



Royal Commission
into Institutional Responses
to Child Sexual Abuse

Statement

Name	Richard Johnson Kells
Address	Known to the Royal Commission
Occupation	Retired
Date	25 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. This statement is true to the best of my knowledge and belief.
2. Where direct speech is referred to in this statement, it is provided in words or words to the effect of those which were used, to the best of my recollection.
3. In preparing this statement, I have referred to documents by their document reference number, which appears in the top or bottom right hand corner of the document to which I refer. I have not independently reviewed the records from which these documents have been drawn.
4. This statement has been prepared on the basis that the Royal Commission will issue a Notice to Produce under the *Royal Commissions Act 1902* (Cth) s 2(3A) for the production of a signed copy.

Background

5. My full name is Richard Johnson Kells. I was born in 1941. I am 74 years old.
6. I was born in Subiaco, Western Australia. I moved to Sydney with my family when I was five years old.

Signature:

A handwritten signature in blue ink, appearing to read 'RJKells'.

Witness:

A handwritten signature in blue ink, appearing to read 'B. Kells'.

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7. In January 1959, shortly after I finished high school, my father died unexpectedly. I took over my father's business in footwear, and I continued to work in this industry throughout my career.
8. I married my wife, Barbara, in 1967. We have two adopted sons.
9. I retired in August 1997. In December 2002, Barbara and I moved to the Blue Mountains. In recent years, I have had major heart surgery and then serious cancer surgery and chemotherapy from which I am still recovering.

Church of England Boys' Society

10. From 1969 until around 1982, Barbara and I were members of the congregation of Christ Church on Mona Vale Road at St Ives (**Christ Church**). Christ Church is part of the Anglican Church in the Diocese of Sydney.
11. From around early 1970, Barbara and I taught Sunday School at Christ Church.
12. Soon after Barbara and I joined the congregation of Christ Church, we met BYD and REDACTED and their son, BYC. BYC became a member of the Church of England Boys' Society at St Ives (**CEBS St Ives**). I became involved in CEBS St Ives from about 1976.
13. The Church of England Boys' Society (**CEBS**) is a youth group for boys aged from six to 18. Its branches are connected to parishes, and also churches within parishes. CEBS is similar to Scouts but with a religious component. CEBS teaches boys about the Anglican faith, prayer and the Christian moral code. It also teaches life skills and values including outdoor survival skills, mateship, responsibility and loyalty.

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14. At the time I became a CEBS leader, there were no background checks or character references required. Anyone volunteering to act as a leader was trained, and then tested, on aspects of bushcraft and similar practical skills that were going to be taught to the boys. Then, if they were found to be satisfactory, they were given authority, through the issuing of a warrant, to act as a leader.
15. Our branch comprised two groups: Pages and Esquires. Pages were boys aged between nine and 11 years old. Esquires were boys aged around 12 to 15 years old. I was immediately given the role of leader of the Esquires group. Meetings for both groups were held each Friday night.
16. There were many CEBS branches all over the Sydney metropolitan area in the mid to late 1970s. Each CEBS branch had a Branch Governor, being the principal leader.
17. Brian Butler was the Branch Governor of CEBS St Ives until he retired at the end of 1976. From 1977 until I left CEBS St Ives in 1982, Stewart Park was the Branch Governor.

Simon Jacobs

18. I met Simon Jacobs (**Simon**) in about 1977, soon after I started as a leader of the Esquires of CEBS St Ives. Simon was the leader of the Pages. I had regular contact with Simon, as we both attended CEBS meetings each Friday night and attended combined fortnightly planning meetings.
19. At the end of each Friday night CEBS meeting, I stayed behind to ensure that all the boys were picked up by their parents or had organised their transport home. I

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noticed that after some Friday night meetings, BYC would leave with Simon.

Sometimes one or two other boys would also leave with Simon.

20. As leaders of CEBS St Ives, Simon and I would often be at the same CEBS events including camps, carnivals and day trips. At some of these events, I noticed that Simon had an unusually close friendship with some of the junior boys. I observed Simon's behaviour to be like this over a period of years. I became increasingly uncomfortable about Simon's behaviour with some of the junior boys.

