

Statement

Name: Peter Derrick James STUART

Address: Newcastle, NSW.

Occupation: Bishop of the Anglican Church of Australia

Date: 13 January 2016

1. This statement made by me accurately sets out the evidence that I am prepared to give to the Royal Commission into Institutional Responses to Child Sexual Abuse into matters relating to the Dioceses of Tasmania and Adelaide. The statement is true and correct to the best of my knowledge and belief.

My background

2. I am currently aged 52 years.
3. I hold the following qualifications
 - Bachelor of Commerce (Tasmania),
 - Bachelor of Divinity (Melbourne College of Divinity),
 - Master of Management – Community (University of Technology Sydney), and
 - Doctor of Education (Flinders).

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In the course of studying the Master of Management I had the opportunity to complete in 2000 the unit *Legal Issues for Community Managers* and in 2001 the unit *Dispute Resolution*.

4. After completing schooling in the state system in 1980, I worked for two years as an Audit Assistant with a firm of Chartered Accountants in Hobart while studying at the University. I commenced full time study for the Bachelor of Commerce in 1983.
5. I was not actively associated with any church until March 1983. Later that year I began attending worship at St David's Cathedral in Hobart, joined the young persons group (based around the evening service) and became an altar server. I remained there until the end of 1984. I became aware increasingly that the Cathedral parish was riven with conflict over different approaches to theology and liturgy. After returning to Tasmania in 1989, my connection with the Cathedral was similar to other clergy in the diocese and then as an archdeacon.
6. In 1985 I moved to Melbourne to join the Commonwealth Public Service. I successfully applied for the position of Assistant to the Registrar with the Diocese of Melbourne and commenced mid 1985. In 1987, I commenced my preparation for ordination, as a candidate for Tasmania, at Trinity College in Melbourne. While in the Diocese of Melbourne I was associated with the parishes of Box Hill and Footscray West.
7. I returned to Tasmania in December 1989. I served as Assistant Curate in Launceston South and then as Assistant Curate in St John's Launceston. I became the Priest in Charge of Penguin-Castra in February 1993.
8. The Parish of Penguin-Castra was the neighbouring to the Parish of Burnie and was located within the Archdeaconry of Burnie. While in that parish I did very little within

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the Parish of Burnie. I knew some of the young people, as I had been the chaplain at a few annual diocesan weekend events known as youth synod. I presided at one youth service in the parish.

9. I became the Rector of Moonah in 1996. +Phillp Newell appointed me as Archdeacon of Clarence in June 1997 and I became a member of the Diocese's Senior Staff (an informal group). I continued in those roles when +John Harrower became Bishop of Tasmania in 2000. I served as the Diocesan Media Officer from sometime in 1992 until June 1997. I was the Acting Diocesan Secretary from Feb 1998 – Jun 1998.
10. In late 2000 I successfully applied for the position of Executive Officer of the Ministry Development Council in the Diocese of Adelaide. I moved there in January 2001. Within that role I became Principal of St Barnabas Theological College in 2002. +Ian George invited me to be part of the archdeacons meetings known as Gaiters. He later invited me to be part of the senior leadership group known as the Archbishops Team. +Ian George appointed me as Archdeacon for Ministry Development in October 2003. I remained part of the senior leadership of the Diocese when +Jeffrey Driver became the Archbishop. The Ministry Development Council was dissolved in 2006. I remained as Principal of the College and became the Archdeacon of Adelaide. I administered the Diocese while +Jeffrey Driver was at the 2008 Lambeth Conference. I was a member of the Council of St Peters College from 2006 – 2009. As a result of being an alternate nominee proposed by the Heads of Christian Churches Chaplaincy Committee I was appointed to the Julia Farr Services Board and became its Chair as it made the transition from government into the Julia Farr Association. In a private capacity, I was a member of the school council of St Peters Lutheran School Blackwood in 2008.

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11. I moved to Newcastle in 2009 following my appointment by +Brian Farran as Assistant Bishop. I continue to serve +Greg Thompson in that role.
12. I hold a number of delegations from the Bishop of Newcastle and act as the Bishop's Commissary. I administered the Diocese of Newcastle from December 2012 until February 2014. I have been the Chair of one of the diocesan welfare and caring agencies, the Samaritans Foundation, since April 2009. I have chaired the Board of each of - Lakes Grammar – An Anglican School, Manning Valley Anglican College, Bishop Tyrrell Anglican College and Scone Grammar School (the 4 diocesan schools) as well as the diocesan schools corporation.
13. I have been a member of the General Synod of the Anglican Church of Australia since 2004. I have served on two General Synod commissions and its Long Service Leave Board.
14. I was never a member of the Church of England Boys Society (CEBS). Before and after the time I was as St John's Launceston there was a branch of CEBS in the parish, run by three parishioners. I never attended any CEBS camps or events other than providing in-service training on one occasion to CEBS leaders in Launceston around the stages of faith development of children and adults.

