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26 February 2015

Royal Commission into Institutional Responses to  
 Child Sexual Abuse  
 GPO Box 5283  
 Sydney NSW 2001

Our ref: JGH  
 Matter no: 9589301

**Private & Confidential**

**By email: [rachel.deane@childabuseroyalcommission.gov.au](mailto:rachel.deane@childabuseroyalcommission.gov.au)**

Dear Madam

**Case Study 23: Knox Grammar School**

We refer to our letter of 22 February 2015 concerning the alleged incident during a dress rehearsal for the musical "Guys & Dolls".

The matters raised by Ms Perry are strongly denied by Dr Paterson.

We **attach** a statement of Mr Brian Buggy who is prepared to attend the hearing and give evidence.

We renew our objection to the receipt of this evidence, and our objection is made on the same grounds as the objection made yesterday by Counsel Assisting at page 11904 of the transcript:

*"Mr Lloyd: I object to that question, your Honour. It's not part of this hearing to make findings about allegations of sexual abuse which have not been the subject of criminal prosecutions or which have not been admitted, and to do so would be, to say the least, highly problematic and prejudicial for any proceedings which may ultimately be brought."*

The allegations made have not been the subject of a criminal prosecution and have not been admitted.

The witness according to the now redacted portion of the police report (Tab 315) did not wish to take criminal proceedings and was simply reporting the matter.

There is no evidence that Dr Paterson has personally engaged in sexual abuse or inappropriate conduct towards any student or any other person at any time.

The witness makes claims in her statement which clearly contradict the version noted in the police report and the effect of her statement is that she was publicly and, in full view of a number of people, sexually assaulted by Dr Paterson which caused a number of Knox boys to cheer.

Leaving aside whether the Headmaster of Knox would risk his reputation by engaging in the conduct alleged, according to the witness there were a large number of witnesses present but not one provides a statement to corroborate the witness's allegations.

Dr Paterson accepts that there are many matters within the terms of reference of the Royal Commission for which he must accept responsibility and for which he must be held to account, but the evidence on this issue is highly prejudicial and cannot be properly tested in this enquiry

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INTERLAW.

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Dr Ian Paterson

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and, if admitted, will become the story and not the serious matters which were outlined in the opening by Mr Lloyd.

Whilst it is accepted that in these types of enquiries the ordinary rules of evidence should not be strictly applied, great caution needs to be exercised when considering admitting evidence of allegations which constitute a criminal offence if proved.

These enquiries should not be allowed to become a platform for making allegations of criminal conduct against witnesses which a complainant does not wish to have investigated by the police and does not wish to have charges laid against an alleged perpetrator.

Allowing the evidence to be admitted will leave Dr Paterson with an untested and unproven allegation of criminal conduct against him with no opportunity to have that tested and to prove his innocence.

We look forward to hearing from you.

Yours faithfully  
**Hunt & Hunt**



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