

HO04094HO S5/LL

FREEMANS AUSTRALIA  
RECORD OF INTERVIEW

On 11/11/99 Hugh Robertson interviewed Bishop Phillip Newell at 125 Macquarie Street, Hobart. Also present at interview were Michael O'Farrell of Dobson, Mitchell & Allport and Simon Carter of Page Seager.

In discussions with Bishop Newell, the following emerged.

1. He has been the Bishop of Tasmania since 24/8/82. The Right Reverend R.E. Davies was the previous Bishop of Tasmania for about 19 years.
2. Bishop Jerrim acted as Administrator after Bishop Davies' term and before Bishop Newell was appointed.
3. Louis Victor Daniels ("LVD") was already Rector at Deloraine in 1982 when Bishop Newell was appointed. LVD remained Rector at Deloraine until about 1990.
4. LVD was the State Chairman of CEBS until about 1987. *August 1988*
5. LVD was Rector at Burnie from ~~about 1990~~ *1988* until he resigned in 11/94. *RKW*  
Additionally, LVD was the Archdeacon of Burnie from about 1991 and as such, a member of the Diocesan Council.
6. Also while at Burnie, LVD was an Examining Chaplain. In this role his function was to advise Bishop Newell on acceptance of people into the Church for training, their training and whether those people should be ordained.
7. While he was at Burnie, LVD lived in the Rectory at View Road, Burnie.
8. Bishop Newell is fairly certain Brett Andrew Skipper ("BAS") lived at the Rectory in Burnie for a period(s) while LVD occupied the Rectory.
9. Bishop NEWELL is aware another male, **REDA** (surname not recalled), lived at the Burnie Rectory for some period while LVD was in residence. Bishop Newell's recall is that **REDA** was a dependent person who possibly had some mental illness and was receiving Social Security benefits.

*RKW*

10. Bishop Newell's recollection is that the very first indication he had that LVD may have been involved in inappropriate sexual behaviour with young boys, was by way of a report to him, Bishop Newell. His 1987 diary clearly shows that in early June 1987, Bishop Newell was contacted by a school teacher, Sue Clayton who brought three young school boys (none being RED  
ACT) to see Bishop Newell. The three boys alleged Bishop Newell that LVD had engaged in inappropriate sexual behaviour with them. Bishop Newell saw the three boys on several occasions and eventually, two of the boys provided written Statements to Bishop Newell, setting out their allegations regarding LVD's inappropriate sexual behaviour with them. Bishop Newell believes the offences reported by the three young boys occurred at a church camp(s) at Montgomery Park. Bishop Newell cannot recall when the behaviour complained of was said to have happened. The boys reporting to Bishop Newell wanted LVD's behaviour stopped. On learning of the allegations Bishop Newell phoned the then Primate, Archbishop Sir John Grinrod who advised that:
- (a) Bishop Newell should obtain LVD's assurance that if the behaviour complained of had occurred, it was an aberration and not part of a pattern of behaviour by LVD and,
  - (b) with assurances from LVD that if the behaviour complained of had occurred, it was an aberration, LVD be admonished and told that his reported behaviour could be the basis of criminal charges and,
  - (c) Bishop Newell should require LVD to resign from CEBS and have nothing further to do with any of the youth work of the Diocese and Bishop Newell should find a professional person to counsel LVD and,
  - (d) Bishop Newell should tell LVD that he would not agree to LVD's any pre-ferment unless he, Bishop Newell, was totally satisfied that if LVD had behaved in the manner complained of, that had been an aberration and there would be no like behaviour in the future.
11. The action recommended by Archbishop Sir John Grinrod was taken and Bishop Newell contacted the three young boys to advise them what action had been taken. In about 8/87, Bishop Newell wrote to the three young boys asking to see them again but received no follow-up. Bishop Newell's recall is that when he spoke with LVD about the allegations by the three

*PKW*

young boys, LVD although he may not have admitted such behaviour, did not deny it.