General Background

15. The Kohl Crowley Inquiry report entitled *Not the Way of Christ* outlines the processes that were in place in the Diocese of Tasmania up to March 1997 and includes recommendations that were accepted [ANG 0038.003.0009].
16. The submission of +Ian George to the Olsson Chung Inquiry for the Diocese of Adelaide, see [ANG.0131.004.0221], together with Olsson Chung Inquiry report, see [

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ANG.0044.001.0068] outlines the history of the processes in place in the Diocese of Adelaide up to 2004.

17. In completing this statement, I requested certain documents from the Diocese of Tasmania; which it provided. I had some electronic material from the Diocese of Adelaide. In order to complete my statement, I requested it to supply one particular set of documents; which it did.

Garth Hawkins

18. I do not know Garth Hawkins. As the Acting Diocesan Secretary I was, for that period, the senior administrative officer for the Diocese. In that capacity I formally received the report of the Kohl Crowley Inquiry [ANG 0038.003.0009]. My recollection, which has been confirmed by the Diocese of Tasmania, is that Garth Hawkins was not identified as a person of interest in that report [ANG 0038.003.0009]. I never received any complaint about Garth Hawkins conduct. The allegations against Garth Hawkins were raised after I had left the Diocese of Tasmania.

John Elliot

19. I do not know John Elliot. I never received any complaint about John Elliot's conduct. He was not listed in the *Not the Way of Christ* report [ANG 0038.003.0009].

Lou Daniels

20. I knew Lou Daniels when I was in Tasmania. I briefly met him in 1984. He was a part of the diocesan leadership when I returned to Tasmania in December 1989. I have not met him since I left Tasmania.

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21. Outside of receiving the *Not the Way of Christ* report [ANG 0038.003.0009], I never received any complaint about Lou Daniels conduct.
22. Lou Daniels's parents were my parishioners from 1996 – 2001. Neither they nor their other children sought my counsel or advice in relation to Lou Daniels.
23. When Lou Daniels resigned suddenly on 22 November 1994 I was not aware of the allegations against him or the identity of the complainant. I saw him on that day and he did not disclose the reason for his resignation.
24. I have sought from memory and from documents provided to me by the Diocese of Tasmania to put together a sequence of my growing knowledge of the matters involving Lou Daniels from 1994 – 1999 as I sought to assist +Phillip Newell as Diocesan Media Officer and Archdeacon.
25. The report of the conversation with Hugh Robertson, an insurance investigator, held on 11 August 1999 summarises the knowledge I had accumulated while assisting +Phillip Newell, see [ANG.0038.001.0590].
26. After Lou Daniels resigned, as the Diocesan Media Officer I was contacted by the local newspaper – the Advocate. I contacted +Phillip Newell and was advised by him that there were serious matters involved. I was not advised of the matters but was asked to provide a limited response to the newspaper. It would have been in keeping with the Special Ad Clerum dated 25 November 1994, see [ANG.0038.001.0190]. This reflected the information communicated to the Parish of Burnie.

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27. At some point I became aware that the allegations against Lou Daniels involved criminal conduct and that Tasmania Police were investigating.
28. I was involved in the appointment of Lou Daniels' successors – a husband and wife who were both priests. When they commenced their ministry in Burnie (29/08/1995) they were not advised of the reasons for Lou Daniels resignation. They very quickly began to identify deep dissatisfaction within the parish about Lou Daniels resignation and the subsequent lack of information. I became aware of the toll on them.
29. In June 1997, David Gould approached me. He was who was a member of the staff at hotel at which an Australasian Religious Press Association conference was being held. I had met him a few times before. David Gould asked how he might meet with +Phillip Newell. I advised him accordingly. I did not know then but learnt later that he wished to inform +Phillip Newell of the abuse he experienced from Lou Daniels and others.
30. By September 1997 there was media attention about abuse in the Diocese and growing discontent within the Diocese about the lack of information about Lou Daniels resignation. At the annual clergy conference held from 29 September to 2 October 1997. I privately encouraged +Phillip Newell to consider an independent inquiry. I canvassed the proposal with four other clergy (John de Groot, Paul Arnott, Phillip Aspinall and Chris Jones). Following further conversation with +Phillip Newell and at his request I drafted a proposal, see [STAT.0808.001.0040]. During the succeeding days +Phillip Newell discussed this with the senior leadership of the diocese and the terms of reference were developed and possible inquirers were recruited. The inquiry was announced in October 1997.

