

**ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES  
TO CHILD SEXUAL ABUSE  
AT SYDNEY**

**PUBLIC HEARING INTO  
THE RESPONSE OF CATHOLIC CHURCH AUTHORITIES TO ALLEGATIONS OF CHILD  
SEXUAL ABUSE MADE AGAINST JOHN JOSEPH FARRELL  
(CASE STUDY 44)**

**SUBMISSIONS IN REPLY ON BEHALF OF  
THE STATE OF NEW SOUTH WALES**

1. These submissions are made in response to Senior Counsel Assisting's written submissions dated 30 June 2017.
2. At [289] Counsel Assisting submits that a police statement made by Patrick McGroder on 4 January 2013 to the effect that he reported Farrell's conduct to Moree police should be accepted. Counsel Assisting relies on the specific details given by Mr McGroder, notably the names of the officers to whom he said he had spoken, to support the submission that his untested statement should be accepted. (As the Royal Commission is aware, Mr McGroder is now deceased).
3. As noted by Counsel Assisting at [189], Mr McGroder said that he went to Moree Police Station and spoke to two detectives, whose names are referred to in the statement. Mr McGroder did not date the report in his statement but, on his description, his report was made in either the second half of 1983 or the first half of 1984.<sup>1</sup>
4. NSW Police records indicate that neither of the two named detectives were located at Moree Police Station in the period 1983-1984. According to service records:
  - Detective Huggett (now deceased) was stationed in Moree from 21 June 1966 until 28 April 1975. In 1983 and the first half of 1984 he was assigned to the Stewart Royal Commission and stationed at Police Headquarters (between 30

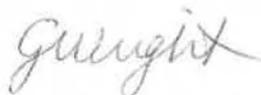
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<sup>1</sup> Exhibit 44-5, Police statement of Patrick McGroder (Tab 324) NPF.097.001.0116\_R at [19], [20], [28], [29], [30], [31] and [35]

August 1981 and 30 June 1984). Thereafter he was assigned to the National Crime Authority (until 14 February 1987).

- Detective Peet (now retired) was stationed in Moree from 5 May 1966 until 29 January 1967 and from 17 September 1967 until 22 April 1976. He was stationed at Police Headquarters and assigned to the Stewart Royal Commission from 22 June 1983 until 29 June 1985.
5. NSW Police records do indicate that a complaint was made by Mr McGroder to Moree Police on 16 March 1984 on a matter unrelated to John Farrell (but was not made to either of the named officers).
  6. A copy of the relevant records is attached. The State respectfully requests that these documents be admitted as part of the evidence in the case study.
  7. Detective Huggett died in 2008 and has never been asked about the contents of Mr McGroder's statement which was made in 2013.
  8. As to Detective Peet, the enclosed records include an Investigator's Note of 7 January 2013, in which Detective Peet is recorded as saying that he was stationed at Moree until 1975, and has no recollection of any complaint by Patrick McGroder (junior) in regards to Farrell (although he did recall Mr McGroder's father).
  9. It is respectfully submitted that in these circumstances, the Commission should be cautious before making a finding that the matter was reported to Moree Police. More importantly, there may be significant unfairness to the two officers if their names are included in any report, given the contents of the enclosed records.
  10. In making this submission, the State notes that the issue was not a matter which received any focussed attention during the inquiry. Given the subject matter of the inquiry, matters such as the particular police station, and (especially) the names of the detectives, would not appear to be matters of significance which require a finding in the Royal Commission's report.

  
Ian Bourke SC



Georgina Wright  
Counsel for the State of New South Wales

28 July 2017