

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

**Public Hearing - Case Study 18
(Day 89)**

Level 17, Governor Macquarie Tower
Farrer Place, Sydney

On Friday, 10 October 2014 at 10am

Before

The Presiding Member: Justice Jennifer Ann Coate
Commissioner: Mr Robert Atkinson AO APM

Counsel Assisting: Mr Simeon Beckett

1 <BRIAN CHARLES HOUSTON, on former oath: [10.05am]

2

3 THE PRESIDING MEMBER: Pastor Houston, I just remind you
4 that you are still bound by the oath that you took
5 yesterday.

6

7 MR BECKETT: Just before I recommence with Pastor Houston,
8 there is a small housekeeping matter. There was a name
9 mentioned yesterday on the transcript that I seek
10 a non-publication direction with respect to. I will hand
11 up a draft order for your Honour's consideration. Copies
12 will be provided to the parties.

13

14 THE PRESIDING MEMBER: Yes, I have made that order.

15

16 <EXAMINATION BY MR BECKETT CONTINUING:

17

18 MR BECKETT: Q. Pastor Houston, just one further matter
19 before I conclude my questions. Yesterday you will recall
20 that I was asking some questions about the changeover
21 period, if you like, in May 1999, when your father resigned
22 as senior pastor of Sydney Christian Life Centre?

23

24

25 Q. Do I have that right?

26

27

28 Q. You, of course, were the senior pastor at Hills
29 Christian Life Centre at that stage?

30

31

32 Q. Correct me if I am wrong - I think your evidence
33 yesterday was that your father had been telling you over
34 a period of time that he was thinking about resigning?

35

36

37

38

39 Q. Do I understand that the process was that - certainly
40 you had an expectation of taking over Sydney Christian Life
41 Centre when he resigned; is that right?

42

43

44

45

46

47

47

1 A. Yes, yes, and the board were wanting that also.

2

3 Q. So you had that expectation, that when he did resign,
4 you would then take over?

5 A. Yes. It wasn't a surprise to me that that happened -
6 that it was going to happen. What was the big surprise was
7 that it happened so quickly.

8

9 Q. Perhaps you can assist us: was the process that
10 effectively your appointment as the senior pastor of Sydney
11 Christian Life Centre was put forward to the board for
12 approval; is that how it worked?

13 A. Yes, yes.

14

15 Q. And yours was the only name that was put forward?

16 A. Yes.

17

18 Q. And it was put forward by your father; is that right?

19 A. Yes.

20

21 MR BECKETT: Thank you. Those are my questions.

22

23 THE PRESIDING MEMBER: Thank you, Mr Beckett.

24

25 MR BECKETT: Your Honour, I am told that a message has
26 come through from Mr Kernaghan that he is running somewhat
27 late and he sends his apologies. He will be here later
28 this morning, I understand.

29

30 <EXAMINATION BY MS McGLINCHEY:

31

32 MS McGLINCHEY: Q. Mr Houston, my name is Ms McGlinchey
33 and I represent [AHA] in these proceedings. Mr Houston, it
34 will be necessary for me to take you over some of the
35 evidence you gave yesterday in order for me to frame some
36 questions that are relevant to [AHA].

37 A. Sure.

38

39 Q. I am sorry if I am being repetitive.

40 A. That's all right.

41

42 Q. I think you said in your evidence yesterday that
43 a family friend took you to the lawyer and you believe the
44 lawyers were Mallesons?

45 A. Yes.

46

47 Q. Is that the same family friend that attended the

1 meeting with [AHA], that is, Mr Saleh?
2 A. Yes.
3
4 Q. You have also said that it's possible that the
5 document you saw came out of that meeting?
6 A. It is possible. I can't say that that is where it
7 came from, but it is certainly possible. But it wasn't
8 like a legal letter or it wasn't on anyone's letterhead or
9 anything like that. It was just literally a piece of paper
10 with two or three lines of typing - two or three paragraphs
11 of typing.
12
13 Q. I think you said yesterday three or four paragraphs of
14 typing?
15 A. Yes.
16
17 Q. You did read the document later at some stage?
18 A. Yes. It was passed by me to have a look at.
19
20 Q. When you read the document, did it reflect the
21 conversation that you had at the lawyer's office?
22 A. No. No, it wasn't about that at all.
23
24 Q. What was the conversation at the lawyer's office?
25 A. The conversation at the lawyer's office was a broad
26 conversation about Frank's position. It actually didn't go
27 into the idea of compensation or money or anything like
28 that. It was much more about Frank's position, and that's
29 it, really.
30
31 Q. But you do say that it's a possibility that the
32 document did come out of the lawyer's office?
33 A. It's possible.
34
35 Q. You didn't give instructions to the lawyer to draft
36 that document?
37 A. No, and, in fact, the friend, the family friend - he
38 doesn't remember a document.
39
40 Q. Mr Saleh did attend the meeting with the lawyer?
41 A. Yes.
42
43 Q. Did he have any meetings with the lawyers, as far as
44 you know, that you didn't attend?
45 A. No, he didn't - I would say almost certainly he
46 didn't.
47

1 Q. You recall that the document had three or four
2 paragraphs and when you read the document - and I am just
3 paraphrasing your evidence yesterday --
4 A. Yes.
5
6 Q. -- it was to the effect that, "We agree to the payment
7 of the money and we agree this amount of money is final"?
8 A. That's what I remember. I can't say for certain
9 that's what it said. To me, that was the tenor of what was
10 being signed.
11
12 Q. That's all I'm asking you. I don't expect you to
13 remember word for word the document. Of course, when you
14 read the document, there were no signatures on it because
15 you said it was pre the meeting?
16 A. Yes, yes.
17
18 Q. So when you read the document, it was your expectation
19 that it would be taken to the meeting?
20 A. I thought it would be, and, in fact, I still think
21 maybe it was.
22
23 Q. Was it also your expectation that it would be shown to
24 [AHA] and that he would be asked to sign it or asked to
25 consider something else?
26 A. That was what I thought would be happening, yes.
27
28 Q. You have also said that you didn't think it was
29 appropriate for you to attend the meeting because of the
30 conflict situation?
31 A. Yes.
32
33 Q. Was there any consideration about whether it was
34 appropriate for Mr Saleh - excuse me, am I pronouncing his
35 name correctly?
36 A. Saleh.
37
38 Q. Was there any consideration of whether it was
39 appropriate for him to attend?
40 A. Well, he was a family friend. That's the only reason
41 he went. And I don't think that he considered that at all.
42 He loved my dad and I think he just - all he was concerned
43 about was looking after my father in terms of driving him
44 there and being there to comfort him. Obviously, you know,
45 for my father, it was probably a - you know, a difficult
46 day, and he was just there literally to stand with him.
47

1 Q. So there was a conversation about that between you and
2 Mr Saleh and your dad?
3 A. No.
4
5 Q. But there was a conversation between you and Mr Saleh
6 about that?
7 A. To be honest, what I saw was the document, and I'm -
8 you know, I'm just making sure I'm factual in what I'm
9 saying. I saw the document. It was shown to me by members
10 of my family. And I knew that this meeting was happening.
11 Apart from that, I really didn't know too much about it at
12 all. As I said yesterday, I thought it happened in a park.
13 I didn't even know it was at McDonald's. I knew it was in
14 that general area, Thornleigh, but I thought it happened in
15 a park.
16
17 Q. I think you said a minute ago that you still think
18 that it might have been signed at the meeting?
19 A. That's what I thought would happen, and, yes, I do.
20 I mean, we've heard it was a food-stained napkin. I'm not
21 saying it wasn't. It possibly could have been. But it
22 wasn't what I thought was going to happen - you know, would
23 happen, because I had seen this piece of paper that would
24 serve no other reason but to be what was signed there.
25
26 Q. And you had a conversation after the meeting?
27 A. With?
28
29 Q. With Mr Saleh.
30 A. I can't even remember.
31
32 Q. And what about with your dad about the signing of the
33 document?
34 A. No, I can't remember.
35
36 Q. Just to clarify about Mr Saleh, you have said he is
37 your family friend?
38 A. Yes.
39
40 Q. Has been a friend for many years?
41 A. Yes.
42
43 Q. A friend of your father for many years?
44 A. Yes.
45
46 Q. He is also very involved in the Hillsong Church?
47 A. Yes.

