

ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL
ABUSE

PUBLIC INQUIRY INTO THE RESPONSE OF THE DIOCESE OF GRAFTON OF THE
ANGLICAN CHURCH TO CLAIMS OF CHILD SEXUAL ABUSE AT THE NORTH
COAST CHILDREN'S HOME

SUBMISSION ON BEHALF OF BISHOP KEITH SLATER

Introduction

- 1 Bishop Keith Slater ('KS') was the Bishop of the Diocese of Grafton from the 14 November 2003 until his resignation on 17 May 2013.
- 2 KS has given evidence under oath before the Royal Commission on a number of days.
- 3 KS has been referred to in Counsel Assisting Submissions and is an 'affected person' as a result of having given evidence and been the subject of a number of available findings referred to in Counsel Assisting's Submissions both directly and indirectly.
- 4 In the circumstances, KS wishes to place before the Royal Commission short submissions in reply.

Scope of Submissions

- 5 KS resigned from the position of Bishop on 17 May 2013, and forthwith retired from active ministry.
- 6 KS is currently subject to disciplinary action commenced by the Professional Standards Committee of the Anglican Diocese of Grafton, such action having been taken after the completion of the taking of evidence.
- 7 These submissions are of a limited nature only. They are not intended to deal in detail with the far reaching issues contained in the Royal Commission's Terms of Reference, nor the available recommendations listed in Counsel Assisting Submissions.
- 8 KS acknowledges and concedes the accuracy of many of the available findings set out in Counsel Assisting Submissions. However there are a number of findings identified below which KS would submit need further consideration by the Royal Commission before making such findings. KS also feels there are a number of issues and comments within Counsel Assisting Submissions that require a response.

Available Findings

- 9 In considering these submissions we urge the Royal Commission to accept that in his resignation statement on 17 May 2013 (EX3.1:AH-22) and in giving his evidence on oath, KS, was and is, genuinely remorseful and contrite for his admitted failures.
- 10 KS does not seek to deflect or minimise the obvious blame which can be attributed to his admitted failures, but seeks to also recognise these within the corporate responsibility of the Diocese of Grafton.
- 11 It is clear that the Diocese of Grafton adopted a defensive, legalistic approach to the Group Claim. It is also apparent that the Revered Comben provided Mr. Campion with a copy of a Care and Assistance Package when he first came forward. In order to make a finding that the Diocese of Grafton misled 'claimants' as asserted by Counsel Assisting (Available Finding 14, Page 50) the Royal Commission would need to be satisfied that such a representation had been made to others in similar terms.
- 12 It is submitted there is not sufficient evidence (to the requisite standard) that the Diocese deliberately misled claimants that the Care and Assistance Package would be followed. For such a serious finding to be made by the Royal Commission, the Commission would need to find there was clear and direct evidence that the Diocese intended to mislead claimants.
- 13 It is asserted by Counsel Assisting that KS reacted with hostility to Mr. Campion's insistence that he be afforded a financial settlement in line with the Care and Assistance Package adopted by the Diocese in November 2005 (Available finding 22 Page 64).
- 14 It is further asserted that KS's letter to Mr. Campion of 14 August 2007 (incorrectly described as 2008) indicated a substantial conflict of interests of the claimant, the Bishop, the Diocese and the other group claimants (Available finding 23, Page 64)
- 15 In his oral evidence, KS accepted that his correspondence of 14 August 2007 (Ex3-1: R46) was written in an "inappropriate way". It is submitted that this evidence would not establish a finding that the letter was in fact a hostile act on behalf of KS.
- 16 In the letter itself KS states, "What I have to say does not in any way negate your experience.....". In his evidence KS apologised to Mr. Campion and CA for the confusing style(s) which he incorporated in the letter (T2289: Pr. 19-21)
- 17 It is submitted there is no evidence that at the time KS sent the letter that he did so with any hostile intent. In addition there is no evidence that KS in any way reacted with enmity or deliberate antagonism in response to Mr. Campion's insistence he be afforded a settlement in line with the Care and Assistance Package.
- 18 At its worst, the badly worded letter of the 14 August 2007 forwarded by KS could be seen as negligent, inappropriate and careless. Undoubtedly the letter caused both Mr. Campion and CA considerable distress however it is submitted there is insufficient

evidence for the Royal Commission to find that KS was deliberately reacting with hostility.

- 19 In his evidence KS acknowledged as well that the letter confused a number of interests (T2289: Pr 23-25). He accepted from Counsel Assisting that in writing the letter there were different interests being confused, such as his interests as the Bishop in protecting the finances of the Church, the interests of the Diocese in dealing with child sexual abuse in a pastoral way, and KS's attempt to protect the interests of other claimants who had settled their claims (T2289 Pr 27 and following).
- 20 It is conceded that had the proper procedures for dealing with such complaints as made by Mr. Campion and AC had been followed then the likelihood would have been that such conflicts would have been avoided or at least diminished. KS has openly and candidly admitted his failures to properly follow the Church's adopted procedures for dealing with the child sexual abuse claims. However it is submitted there is not sufficient evidence for a finding to be made that he was consciously aware of the conflicts of interests identified and that he deliberately ignored same.
- 21 In paragraph 34 Counsel Assisting states that Anne Hywood was appointed as Acting Registrar of the Diocese of Grafton. KS believes Ms Hywood was appointed as part time Acting Registrar in November 2012.
- 22 In paragraphs 256 and 257 Counsel Assisting quotes Mr. Campion's evidence in relation to the meeting held on 14 August 2012. In his evidence KS stated that the "restrictions" and "conditions" in relation to that meeting were negotiated with Mr. Campion beforehand and that KS was acting upon legal advice (See T2299 and following). It is obvious from KS's evidence that Mr. Blake S.C. was prepared to attend the meeting only upon certain conditions.
- 23 It is submitted that Mr. Campion agreed with the "restrictions" and "conditions" referred to in the evidence otherwise the meeting would not have taken place. Notwithstanding that agreement Mr. Campion's reaction thereto is set out in his evidence.
- 24 KS believes the resolution in respect of the matter referred to in Paragraph 296 of Counsel Assisting's Submissions was passed in October 2010 by the Diocesan Synod and were implemented in early 2011.
- 25 Available finding 46 (Page 97) states that from 2002 "the Bishop of the Diocese of Grafton..." It is submitted the word "then" would need to be inserted after "2002" for such a finding to be accurate.
- 26 It is submitted KS gave his evidence in a truthful and candid manner. On a number of occasions he readily made "admissions against interest" (e.g. T2264 Pr 10) and acknowledged his failings.
- 27 KS has previously and continues to express deep regret and remorse for the hurt occasioned by his personal failings as well as those of the Church.

28 As previously stated these submissions on behalf of KS are not intended to traverse much of the Submissions of Counsel Assisting. The matters raised are those where the available findings put forth by Counsel Assisting are not accepted as being totally accurate or correct and where it is submitted certain factual matters need to be considered further.

Dated: 20 January 2014



Michael Taylor
Solicitor for Keith Slater