



## NSW POLICE SERVICE

## STATEMENT OF A POLICE/WITNESS

In the matter of: James Patrick FLETCHER  
Place: Maitland Police Station  
Date: 21 May, 2003

Name: Michael John MALONE Tel. No: 49 697677  
Address: 53 Duraresq Street, Hamilton  
Occupation: Catholic Bishop

## STATES:

1. This statement made by me accurately sets out the evidence which I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.
2. I am 63 years of age.
3. I was born into the Catholic Church commenced my training for the priesthood in 1958. I was ordained as a priest in 1964 for the Archdiocese of Sydney serving in several parishes in that Archdiocese from 1965 to the end of 1985 inclusive. I then spent three years in the Parramatta Diocese before moving to the Diocese of Broken Bay in 1988. I remained in a single parish there to the end of 1994. At the end of 1994 I learnt that I had been nominated a Bishop & was appointed Co-adjutor Bishop of the Diocese of Maitland, now known as Maitland-Newcastle Diocese. I took up this position on the 15<sup>th</sup> of February 1995. I took over the position of Bishop of the diocese in November 1995. I have held that position continuously since that time.
4. I first came to know Father James FLETCHER early in 1995. I believe that Jim took up his position in the Branxton parish about January 1995 having been at the Dungog parish for many years prior to that.

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5. About 1997 the Principal of St Catherine's Catholic School at Singleton, Patrick ROOHAN, approached me. He was also a parishioner at Branxton. He informed me that he had heard there was a suspicion that Jim FLETCHER acted inappropriately with boys. He offered no specific details but names Jim CALLINAN, (The director of Catholic Schools at that time) Jim FINUCANE (Principal of St Brigid's, Branxton school) & Colleen TIMOSHENKO (Of the Catholic Schools Office Staff). I questioned him about these suspicions & he was not able to offer me anything further beyond the comment he had earlier made.
6. As a result of Patrick ROOHAN's approach to myself, I later spoke to Mr Michael BOWMAN (Current Director of Catholic Schools) & Colleen TIMOSHENKO whom Mr ROOHAN asserted knew something of these suspicions. In speaking to Ms TIMOSHENKO there was a denial that she knew anything of these assertions against Jim FLETCHER. In view of this & the lack of any specific allegations I made a note file & took the matter no further at that time.
7. On the 13<sup>th</sup> of December 2000 **BI** (Who was then & remains the of the Maitland-Newcastle Diocese) confided to me that Jim FLETCHER might have molested his son **AH** about 6 years prior. **AH** claims that a person unknown to him raped him at 18 years of age in a pub in the Maitland Region, although **BI** suspected **AH** knew this person. Since that time **AH**'s behaviour changed radically. This included excessive drinking, extreme outbursts of anger & mood swings. He had attempted suicide soon after it was claimed. **BI** took **AH** to see Jim FLETCHER after the suicide attempt & **AH** stayed at the Branxton Presbytery overnight. **AH** claimed to have gone to bed fully clothed & woke up naked. **REDACTED**
8. I discussed this matter with the then Vicar General, Father Bill BURSTON the following day, the 14<sup>th</sup> of December 2000. Bill has a lot of qualifications & is a competent man whom I felt would be able to inquire further into these assertions. He agreed to speak to **BI** & report back to myself before any further action was taken. I left the matter in his hands from that point.

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9. On the 3<sup>rd</sup> of January 2001 Bill BURSTON reported back to me that he had spoken to BI about AH's assertions. REDACTED

In the absence of any complaint, either formal or informal the decision was made not to act on this at this time.

10. I recall there was a '60 Minutes' programme on the 2<sup>nd</sup> of June 2002, which centred on child sexual abuse within the Catholic Church & an interview with Archbishop George PELL. Sometime in the following week I had a conversation with BF

I thought it had been later in the week about the 6<sup>th</sup> of June 2002 but I have been told that BJ received a call off myself on the 5<sup>th</sup> of June 2002 which would then mean that I may have had the meeting with BI prior to that. The meeting with BI centred on his son's assertions. He told me that following the '60 minutes' programme that AH had made his allegations to the police. I believe that BI told me about this on a professional basis that is he being the diocese had an obligation to inform myself that such an allegation had been levelled against one of the priests.