1
2 Q. He is a senior elder?
3 A. Yes.
4
5 Q. He is a member of, I think you call it, the eldership?
6 A. He was a member of the Hills CLC eldership. Of
7 course, in those days, Sydney CLC was an entirely different
8 church. My father's church had a different board than
9 Hills CLC, so he was definitely an elder at Hills CLC.
10
11 Q. And an elder of Hillsong?
12 A. Hills CLC.
13
14 Q. He is also a director on the board of Hillsong?
15 A. Now?
16
17 Q. Yes.
18 A. Yes, he is.
19
20 Q. Was he then?
21 A. Yes.
22
23 Q. He is also a member of the audit committee of the
24 board of Hillsong Corporation?
25 A. Now?
26
27 Q. Yes.
28 A. Yes.
29
30 Q. Was he then?
31 A. I couldn't say. I don't know whether we even had such
32 a thing then.
33
34 Q. He is also now a member of the committee for
35 remuneration of Hillsong Corporation?
36 A. Now, yes.
37
38 Q. You don't remember whether there was such a committee
39 then?
40 A. No, I don't think we were quite that organised then.
41
42 Q. So would it be fair to say that he is very involved in
43 the corporate governance of the Hillsong Corporation?
44 A. Very involved. It hadn't got much relevance to the
45 document, though.
46
47 Q. I want to ask you some questions about your

1 conversation with [AHA].
2 A. Yes.
3
4 Q. You said in your evidence yesterday that when you read
5 the statement of [AHA], you were reminded of some matters
6 which presumably you didn't remember when you were making
7 your statement?
8 A. That's true. As soon as I saw what he said about the
9 money, I remembered that was true. I had completely
10 forgotten about that part of the conversation.
11
12 Q. To be clear, that is that [AHA] called you?
13 A. No, he didn't call me. I called him.
14
15 Q. And that the conversation was about the \$10,000?
16 A. The \$10,000 came into the conversation. The
17 conversation was much bigger than that part of the
18 conversation. He was very frustrated because he,
19 obviously, and my father, had talked about my father
20 compensating him and he hadn't received the compensation.
21 And when he told me that, I was frustrated as well because
22 I was thinking how ridiculous that no-one had followed that
23 through and I felt like - I felt like, you know, it was -
24 it was - we had let him down. We had let [AHA] down. When
25 I say "we", I mean my family.
26
27 Q. As a result of that, you approached a member of your
28 family - I'm not going to ask who that was - but you
29 approached a member of your family?
30 A. Yes, I did, and I was like, "Why hasn't this
31 happened?"
32
33 Q. So you ensured, I think word was in your evidence
34 yesterday, that the money was paid?
35 A. Yes.
36
37 Q. So you followed it up and you made sure it was paid?
38 A. Well, I didn't have to ensure it. As soon as I said
39 that, people realised, "We've got to send this off", so --
40
41 Q. You knew that it would happen?
42 A. Yes.
43
44 Q. Do you know how it happened?
45 A. No, I don't.
46
47 Q. Do you know anything about a personal cheque that was

1 sent to [AHA]?

2 A. No, I couldn't tell you exactly how the payment
3 happened. As a matter of fact, I actually thought it was
4 \$12,000. I accept it was \$10,000. I thought it was
5 \$12,000.

6

7 Q. Mr Houston, you made your statement on 28 September,
8 your statement to this Commission?

9 A. Sure.

10

11 Q. When you first entered the witness box, you confirmed
12 that that statement was true and correct?

13 A. Yes.

14

15 Q. You were offered the opportunity to change any matters
16 in your statement?

17 A. Yes.

18

19 Q. And you declined to do that?

20 A. Yes.

21

22 Q. Why didn't you take the opportunity then to correct
23 your statement on the matter of the telephone call?

24 A. Well, there was no real reason, no reason whatsoever.

25

26 Q. Other than the fact that your statement was not
27 correct?

28 A. That's right, obviously not correct on that point, but
29 it didn't cross my mind. There was no malice in it, let's
30 put it that way.

31

32 Q. Could you just have a look at your statement at
33 paragraph 32.

34 A. Sure.

35

36 Q. It is quite a long paragraph. Would you like to just
37 read it through?

38 A. I will read it. Sure, I will read it all the way
39 through. Okay.

40

41 Q. Do you agree that there is no reference in that
42 paragraph to a meeting with Mallesons or any other lawyers?

43 A. There is no mention, right.

44

45 Q. Do you think that that is present in your statement
46 anywhere else?

47 A. No, it is not, no.

1
2 Q. Did you not think that it was a relevant matter for
3 this Commission to know?
4 A. It could have been. Look, I can tell you now, there's
5 a multitude of things I could have talked about in this
6 statement. I was given advice that, "You can't possibly
7 put everything in your statement."
8
9 Q. But you didn't think that a meeting with lawyers where
10 you discussed your father's situation in relation to [AHA]
11 was relevant to this Commission?
12 A. Where I went, as my father's son, to go to see
13 a lawyer about my father, and this Commission is about
14 institutional child abuse, so, in that sense, I don't see
15 that it was particularly relevant that I went to see
16 a lawyer. It was something that was between a father and
17 a son.
18
19 Q. Could you look at your statement at paragraph 37.
20 A. Sure.
21
22 Q. That paragraph is headed up "Phone call with [AHA]".
23 A. Mmm-hmm.
24
25 Q. Correct?
26 A. Yes.
27
28 Q. Paragraphs 37 to 39 all deal with that subject matter?
29 A. Right.
30
31 Q. Would you like to take a minute to read it through?
32 A. Yes. Is it 39 as well?
33
34 Q. Yes, please.
35 A. I will need to see more of 39, then.
36
37 Q. Do you agree that you give a very clear statement of
38 what that call was all about?
39 A. Mmm-hmm.
40
41 Q. You talk about offering pastoral care?
42 A. Sure.
43
44 Q. Asking him if he needed any help?
45 A. Sure.
46
47 Q. You don't refer at all to the mention of the money?

