



Royal Commission into  
Institutional Responses to  
Child Sexual Abuse

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

**PUBLIC HEARING INTO  
THE INSTITUTIONAL RESPONSE OF THE ANGLICAN DIOCESE OF NEWCASTLE TO  
ALLEGATIONS OF CHILD SEXUAL ABUSE BY ANGLICAN CLERGY AND LAY PEOPLE**

**CASE STUDY 42**

**OPENING OF COUNSEL ASSISTING**

**A. INTRODUCTION**

1. This is the 42nd case study of the Royal Commission. This public hearing will inquire into the institutional response of the Anglican Diocese of Newcastle (“**Diocese**”) into allegations of child sexual abuse by Anglican clergy and lay people associated with that Diocese.
2. This public hearing will inquire into the following matters:
  - (a) the past and present systems, policies and practices in place within the Diocese for responding to instances and allegations of child sexual abuse;
  - (b) the experiences of survivors of child sexual abuse perpetrated by clergy and lay people involved in or associated with the Diocese;



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- (c) the response of the Diocese and associated institutions to allegations of child sexual abuse made against clergy and lay people associated with the Diocese, including Graeme Lawrence, Gregory Goyette, Andrew Duncan, Bruce Hoare, Graeme Sturt, Peter Rushton, Ian Barrack, James Michael Brown and another Anglican priest;
- (d) the links between any institutional culture at St John's College, Morpeth and the perpetration of child sexual abuse, including by any person listed in sub-paragraph (c) above; and
- (e) any related matters.

3. This is the sixth public hearing that relates to the Anglican Church.

### **B. THE ANGLICAN CHURCH AND THE DIOCESE OF NEWCASTLE**

#### **B.1. The Anglican Church**

- 4. The Anglican Church of Australia was called the Church of England until 1981. There are 23 independent dioceses in Australia of which the Diocese of Newcastle is one.
- 5. The diocese is the main unit of organisation in the Anglican Church. Each diocese has a number of parishes, and each parish generally has several churches.



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### **B.2. The Diocese of Newcastle**

6. The Anglican Diocese of Newcastle was established on 25 June 1847.
7. Currently, the Diocese is home to 62 parishes in the Central Coast, Hunter, Newcastle, Lake Macquarie, Manning, Paterson and Port Stephens regions of New South Wales.
8. As at 27 November 2015, the Diocese consisted of 5,300 members, ministered to by 215 licenced clergy.
9. The Diocese of Newcastle is largely Anglo-Catholic in its theology. In layperson's terms this means that the Eucharist (the Holy Communion) and liturgy prescribed in the Australian Prayerbook are central to the ministry of the Diocese. This Anglo-Catholic element explains why many of the priests in the Diocese, at least historically, have referred to themselves as 'Father' rather than 'Reverend'.
10. The Bishop of the Diocese is responsible for licensing clergy in the Diocese. In addition to licenced clergy, the Diocese is assisted by laypeople who perform ministry functions such as youth ministry, scripture and other forms of church work.
11. The Diocese also runs schools, retirement homes, and social welfare services through the Samaritans Foundation. From 1920 through until 1980, the Diocese operated a children's home called St Alban's Home for Boys ("St



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**Alban's**"), which was located in Cessnock. St Alban's was run by a committee of the Diocesan Synod, with appointments including members of clergy.

12. Traditionally, though not exclusively, the Diocese trained its clergy at St John's Theological College, Morpeth ("**Morpeth College**"). This college was operated by the Diocese until it closed in 2007.

### **B.3. Governance within the Diocese of Newcastle**

13. The principle of diocesan autonomy is deeply entrenched in the Anglican Church. Each of the 23 dioceses in the Anglican Church is self-governing and has its own Synod. The Synod functions like an annual general meeting of the Diocese.
14. The head of each Anglican Diocese is the Bishop. In the Diocese of Newcastle, the following Bishops have relevantly held office:
  - (a) Bishop Ian Shevill from 1973 to 1977;
  - (b) Bishop Alfred Holland from February 1978 to August 1992;
  - (c) Bishop Roger Herft from May 1993 to February 2005. He is now the Archbishop of the Diocese of Perth;
  - (d) Bishop Dr Brian Farran from June 2005 to December 2012; and



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- (e) Bishop Gregory Thompson from February 2014. He is the current Bishop of the Diocese.
15. Bishop Shevill is deceased. The other named Bishops will each give oral evidence during this hearing.
  16. In addition to the Bishop and the Synod, there is a Diocesan Council consisting of both clergy and lay representatives. The Diocesan Council provides advice to the Bishop in respect of the day-to-day management of the Diocese and has the power to make certain ordinances as delegated by Synod.
  17. A further component of the Diocesan Structure is the Professional Standards Board, which in some ways functions like a Diocesan Tribunal. The Board adjudicates certain disciplinary matters and makes recommendations to the Bishop.
  18. There is also a Professional Standards Committee, which among other things, investigates disciplinary matters. This Committee took over various functions in the Diocese relating to disciplinary matters including the Committee for Allegations of Sexual Misconduct.
  19. In describing governance arrangements of the Diocese, mention should also be made of the Chancellor, who is the legal advisor to the Bishop. The role of the Deputy Chancellor is to provide advice to the Bishop when the Chancellor is unable to do so.





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20. The Chancellors Canon 2001 makes explicit that the Chancellor and the Deputy Chancellor act primarily as legal advisors to the Bishop, and secondarily to “the synod and other agencies of the diocese”.

### **C. ALLEGATIONS OF CHILD SEXUAL ABUSE IN THE DIOCESE**

21. A number of clergy and lay people involved in the Diocese over the period of the early-1960s through to the late-1990s have allegedly sexually offended against boys. This case study focuses in particular on nine of those men. The anticipated evidence in relation to this offending will be outlined in this opening address.
22. It is anticipated that the evidence will show that many of these alleged perpetrators closely associated with each other. After outlining these stories, this address points to some of the systemic issues expected to arise during this Case Study.