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31. I accompanied +Phillip Newell when he met with the Parish Council of the Parish of Burnie. My recollection is that the Parish Council was relieved by a move towards transparency.
32. I provided a briefing to the Kohl Crowley Inquiry about the structure of the Diocese of Tasmania.
33. +Phillip Newell shared with me the statement he proposed to make to the Kohl Crowley Inquiry, see [STAT.0808.001.0044]. In that process I became aware of his greater knowledge of Lou Daniels misconduct and his seeking advice from +John Grindrod and later +Keith Rayner, each of them was at the time the Primate (the Primate is the senior bishop to the Bishop of Tasmania who can counsel and guide a Bishop but cannot direct the Bishop).
34. As the Acting Diocesan Secretary, I formally received the report of the Kohl Crowley Inquiry entitled *Not the Way of Christ*. Lou Daniels was recorded as a person of interest (I am advised by the Diocese of Tasmania that he was listed as P1) [ANG 0038.003.0009].
35. The Kohl Crowley Inquiry identified Brett Skipper, who also lived in the Rectory at Burnie as a person of interest. (I am advised by the Diocese of Tasmania that he was listed as P12) [ANG 0038.003.0009]. This was the first I learnt of this.
36. I first heard of Brett Skipper in 1990 or 91 when his mother, who was involved occasionally at the Parish of Launceston South, mentioned to me he resided with Lou Daniels.

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37. In July 1998, I became aware through the media that Lou Daniels had offended against Brett Skipper and that Brett Skipper was suing Robert Brandenburg, Lou Daniels and the Diocese of Tasmania, see [ANG.0038.001.1104]
38. I was not actively involved in the management of the legal action. However, in a conversation with +Phillip Newell, which correspondence indicates occurred on 20 May 1999, I became aware of progress and raised some questions with +Phillip Newell, see [ANG.0038.001.1593].
39. I was part of a meeting that the Diocese of Tasmania advises was held on 24 June 1999. I was also present at a meeting between +Henry Jerrim and +Phillip Newell which the Diocese of Tasmania indicates was held on 23 July 1999, see [ANG.0038.001.1536].
40. I assisted +Phillip Newell to write to the bishops of other people still living and identified in the *Not the Way of Christ* report [ANG 0038.003.0009].
41. I was a member of the drafting group that prepared the Bill for the Ministry and Tribunal Ordinance 1998 for the Tasmanian Synod which provided a new framework for clergy discipline and managing clergy conduct.
42. In 2000, the then Diocesan Secretary, William Haas, and I discussed the legal matters again in the wake of QBE denying legal coverage late in 1999. Subsequent to the meeting I offered him some views in writing, see [ANG.0038.001.1359].
43. Sometime during 2003-2004, after leaving the Diocese I learnt from Chris Jones that the Diocese was developing a pastoral care and assistance scheme (a redress scheme).

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44. In May 2004, Chris Jones advised me that Brett Skipper had suicided after receiving a settlement from the Diocese. I was deeply shaken by this news. I shared it with my wife and, for the first time, shared with her the complexity of Brett being both victim and perpetrator. A few months later when +Phillip Aspinall, who I have known since 1983, rang our home Brett Skipper's name came up in the conversation and a discussion ensued which led to correspondence between +Phillip Aspinall, +John Harrower, Chris Jones and me. Please see:

- i. Letter from +Phillip Aspinall to Peter Stuart dated 4 June 2004
[STAT.0808.001.0056]
- ii. Letter from Chris Jones to Peter Stuart dated 8 June 2004 [ANG.0142.001.0088]
with attachment [ANG.0142.001.0089]
- iii. Letter from +Phillip Aspinall to Peter Stuart dated 16 June 2004
[ANG.0142.001.0085]
- iv. Letter from Peter Stuart to +Phillip Aspinall dated 22 June 2004
[ANG.0142.001.0091] with attachment [ANG.0142.001.0093]
- v. Letter from Peter Stuart to +John Harrower dated 22 June 2004
[ANG.0142.001.0090]
- vi. Letter from +John Harrower to Peter Stuart dated 25 June 2004
[ANG.0142.001.0095]
- vii. Letter from +Phillip Aspinall to Peter Stuart dated 30 June 2004
[STAT.0808.001.0069]
- viii. Email from Peter Stuart to +John Harrower and +Phillip Aspinall dated 15 July
2004 [ANG.0142.001.0096]