1 A. No, but I did yesterday. If I - if I - I did
2 yesterday because I suddenly recalled it. It was
3 definitely a part of the conversation.
4

5 Q. Well, you didn't suddenly recall it in the witness
6 box?

7 A. No, I recalled it when I read the statement of [AHA].
8

9 Q. What actions have you taken, since you recalled it, to
10 correct your incorrect statement about that telephone call?
11

12 THE PRESIDING MEMBER: Ms McGlinchey --
13

14 THE WITNESS: Well, I think the fact that - sorry. Excuse
15 me.
16

17 THE PRESIDING MEMBER: -- you have made the point through
18 this witness. I'm not sure that continuing to make it is
19 going to be of any assistance to us.
20

21 MS McGLINCHEY: Thank you, Commissioner. I will move on.
22

23 Q. Mr Houston, can I suggest to you that the matters in
24 your statement that are incorrect relate to arrangements
25 and your involvement in the payment of that money?
26

27 A. I wasn't involved in the payment of the money.
28

29 Q. Except that you asked your family to make that
30 payment?
31

32 A. After the conversation with [AHA]?
33

34 Q. Yes.
35

36 A. Yes, I rang and said, "Hey, you haven't followed this
37 through", remembering that I'm telling you I had seen
38 a document beforehand, so it wasn't a surprise to me.
39

40 Q. Can I suggest to you that the inconsistencies and
41 errors in your statement were deliberate?
42

43 A. Why would I admit it - why would I bring it up here,
44 if it was deliberate - if it was deliberate that I was
45 trying to hide something? I mean, the truth is I didn't
46 have to talk about it at all. I spoke about it because I'm
47 saying I had a - I had completely forgotten this, and now
I remember, so I'm telling the Commission this is what
I remember.

Q. I'm suggesting to you that when you made your

1 statement, you tried to hide your knowledge of and
2 involvement in the payment of \$10,000?
3 A. Well, the suggestion is wrong. No, I didn't do that.
4
5 MS McGLINCHEY: Thank you. Nothing further, Commissioner.
6
7 THE PRESIDING MEMBER: Thank you. Mr Kernaghan?
8
9 MR KERNAGHAN: Thank you. For the Commission's benefit,
10 I think I indicated through counsel assisting yesterday
11 that I would be about half an hour. I don't expect that to
12 be the case. I think it will be shorter than that.
13
14 THE PRESIDING MEMBER: Thank you, Mr Kernaghan.
15
16 **<EXAMINATION BY MR KERNAGHAN:**
17
18 MR KERNAGHAN: Q. My name is Aaron Kernaghan, and I act
19 for Barbara Taylor.
20 A. Sure.
21
22 Q. I wonder if you could have a look at the screen and
23 look at annexure N to the statement of Barbara Taylor. Is
24 that a document that you received on or after 26 June 2000?
25 A. Yes.
26
27 Q. It was the case that your response to that document
28 was to ring Pastor Taylor; is that right?
29 A. Yes.
30
31 Q. I would ask you now to look at annexure O. This is
32 obviously Pastor Taylor's document, not yours.
33 A. Mmm-hmm.
34
35 Q. But it is a document that you have since seen; is that
36 right?
37 A. Mmm. Mmm.
38
39 Q. It is a document that you have since seen?
40 A. Yes. I have seen it now, yes.
41
42 Q. Can I draw your attention to item number 3 in that
43 list. You will appreciate that we understand this document
44 is some notes that Barbara Taylor made of her conversation
45 with you on the phone after you had received the letter
46 I have just shown you?
47 A. Yes, yes.

1
2 Q. Can you look to number 3. Do you recall, during the
3 telephone discussion, a discussion about the meeting
4 between [AHA] and Frank Houston, with an elder of CLC
5 present?
6 A. I can't say I recall a lot about that actual phone
7 call at all, to be honest with you.
8
9 Q. Specifically in relation to that topic, do you have
10 any memory - that is, number 3?
11 A. I couldn't say, to be honest, that I do have a memory
12 that we discussed this at that time.
13
14 Q. Is that a reference to the meeting that we have heard
15 described as occurring at Thornleigh McDonald's?
16 A. Yes.
17
18 Q. If I can draw your attention to item number 4, is that
19 a fair description of how you were expressing yourself
20 during the conversation?
21 A. No.
22
23 Q. You were not hurt by the letter that I have just shown
24 you?
25 A. No, I think there was possibly a level of frustration
26 that all sorts of incorrect conclusions had been made in
27 the six months of silence that Pastor Taylor had suffered,
28 so I probably expressed my frustration that a lot of her
29 conclusions were built on hearsay and what she had heard
30 from other people, rather than just giving me a contact.
31
32 Q. Is it your explanation that as of this date, at the
33 time of this phone call, you and Barbara Taylor were
34 essentially at cross-purposes? Do you understand what
35 I mean by that?
36 A. Well, I know what cross-purposes means. I don't know
37 that she and I were at cross-purposes.
38
39 Q. That you were both attempting to resolve something,
40 but action had already occurred?
41 A. Trying to?
42
43 Q. Resolve the matter, but action had already occurred?
44 A. I'm sorry, I'm not quite following.
45
46 Q. All right. Do you accept that at the time of the
47 writing of the letter and this phone call, Barbara Taylor

1 obviously was in the dark about what the response to the
2 [AHA] allegations was?

3 A. Yes, I do accept - I do accept that she was in the
4 dark, and I would also say, if you don't mind me adding,
5 that I think that it was unfortunate that Barbara Taylor
6 didn't get better feedback from myself and from others.
7 I think she is a great old lady and a beautiful pastor and
8 a very honest lady, who was doing her very best to try to
9 get to the truth with this, look after [REDACTED] and just
10 get some action, and I feel like it's disappointing that,
11 in fact, it did take so long, especially from 16 September
12 1999, when names were named. I feel like I would say -
13 I would go so far as to say we owe her an apology.

14
15 Q. Pastor, do you think that there is any particular
16 reason, looking back now, why you didn't communicate with
17 Barbara Taylor during that period of time?

18 A. Stress, busyness, just trying to keep on top of it
19 all, trying to somehow keep above my own emotions, which
20 were not in good shape.

21
22 Q. Do you accept, looking back on that now, that those
23 sorts of issues would not have arisen if you hadn't taken
24 on the role that you had in dealing with the [AHA]
25 allegations?

26 A. Sorry?

27
28 Q. Would you accept that you would have not had those
29 problems, or these issues wouldn't have arisen from Barbara
30 Taylor, if you hadn't taken on the role that you had in the
31 allegations?

32 A. Which role had I taken on?

33
34 Q. Well, you have described yourself in your evidence as
35 having something of a lead role.

36 A. Right. Right. Well, don't you think it's possibly --

37

38 Q. Let me put it to you this way, pastor: would it have
39 been easier for you, and perhaps for Barbara, if you had
40 appointed an independent person to deal with the [AHA]
41 allegations?

42

43 MR HIGGINS: I object to this. The objection is on the
44 basis that if he is being asked as the president of the
45 national executive of the AOG, then that should be made
46 clear as part of the question. If he is being asked did he
47 take on the role as the son of Frank Houston, then that

1 should be made clear, because I would object on the basis
2 that it is not about an institutional response. That's my
3 objection.
4

5 THE PRESIDING MEMBER: Your objection, I think, highlights
6 the difficulty that Mr Kernaghan is endeavouring to explore
7 with Pastor Houston.
8

9 MR HIGGINS: It may.
10

11 THE PRESIDING MEMBER: I am happy to redirect
12 Mr Kernaghan.
13

14 MR KERNAGHAN: I am content do that, your Honour.
15 Thank you.
16

17 Q. When you acted in your professional capacity - I will
18 approach it this way, then. When you took the lead role
19 you did - if my friend just waits for me to finish the
20 question. When you took the lead role that you did, did
21 you think you were acting as your father's son or as some
22 sort of a role within the organisation of which you were
23 a leader?