### **D. CHILD SEXUAL ABUSE BY REVEREND PETER RUSHTON AND JAMES BROWN**

23. The Royal Commission will first hear evidence about alleged child sexual abuse by Father Peter Rushton and a youth worker and lay preacher James Michael Brown. Evidence will be led as to when these allegations came to light within the Diocese and how they were handled.



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### D.1. Father Peter Rushton

24. Peter Rushton was born in 1940. In 1963, Rushton completed a Diploma in Theology at Morpeth College.
25. In 1963, Rushton was posted to Cessnock as Assistant Priest, where he remained for four years. In 1964, he was ordained as a Priest. It was when Rushton was in Cessnock that he met Paul Gray, a survivor whose story is outlined later in this opening.
26. By around the mid-1960s, Rushton had begun his association with St Alban's, which was located in Cessnock.
27. In 1967, Rushton was transferred to Wyong as the Assistant Priest for one year.
28. Rushton then transferred to the Parish of Mt Vincent and Weston ("**Weston Parish**") in the Diocese in 1968 and was the Priest in Charge of that parish until 1973. During this period, Rushton became the chaplain at St Alban's, which was close to the Weston Parish.
29. In 1973, Rushton was posted to Wallsend as a Rector. He held this position for 10 years.
30. By August 1983, Rushton had risen to become Archdeacon of Maitland, where he remained for a further 15 years. This was a senior position within the Diocese.



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31. In 2001, Rushton retired from the clergy but remained licensed. He died in 2007. He was never charged with any child sexual abuse offences, although the Diocese acknowledges that he was a child sex offender.

**D.2. James Michael Brown**

32. James Michael Brown was born on 12 January 1950, and grew up in Kurri Kurri in the Diocese. Many people know him as "Jim Brown". He is currently in prison.
33. By the early 1970s, Brown had become a lay reader and youth group leader  
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34. During the 1970s, Brown was also a youth worker at St Alban's. In around 1977, he was appointed to its committee of management.
35. In 1985, Bishop Holland was requested to issue Brown with a licence to be a lay reader REDACTED This was approved in January 1986. Around that time, Brown also applied to be an honorary Deacon and he was interviewed by Bishop Richard Appleby for that purpose.
36. In around 1992, Brown left the Anglican Church and became involved in the Baptist Church at Kurri Kurri.





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37. On 20 April 2011, Brown pleaded guilty to 27 charges of child sexual abuse relating to 19 male victims. Ultimately, he was convicted and sentenced to 20 years' imprisonment with a non-parole period of 12 years.

### **D.3. The story of survivor Paul Gray**

38. The Royal Commission will hear evidence of Mr Paul Gray, a survivor of sexual abuse at the hands of Rushton and others. He will give evidence of meeting Rushton when Rushton was the priest at Cessnock in the mid-1960s. He will say that when he was about 10 years old, Rushton anally raped him and that he was sexually assaulted by Rushton on a weekly to fortnightly basis until he was 14 years of age.
39. Paul Gray will say that in the mid-1960s, Rushton took him to St Alban's on a number of occasions and left him there where he was raped by other men. This happened repeatedly for around 18 months. Paul was locked in a room for hours at a time and men would enter the room and rape him. He says that one of the caretakers, Ron Barry, would keep him quiet by beating him. He also saw other boys being sexually abused at St Alban's.
40. On another occasion, Rushton took Paul Gray to a church camp at Yondaio where he was chased by two other men at the camp into the bushes near a cliff and raped.
41. Paul Gray will say he repressed the memories of abuse and disclosed the abuse to the Church in October 2010. Shortly thereafter, he suffered a mental breakdown and he has been intermittently in treatment ever since



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that time. The Diocese has paid for some of his treatment costs but has declined to pay for other of his treatment. In June 2013, the Diocese reached a financial settlement with Paul in relation to his abuse.

### **D.4. The story of Phillip D'Ammond**

42. The Royal Commission will hear evidence from Phillip D'Ammond, a survivor of sexual abuse at the hands of Jim Brown.
43. Phillip D'Ammond will give evidence of being placed at St Alban's in about 1975 when he was 13 years old. He will say that in August 1975, Brown, who was at that time a youth worker at St Alban's, offered to take him home for the holidays.
44. Brown sexually abused Phillip D'Ammond a number of times over that two week holiday period. From that time, Brown regularly took Phillip D'Ammond out of St Alban's for the weekends and holidays and regularly sexually abused him.
45. Phillip D'Ammond will say that in the holidays during 1977, Brown took another boy from St Alban's as well. He saw them having anal sex.
46. Phillip D'Ammond is expected to say that he encountered Peter Rushton at St Alban's and was aware that Rushton was friends with Brown. In 1976, Brown took Phillip D'Ammond to Rushton's house in Wallsend where Rushton groped him.



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47. In December 1977, Phillip D'Ammond commenced living with Brown, who became his guardian. Phillip D'Ammond lived with Brown until he was 17 years old.
48. Phillip D'Ammond first disclosed his abuse to the police in April 1996 and charges were laid against Brown. By this time, Brown had left the Anglican Church. Mr Paul Rosser QC, then the Deputy Chancellor of the Diocese, acted for Brown during the committal. All charges were dismissed at the committal.
49. In 2008, Cessnock police received a complaint from a man who had been sexually abused by Brown between 1983 and 1984 when he was 15 years of age. Following an investigation by police, Brown was arrested in June 2010 and charged with offences relating to three victims. At that time, he denied all charges.
50. Further statements were taken by police and additional charges were laid. Towards the end of 2010, Brown indicated via his counsel, Mr Paul Rosser QC, his willingness to plead guilty to the charges. In November 2011, Brown pleaded guilty to 27 charges.
51. In 2012, Brown was convicted of sexually abusing Phillip D'Ammond, Ian Ross-Gowan and 18 other boys. This abuse, which included anal sex and oral sex, spanned an almost twenty year period from 1974 to 1993. Brown generally met the boys through church activities and often got them intoxicated prior to engaging in sexual activity.



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52. Mr Rosser QC again represented Brown at the sentencing hearing. I will say more in relation to Mr Rosser later during this opening address.

**D.5. The relationship between Rushton and Brown and others within the Diocese**

53. It is anticipated that the evidence will show that Rushton and Brown knew each other well. Brown was active in the Weston Parish during the period that Rushton was the Priest-in-Charge from 1968 to 1973.