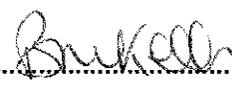
Specific incidents involving Simon and junior boys

21. I specifically recall three incidents in the late 1970s to early 1980s involving Simon and junior boys. To the best of my recollection, it was after the first two that I reported his behaviour to the CEBS Branch Governor, Stewart Park.
22. The first incident was at a CEBS Bike camp - always held on the June long weekend - in Canberra. One morning during the camp, I was standing outside a tent when the wind blew the tent front flap open. I saw Simon inside the tent tucking in the shirts of at least two boys. Simon looked up and saw me looking at him. I was surprised by what I had seen. This must have been obvious on my face. Simon stopped tucking in the boys' shirts immediately.
23. I recall the second incident occurred during a Friday night meeting at Christ Church St Ives, which was attended by both Pages and Esquires. On this particular night I felt that the Pages group was especially noisy. I visited their area to ask Simon to quieten the boys. He was not present. I searched for him and eventually found him walking from behind the hall towards the main door of the hall. He was holding the hands of

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two of the Pages boys. Simon and the boys looked very uneasy. I did not challenge him or the boys then. However, I again felt very uncomfortable. There was no reason for Simon or the boys to be outside the hall or for Simon to leave the other boys unsupervised.

First disclosure to Stewart Park, 1980

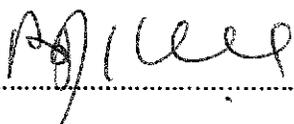
24. I decided to report the above incidents and my discomfort regarding Simon's behaviour with the boys to the Branch Governor, Stewart Park (**Park**). Park was also a fulltime primary school teacher at that time.

25. I do not recall the exact date I met with Park, but it was in around 1980. During our meeting, I told Park about my concerns with Simon's behaviour. Park said to me, *"we are short of leaders and I am loathe to rock the boat. I ask you not to speak about this again or to anyone else."* Although this response was a serious disappointment to me, I accepted it, as I had not seen any actual misbehaviour by Simon with the boys.

Wannawong Camp, 1981

26. The third incident involving Simon and CEBS boys that I witnessed was on the weekend of 4 and 5 March 1981, during a Page District camp at Wannawong. Although I was normally with the Esquires group, I attended the camp as a spare CEBS leader owing to the large number of Pages boys from St Ives. Simon also attended this camp. The plan for this camp was for everyone to camp outside in tents. However, due to extreme weather and heavy rain, it was decided that the

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permanent accommodation should be used. The permanent accommodation comprised rooms, which mostly had several double bunk beds.

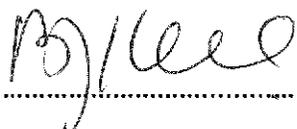
27. Given the large number of boys on this camp, it was necessary to double up the boys, so that two boys would sleep in separate sleeping bags head-to-toe on every bed. On the Saturday morning, during my rounds of waking the boys, I entered one of the rooms and saw Simon and one of the Pages boys in bed together. Simon and the boy were not in separate sleeping bags and they were not lying head-to-toe. Instead, they were lying alongside each other under a cover. I was surprised. Later that day, I confronted Simon about what I had seen that morning and he said to me, *"We were play wrestling."* I was most suspicious about this explanation but I had to accept it, as I had not seen any actual improper acts by Simon with the boy.

Disclosure by mother of Pages boy, 1981

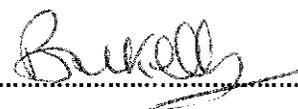
28. Shortly after the Wannawong camp, a single mother of two boys who were in CEBS contacted me by phone. She said to me, *"My son went swimming with Simon Jacobs and he came home wearing a pair of underpants that weren't his. I asked him about it and he said to me that Simon had many pairs in his car glove box and he helped him put them on."*
29. By this time, I was quite worried about Simon's behaviour with the junior boys. Apart from the particular incidents mentioned above, I saw that he would often hug the younger boys for no apparent reason.

Second disclosure to Stewart Park, 1981

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30. Following this, and within a few weeks of returning from the Wannawong camp, I again approached the Branch Governor, Stewart Park, to express my concerns about Simon. During my meeting with Park, I disclosed to him what I had witnessed at the camp and the information I had received from the mother who had contacted me concerning her son.