24 A. I think with my conversations with Barbara, it clearly
25 was in my role as either pastor of Hillsong or, at that
26 time, president of the Assemblies of God.
27

28 Q. When you spoke before about the delay in speaking with
29 Barbara Taylor being --

30 A. Other people's delays, you mean?
31

32 Q. You didn't think that you had a delay?

33 A. Oh, you mean in this period here, sorry, between the
34 end of 1999 and June 2000?
35

36 Q. Yes.

37 A. Yes, sorry.
38

39 Q. Do you accept that there was a delay in you speaking
40 with Barbara Taylor?

41 A. Yes.
42

43 Q. Was that occasioned because of your professional work
44 or because of your circumstances as your father's son?

45 A. I think it had nothing to do with being my father's
46 son. By then - by then, it was entirely and all about my
47 professional roles.

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Q. Do you think, in hindsight, it would have been better if you had totally distanced yourself from the [AHA] allegations within the church?

A. I think that, actually, I am still very pleased that when I found out this information, I went straight to my father; I confronted him. Nobody else had. I confronted him. I went through the most horrific meeting of my entire life. I suspended him there and then. I ensured that from that day on, he never preached again in his life, anywhere, and I feel - I feel very confident that I did exactly the right thing.

Q. I suggest to you that all the things you just described yourself as doing were not the things that a son can do but things you did in your professional capacity?

A. And that's what I'm telling you as well. These things related to my professional capacity.

Q. Thank you. What I'm asking you is, looking back on it, knowing all that you now know, if you think, today, it would have been better judgment on your part to have an independent person appointed to handle all of those matters?

A. If you're talking about interaction with Barbara Taylor, yes, and some of the other things. If you're talking about interaction with [AHA], I believe that I was being sensitive to his wishes. We've heard over and over here, including from [AHA], that he did not want a police investigation; he did not want a church investigation. And we've also heard how to go ahead - a counsellor would tell you, if you were to go ahead of a victim, someone who has been, you know, horribly, horribly treated by a paedophile, and start doing things on their behalf that they ask you not to do, you are actually disempowering them. Those are the sorts of things that were in my mind.

Q. What about what you did in relation to your father, that meeting that you have described in which you suspended him?

A. Yes.

Q. Would it have been better if that was handled not by you but by an independent person?

A. I believe it was my responsibility.

Q. You gave evidence to the Commission, through counsel

1 assisting's questions yesterday, about that meeting.

2 A. Yes.

3

4 Q. You have just raised it now, and I want to clarify
5 something. You were acting in your professional capacity
6 during that meeting?

7 A. Yes.

8

9 Q. And you don't believe today, looking back on it, that
10 your ability to act professionally was compromised by your
11 relationship to your father?

12 A. No, because I acted very professionally. I followed
13 it through. I looked him in the eye. I asked him if he
14 had done these things. He admitted he had. He went into
15 some detail about what that constituted. I told him what
16 I was going to have to do, that I was going to have to
17 suspend him and that I would be taking it to the national
18 executive. So I feel quite - quite like I was responsible
19 and I fulfilled my responsibility.

20

21 Q. Did you make file notes of the conversation?

22 A. At the time I probably did. But do I have file notes
23 now? No.

24

25 Q. Do you remember making any written record of the
26 conversation?

27 A. No, but I - yes I - I take notes on most conversations
28 I have, so I would have taken scribble notes. But on this
29 particular instance, it's - in a life of 60 years, it's not
30 as though it was a small day, so I've got very vivid
31 memories of it.

32

33 Q. Just to be clear, that meeting that you have described
34 with your father in your office --

35 A. Yes.

36

37 Q. -- when do you recall it occurring?

38 A. Well, he was - well, we were working, even this
39 morning still, on trying to ascertain exactly when George
40 first told me about the - you know, the allegation, and we
41 still are working that towards the very, very end of
42 October, right through to maybe the very first week in
43 November. It's in that date time frame there. So from
44 that point, my father was away three weeks overseas. He
45 came home late in a week - like, on a Friday. I had a huge
46 weekend, and so I did what I had to do that weekend
47 church-wise, preaching and so on. He, I think, that

1 weekend, actually did preach somewhere else, and it may
2 have been Canberra. It was the last time he ever preached
3 in his life.

4
5 Q. That is the year 1999 that you are referring to?

6 A. Yes, this is in either - this, now, would be late -
7 mid to late November 1999.

8
9 Q. As I understand your evidence yesterday, it wasn't for
10 quite some time until arrangements were made to clear out
11 your father's office; is that right?

12 A. Yes. He never used that office during that entire
13 12 months. He was actually attending a church in the
14 Hawkesbury during that time. We had asked him, after this
15 came through, to move on from the Hillsong Church and he
16 was attending Ian Woods' church in Hawkesbury, to my
17 memory. So there was an office there. He didn't use the
18 office. The only thing he did during that 12 months was
19 probably came to Hillsong conference. I remember him
20 coming to our men's conference, because he was so
21 miserable. So he came to one or two things like that.

22
23 Q. This office that he didn't use - where was it?

24 A. I don't even know where his office was. I mean,
25 I know the building.

26
27 Q. Is this the office that the arrangements were that
28 your mother was going to clear out?

29 A. Yes, yes, so it would have been at Sydney Christian
30 Life Centre, and if it's the same office that he always had
31 there, I know exactly what room it was.

32
33 Q. Just returning to the annexure that is on the screen
34 in front of you, you will see item number 10?

35 A. Yes.

36
37 Q. Do you recall giving a direction of that nature to
38 Barbara Taylor during that phone call?

39 A. I have a much different recollection of it.

40
41 Q. What is your recollection of it?

42 A. My recollection - so this says, "Any future
43 correspondence to be by phone." So she saw that as me
44 saying, "Don't write, don't write, in case my staff see
45 it." That's how, in my words, she described it. To be
46 honest, my senior staff see every piece of correspondence
47 that comes through my office and open everything. My PA

1 has been my PA for 20 years and she knows more about my
2 life, just about, than I do, so there would be no reason
3 why I would be trying to hide that from my senior staff.
4

5 The tenor of the conversation, from my memory, was
6 much more like this: she was so frustrated that it had
7 taken six months and she had heard nothing, and so in that
8 conversation, I'm saying, "Barbara, if you need to talk to
9 me, if you want to talk to me, just give me a call", to
10 which she said, "Well, you're a very hard man to contact",
11 to which I said, "I will tell Megan, my secretary, my PA,
12 that if you call, she will put you straight through." That
13 was the conversation.
14

15 Q. So it wasn't the case that you were imparting to her
16 a desire on your part not to have anything in writing?

17 A. Not at all.
18

19 Q. Did you follow up with Barbara by sending her a short
20 letter confirming your conversation?

21 A. Probably not.
22

23 Q. Did you ever write to Barbara on this topic again?

24 A. On this topic? No, but she and I did have one little
25 conversation about it in 2007.
26

27 Q. By inviting Barbara to call you, as the need arose, to
28 discuss this matter --

29 A. Yes.
30

31 Q. -- you were still, at that time, comfortable with
32 dealing with this matter?

33 A. Yes.
34

35 Q. In your professional capacity?

36 A. I still am today.
37

38 Q. You were comfortable then in dealing with Barbara as
39 the first person within the church, it seemed, that the
40 complaint had been reported to?