54. Before the Royal Commission will be a file note of a telephone conversation that the Diocesan Director of Professional Standards, Mr Michael Elliott, had with Brown on 13 September 2010. According to the filenote, Brown told Mr Elliott that:

“he felt he was groomed into a culture within the Anglican Diocese of Newcastle where sexual abuse of boys was accepted as the norm. He claimed he had a consensual sexual relationship with both Fr Peter RUSHTON and CKW although he felt these relationships were abusive.”

55. Evidence will be tendered from CKW, who was a Diocesan priest, of his sexual relationship with Rushton. Mr Elliott will also give evidence of uncovering various allegations regarding that sexual relationship and that one child victim alleged he was passed from Rushton to CKW for sexual purposes. Mr Elliott is expected to give evidence that CKW has been charged for historical child sex offending and is currently before the courts.





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56. It is anticipated that Phillip D'Ammond will also give evidence that in 1975 he met Father Michael Cooper at Brown's house. Cooper rubbed Phillip D'Ammond on the inside of his leg but Phillip D'Ammond rebuffed Cooper's advances. Phillip D'Ammond will say that during 1976 and 1977, he sometimes watched "hard core" pornographic videos with Cooper and Brown.
57. The evidence will show that when Rushton moved to Wallsend in 1973, Cooper took over as the priest of Weston Parish and chaplain of St Alban's. Father Cooper is now recognised by the Diocese as a child sex abuser.

### **D.6. Disclosures to the Diocese of Rushton and Brown's child sexual abuse**

58. It is anticipated that there will be evidence that on various occasions over the years, officials within the Diocese were made aware of suspicions that Rushton and Brown were sexually abusing boys.
59. The Royal Commission will hear from Suzan Aslin, who is the mother of Ian Ross-Gowan. She is expected to say that in or around late 1978 she confronted Brown about his attempts to pursue her then 15 year old son. Her son has also given a statement to the Royal Commission.
60. In around early 1979, Ms Aslin reported to a member of the Diocesan Synod, Professor David Frost, that Brown had pursued her son and that she was also concerned about Brown and Rushton fostering boys from St Alban's. Frost said he would notify the Bishop.



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61. It is expected that Ms Aslin will say that she later received a telephone call from Bishop Holland about the matter. She expressed concern to Bishop Holland about Rushton and Brown fostering boys from St Alban's. However, she did not hear again from anyone in the Church about this matter.
62. As has already been noted, there will be evidence that Bishop Holland licensed Brown as a lay reader in around January 1986.
63. Ms Pam Wilson will also give evidence. In around 1980, she was a volunteer at the Wallsend Parish at which Rushton was the Priest. It is anticipated that she will say that in around 1980, another priest in the Diocese and his wife told her that Rushton had sexually abused their son. The priest told her that he had reported the abuse to Bishop Holland but was not believed. This priest is now deceased.
64. Ms Wilson is also expected to say that Rushton became aware that she intended to write to Bishop Holland about the matter and threatened her. She did not ultimately send that letter to Bishop Holland.
65. Bishop Holland will give oral evidence at this hearing and will be asked about these matters. As I have already noted, in 1983, Rushton was promoted to the position of Archdeacon of Maitland.

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70. In 1998, Rushton was appointed the Rector of St Peter's Hamilton. There will be evidence before the Royal Commission that in November 1998, removalists who were assisting Rushton discovered pornographic material in Rushton's house. The removalists made a complaint to the Diocese about this matter.
71. It is anticipated that there will be conflicting evidence about the nature of that pornography and whether that pornography included child pornography.
72. Colvin Ford will give evidence. He was the Archdeacon of the Upper Hunter in the Diocese in 1998. It is anticipated that he will say that he received a



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telephone call from one of the managers of the removal company. The manager reported that his movers had seen child pornography at Rushton's home. However, the manager later reported that there was no child pornography, but there was gay pornography.

73. Bishop Herft, who was at that time the Bishop of the Diocese, will give evidence about his dealings with Rushton over the pornography incident. It is expected that he will say that he asked Rushton why his licence should not be taken away and was assured that no child pornography was involved.
74. Bishop Herft wrote to Rushton about the matter on 14 December 1998 suggesting that he:

"consider a 30-day retreat in early 1999 ... with a spiritual director who would be able to assist and encourage [him] in reflecting on the deeper issues and shadows that enabled and encouraged the particular situation [the Diocese has] been dealing with in the last few weeks".

75. As noted above, Rushton retired from the clergy in June 2001. However, as at 12 January 2007, Rushton still had permission to officiate in the Diocese. It is anticipated that the evidence will show that during this period Bishop Herft was made aware of various allegations that Rushton had sexually abused boys. It does not appear that any action was taken with respect to Rushton's permission to officiate. These matters will be explored with the Archbishop Herft in evidence.



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76. Rushton died in 2007. In 2009, the Professional Standards Committee of the Diocese commenced investigating Rushton's history of sexual offending. It is expected that the Professional Standards Director, Mr Michael Elliott, will give evidence about what that investigation revealed, including the identification of a large number of child victims of Rushton.
77. In around October 2010 a series of articles ran in the *Newcastle Morning Herald* and *Maitland Mercury* about Rushton's alleged sexual abuse of boys and his role in an paedophile ring allegedly operating in the Diocese.
78. On 19 October 2010, the Diocese issued a media release in relation to allegations of Rushton's involvement in the sexual abuse of minors. The then Bishop of the Diocese, Bishop Farran, publicly apologised to those adversely affected.

### **E. ALLEGED SEXUAL ABUSE BY CKC**

79. This case study will next hear evidence relating to allegations that a priest in the Diocese, who currently has the pseudonym "CKC", sexually abused CKA and his brother CKB in the 1970s.
80. CKC was licensed as a priest in the Diocese in the 1960s. For a decade, he worked closely with Graeme Lawrence, who was the Dean at the Christ Church Cathedral (the **Cathedral**).



