



Fine, Max 22 See P43

Tuesday, April 23, 1996

TEL: CLASSIFIEDS (042) 212222. GENERAL ENQUIRIES (042) 212333. Advertising FAX 297899, Editorial FAX 263616 80 CENTS

## Comensoli, Evans sex probe

# HOW THE

# POLICE BLEW IT

*“In hindsight, it would have been appropriate to persist in obtaining interviews from the Bishop and Fr Comensoli”*

— CHIEF SUPT BEV LAWSON

Picture: HANK VAN STUIVENBURG



Chief Superintendent Bev Lawson leaving the Royal Commission.

## Top cop tells of ‘deficiencies’

By PAUL MCINERNEY

There were serious deficiencies with police investigations into child sexual abuse allegations involving Brother Michael Evans and Father Peter Comensoli, one of the state's most senior police officers said yesterday.

Acting Deputy Police Commissioner and former Wollongong Patrol Commander Chief Superintendent Bev Lawson told the Wood Royal Commission that detectives' failure to interview Bishop William Murray and Fr Comensoli regarding sexual abuse allegations in 1990-91 represented a serious deficiency. Investigators should have been more persistent.

Chief Supt Lawson also admitted she failed to properly read an Operation Paradox intelligence report in 1992 containing further allegations against Br Evans.

She conceded that her failure had led to a delay in arresting and charging the former Edmund Rice College

principal, who later committed suicide in Queensland in December 1994.

The commission was told that chief investigator, and head of Wollongong detectives, Sergeant David Ainsworth had reported that a number of phone calls to the Bishop seeking an interview had met with no response.

One of the victims making the allegation, code-named X4, had told Bishop Murray he had been sexually abused by Br Evans, while a student at the college, at the West Wollongong presbytery — the home of Fr Peter Comensoli.

“In hindsight, it would have been appropriate to persist in obtaining interviews from the Bishop and Fr Comensoli,” Chief Supt Lawson said yesterday.

When asked if the investigation could have gone a little further before seeking legal advice as to whether there was sufficient evidence, Chief Supt Lawson said that decision rested with the investigator (Det Sgt Ainsworth) and the legal advice given.

CONTINUED PAGE 4

## BISHOP ASKED TO ‘PLEASE EXPLAIN’

The Catholic Bishop of Wollongong, the Most Reverend William Murray, will be called before the Wood Royal Commission following evidence he allegedly failed to respond to police inquiries about a paedophile principal of a Christian Brothers college.

The disclosure by Paddy Bergin, counsel assisting Royal Commissioner James Wood, came as police witnesses yesterday told of unanswered telephone calls to the Bishop's residence.

FULL STORY PAGE 4



# Murray allegedly ignored police calls Bishop gets call to front commission

The Catholic Bishop of Wollongong, the Most Reverend William Murray, will be called before the Wood Royal Commission following evidence he allegedly failed to respond to police inquiries about a paedophile principal of a Christian Brothers college.

The disclosure by Ms Paddy Bergin, counsel assisting Royal Commissioner James Wood, came as police witnesses yesterday told of unanswered telephone calls to the Bishop's residence.

The detectives were trying to corroborate a claim by one of Brother Michael Evans' victims that he had complained to the Bishop about the sexual assaults of the principal of Edmund Rice Christian Brothers College at Mt Keira, Wollongong.

It also followed a claim by a "whistleblower" priest, whose name was suppressed by Commissioner Wood on April 16, that Bishop Murray showed a "lack of reaction" when he told him in 1989 how religious and teaching clergy had been molesting Christian Brothers students and other boys in Wollongong.

"Bishop Murray didn't seem unnerved or unruffled," the priest testified then.

In an interview with *The Mercury* last week on his retirement, Bishop Murray said the highly publicised downfall of Br Evans and former Gwynneville parish priest Father Peter Comensoli had caused him "great sadness and mental anxiety".

He said he had prayed for the people concerned and "for guidance for myself especially in dealing with the problems".

"It's something that causes grave concern and, to me, personal bewilderment that such things happen."

Although he did not refer to individuals, Bishop Murray agreed the downfall of Br Evans and Fr Comensoli had taken a personal toll and caused him "great sadness".

Bishop Murray has resigned as Bishop of Wollongong at the age of 75 after almost 21 years in the office.

Referring to the charges against the two, he said: "I suppose I have to admit that the sacrament of holy orders, the ordination of a man to the priesthood, doesn't destroy human nature."

"If there are weaknesses there in human nature, they will emerge."



Outgoing Bishop of Wollongong William Murray ... called before the Wood Royal Commission.