12. Subsequently, the Parish of Burnie nominated LVD for appointment as Rector of Burnie. Because of Bishop Newell's knowledge of the earlier complaints against LVD by the three boys, Bishop Newell questioned the nomination and was not prepared to approve it, until after he had spoken to LVD and obtained his reassurance that in the interim, LVD's behaviour with and towards young boys had at all times been totally appropriate and would continue to be so, in the future.
13. In early 1994, one of the three young boys who had complained to Bishop Newell in 6/87, arranged to see Bishop Newell and then, Bishop Stone. In discussions, the young man appeared disturbed and he attributed his state to his earlier sexual assaults by LVD. Subsequently this matter was settled between solicitors acting for LVD and the complainant. A Deed of Release was signed and a sum of money paid by LVD. Bishop Newell believes the Deed bears his signature and had the effect of releasing the Church. None of the settlement monies were paid by the Church. Soon after and because of the matter, Bishop Newell consulted Archbishop Keith Rayner ~~also~~ <sup>then</sup> the Primate of the Church. Bishop Newell took this action because he was uneasy about the public attitude towards paedophiles and how this might reflect on the Church if LVD's prior behaviour became public knowledge. Archbishop Rayner recommended Bishop Newell issue a letter of Solemn Admonition to LVD. The letter of Solemn Admonition which contained six principle points was issued to LVD. The six principle points were:
  - (a) Neither Bishop Newell nor the Church would seek in any way to impede any civil or criminal action taken against LVD, arising from his alleged sexual assaults.
  - (b) The institution of any civil or criminal action against Daniels, because of his alleged sexual assaults, would require LVD's immediate resignation. LVD's written compliance with this was required.
  - (c) A requirement that LVD give his written solemn assurance that since his verbal admonishment by Bishop Newell in 1987, there had not been a repetition or further occurrence of criminal assault by LVD, with consequent breach of trust.

*then*

- (d) Bishop Newell admonished LVD to live his life beyond reproach saying, "... Allegations which satisfy me that you have engaged in conduct disgraceful in an ordained person and productive or likely to be productive of scandal or ill-report, or allegations of improper sexual or other behaviour made against you and, which satisfy me as being with foundation, will lead to your being required to resign as a licensed priest. Your acknowledgment of your responsibility in this regard is required".
- (e) If LVD was to seek or be offered a position in another Diocese, Bishop Newell would be bound for the sake of the Church to inform the Bishop of such other Diocese regarding the matters to which the letter of Solemn Admonition referred.
- (f) Bishop Newell required LVD to decline any offer of episcopal appointment otherwise Bishop Newell would disclose the situation to the nominating or electing authority.
14. In 11/94 Bishop Newell received a phone call from a mother who reported that LVD had sexually assaulted her stepson who, because of the assault, had given a Statement to Police. As a consequence of this development, LVD was required to resign from the Church and did so in 11/94.
15. In about May or June 1999, Bishop Newell was in discussions with Bishop Henry Jerrim who had previously acted as Administrator. In these discussions, Bishop Jerrim advised that in about 1980 - 81, a Minister of the Uniting Church had come to speak to him to report that parents (parishioners of his) had reported that LVD had been involved in inappropriate behaviour (the inference was that the behaviour was of a sexual nature) with a child of theirs. Bishop Newell believes that as a result of this report, Bishop Jerrim apparently spoke to LVD, was likely assured that if the behaviour complained of had occurred it was a "one off" incident and that Bishop Jerrim probably asked Daniels to amend his life. It is probable the matter went no further and that it was not reported to anyone else in the Diocese at that time. In the May or June 1999 discussions with Bishop Jerrim, his comments made Bishop Newell aware Bishop Jerrim felt quite sure that in about 1982, he had spoken to Bishop Newell of this report against LVD. Bishop Newell has no recollection of any such advice around 1982 from Bishop Jerrim but Bishop

Newell accepts that if Bishop Jerrim believes he earlier reported the matter to Bishop Newell, then this would be so.

16. At the time Bishop Newell approved LVD being appointed as Rector of Burnie, Bishop Newell was happy LVD had changed his ways and to that time, as far as Bishop Newell recalls, he had not had any prior indications LVD had earlier been involved in inappropriate sexual behaviour with young boys and/or might be inclined towards such behaviour.

HNR

12/11/99

*Phillip Newell*  
*10/11/1999*

*PNW*