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### **E.1. The story of survivors CKA and CKB**

81. CKA will give oral evidence. His brother, CKB, has provided a statement to the Royal Commission. CKA and CKB grew up in a very religious family. Their mother was an organist at the local church and their father did maintenance at the church. Both CKA and CKB became altar boys when they turned 10 years old.
82. CKA is expected to say that he was sexually abused by his parish priest, CKC. This abuse he says occurred from 1971 until early 1975, when CKA was aged 10 to 14 years old.
83. The abuse took place at various churches in the parish and also in CKC's car. The abuse allegedly occurred at least fortnightly and escalated in severity over time. It comprised fondling, digital and penile anal penetration and oral sex.
84. In around Easter 1975, the priest was transferred to a different parish. CKA and his brother CKB are expected to give evidence that shortly thereafter, the priest arranged for them both to stay overnight at the new rectory so they could serve as altar boys the following Sunday. CKA and CKB both say they were sexually abused by the priest during this weekend visit. At that time CKA was 14 years old and CKB was 11.
85. CKA and CKB disclosed some of their abuse to their mother that Sunday when she picked them up and took them home. Both will give evidence of the lasting effects that the abuse has had on their lives.





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### **E.2. Disclosure of allegations of the priest's abuse to the Diocese**

86. The boys' elder brother, CKL, will also give oral evidence. It is expected that he will give say that a few months after his younger brothers stayed at the priest's new rectory in 1975, he drove his mother to a "churchy looking sandstone building in Cook Hill" which he assumed was Bishop Shevill's home. CKL's mother told him she would "tell off" the Bishop and that she had something very important to tell him.
87. CKL's mother went inside the building for around 20 minutes and returned sobbing uncontrollably. She did not tell CKL what had happened and they never discussed it again.
88. CKL's mother and Bishop Shevill are now deceased.
89. By 1984, CKA was an adult. It is anticipated that CKA will give evidence that in around 1984, he met with Richard Appleby, who at that time was the Auxiliary Bishop in the Diocese.
90. It is expected that CKA will say that he disclosed to the Auxiliary Bishop that he had been abused by the priest CKC when he was a child. However, it is anticipated that Bishop Appleby will say he was not made aware of these allegations against CKC at this time.
91. CKA is also expected to say that in 1996 and 1999 respectively he telephoned the Diocese's sexual abuse hotline to disclose his abuse. In both instances,



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the telephone was answered by Father Graeme Lawrence, who at that time was the Dean of the Newcastle Cathedral. As at 1996, the priest the subject of the complaint had worked closely with Lawrence for many years.

92. Dean Lawrence informed Bishop Herft, then the Bishop of the Diocese, of these telephone calls in both 1996 and 1999. A meeting was arranged between Bishop Herft, Dean Lawrence and CKA in 1999 but CKA did not attend because he did not trust the Church.
93. Following CKA's non-attendance at the meeting, Bishop Herft and Dean Lawrence consulted the then Deputy Chancellor of the Diocese, Paul Rosser QC, who settled certain correspondence to CKA sent under Lawrence's name. The letter acknowledged CKA's right to report the allegations to the police.

### **E.3. Prosecution of the priest**

94. In February 2000, CKA and his younger brother CKB reported their abuse to the police. CKA is expected to give evidence that, at this time, he had not fully come to terms with his abuse and he did not report the full extent of the abuse but only that abuse that occurred during that weekend stay at CKC's new rectory.
95. Initially, both CKA and CKB reported to the police the incident had occurred in 1974. They later realised their mistake and, before the priest's trial, reported that the incident had occurred in 1975.



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96. Of note, the priest retained Mr Paul Rosser QC as his defence counsel and Mr Keith Allen as his solicitor. I have already noted that at this time Mr Rosser QC was the Deputy Chancellor of the Diocese. Mr Allen was also heavily involved in the governance of the Diocese at this time. He was a long-standing member of the Diocesan Council and also a Trustee of the Diocese.
97. This case study will include evidence about the course of this prosecution..
98. Ultimately, the matter was no-billed by the DPP. This occurred after the trial had commenced after CKA and CKB had given evidence.
99. Shortly after that, the Diocese released a media statement incorrectly asserting that CKC had been “acquitted”.

### **E.4. Diocesan redress to CKA**

100. It is anticipated that CKA will give evidence that after the trial, he continued to complain to the Diocese about his abuse at the hands of the priest. From 2007, the Diocese paid for CKA’s counselling which ultimately prompted further disclosures of CKC’s abuse several years later.
101. In 2008, CKA applied for pastoral care and assistance from the Diocese and negotiated his first settlement for the offence at CKC’s rectory.
102. In 2010, CKA received a public apology from the Diocese. Over the next two years, he alleged that he had been sexually abused by CKC to a much greater



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extent than he had previously disclosed. In 2012, CKA negotiated a second settlement with the Diocese.

### **F. CHILD SEXUAL ABUSE BY ORDINAND IAN BARRACK AT MORPETH COLLEGE**

103. The Royal Commission will then hear evidence about the sexual abuse committed by Ian Barrack and the Diocesan response to this abuse.

104. In 1997, Barrack was a student at Morpeth College. At that time he was aged about 28 years. It is anticipated that the evidence will show he developed a fixation on another student's son who lived at the college, whom he sexually assaulted when the boy was around 14 years old.

105. In May 2005, Barrack pleaded guilty to one count of sexual intercourse with a child between 10 and 16 years. In September 2006, Barrack was sentenced to two years' imprisonment with a non-parole period of 12 months.

#### **F.1. The story of survivor CKU**

106. CKU will give oral evidence. He is expected to say that in 1997 when he was about 13 years old he moved to Morpeth College with his mother who was studying to become a priest. He became increasingly friendly with Barrack and often went to Barrack's house in order to use his computer.

107. Barrack's behaviour towards CKU became increasingly "touchy" as he describes it and included massages. Barrack started buying expensive presents for CKU.