11. I spoke to the Vicar General, Jim SAUNDERS & told him the contents of my conversation with BI. We then felt that Jim FLETCHER should be informed that an allegation had been made against him. We then drove immediately to Branxton & there met with Jim FLETCHER. I cannot now be certain as to the exact date but I believe this was in the week following the 2<sup>nd</sup> of June 2002. Jim SAUNDERS & I spoke to Jim FLETCHER over a cup of coffee in the kitchen of the Branxton Presbytery. It was there that I said, "Jim I have got some bad news for you & that news is that following the 60 minutes programme of the other night someone has come forward & has made an allegation of sexual abuse against you." Jim FLETCHER immediately looked unwell. He sagged & looked confused. He was obviously shocked & said, "Who would do such a thing?" I said, "It was AH who made the allegation against you." Since Jim FLETCHER was a personal friend to the AH Family I thought that revealing the name of the complainant might trigger in Jim FLETCHER a possible admission of inappropriate behaviour. The response was an immediate denial of any wrongdoing. Jim SAUNDERS & I sat with Jim FLETCHER trying to come to terms with the enormity of the allegation. Father Jim SAUNDERS & I became concerned for Jim FLETCHER's health at this point. I didn't feel comfortable in leaving Jim FLETCHER alone so I had Father Jim SAUNDERS telephone Father Des HARRIGAN to come over & remain with Jim FLETCHER when we left.

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We waited until Des HARRIGAN arrived & also informed him of the allegation. We also arranged for Father Des to speak to Father BURSTON & Jim FLETCHER's doctor. We then left & returned to Newcastle.

12. I do recall that I telephoned BJ to offer the Church's assistance & support following these allegations.
13. Detective Sergeant Peter FOX later contacted me & an appointment was made for 11.30am on Thursday the 20<sup>th</sup> of June 2002. I there met with that officer & Detective Senior Constable ANN JOY & Father Jim SAUNDERS. We discussed the allegations & overall situation.
14. Following this I again travelled to Branxton with Father Jim SAUNDERS to again speak to Father Jim FLETCHER. I told him that I had spoken to the police & asked if he would like to stand down during the course of the investigation. I had spoken to Monsignor Allan HART at the Hamilton Cathedral to provide accommodation for Father Jim & told him of this. I gave him this option & he thought it over for a time. He then told us that he would prefer to remain in the parish at Branxton where he had a support network for the difficult time ahead.
15. On Tuesday the 18<sup>th</sup> of March 2003 I telephoned Mr Michael McDONALD the Executive Director of the Catholic Commission for Employment Relations (CCER) who had tried to phone me the previous day. Mr McDONALD is the head of agency for the purposes of matters concerning the Ombudsman's Legislation. He informed me that he had received a phone call from the Assistant Ombudsman who had informed him that the Police Investigation into Jim FLETCHER was nearing completion & that charges might soon be laid. With Father Jim SAUNDERS (Vicar General) I immediately visited Father Jim FLETCHER at his family home in May field. In the presence of Father Jim FLETCHER & his mother I informed him that charges might soon be laid against him & in view of this he should stand down from active ministry immediately. On hearing this Father FLETCHER immediately complied.
16. Throughout these latter meetings Father Jim FLETCHER has always maintained his innocence to these allegations. The last actions I had in regard to Jim FLETCHER was when contacted by Michael McDONALD informing myself that the police had requested that Father Jim FLETCHER attend the Maitland Police Station on Wednesday the 14<sup>th</sup> of May 2003 for the purpose of being interviewed & possibly charged in relation to AH's allegations.

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I organised for this to occur & Jim SAUNDER later spoke to myself. He requested that he be permitted to attend with Father FLETCHER & his solicitor as moral support & for Jim FLETCHER's welfare due to his ill health. I had Jim SAUNDERS contact Michael McDONALD & this was organised.

Witness: \_\_\_\_\_  
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Michael John MALONE

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