31. Park was again dismissive of me. He was very unhappy that I was revisiting this issue and was making a further complaint against Simon. He inferred that I was trying to stir up trouble and said to me, *"Leave this issue to me, just do your role as an Esquires Leader - don't go looking for issues outside your group."*

32. By this time, I was highly disillusioned about the inadequate responses I was receiving regarding my disclosures and complaints about Simon. I recall that around this time I was having many discussions with my wife about this matter with Simon. We really did not know what more we could do or who else to approach.

Meeting with Dr Jean Benjamin, 1981

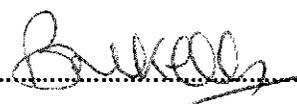
33. On 12 June 1981, Barbara arrived home from a church meeting. She said to me, *"Ric, you are not going to believe who spoke at the meeting tonight. Her name was Dr Jean Benjamin, she is a psychiatrist specialising in issues surrounding deviant sexuality. I think we should talk to her about Simon Jacobs."*

34. Barbara and I decided to speak to Dr Jean Benjamin (**Dr Benjamin**). As Barbara was a trained nurse and I was working full time, she made an appointment to see Dr Benjamin.

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35. Barbara met with Dr Benjamin and obtained advice on how to handle the situation.

Soon after, on the basis of that advice, Barbara and I invited Simon to our home.

Discussion with Simon at my home, 1981

36. On 1 July 1981, Simon came to our home to meet Barbara and me. As advised by Dr Benjamin, Barbara was to confront Simon with our various complaints and information obtained from parents.

37. Barbara said to Simon, *"People are talking behind your back. You and Ric have to work together. We have to clear the matter up. This is what they are saying: The relationship you are having with some of the boys is too close and does not look good. They are saying you are interfering with some of the boys. Tell us if this is true or not?"*

38. Simon vehemently denied the allegations. He broke down, crying in front of us as Dr Benjamin had previously advised may happen. We suggested Simon should see Dr Benjamin for counselling. I said to Simon, *"Barbara has spoken with a Dr Jean Benjamin from Lindfield, she has counselled people with the problem you appear to have."*

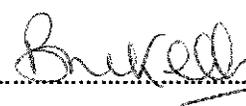
39. Simon replied, *"I have no problem but if it keeps you happy, I'll go."* We saw that Simon was very distressed and emotional during our conversation with him. I know that Simon did attend upon Dr Benjamin, as Dr Benjamin subsequently rang Barbara and told her, *"I can't divulge all the information to you but I can say he is in a state of denial but you are on the right track"*.

Disclosure to Bishop Clive Kerle, 1981/1982

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40. Around the end of 1981 and the beginning of 1982, the Pymble Branch of CEBS was about to close due to a lack of CEBS leaders. About this time, Simon decided to leave CEBS St Ives and he joined the Pymble Branch.

41. I was so concerned about Simon's move to the Pymble Branch of CEBS that I decided to go and see the acting Rector of St Swithun's, Bishop Clive Kerle (**Bishop Kerle**), at the rectory. I felt this was the right thing to do. I disclosed all of the above information to Bishop Kerle, who was gracious in receiving it but counselled me not to take these matters any further. Bishop Kerle said to me, "*Richard, try to be forgiving and give Simon a second chance.*"

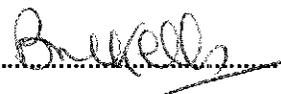
42. I was staggered by Bishop Kerle's response but felt there was nothing further I could do given his responsibilities and authority as the parish rector directly responsible for CEBS Pymble as well as his position as a Bishop. There was no one holding the position of Branch Governor at CEBS Pymble at the time.

Disclosure to Reverend Kelvin Tutt, 1983

43. Within about a year of my meeting with Bishop Kerle, I became aware of an allegation that Simon had interfered with a boy at CEBS Pymble, through my brother (who was a member of the Pymble congregation). The boy's family had told my brother this. I asked these parents, through my brother, to contact the police. The family of the boy declined my request.