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Robert Brandenburg

45. I did not know Robert Brandenburg. I never received any complaint about Robert Brandenburg's conduct. His name was not listed in the *Not the Way of Christ* report [ANG 0038.003.0009].
46. While in Tasmania I was part of a meeting in July 1998 convened to consider a newspaper article that indicated that Brett Skipper was taking legal action against Robert Brandenburg, Lou Daniels and the Diocese of Tasmania, see [ANG.0038.001.1104]. The meeting advised +Phillip Newell to advise +Ian George of the legal action which he did, see [ANG.0038.001.1105].
47. I was interviewed by the Olsson Chung Inquiry. I asked Anne Hywood, the Diocesan Executive Officer, to accompany me. My response to a question in the interview made clear that the Diocese of Adelaide was informed in July 1998 by +Phillip Newell of media reports of allegations against Robert Brandenburg. The Diocese held, to that point, that its knowledge was from April 1999. I provided further information to the Inquiry. I advised them that I would advise +Phillip Aspinall as I heard it as question about his knowledge. On reading the transcript and conferring with Anne Hywood I realised it was a question about +Ian George's knowledge. I understand she informed +Ian George. See [STAT.0808.001.0073] and [STAT.0808.001.0075].
48. My responses to matters associated with the abuse by Robert Brandenburg were as an employee and officeholder within the Diocese of Adelaide and usually involved working with others. Some of the key work included -
- a. membership of the Diocesan Council Sexual Abuse Task Group which was convened following Synod in 2002 and in response to matters raised by the Rev

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Dr Don Owers with the Diocesan Council. As part of that group, I prepared a paper exploring options for the Diocese. My paper was received but did not progress, see [ANG.161.002.0013], [ANG.161.002.0019] and [ANG.161.002.0001].

- b. working with others in 2003 to put the emerging national approach for professional standards into place as the interim diocesan policy.
- c. working with others to develop, implement and reflect on a protocol for supporting parishes/organisations following a public allegation of sexual abuse.
- d. being a member of a group established to liaise with insurers and others to respond to matters raised with the Diocese by Gerard Menses and +Ian George following the Olsson Chung Inquiry.
- e. managing and working as part of the team responsible for introducing extended safer ministry education in the Diocese. I summarized the work of the Diocese in an address to the Synod in 2006, see [ANG.9610.01001.0120].
- f. working closely with Anne Hywood and others to draft Healing Steps based on mediation principles and the work of Towards Healing of the Roman Catholic Church. Given the circumstances in the Diocese, the preference was for an uncapped mediated scheme rather than a capped settlement scheme. Healing Steps was launched in August 2004, see STAT.0808.001.0109.
- g. on behalf of the Synod and its Ministry Development Council coordinating the appointment and support of Dr Zoe Morrison and ensuring the communication of her report, see [ANG.9610.01001.0145].
- h. being a member of a group formed by Diocesan Council to ensure the financial capacity of the Diocese to meet claims. This group reported to Synod in October 2006. The aim was to ensure that at all times the Archbishop was in the position to continue to authorize a prompt and pastoral settlement with people making claims while also ensuring that funding was available in the future for ministry, see [STAT.0808.001.0123].

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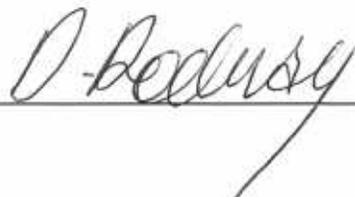
- i. being part of a group convened by +Jeffrey Driver to put to Synod a Bill for the Professional Standards Ordinance in 2006 to replace the Interim Professional Standards policy.
49. During the 2004 General Synod, I joined with other representatives from the Diocese of Adelaide to explore with Garth Blake the possibility of amending section 6.4 of Faithfulness in Service, see [ASQ.261.004.0001]. We affirmed the importance of the code in the areas of child protection and ensuring appropriate professional conduct. Our particular concern was that it could be used adversely against gay and lesbian Christians recognising the breadth of the definition of church worker in the Code. That General Synod adopted Faithfulness in Service in the proposed form and also adopted resolutions in relation to human sexuality and marriage.

Disclosure to Bishop Henry Jerrim

50. I first met +Henry Jerrim in 1983 when he became the Acting Dean of St David's Cathedral in Hobart. He retired in 1985. I saw him very infrequently in his retirement.
51. The extent of my knowledge of the disclosure about abuse to +Henry Jerrim is recorded in the documents [ANG.0038.001.0590] and [ANG.0038.001.1536].

Meetings of clergy about Lou Daniels

52. I was not an officeholder or employee of the Diocese of Tasmania when Lou Daniels was appointed as Rector of Burnie or Archdeacon of Burnie. I had no specific reason to write to +Phillip Newell about these appointments.
53. I am aware that a group of clergy in Launceston were both concerned about the diocesan leadership and the direction the Diocese of Tasmania was taking with

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the ordination of women. I believe but never verified that concern about Lou Daniels was behind a question asked at Synod in 1992 by one of those priests, see [STAT.0808.001.0123].

54. I was not part of any clergy group discussion about the suitability of Lou Daniel's appointment.

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