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108. It is anticipated that CKU will say that in June 1998, when he had just turned 14 years old, Barrack sucked his penis. Over the ensuing months, the sexual abuse continued. Barrack told CKU he loved him. Barrack showed CKU pornography, including child pornography. In around November 1998, they had anal intercourse.
109. At the end of 1998, CKU's mother was required to move to take up a position as assistant priest within the Diocese. Barrack asked her if CKU could live with him. CKU's mother refused. In 1999, CKU went to boarding school. Barrack wrote him a number of letters and kept trying to contact CKU.
110. CKU first disclosed his sexual abuse to his girlfriend in January 2002. Then in May 2002, he thought he saw Barrack in Singleton looking for him. He received an email from Barrack that same day. He became fearful and disclosed the abuse to his mother, but did not go into detail at that time.
111. CKU is expected to say that he then reported the abuse to police in May 2002. He heard nothing back from the police for three years. It was not until February 2005 that Barrack was charged with offences against CKU.
112. CKU is expected to give evidence that Lawrence, then the Dean of the Cathedral, wrote a reference for Barrack for his sentencing hearing. He will also tell of his distress in the fact that the Church provided a support person to Barrack during the hearing but not initially to CKU or his mother.





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113. CKU will also give evidence about seeking redress from the Diocese. In around 2003, the Diocese arranged for limited counseling for CKU and his mother. In 2009 – more than four years after Barrack had pleaded guilty – CKU reached a financial settlement with the Diocese. He received a written apology from the then Bishop of the Diocese, Brian Farran, in September 2009.

### **F.2. The story of CKU's mother**

114. CKU's mother will also give evidence. She has been given the pseudonym CKR.
115. It is anticipated that CKR will give evidence that Barrack appeared to require more and more of her son's attention and she became increasingly suspicious of their relationship. However, during this period she assumed (wrongly as it turned out), that Barrack's wife was generally present in the house when her son was there.
116. CKR is expected to say that Barrack turned on her when she refused to permit her son to live with him. In October 1998, she discovered that Barrack had given her son a toy which consisted of a man with an erect penis thrusting his penis into a sheep's backside. She also became aware that her son had been watching pornography with Barrack.
117. On 16 November 1998, CKR reported these matters to Archdeacon Bruce Hoare, who at that time had a supervision role at Morpeth College. CKR is expected to say that Hoare laughed when he was shown the toy. CKR



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chastised him and he then said that he would show the toy to Bishop Herft. CKR later discovered that that very same day was the selection conference for Barrack. Despite her complaint and despite the fact that Barrack was not meeting academic requirements, he was permitted to remain at Morpeth College into the following year.

118. CKR is expected to say that around a week later, Hoare reported to her that he had discussed the matter with Bishop Herft. Hoare asked her to return the sheep toy to Barrack and advise him that it was an inappropriate gift.
119. CKR did so and warned Barrack to have no further contact with her son. Barrack ignored that request.
120. In February 1999, CKR's daughter and her husband wrote statements setting out their concerns about Barrack's behaviour and provided these statements to Bishop Herft. This prompted action from the Bishop, who organised a meeting with DOCS. CKR is expected to say that she and her son were not offered any counseling or pastoral care from the Diocese at that time. I should say there is some other limited evidence that suggests that counseling was offered at that time.
121. When CKR became aware in May 2002 that her son had in fact been sexually abused by Barrack, she reported this to Archdeacon Hoare, who said he would take the matter up with Bishop Herft. She assumed (wrongly as it turned out), that the matter would be pursued through the Diocesan professional standards processes.



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122. In early 2003, CKR, who by this time was a priest, assisted another family in the Diocese where the son had been sexually abused by a man associated with the Diocese. At this time, she came into contact with Mrs Jean Sanders, the Chair of the Committee for Allegations of Sexual Misconduct. Under those arrangements, all sexual abuse allegations were to be made known to Mrs Sanders. However, Mrs Sanders had never been made aware of CKU's abuse and could find no report or file about the matter in her committee's records.
123. During the criminal process relating to Ian Barrack, CKR observed that Mr Paul Rosser QC was present at Court. CKR is expected to give evidence about what she perceived as the Diocese's lack of support to her and her son.
124. CKR is an Anglican priest and she now lives in England. She is expected to give evidence of the distrust she developed for the Church hierarchy during this matter and that she felt ostracised by her colleagues in the Diocese after her son's complaint had been made. She believes the Church did not act fairly or compassionately.

### **F.3. Diocesan response to allegations of Barrack's behaviour**

125. A November 2006 report to the Professional Standards Committee will be tendered. That report concluded that no real or effective pastoral support had been offered or given to CKU or his mother during 2002 to 2006.
126. Issues to be explored during this part of the hearing include what steps the Diocese took in relation to Barrack; the level of support offered by the



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Diocese to CKU and his mother; and whether the Diocese correctly followed its then applicable policies in relation to dealing with allegations of child abuse. It is anticipated that Archbishop Herft will also give evidence about this matter.

### **G. DISCIPLINE OF FOUR PRIESTS AND A LAY PERSON**

127. The Royal Commission will then hear evidence of the experiences of survivor, CKH. It is anticipated that he will say that in 1980 when he was 14 years old Reverend Andrew Duncan performed oral sex on him. From that time, sexual relations between the two continued for some years.
128. CKH first met Duncan in around 1979 through his involvement in St Albans Anglican Church in the parish of Griffith, which is in the Diocese of Riverina. In 1979, Duncan became a deacon in this parish. At this time, Reverend Graeme Lawrence was the Rector of Griffith and Reverend Graeme Sturt was an assistant priest there. Reverend Bruce Hoare had also been a junior priest in this parish from 1973 to 1977.
129. It is anticipated that CKH will give evidence that Duncan's sexual abuse of him led to sexual encounters with all of these men.
130. CKH is expected to say that he believes that he was groomed by Duncan and Lawrence. CKH says that at the time, he had no awareness of the differences between gay sex conducted in secret and sex with a minor conducted in secret.





