



**{In Archive} Fw: RE: Lord prosecution
Mathieu Russell to: Anthony Holton**

22/08/2012 10:29

Archive: This message is being viewed in an archive.

Sir,

After forwarding the email regarding the YMCA I have spoken with the DPP and received the information below. It may now be the position that the YMCA provide representation at the mention?

Mat

-----Forwarded by Mathieu Russell [REDACTED] on 08/22/2012 10:28AM -----

To: Mathieu Russell [REDACTED]
From: "Thompson, Katherine" [REDACTED]
Date: 08/22/2012 10:26AM
Subject: RE: Lord prosecution

Dear Mat,

As discussed, after consideration of the issue of non publication this Office took the view that the current order would not be proceeded with. It was noted that there are statutory provisions prohibiting the identification of complainants in these proceedings [s15A Children (Criminal Proceedings) Act 1987 and s578A Crimes Act].

This position was communicated to the solicitor representing the ABC, Mr Hugh Bennett this morning, prior to the receipt of your email below.

kind regards

Kate Thompson

Solicitor I Office of the Director of Public Prosecutions.

(02) [REDACTED] | (02) [REDACTED]

[REDACTED]
Level 15, 175 Liverpool Street, SYDNEY NSW 2000
Locked Bag A8, SYDNEY SOUTH NSW 1232
DX 11525 SYDNEY DOWNTOWN

From: Mathieu Russell [REDACTED]
Sent: Wednesday, 22 August 2012 10:14 AM
To: Thompson, Katherine
Subject: Fw: Lord prosecution

Hi Kate,

The below is an email concerning the YMCA and the non-publication order. Please give me a call to discuss further.

Thanks,

Mat

-----Forwarded by Mathieu Russell/29456/Staff/NSWPolice on 08/22/2012 10:12AM -----

To: Mathieu Russell/29456/Staff/NSWPolice@NSWPolice
From: Anthony Holton/27140/Staff/NSWPolice

Date: 08/22/2012 10:06AM
 Cc: Maria Rustja [REDACTED], Glyndwr
 Baker [REDACTED]
 Subject: Fw: Lord prosecution

Matt,

As per our conversation the attachment is a letter from the YMCA legal representative concerning the suppression order in the Lord matter. I understand that the children in this matter are no longer associating with the YMCA Centres, but their involvement at the time of the offences may lead to them being identified, and as indicated in the letter some groups of children in the Centres at the offending age group were small. We do not want to identify any victims so I would suggest continuing with the suppression order as our position and allowing the Court to make the decision. Can you please provide the letter to the instructing Solicitor.

Can you also speak with any Media who may intend to obtain footage of the children's families and advise them that if released they may identify a child sexual assault victim.

I have briefed D/Supt Rustja. Let me know what Georgie thinks, but I assume the Media have enough information from prior releases.

Tony



Anthony Holton | Detective Inspector | Manager Zone 4

Child Abuse Squad | State Crime Command | NSW Police Force

Phone: (02) [REDACTED] (E/N: [REDACTED] | Fax: (02) [REDACTED] (E/N: [REDACTED]

Mail: Locked Bag 5102, Parramatta NSW 2124 | Email: [REDACTED]

----- Forwarded by Anthony Holton [REDACTED] on 22/08/2012 09:51 -----

From: Alistair McKeough [REDACTED]
 To: [REDACTED]
 Cc: "James Ellender" [REDACTED]
 Date: 21/08/2012 12:39
 Subject: Lord prosecution

Dear Anthony

Further to our conversation last week, we confirm that we act for the YMCA of Sydney.

Please find attached a letter from the YMCA setting out some of the concerns and requesting guidance.

If you would like to discuss please do not hesitate to call me or James Ellender.

Alistair McKeough
 Solicitor Director | Whittens

T: 02 [REDACTED] | D: [REDACTED] | M: [REDACTED] | F: 02 [REDACTED] | Office: Level 5, 137-139 Bathurst Street,
 Sydney NSW 2000 | Correspondence: PO Box A2621, Sydney South NSW 1235 | DX 11535 Sydney Downtown |
www.whittens.com.au

Nominated Adviser to the National Stock Exchange of Australia Limited

"Whittens - Solutions for a Commercial World"

**CONFIDENTIALITY NOTE:**

This e-mail and any attachments are confidential and may be protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by returning it to the sender and deleting any copies of the email that you have.

All mail is subject to content scanning for possible violation of NSW Police Force policy, including the Email and Internet Policy and Guidelines. All NSW Police Force employees are required to familiarise themselves with these policies, available on the NSW Police Force Intranet.

(See attached file: YMCA Communication to NSW Police 21.08.2012.pdf)

The information contained in this email is intended for the named recipient(s) only. It may contain private, confidential, copyright or legally privileged information. If you are not the intended recipient or you have received this email by mistake, please reply to the author and delete this email immediately. You must not copy, print, forward or distribute this email, nor place reliance on its contents. This email and any attachment have been virus scanned. However,

you are requested to conduct a virus scan as well. No liability is accepted for any loss or damage resulting from a computer virus, or resulting from a delay or defect in transmission of this email or any attached file. This email does not constitute a representation by the NSW Police Force unless the author is legally entitled to do so.

All mail is subject to content scanning for possible violation of NSW Police Force policy, including the Email and Internet Policy and Guidelines. All NSW

Police Force employees are required to familiarise themselves with these policies, available on the NSW Police Force Intranet.