mr P W Mitchell  
Registrar  
Anglican Diocese of Newcastle  
PO Box 817  
Newcastle NSW 2300

Dear Mr Mitchell

I refer to your letter dated 3 October 2001 concerning the prosecution of George Parker.

The report by NBN television misquoted the submissions put to the court by my officer. The transcript of those submissions indicates that the court was informed that the Dean's office 'was unable to assist'. The transcript does not say anywhere that the Dean's office was 'unwilling to assist'. The correspondence contained in the subpoenaed material from the Dean's office supports the suggestion that it was unable to assist when the police made inquiries on 9 February 2000.

It is unfortunate that NBN television chose to report the trial in the manner it did, suggesting that the DPP was criticising the Dean's office. Certainly, the staff at the Registry were very co-operative whenever they were contacted by this Office by telephone or letter.

I understand that the documents which you were to make available to my Office at our request shortly before the trial were the registers which contained the licences issued to Father Parker. Those documents confirmed information already provided to Mr Allen, the defence solicitor. Mr Allen wished to tender that information at the trial and had sent it to this Office to inquire whether we required the Registrar to come to court as a witness in the defence case to prove the information supplied by you about Father Parker's various appointments at the relevant time.

To save the Registrar the inconvenience of attending court to give evidence, we intended to agree to the tender of that evidence after the Crown Prosecutor had viewed the original source of that information.

The Crown Prosecutor was not able to attend the Registry prior to the trial due to other court commitments and it was intended that if the trial proceeded then at a time before the defence case opened the Crown Prosecutor would have attended the Registry and viewed the registers.

Prior to charges being laid against Father Parker, the police contacted the Dean of Newcastle's office and requested dates that the accused may have been appointed to the Gateshead Parish. The Officer in Charge at the time, Detective **REDACTED**, reported that he was told on 11 August 2000 by the Dean's office that it was unable to assist.

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Police obtained RTA records which recorded Father Parker's change of address to Gateshead in 1975 and confirmed that he was the registered owner of a motor vehicle described by one of the complainants.

This Office wrote to the Registry on 2 August 2001 requesting information about the Guild Services. The Registry replied on 3 August 2001:

'We are not aware of the status of the Guild. We cannot find any evidence that it was a part of the Diocesan structure. We are therefore not aware of any records of when and where services or meetings may have been held.'

Mr Rosser told the court that the Register of Services which the defence produced was obtained because Mr Allen 'had some connection with the Church', 'he knew precisely what to look for and where to look'. It is noted that the Register of Services recorded the Guild Services as well as a record of services conducted within the parish.

Reasonable attempts were made by this Office to ascertain if there were records available which were relevant to the trial; but without knowing what to look for or where to look, other than with the the Dean's Office and the Registry - already contacted without success - the vital record, the Register of Services, was not obtained.

The complainants have attended three conferences in total, one with the solicitor at the time of the committal hearing. The other two conferences were held with the trial solicitor and the Crown Prosecutor. On each occasion, the complainants impressed the Crown Prosecutor and respective solicitors as truthful and honest and the complainants certainly exhibited those qualities while giving evidence before the court at committal, the Basha inquiry and the trial.

I trust that your concerns have been addressed. My Office follows specific guidelines in the conduct of all its prosecutions. The guidelines assist in the implementation of the Prosecution Policy of this Office. Action taken in this particular matter was in accordance with those guidelines.

Yours faithfully



**Nicholas Cowdery QC**  
**Director of Public Prosecutions**