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### G.1. The story of survivor CKH

131. CKH is expected to give evidence that Duncan befriended his family. It is anticipated that CKH will say that Duncan performed oral sex on him during a family holiday in January 1980. At that time, CKH was 14 years old and below the age of consent. Duncan continued to sexually abuse CKH and sexual relations continued for some years until around 1985.
132. CKH is expected to say that he believed that when he was 15 years old, Lawrence became aware that Duncan was engaging in sexual relations with him. CKH was told by Duncan that Lawrence "is part of the family".
133. It is anticipated that CKH will give evidence that in 1981, when he was 16 years old Lawrence visited him in his family home. Lawrence allegedly placed CKH's hand on his erect penis through his pants. CKH says that not long after this Lawrence masturbated him and they commenced a sexual relationship.
134. CKH is also expected to say that in 1982 when he was 17 years old he also commenced a sexual relationship with Greg Goyette. Goyette is Lawrence's long term partner and they lived together in the Rectory at St Albans at the time.
135. CKH will also tell the Royal Commission of an incident he alleges occurred in Narrandera in February 1984 when he was 19 years old after a Riverina Diocese clergy function. He alleges that he was in a motel room with Lawrence, Hoare and Sturt and a 17 year old boy who was so drunk that he





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had passed out. CKH alleges he had group sex with Lawrence and Hoare and that Sturt looked on and stroked the drunk boy on his stomach.

136. CKH disclosed the allegations of sexual abuse to his mother in 1987.

137. CKH is expected to say that he first disclosed the allegations that I have just outlined to the Church via the Diocese of Melbourne in 2009. He emailed the Church a written complaint on about 3 October 2009. At that time, Lawrence held a locum position in the Diocese of Wangaratta.

### **G.2. The Diocese's response to CKH's allegations**

138. CKH's complaint was forwarded to the Diocese of Newcastle. On around 8 to 13 October 2009, the then Bishop of Newcastle, Brian Farran, stood down the priests involved pending an investigation. The Director of Professional Standards for the Diocese, Mr Elliott, referred the matter to the police. Mr Elliott also contacted the Department of Education, which was then employing Goyette.

139. Bishop Farran also wrote to the Bishop of Bendigo since Hoare had been offered employment there. Bishop Farran advised that Hoare's licence had been suspended due to allegations of inappropriate behaviour and the offer of employment to him was withdrawn.

140. The police requested Mr Elliot not to proceed with a disciplinary investigation while the police investigation was on foot. On 2 August 2010, the police



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advised the Diocese that no charges would be laid and that the Diocese was free to commence its own investigation.

141. On or around 5 August 2010, the Diocesan Professional Standards Committee authorised further investigation which Mr Elliot conducted. Following that investigation, on 28 October 2010, that Committee referred the matter to the Professional Standards Board for a hearing.
142. The Diocesan Professional Standards Board conducted public hearings into the allegations against Lawrence, Sturt, Goyette and Duncan in December 2010. The various respondents all elected not to participate in these hearings.
143. The Professional Standards Board upheld the allegations in each case and recommended the clergy be deposed from the Holy Orders and that Goyette be permanently banned from holding any position within the diocese. The Board announced these findings publicly. Bishop Farran later wrote to the President of the Professional Standards Board that this placed him in an 'unnecessary and unfortunate pressured environment'.
144. On 16 December 2010, Lawrence and Sturt commenced proceedings in the Supreme Court to quash the determinations and recommendations of the Board. They asserted that the professional standards framework under which they had been dealt with was invalid and that a Diocesan Tribunal process was required. The Supreme Court dismissed this legal action in April 2012.



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145. On 4 to 5 July 2012, the Professional Standards Board held a hearing in relation to the allegations against Hoare. He also declined to participate in the hearing. The Board upheld the allegations and recommended that Hoare be deposed from holy orders.

### **G.3. Dissent within the Diocese**

146. The Diocese, Bishop Farran, the Professional Standards Committee and Michael Elliott were all criticised at various times for the way in which these matters were handled.
147. There will be evidence before the Royal Commission of attempts by Mr Rosser QC and others through the Diocesan Council to alter and limit the powers of the Professional Standards Board and Professional Standards Director, Mr Elliott.
148. It is anticipated there will be evidence that Bishop Farran was reluctant to act upon some of the Professional Standard Board's recommendations. A confidential file note from 23 August 2012 by John Cleary records that Bishop Farran intended not to act on the recommendations, on the basis that it would be 'catastrophic' for the Diocese, and that Lawrence's 'sphere of influence' in the Diocese was extremely large and he was 'somewhat intimidated' by Lawrence.
149. Mr Colin Elliott, a magistrate, was the President of the Board and presided at each of these hearings. He will give evidence. It is anticipated that he will be critical of the delay of Bishop Farran in acting upon the Board's



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recommendations and in relation to subsequent changes to the powers of the Professional Standards Board.

150. It is anticipated that CKH will give evidence that he became concerned about Bishop Farran's apparent delay in taking action and wrote to him about this in August 2012. CKH is also expected to give some evidence about a conversation he had with Bishop Farran in September 2012 where the Bishop expressed reluctance to defrock Lawrence because it would upset parishioners.
151. On 10 September 2012, Bishop Farran deposed each of Lawrence, Duncan and Hoare and suspended Sturt's licence to minister for five years. He permanently banned Goyette from holding any lay office. In announcing this decision, Bishop Farran also acknowledged the distress suffered by CKH and his family.

### **G.4. The Parish of Adamstown**

152. Following their disciplinary action, Lawrence and Goyette became members of the Newcastle parish of Adamstown. It is anticipated that the evidence will suggest that Lawrence has been permitted to preach there.
153. It is expected that evidence will show that there was a considerable delay in implementing a risk management strategy in respect of Lawrence and Goyette at this parish.





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154. The parish priest, the Reverend Chris Bird, Mr Elliott and the current Bishop of the Diocese, Greg Thompson, will all give evidence about this matter.

### **H. BACKLASH**

155. The evidence is expected to establish that there was a considerable backlash within the Diocese when steps were taken to implement certain child protection measures and, in particular, following the disciplinary process that I have just outlined.
156. Mrs Jean Sanders was Chair of the Diocesan Committee for Allegations of Sexual Misconduct ("CASM") from October 2001 until late 2004. She has provided a written statement to the Royal Commission but is too unwell to give oral evidence.
157. Mrs Sanders says in her statement that when she took over as Chair of that committee, she received anonymous calls from mothers alleging that priests in the Church were abusing their children. However, they would not provide their names or make formal complaints.
158. In Mrs Sanders' statement, she outlines various steps she took to implement effective procedures within that committee. She says that the small annual budgets of that committee – \$2000 – makes her think the committee was just a "token effort" for dealing with sexual complaints.
159. During Mrs Sanders' tenure as Chair of CASM, she only received one complaint relating to harassment. The other 30 or so matters related to child





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abuse. She says that at the time she resigned from CASM she ceased involvement in the Church and that she has “no trust in the hierarchy of the Church”.