41 A. Well, to be honest, Barbara could have turned to
42 anyone on the national executive. There was nothing
43 stopping her from talking to anyone she wanted. She could
44 have talked to the assistant president. She could have
45 talked to any of the executive members. She already had
46 contact with John McMartin. She could have talked to him.
47 So it's not as though she was forced to talk to me.

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Q. Was there then any procedure that you were aware of to assist persons in the position of Barbara Taylor to deal with their own stress and anxiety with dealing with these sorts of complaints?

A. Could you please repeat that question?

Q. Were you aware of there being any procedure or facility available at the time to help people in the position of Barbara Taylor deal with the difficulties of managing complaints of this kind?

A. I already mentioned, I feel like we let Barbara Taylor down. I feel like she deserved far better. I feel like she is - in this instance, I would see her as, if you like, the hero. She was going for justice and she wasn't going to give up, and eventually she managed, you know, to bring it to the point where it needed to get. More to the point, probably, it was Kevin Mudford that contacted me, but I've got nothing but respect for Barbara in this whole incident.

Q. In saying what you have just said, you accept, do you, that part of dealing with people like Barbara Taylor fairly and properly is to make sure that they know what the outcome is of the efforts that the organisation undertakes?

A. Well, obviously Barbara - Barbara wasn't the survivor, the victim, as such, and so I think, you know, obviously she reported some of the level of her frustration in that 12-month period from 1998 to 1999. I've only learned that myself since I've been reading all this documentation. I wasn't aware just exactly all of the processes that she had been through. I have lost your question, sorry.

Q. Do you accept that it's important that people in the position of Barbara Taylor be told in a transparent way?

A. Yes, and I think in those areas, everyone in our world would agree we have already improved our processes incredibly, and our systems, and this is one of those things that we have to learn through this Commission and through this experience.

Q. Does that extend to making sure that the people tasked with dealing with these complaints in senior positions don't have any conflicts of interest?

A. I understand what you are saying. The whole idea of a conflict of interest, to be honest, hadn't even occurred to me and was never suggested by anyone else until we got here to the Commission, and yesterday counsel assisting

1 began to go along those lines. I saw it as me being in
2 a role, having to make tough decisions, and having the guts
3 or the courage to make those tough decisions.
4

5 Q. This is my last area of questioning and it is on this
6 particular point.

7 A. Sure.
8

9 Q. At the time that you were dealing with all of these
10 issues in your professional capacity, you had around you
11 people like Mr Saleh?

12 A. Yes.
13

14 Q. Is that right?

15 A. Yes.
16

17 Q. You were seeking advice from those people?

18 A. From our church board in its entirety, so --
19

20 Q. Of which he was a part?

21 A. Pardon?
22

23 Q. Of which he was a part?

24 A. Absolutely he was a part, yes. But, you know, if
25 I could just reaffirm one more time. Obviously there is
26 some interest in Mr Saleh. Mr Saleh is simply a man who
27 drove my father over to a meeting to support him and help
28 him, sat with him, organised the processes, drove him back
29 again and that was the end of it.
30

31 Q. I would suggest that he is a bit more than that, if he
32 is advising you and helping you to understand your
33 situation?

34 A. Now - so we're moving onwards now.
35

36 MR HIGGINS: I object.
37

38 MR KERNAGHAN: I'll rephrase the question.
39

40 MR HIGGINS: No, no. My objection is, if I may, that
41 there is a conflating of the roles of Mr Houston here in my
42 friend's question, in his constant reference to the phrase
43 "professional capacity". If he is referring to him being
44 the senior pastor of what was then Hills Christian Life
45 Centre, to the extent that it was the Sydney Christian Life
46 Centre, then that should be made implicit rather than using
47 this generic phrase of "professional capacity". If,

1 however, my friend is referring to his role as the
2 president of the AOGA, then that should be made apparent.

3
4 MR KERNAGHAN: With respect to my friend, that's
5 a distinction that the witness doesn't seem to struggle
6 with. The witness seems to understand his professional
7 capacity and has referred to his professional capacity. It
8 doesn't seem to be a helpful distinction when one talks
9 about a person, such as the pastor, who has the position
10 that he does with all of its complexities, but I am happy
11 to make it more precise if that assists my friend.

12
13 MR HIGGINS: The mischief would appear to lie in when the
14 witness refers to "the church", which the AOGA is not, and
15 my friend appears to be referring to something broader. It
16 is the clarity we should seek to strive to achieve.

17
18 MR KERNAGHAN: Q. Sir, in what role did you discuss any
19 part of the [AHA] allegations with Mr Saleh?

20 A. With Mr Saleh? It would be completely in relation to
21 Hillsong Church, or, in those days, Hills CLC.

22
23 Q. Getting advice from him and other elders within the
24 church - that church, I'm talking about --

25 A. Yes.

26
27 Q. -- allowed you to access their considerable experience
28 in corporate governance, didn't it?

29 A. Yes, yes.

30
31 Q. Mr Saleh has considerable experience in corporate
32 governance, doesn't he?

33 A. He's one of nine.

34
35 Q. Not just of the church but of organising and running
36 businesses?

37 A. Oh, absolutely, absolutely, yes.

38
39 Q. Did you have that sort of a discussion about how best
40 to proceed with those people?

41 A. With which people, sorry?

42
43 Q. With Mr Saleh, for example.

44 A. I don't quite understand what you are saying.

45
46 Q. Did you seek advice from him on how best to deal with
47 the [AHA] allegations?

1 A. He was an elder of our church. I completely submit to
2 the board members and eldership of our church on any issues
3 related to anything to do with the church. So there is no
4 doubt, in our conversations, corporate conversations - in
5 other words, all of us together - that we were talking
6 about this situation.

7
8 Q. I am not asking you about your submission to the
9 board. I am asking you, did someone like Mr Saleh, who
10 I understand has amongst his experience the CEO of
11 Gloria Jeans worldwide --

12
13 MR HIGGINS: I object to that. That is nothing but an
14 attempt --

15
16 MR KERNAGHAN: It's --

17
18 THE PRESIDING OFFICER: An objection has been taken.

19
20 MR KERNAGHAN: An attempt at what?

21
22 MR HIGGINS: Your Honour has ruled. I would submit to
23 your Honour's ruling.

24
25 THE PRESIDING MEMBER: I didn't hear the end part of the
26 objection, Mr Higgins.

27
28 MR HIGGINS: Your Honour, the other business interests of
29 Mr Saleh do not assist this tribunal. This witness has
30 said he has business experience. The end.

31
32 MR KERNAGHAN: I'm not asking that. I'm asking if it was
33 of assistance to this witness in his decision making that
34 he had persons around him with considerable corporate
35 governance experience. He says that he submits to their
36 judgment or their opinion. I'm asking what role the
37 benefit of that information had in the way in which this
38 witness proceeded to deal with allegation against his
39 father.

40
41 THE WITNESS: The allegations were dealt with by the
42 Assemblies of God.

43
44 MR KERNAGHAN: Q. I am asking about how you dealt with
45 them in your capacity within the church?

46
47 MR HIGGINS: Which church?

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THE WITNESS: I completely lost you, I am sorry. I have no idea where you are going.