44. This was the first time I had heard a complaint of actual interference with a boy and I was alarmed. As I had received no support at CEBS St Ives or the Pymble parish rector, I telephoned Reverend Kelvin Tutt (**Reverend Tutt**), the Chairman of CEBS

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Diocese Sydney, who I had known as a friend for some years. My recollection is that the morning after my brother had relayed to me that the boy's parents were not intending to go to the police, I spoke to Reverend Tutt by phone. During that conversation, I disclosed to him all the information I had concerning Simon as outlined in this statement.

45. Reverend Tutt phoned me back and advised me that he had revoked Simon's warrant to be a leader in any CEBS group.
46. Reverend Tutt, I feel, acted promptly, decisively and supportively once I appealed to him 'over the head' of the unresponsive St Ives Branch Governor, Stewart Park, and the local rector at Pymble, Bishop Kerle.

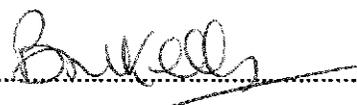
Effect of these events on my wife and I

47. Due to my actions over Simon, many members of the St Ives congregation ostracised my wife and I. Some members of the congregation felt I was simply 'against Simon'. I believe Simon had successfully 'groomed' many parents, especially one or two single mothers whose boys were attending CEBS, so they became his supporters. At this time, I had not declared widely the behaviour of Simon that I had witnessed or the steps I had taken, with CEBS and other church leaders, to try and address the behaviour. However, some people at the church had become aware of the situation between Simon, Stewart Park and myself.
48. Around 1982, although we did not change where we lived, Barbara and I made the decision to leave St Ives Church and go to Lindfield Anglican Church.

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49. I also resigned from St Ives CEBS. I felt disillusioned by the circumstances surrounding Simon's involvement with CEBS and the inadequate response by those to whom I had reported Simon's behaviour.

50. After I left St Ives CEBS, I remained, for a short period, the minute secretary of the Executive Committee of the CEBS Sydney Diocese. This Executive Committee largely handled only routine matters, such as scheduling of events, basic administrative requirements, regular reports and so on. There were few, if any, written policies and as far as I know the Executive Committee had no policies for ensuring the suitability of leaders, procedures for addressing complaints, inappropriate behaviour of leaders and the like. Simon is the only leader in CEBS Sydney Diocese that I am aware of, who had his warrant to be a CEBS leader revoked.

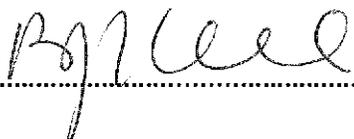
51. By the time I made the decision to leave CEBS altogether, I also felt ostracised by several members of the CEBS executive in the Sydney Diocese. I believe that these members were good friends of Simon.

52. I have no recollection of how I became involved in this Executive Committee. I do not remember whether I was elected or appointed to it, or merely served as the person who took the minutes at the meetings.

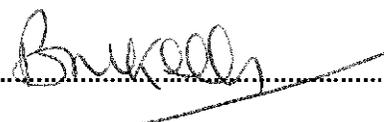
Complaint to police in the 1980s

53. In the 1980s I had become sufficiently worried that I made a formal statement to Police in Pymble regarding Simon and his behaviour, which I had observed during my time as a CEBS leader. I have been shown a copy of my police statement dated 26 April 1989 [NSW.2062.001.0745]. This date, which is handwritten at the top of the

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statement, is not correct as, to the best of my recollection, I made this statement to the police some years before then. When I left the police station after making this statement, the statement was undated and unsigned.

54. To the best of my knowledge the Pymble police did not investigate the matters raised in my statement at the time I made it. In fact, the officer who took my original statement appeared disinterested and dismissive. I do not know his name.

Letter to BYD, 2002

55. In 2002, BYD contacted me and asked me to write to her outlining my knowledge of and my actions to report Simon's behaviour with boys during the time he was a CEBS leader. Consequently, on 24 September 2002 I wrote a letter to her in which I described how I reported my concerns about Simon's behavior with CEBS boys during my time as a CEBS leader [see ANG.0133.001.0088].

Criminal proceedings in 2009/2010

56. I also made statements to police on 15 October 2009 [see NSW.2062.001.0412] and 31 March 2010 [see NSW.2062.001.0410]. I did not attend the criminal proceedings that occurred during this period.

Signed: By Kells

Date: 25/01/2016

Witness: By Kells

Date: 25.01.2016