## Legal advice thwarted progress: Lawson

FROM PAGE ONE

Chief Supt Lawson said advice received from both the Wollongong police legal services and the Crown Prosecutor was that there was insufficient evidence to lay charges against either man.

In April 1990, Det Sgt Ainsworth had told her that when he had put the allegations to Br Evans, the college principal had thought they were a joke.

It was her view then, which remained the same today, that based on evidence at the time, and the legal advice, there was insufficient evidence to prove the allegations.

Justice James Wood then pointed out that publishing statutory declarations of five victims in *The Illawarra Mercury* in late 1993 was based on the same evidence that police had some time before.

When he suggested that nothing had changed in terms of the strength of the evidence from the time police decided no charges would be laid, until the story appeared in *The Illawarra Mercury*, Chief Supt Lawson replied: "That may have been the case, I would agree."

Justice Wood: "Then the legal and police assessment was erroneous?"

Chief Supt Lawson: "With the benefit of hindsight, things would have been different."

She told the commission she had been unaware sexual abuse allegations had been made to Operation Paradox - where the public was asked to do in paedophiles and other child abusers - in August 1990.

She also told the commission she could not recall a further intelligence report that came out of Operation Paradox two years later.

When counsel assisting, Paddy Bergin, showed her the intelligence report she had signed and passed on, Chief Supt Lawson agreed that she only read the front cover and had failed to read any detail.

The officer agreed that had she read it properly she would have instigated further investigation.

Chief Supt Lawson admitted that because of the volume of paperwork that crossed her desk daily as Wollongong Patrol Commander, she often only briefly scanned documents before signing them.

The Commission continues today.

## Paedophiles will now face two inquiries

### State, federal ministers unite

There will now be two inquiries into paedophile activities - with the prospect of a third - plus a drive for national child protection laws and a national register of convicted child sex offenders.

State and federal family and community services ministers agreed in Sydney yesterday to move towards complementary legislation across the states and New Zealand.

The legislation will feature uniform child protection laws and a national register of convicted child sex offenders, which would be available to community service departments and relevant agencies. The register, which will be referred to the Police Ministers' Council for more detailed work, would prevent offenders from gaining jobs where they would deal with children.

However, federal Family Services Minister Judi Moylan said she would not hold any national inquiry into paedophilia just yet. She said she would wait until the conclusions of the the NSW Police Royal Commission and the independent inquiry into child abuse claims against diplomats.

The present attention on paedophile activity stems from shocking revelations of child sexual abuse at the Royal Commission.

Foreign Minister Alexander Downer announced on Sunday an independent inquiry into allegations that Australian diplomats have been involved in paedophile activities. That inquiry followed allegations that Australian aid money was used to provide Australian diplomats with access to children for sex.

The announcement of an inquiry was welcomed by aid organisations and by former Liberal MP Ken Aldred, who made two speeches on the subject in Federal Parliament last June. But the Liberal Party, which already had disendorsed him, distanced itself from the comments.

Mr Aldred said yesterday he was not bitter that his allegations were now being taken seriously.

Australia's peak non-government aid body, the Australian Council for Overseas Aid, said the inquiry would give the Foreign Affairs and Trade Department officers a chance to clear their names of the allegations.

## New corruption body to bite

The new Police Corruption Commission (PCC) would have greater powers than any other body in Australia, with the ability to tap phones and carry out electronic surveillance, the NSW Government said yesterday.

Police Minister Paul Whelan said Cabinet yesterday had considered proposals regarding the PCC's creation in line with recommendations of the interim report of the

NSW Wood Royal Commission into police corruption.

Speaking on ABC Radio 2BL, Mr Whelan said the PCC would have "very extensive powers", including phone interception and the use of electronic devices.

He said Premier Bob Carr was awaiting a response from the Federal Government to his request for greater phone interception powers for the PCC.

## Corrimal Lounges ANZAC DAY Leather Lounge Suite SELLOUT!

**ONE DAY ONLY**  
(Anzac Day)

### All Leather Lounge Suites Slashed

Order Suite and Colour of your Choice!  
Good on ya Corrimal Lounges  
Open 9.00am till 3.00pm

**Cnr Railway & Underwoods Sts  
CORRIMAL  
847992**





Inspector John Dooley ... was aware of sexual abuse allegations when Br Michael Evans was a member of a police community consultative committee.

## Accused Brother on police committee

A paedophile Christian Brother was elected to a police community consultative committee despite allegations having been made against him of sexually assaulting three schoolboys, the Wood Royal Commission heard yesterday.