MR KERNAGHAN: Q. Sir, you have told us that within the Hillsong Church, in your professional capacity in Hillsong Church --

A. My role as senior pastor? Is that what you mean by "professional capacity"?

Q. Yes, well, that was your job.

A. It is still my job.

Q. And that was your professional capacity?

A. Mmm-hmm.

Q. Do you understand that now? Has your understanding of that term changed?

A. I just don't know where we're going here.

Q. When you were doing your job at Hillsong --

A. I do my job at Hillsong. I've been doing the same job for 31 years.

Q. When you were doing your job and dealing with, in that capacity, allegations against your father by [AHA] --

MR HIGGINS: I object. Hillsong didn't exist until 2001.

THE PRESIDING MEMBER: Yes, that's right.

MR KERNAGHAN: Q. Whatever form it was in, you were working in a professional capacity when you dealt with the allegations against your father?

A. I had a role to do in my job, and that's the job I was doing, absolutely. My role was to confront my father, to address the issues, to suspend him, to take it to the Assemblies of God, to talk about whatever steps that we would take at the Assemblies of God level, because that's where he was credentialled, and then to go on and talk about his actual involvement in the church. The truth is he was effectively fired from his role from the day I met him in the office.

Q. I understand. As I have asked you before, to be clear for everyone's benefit, when you had that meeting in the office, you were not there as the son of your father; you

1 were there in your job?
2 A. Absolutely.
3
4 Q. While you were doing those things, you sought advice
5 from the elders that you considered your peers and your
6 colleagues and the people that you worked with?
7 A. I think you need to understand that at the time that
8 this happened, Nabi Saleh was a board member and elder of
9 Hills Christian Life Centre. My father was the pastor of
10 Sydney Christian Life Centre - or former pastor of Sydney
11 Christian Life Centre. So my dealings with Frank at that
12 point were not with the Hills CLC board; they were with the
13 Sydney CLC board. So one of the very first things I did
14 after having talked to my father was literally drive to
15 each of those people's homes or business places and tell
16 them individually about the situation with Frank and the
17 action I had taken. That was the - that was my oversight,
18 if you like, on this matter at that time.
19
20 Q. But you were in consultation with Mr Saleh, were you
21 not?
22 A. No, I wasn't.
23
24 Q. You were in consultation with Mr Saleh when he met
25 with your father at Thornleigh, were you not?
26 A. It depends what you mean by that.
27
28 Q. Did you talk to him about it?
29 A. I knew he was going to be involved in the meeting. He
30 put his hand up and offered. There was nothing too much
31 more than that.
32
33 Q. Did you go to Mallesons with Mr Saleh?
34 A. Yes. That was as a son, but I don't see that going as
35 a son has any relevance to institutional responses to child
36 abuse.
37
38 Q. Mr Saleh's presence there was not as a family member,
39 was it?
40 A. He was there as a close family friend.
41
42 Q. Was he? All right.
43 A. Should I have chosen a close family friend who didn't
44 work, who didn't have a business?
45
46 MR KERNAGHAN: Thank you, pastor. Thank you, your Honour
47 and Commissioner.

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<EXAMINATION BY MR CHOWDHURY:

MR CHOWDHURY: Q. Mr Houston, my name is Craig Chowdhury. I act for Australian Christian Churches?
A. Sure.

Q. Before you spoke to your father, Frank, to confront him about the allegations, do you recall speaking with John McMartin about the allegations?

A. I didn't. I didn't have any conversation with John before I heard the allegation.

Q. You have given evidence that the first time you knew was from George or the manager out at the then Hills Christian Life Centre?

A. That's correct.

Q. You said there was a three-week period because your father was overseas; correct?

A. Yes.

Q. During that three-week period, is it possible that you also spoke to John McMartin about the allegations?

A. Yes, I think during that time we did speak, then.

Q. I just want to see if this refreshes your memory. Were you in shock when John McMartin told you about the allegations?

A. No, because I knew about the allegation. I was probably still very pained and very traumatised, but it wasn't a shock, because the shock was when I heard it from George Aghajanian.

Q. Did you say to Mr McMartin, "How do you know if it's true"?

A. No, I did not.

Q. Do you recall Mr McMartin saying, "I don't, but it needs to be investigated"?

A. No, I don't.

Q. Is it possible that was said?

A. Pardon?

Q. Is it possible that was said by Mr McMartin, "I don't know if it's true, but it needs to be investigated"?

1 A. No. I believe it's completely wrong.

2

3 MR CHOWDHURY: Thank you. Nothing further.

4

5 MR WOODS: No questions, your Honour.

6

7 <EXAMINATION BY MR HIGGINS:

8

9 MR HIGGINS: Q. Could tab 5 be brought up on the screen,
10 please, the statement of Mr Houston. When that is done,
11 could we scroll through to paragraph 33, please. Would you
12 read that paragraph to yourself, please? When you have
13 done that, please tell me?

14 A. Yes.

15

16 Q. Could I now ask that from tab 2, annexure K be put on
17 the screen. Would you go to item 3 and read that to
18 yourself, please? When you have done that, please tell me?

19 A. This is Barbara Taylor's summary, isn't it?

20

21 Q. Correct. This is Barbara Taylor's notes following
22 a meeting between yourself, Mr McMartin and her.

23 A. Yes, sure. Sure, yes.

24

25 Q. Relevant to the issue of the timing of the standing
26 down of your father, or the suspension of your father from
27 ministry, at paragraph 33 you tell the Commission that he
28 was suspended immediately by you?

29 A. Yes.

30

31 Q. But someone else's document records you saying in what
32 we understand was probably the same month, but some time
33 after, that he "would be stood down". What is the correct
34 situation?

35 A. That he "would be" stood down is a misinterpretation.
36 He was stood down instantly. As a matter of fact, I will
37 reinforce it again: he never, ever preached again anywhere
38 after I confronted him in my office in mid to late November
39 1999.

40

41 Q. If I can move, then, to another point in time, you
42 were asked questions by counsel assisting yesterday about
43 the [AHG] allegations, the ones arising out of New Zealand.

44 A. The resident here in Australia, but it happened in
45 New Zealand, yes.

46

47 Q. I want to ask you some questions about AOGA and AOGNZ.

1 A. Yes.
2
3 Q. Are they autonomous organisations?
4 A. They are entirely separate organisations. They have
5 no legal binding whatsoever.
6
7 Q. Different from an organisation such as, say, the
8 Catholic Church or the Anglican Church, they are not
9 international organisations?
10 A. That's absolutely right.
11
12 Q. So whilst AOGA and AOGNZ may share a similar label,
13 bar the country, they are not governed by an umbrella
14 organisation?
15 A. No. I'm hoping I heard what you said right: you were
16 saying they are not governed by the same organisation; is
17 that what you said?
18
19 Q. Correct, yes.
20 A. Definitely not.
21
22 Q. They are, as you said earlier, autonomous?
23 A. Totally autonomous.
24
25 Q. I am going to move to something else, if I may.
26 I want to show you this document, please.
27
28 THE PRESIDING MEMBER: You have a document that you want
29 shown?
30
31 MR HIGGINS: I have. It is on the screen.
32
33 Q. On the screen you should have before you an image of
34 the hard copy. Can you tell her Honour and the
35 Commissioner what this document is?
36 A. It is the promotional brochure for the Hillsong
37 conference for the year 2000.
38
39 Q. Hillsong, as an incorporated entity, did not exist
40 until 2001?
41 A. No. In those days, Hillsong only reflected our music
42 and the conference. That was the name of the conference
43 and the name of our music.
44
45 Q. So prior to 2001, when we hear the word "Hillsong", we
46 are not talking about an entity, but we are talking about
47 an interdenominational conference --