160. The President of the Professional Standards Board, Mr Colin Elliott, will give evidence about the aftermath of the disciplinary process that led to the depositions from holy orders of Lawrence, Hoare, Duncan and Sturt from Holy Orders. Colin Elliott is expected to say there was criticism was leveled at the Board, including in the media, that it was a “kangaroo court” and a “lynching”. He is also expected to say that he resigned in December 2012, after changes were made which restricted the publication of recommendations to the Bishop and the respondents.
161. Mr Geoff Spring, the current Chair of the Professional Standards Committee, has provided a statement to the Royal Commission which says that there is significant misunderstanding as to how the professional standards system works in the Diocese and there are assumptions among some clergy that the Professional Standards Director can make decisions on professional standards matters without consulting the Professional Standards Committee or the Professional Standards Board. He also states that Mr Rosser QC, when he was Chancellor, tried to interfere in the operations of the Professional Standard Committee and was critical of the Committee’s decisions.
162. Mr Michael Elliott has been the Professional Standards Director in the Diocese since 2009. He will give oral evidence during this case study. It is anticipated that he will say that he felt there was a high level of interference in his professional standards work by the Diocesan hierarchy and that he has



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been isolated and bullied. He will say that he has been the subject of ongoing threats and intimidation, including his vehicle being repeatedly vandalised, flyscreens from his children's windows being removed and his dog going missing.

163. Mr Elliott is expected to tell the Royal Commission of his belief that the Diocese is harbouring a large number of active offenders with little or no accountability in place.
164. Mr John Cleary has been the Diocesan Business Manager since 2007. He will also give oral evidence. It is expected that he will say that there are some members of the Diocesan hierarchy who have sought to dilute the professional standards principles and protocols. It is anticipated that he will tell the Royal Commission that he considers that there has been a culture of support for the respondents in professional standards matters without apparent consideration for the interests of the complainants in such matters.
165. Mr Cleary is also expected to say that after the disciplinary hearings which I have already referred to, he perceived there was a move by some members of the Diocesan Council to weaken the current Professional Standards framework.

### **I. MORPETH COLLEGE**

166. Another issue for consideration during this Case Study is whether there was a culture within the Diocese that permitted child sexual abuse to flourish and



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which protected the perpetrators. A possible place to start in considering that question is Morpeth College.

167. In 2007, the Anglican Church engaged Professor Patrick Parkinson and Professor Kim Oates to report on the nature and extent of reported child sexual abuse within the Church since 1990.
168. Professor Parkinson has provided a written statement to the Royal Commission in which he states that his study identified 135 alleged perpetrators across 17 dioceses. Of these, 86 alleged perpetrators were either clergy or candidates for the clergy. Professor Parkinson states that of the 86 people, 29 did not have their theological college identified. However, 14 were identified as having trained at Morpeth College. He saw this as a “troubling anomaly”. Ultimately, Professor Parkinson did not include the findings about Morpeth College in the final report and says “there was neither budget nor scope for further investigation into Morpeth”.
169. It is expected that the evidence will show that Peter Rushton, Graeme Lawrence and CKC were all at Morpeth College at around the same time, that being 1963. Reverend Alan Kitchingham was also there at that time. He has since been convicted of child sexual abuse offences.
170. Bishop Farran was also at Morpeth College that year.
171. It is anticipated that a number of witnesses will give evidence about the culture at Morpeth College. For example, CKR, who is the mother of survivor CKU, will give evidence about her experiences at Morpeth College in 1979



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when her then husband was studying for ordination there. It is expected that she will say there were many rumours about homosexual activity between the priests and about some who were sexually interested in little boys. In particular, she heard rumours about Peter Rushton.

172. Bishop George Browning has given a statement to the Royal Commission. He was a student at Morpeth College from 1963 to 1965 and also a member of staff in the early 1970s. It is anticipated that he will give evidence of his perspective on Morpeth College as including a small group of men within the institution of an Anglo Catholic disposition but with a particular self-focussed authoritarian bent.
173. It is expected that Reverend Lance Johnston, the former Principal of Morpeth College, will give evidence that the screening of candidates for ordination at the College was done by the Bishop of each Diocese. He will say that screening was lax and largely driven by intuition. It is anticipated that Reverend Johnston will give evidence that his two daughters were sexually abused by a student at the College, Robert Ellmore.

### **J. LINKS BETWEEN THE PERPETRATORS**

174. In addition to Morpeth College, it is anticipated that the evidence will reveal various other connections between perpetrators of sexual abuse within the Diocese.
175. Some of the other links between alleged perpetrators have already been referred to. Rushton and Brown were friends and work associates in the





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Diocese for many years, including at Church and at St Alban's. Lawrence, Hoare, Sturt and Duncan were all priests together in the Parish of Griffith in the Diocese of the Riverina, before moving to the Diocese of Newcastle.

176. Later, from the mid-1980s and during the 1990s, Lawrence who was Dean of the Cathedral, and Rushton and Hoare, both of whom were Archdeacons, were all part of the leadership team within the Diocese.
177. Graeme Lawrence lived at the Christchurch Cathedral Deanery with his partner, Greg Goyette, for most of the period in which Lawrence was the Dean. For much of that time, Hoare also lived at the Canon's residence at the Cathedral.
178. Graeme Lawrence provided references to CKC and Ian Barrack at their criminal trials, and also to Alan Kitchingman, who was the subject of the Royal Commission's Case Study 3 into the North Coast Children's Home.
179. It is expected that the evidence will show that at various times, Graeme Lawrence and Peter Rushton held senior roles in professional standards in the Diocese. Both Rushton and Lawrence were on the Panel of Triers for the Diocesan Tribunal.
180. Lawrence was also a member of the national Sexual Abuse Working Group in 2003. This work of this group ultimately led to the creation of a national model Professional Standards Ordinance.