Inspector John Francis Dooley, the former patrol commander at Corimal police station and later station controller at Wollongong, told the Commission he was aware of the allegations against Brother Michael Evans when he met Br Evans at social, sporting and parent-citizen group functions.

Insp Dooley said that at the time of the allegations in 1989-1990, his own son was in Year 12 at Edmund Rice College, where Br Evans was the principal and coach of the first XV rugby union team.

Royal Commissioner James Wood put to him: "Isn't it a matter of real concern that you

had allegations of sexual abuse and this brother was on the committee?"

"He was still involved in the committee as a man of the cloth and of high standing in the community."

"That was not a happy situation?"

Insp Dooley agreed with Commissioner Wood but said he had been advised of legal advice that the investigation and potential prosecution of Br Evans would not be proceeding.

This was despite the fact that Insp Dooley "had little doubt as to the truth" of the allegations by three former students that they had been sexually assaulted by the senior Christian Brother.

Br Evans committed suicide on December 15, 1994, the day police flew to Queensland to interview him about a spate of allegations of sexual assault on youths.

# Inspector admits records missing

## Omissions hurt investigation

By PAUL McINERNEY

A Wollongong inspector yesterday admitted to the Wood Royal Commission that he had failed to enter into his official duty book important aspects of investigations into child sexual abuse at the hands of Catholic clergy.

Dapto Patrol Commander Inspector David Ainsworth, who headed the investigation into allegations against Brother Michael Evans and Father Peter Comensoli between 1990 and 1993, told the commission he now regretted the omissions.

Insp Ainsworth regarded himself as a careful notetaker and tried to be correct and honest.

"But over the years I've still missed things that I should have written into my duty book," he said.

These included a number of things from his investigations into Br Evans and Fr Comensoli.

He told the commission he failed to place into his duty book:

- A telephone conversation with an Illawarra Catholic priest who took three of the victims to police to make formal complaints.

- His unsuccessful attempts to obtain an interview with Bishop William Murray.

- Verbal advice he had received from Senior Sergeant Terry Robinson, of the Wollongong Police Legal Services team.

- A conversation with Wollongong Crown Prosecutor Paul Conlon regarding unsigned statements from three victims X4, X5 and X6.

- The presence of witness X2 and her daughter at a meeting in his office when he told X4 (X2's son) why prosecutions against Br Evans were not proceeding.

- A meeting with the head of the Christian Brothers, Br Julian McDonald.

Inspector Ainsworth initially had insisted to the commission that the meeting with Br McDonald had occurred between April 10-24, 1990, but when presented with further evidence he conceded the meeting may have taken place the following year.

He told the commission he had made only two or three phone calls in an attempt to contact Bishop Murray. And when he received no response he did not attempt to see the Bishop in his



INSP AINSWORTH

home out of respect for his position.

Insp Ainsworth said he had expected Bishop Murray would have responded to his calls where he made it clear in messages left that he wanted to discuss allegations against Br Evans.

When asked if he recalled telling anything about the allegations against him of April 7, 1990 - three days before he was given handwritten statements from X4, X5 and X6 - he replied: "That's not correct, I have no reason to lie or cover up."

Insp Ainsworth resumes giving evidence this morning.

## Aid groups welcome paedophile inquiry

Leading aid organisations yesterday welcomed an inquiry into alleged paedophile behaviour by Australian diplomats, saying the investigation would allow officers to clear their names.

Foreign Minister Alexander Downer has called

for a full independent inquiry after claims that Australian aid money was used to set up orphanages, where diplomats had easy access to children.

The Australian Council for Overseas Aid said the inquiry would give Foreign Affairs and Trade Depart-

ment officers a chance to clear their names.

Executive director Janet Hunt said she was not aware of any incidents where funds had been used for paedophile activity.

Aid funds for orphanage projects were carefully monitored and controlled.

"I cannot see any way that funding could be used, quite frankly," she said.

World Vision Australia chief executive Philip Hunt said it was possible paedophiles could set up some access to an orphanage.

He said it was crucial an independent inquiry was carried out by somebody who understood the problem.

### MEN'S CLINIC

- Prostate
- Impotence
- Premature Ejaculation
- Sleep - Snoring Concerns

**MEDICATION NOW AVAILABLE**

**MEDICARE REBATES**

**MMC 1 800 800 453**

Wollongong Call Monday - Friday 8am - 6pm

**Tranquil Views - Relaxed Atmosphere - Total Elegance all this at**

**Wollongong's Premier Seafood Restaurant**

**Try our NEW SEASIDE TERRACE**

**Stuart Park Nth Wollongong**

**OPEN 7 DAYS**

**261677**