1 A. Yes.
2
3 Q. -- where people come together to celebrate Christian
4 religion?
5 A. Yes - I'm not sure about the word "religion", but
6 Christian faith.
7
8 Q. This one, by reference to that page on the screen,
9 refers to the 2000 conference said to occur between
10 4-7 July and, week two, 10-13 July 2000?
11 A. Yes.
12
13 Q. How long in advance of that conference is this
14 brochure created?
15 A. It would have been any time between twelve months
16 before and nine months before.
17
18 Q. So in July or mid-1999, did Hillsong have a similar
19 conference?
20 A. Yes, every year.
21
22 Q. At that 1999 conference, did Hillsong make available
23 this brochure?
24 A. I couldn't say with absolutely certainty that it was
25 available then. It possibly was, definitely, because we
26 definitely try to already give people insight into what's
27 going to be happening next year. I couldn't say
28 authoritatively exactly what date this was printed, but
29 that would have been the time frame.
30
31 Q. So certainly if not available at the preceding
32 conference, it would have been available in the weeks or
33 months following that preceding conference --
34 A. Yes.
35
36 Q. -- in anticipation of the forthcoming conference the
37 next year?
38 A. Yes.
39
40 Q. Is this the only brochure that Hillsong was creating
41 at that time relevant to the preaching that was available
42 through Hillsong?
43 A. Yes.
44
45 MR HIGGINS: Your Honour, I ask that counsel assisting
46 tender that document. Could I indicate what its forensic
47 purpose is?

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MR BECKETT: Yes, I am happy to have the document tendered.

THE PRESIDING MEMBER: 18-10.

EXHIBIT #18-10 PROMOTIONAL BROCHURE FOR HILLSONG CONFERENCE 2000

MR BECKETT: Mr Higgins can make submissions on that basis, I think.

MR HIGGINS: Would your Honour and the Commissioners excuse me for a moment?

THE PRESIDING MEMBER: Yes.

MR HIGGINS: Thank you. They are my questions.

MR BECKETT: I have some matters in re-examination. To the degree to which they are not strictly in re-examination, I won't object to any further applications made.

<EXAMINATION BY MR BECKETT:

MR BECKETT: Q. I wonder if I could raise a few short matters before we wind up your evidence. First of all, you recall that the first confrontation with your father happened in November 1999?

A. Excuse me?

Q. The first conversation you had with your father about the allegations occurred in November 1999?

A. Yes, mid to late 1999.

Q. He came back from overseas; you had a meeting with him; you put the allegations to him?

A. Yes.

Q. He made some admissions about those allegations?

A. Yes, he admitted it.

Q. Can I ask you, casting your mind back to that time, what would you have done if he had denied the allegations?

A. We would have just had to put in a process to get more people involved, I guess.

1
2 Q. What sort of process would that have been?
3 A. I couldn't say, really. I mean, I would think that
4 either the Assemblies of God or Hillsong Church - I would
5 have passed it on to other people. You know, I can't --
6
7 Q. Why would you have passed it on to other people at
8 that stage?
9 A. Because I was unsuccessful in getting the information.
10 I knew. I knew. I didn't know the details, but I knew
11 this was going to be true. There were too many - too many
12 links, too many people suggesting too many things, for it
13 not to have some merit to it.
14
15 Q. Do I understand what you say that it would have been
16 desirable to have other people involved in determining
17 whether the allegations had occurred or not?
18 A. Yes, if I hadn't got that - if I hadn't been
19 successful in hearing that information initially.
20
21 Q. The admissions that your father had made at that
22 meeting were the ones that you took through to the national
23 committee; is that right?
24 A. Yes.
25
26 Q. My memory is a little scratchy on this from yesterday,
27 but your father admitted to one act, or act on one
28 occasion, I think, one-off?
29 A. No, I think it was one act, one-off - one-off act,
30 I think he said.
31
32 Q. That was the version that was committed by you to the
33 national committee; is that correct?
34 A. Yes, absolutely, yes.
35
36 Q. You didn't say to the national committee that you knew
37 or you thought that there may have been other acts apart
38 from the one-off incident?
39 A. I just relayed what he had told me, that there was
40 one. I really did want to believe him. I don't know that
41 I did, deep down in my heart, believe him, and that would
42 have been the spirit with which I went to the national
43 executive.
44
45 Q. You have heard [AHA]'s evidence about that, that there
46 were a number of occasions?
47 A. Yes.

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47

Q. Do you accept what he says, that there was more than one occasion?

A. I can easily accept there was more than one occasion. You know, I would possibly have a different version of dates, exactly where and when, and so on. Obviously, I wasn't there all the time. But, I mean, I've got no reason to doubt him. One thing that is not in doubt is that my father has proven to be a paedophile and he badly violated [AHA]'s life and did him desperate damage, and for that I am just very, very sad.

Q. Just to finish this line of questioning, you are aware that certainly a year or so later there was an investigation where the national executive sent Pastors Lewis and Ainge to New Zealand?

A. To New Zealand, yes.

Q. And they were given further allegations in New Zealand?

A. Yes.

Q. And they were substantiated by the New Zealand executive?

A. Yes.

Q. Do you accept, now, that your father had abused other children in New Zealand?

A. I've no doubt, and we probably don't know how many. We may never know just how far it went.

MR BECKETT: Yes. Those are my questions.

THE PRESIDING MEMBER: Thank you, Mr Beckett.

Q. Pastor, just a couple of matters before I excuse you. Just in answer to questions that were being put to you then by Mr Beckett, I understood you to say when you were asked questions about the truth of the communication that had been made to you by George, as he's being referred to, that you said you accepted the truth of that information that he had conveyed to you?

A. Yes.

Q. In answer to the question, you said there were too many people and too many links. Can you just explain what you meant by that?

1 A. Look, I can't say, you know, categorically I knew it
2 was true. I wasn't quite saying that. I think I'm saying
3 deep down in my heart I knew that this was true, because -
4 because [AHA]'s mother, who I knew, and I know loved our
5 family at that time - there is no reason why she would make
6 up such a story. I'm just trying to think about who else
7 at that time. Kevin Mudford I didn't know well at all. He
8 was something of a maverick. He wasn't actually an
9 ordained pastor or minister. But, you know, between - you
10 know, in my experience in life, when you get three or four
11 people all saying the same thing, there is usually going to
12 be some sort of truth to it. That's probably what I'm
13 saying.

14
15 Q. There is just one final area I want to ask you about,
16 and it relates to the term that has been used throughout
17 the material provided to the Commission and, indeed, by
18 representatives of the church in evidence, about the
19 credentialling of pastors.

20 A. Yes.

21
22 Q. Just in general terms, are you able to describe that
23 process for us, for our benefit, how that takes place?

24 A. Sure, sure. Generally, with our Assemblies of God
25 credentialling, initially a person is given what is called
26 a PMC, a probationary minister's credential. There is
27 a fairly substantial form that they fill in, with
28 references, asking them about theology, asking them about
29 their life, asking them about things that relate to
30 ministry. Then that form, with photos, goes to the local
31 district.