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181. As Dean of the Cathedral, Lawrence also had a practical involvement in handling of professional standards matters, both as Commissary in the Bishop's absence, and as a contact person answering the Sexual Abuse Hotline for the Diocese throughout the late 1990s.

### **K. THE CHRIST CHURCH CATHEDRAL IN NEWCASTLE**

182. It is anticipated that there will be evidence that Lawrence had, and continues to have, a considerable influence in the Diocese.
183. It is expected that former Archdeacon Colvin Ford will tell the Royal Commission that he perceived that Rushton was protected by what he called "the gang of three", being Dean Graeme Lawrence, Archdeacon Bruce Hoare and the Diocesan Registrar of the time, Peter Mitchell.
184. The former President of the Professional Standards Board, Mr Colin Elliott, is expected to give his evidence of a perception that there was a "cohort of Newcastle Cathedral Practitioners who appear, unquestionably to have supported Graeme Lawrence" and who have sought to deride the Board.
185. It is anticipated that there will be evidence that there is a group within the Diocese who are active in the Cathedral who are critical of steps taken by the Diocese in recent years in relation to child sexual abuse allegations. Members of this group including Robert Caddies and John McNaughton will give evidence during this Case Study.



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186. It is expected that there will also be evidence that a number of allegations of child abuse have been leveled at Lawrence over the years. Among other things, it is anticipated that evidence will be led during this case study about allegations made in 1996 that Lawrence sexually abused children. This allegation was raised with the then Archbishop of Sydney, Harry Goodhew. He in turn raised it with Bishop Herft. A file note of a conversation between Herft and Lawrence suggests that Lawrence denied the allegation to Bishop Herft. Bishop Herft and Bishop Goodhew will be asked about this matter.

### **L. THE BISHOP'S STORY**

187. This Case Study will also hear evidence relating to the current Bishop of the Diocese, Greg Thompson, who has held the position since February 2014.
188. Bishop Thompson grew up in Muswellbrook and was the second youngest of eight siblings. While studying at the University of Newcastle in 1975, he met a number of people connected to the Anglican churches in Newcastle and began to consider a vocation in the Church.
189. It is expected that Bishop Thompson will give evidence that in 1976 when he about 19 years old, he met Canon Eric Barker, a senior member of the Diocese at that time. Canon Barker made sexual advances to him that he rejected.
190. Bishop Thompson was introduced by Canon Barker to the then Bishop of Newcastle, Ian Shevill. Bishop Thompson is expected to tell the Royal Commission that these two senior clergymen both indecently assaulted him



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on one occasion and that Canon Barker told him that if he wanted to get into the ministry in the Newcastle Diocese, he would have to have a relationship with Barker.

191. In 2015, Bishop Thompson revealed this abuse during an interview with ABC Radio. This was then reported in the Newcastle Herald and became widely known in the Diocese.
192. It is anticipated that Bishop Thompson will tell the Royal Commission that his public disclosure of abuse has led to criticism by groups within the Diocese.
193. Bishop Thompson is expected to give evidence that during his tenure as the Bishop of Newcastle, an area of concern is that there are persons who have historically held positions of influence in the Diocese and have the ability to influence decisions relating to the handling of allegations of child sexual abuse. He is anticipated to say that these people have also acted as advocates or legal representatives of alleged offenders. It is anticipated that such potential conflicts of interest will be explored during this public hearing.
194. Bishop Thompson, Michael Elliott and John Cleary are also expected to give evidence that they consider that records concerning professional standards matters in the Diocese have been improperly altered or destroyed by some members of the Diocese.



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**M. LIST OF WITNESSES**

195. It is anticipated that we will hear evidence from the following 31 witnesses during this public hearing:

No.	Witness	Details
1.	Paul Gray	Survivor
2.	Phillip D'Ammond	Survivor
3.	Suzan Aslin	Mother of Survivor
4.	Teresa Burns	Former Youth Worker in the Diocese of Newcastle
5.	Pam Wilson	Former parishioner in the Diocese of Newcastle
6.	Bishop Alfred Holland	Former Bishop of Newcastle
7.	Reverend Roger Dyer	Former Rector at Wallsend Parish
8.	Colvin Ford	Former Archdeacon in the Diocese of Newcastle
9.	CKA	Survivor
10.	CKL	Family member of survivor
11.	Bishop Richard Appleby	Former Assistant Bishop of Newcastle
12.	Keith Allen	Former Trustee and member of Diocesan Council in the Diocese of Newcastle
13.	Peter Mitchell	Former Registrar of the Diocese of Newcastle
14.	CKU	Survivor
15.	CKR	Family member of survivor
16.	Robert Caddies	Former Diocesan Solicitor in the Diocese of Newcastle
17.	CKH	Survivor
18.	Paul Rosser QC	Former Chancellor in the Diocese of Newcastle





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No.	Witness	Details
19.	Bishop Peter Stuart	Current Assistant Bishop of Newcastle
20.	Bishop Brian Farran	Former Bishop of Newcastle
21.	Bishop Bruce Clark	Former Bishop of the Diocese of Riverina
22.	Reverend Chris Bird	Current Rector at the Adamstown Parish
23.	Stephen Williams	Current Dean of the Newcastle Cathedral
24.	John Cleary	Current Business Manager of the Diocese of Newcastle
25.	Colin Elliot	Former Professional Standards Board President in the Diocese of Newcastle
26.	Michael Elliott	Current Professional Standards Director in the Diocese of Newcastle
27.	Archbishop Roger Herft	Former Bishop of Newcastle
28.	John McNaughton AM	Former Lord Mayor of Newcastle
29.	Archbishop Harry Goodhew	Former Archbishop of Sydney
30.	Bishop George Browning	Former Bishop of Canberra and Goulburn
31.	Bishop Greg Thompson	Current Bishop of Newcastle

196. The public hearing is listed from Tuesday 2 August 2016 to Friday 12 August 2016.

2 August 2016

Naomi Sharp  
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