32
33 Our movement, our assembly, has districts and then it
34 has state and national executives. So the district
35 processes the forms. They call in the applicant. They
36 would interview the applicant, and, on the basis of that,
37 they would pass on the application to the state with their
38 recommendation. The state would determine who does or
39 doesn't receive a probationary minister's credential.

40
41 Once you have that, there is a period - certainly when
42 I was involved in 2009, so five years have gone by, but
43 there was a period of proving yourself, which I understand
44 to be a minimum of two years, so proving yourself in active
45 ministry: your life is pure, you are clean, you are sound,
46 your doctrine is sound, all of those things.

1 Then eventually you get invited to apply for
2 ordination. That process can happen after two years but
3 doesn't necessarily happen after two years. It could take
4 three, four or five years. Then eventually a person would
5 be invited to apply for ordination, and presuming that they
6 had proven themselves well in ministry, they would receive
7 an OMC, an ordained minister's credential.

8
9 Q. Which comes from where?

10 A. From the national executive of the Assemblies of God.

11
12 Q. So the national executive holds all of the records
13 with respect to credentials?

14 A. As far as I know. You would have to ask some of the
15 Assemblies of God people here. As far as I know, they do.
16 I do know that the national executive, the authoritative
17 body - every other executive, the states, the districts
18 first - the districts basically serve the states, and the
19 states serve the national now.

20
21 The national I would describe as being the
22 visionaries, the oversight for the entire movement. And
23 I would see the states - this is only my opinion - as those
24 who really carry the day-to-day looking after of the
25 individual churches and ministries inside that state,
26 answerable to carrying out the wishes of the national
27 executive.

28
29 Q. Moving now to that period that has been variously
30 referred to as some time in late October through to early
31 or mid-November when you had that meeting with your
32 father - you say, amongst other things, that what happened
33 at that meeting was that you suspended his credential?

34 A. Yes.

35
36 Q. What role are you performing when you do that? Are
37 you performing that as a pastor or as the president of the
38 AOG?

39 A. President of the Assemblies of God. That's the
40 process. The president of the Assemblies of God has the
41 right to suspend credentials, I think it's up to a period
42 of 30 days, which gives them time to convene a meeting
43 where that matter would be discussed.

44
45 Q. You were, and continue to remain, unclear about what
46 date it was that that meeting took place?

47 A. The exact date. We can pin it down, by a couple of

1 things around the time, to a period, a time frame of maybe
2 two weeks.
3
4 Q. So does it follow that there is no formal document
5 that exists for the suspension of those credentials?
6 A. Possibly not.
7
8 Q. Well, when you say "possibly not"?
9 A. Well, I don't --
10
11 Q. First, let me clarify with you --
12 A. Yes, sure.
13
14 Q. -- when credentials are suspended --
15 A. Yes.
16
17 Q. -- firstly, as at 1999, was there no requirement for
18 that to be formalised into a written notice given to the
19 person whose credential was suspended?
20 A. There possibly is a requirement and, if there is,
21 I failed to do so. Again, the current president of the
22 Assemblies of God is here and he may be able to clarify
23 that for you, but what I see the role as being practically
24 is informing the person whose credential has been
25 suspended, literally taking the credential from him and
26 informing him that there will be a meeting within 30 days
27 where the issue of his credential or her credential will be
28 discussed.
29
30 Q. You obviously have no recollection of a formal written
31 document --
32 A. No, I don't have any recollection.
33
34 Q. -- that contained a notice of suspension?
35 A. No.
36
37 Q. And, similarly, a termination document - termination
38 of credential?
39 A. From the Assemblies of God?
40
41 Q. That existed in 1999.
42 A. I actually can't answer whether there is or isn't.
43 Again, my colleagues possibly could.
44
45 Q. Do you know the answer to whether or not that exists
46 now --
47 A. I don't know the answer, no.

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Q. -- whether there is a suspension document and a termination document that would be lodged with the national body?

A. Yes, I don't know the answer. I think you could ask my colleagues and they could give you a definitive answer. I know this is about processes, but, to me, in the morality of it, I just knew what I had to do, and I followed it through. When I looked my dad in the eye and he told me that he had molested, that he had sexually abused somebody - somebody that I knew, incidentally - I knew that he would never preach again and that he would not be in active ministry again, and he never was.

Q. With respect to the way in which the Assemblies of God operated at that time, have we understood correctly that once that process of credentialing takes place, a pastor or pastors are able then to go and - I think the term that you used was "plant" --

A. Plant, yes.

Q. -- plant a church in a community?

A. Our jurisdiction is only our churches, so our movement, our churches. I would think almost definitely if someone was to do that, and we knew information about them that was contrary - especially information that related to any form of sexual abuse, I would see it as a moral responsibility, and a certainty, that we would tell - that we would inform whoever was involved in that process that this person is not a suitable person to be doing this.

THE PRESIDING MEMBER: Is there anything arising out of that for anyone?

MR KERNAGHAN: No, thank you.

MR BECKETT: No, nothing arising.

THE PRESIDING MEMBER: Thank you, Pastor Houston, for your attendance. You are excused.

<THE WITNESS WITHDREW

MR BECKETT: Your Honour, just a note on the production of documents. Perhaps Mr Chowdhury can assist, but we certainly sought copies of credentials and any formal notification of suspension or withdrawal of credentials,

1 whatever the term is; I understand that a number of terms
2 have been used. Certainly none have been provided to date
3 to the Royal Commission.
4

5 MR CHOWDHURY: Certainly we haven't been able to produce
6 any such documents, but inquiries are still being made.
7 Thank you.
8

9 THE PRESIDING MEMBER: Perhaps just the inquiry is whether
10 or not a form existed.
11

12 MR CHOWDHURY: Correct.
13

14 THE PRESIDING MEMBER: A form of notice of suspension.
15

16 MR CHOWDHURY: Yes.
17

18 THE PRESIDING MEMBER: And then, secondly, whether or not
19 one was completed with respect to the particular subject
20 matter of this inquiry.
21

22 MR CHOWDHURY: I understand that. Thank you.
23

24 THE PRESIDING MEMBER: Thank you, Mr Chowdhury.
25

26 MR BECKETT: Your Honour, I am ready to call the next
27 witness, Pastor McMartin, but I'm wondering whether this is
28 a suitable time for the morning adjournment.
29

30 THE PRESIDING MEMBER: We could take the morning
31 adjournment now. We will take 20 minutes, so we will
32 recommence at 11.40.
33

34 MR BECKETT: As your Honour pleases.
35

36 **SHORT ADJOURNMENT**
37

38 MR BECKETT: I call John McMartin.
39

40 <JOHN ROBERT McMARTIN, sworn: [11.46am]
41

42 <EXAMINATION BY MR BECKETT:
43

44 MR BECKETT: Q. Pastor, wonder if you could state your
45 full name for the Royal Commission, please?
46

46 A. John Robert McMartin.
47

1 Q. You have provided your address to the
2 Royal Commission?
3 A. That's correct.
4
5 Q. Your current occupation is?
6 A. A minister.
7
8 Q. You have provided the Royal Commission with
9 a statement dated 26 September 2014; is that correct?
10 A. That's correct.
11
12 Q. Are there any changes you wish to make to that
13 statement?
14 A. Yes, I would like to change point number 53.
15
16 Q. I will just have that brought up on the screen.
17 A. Oh, 54, sorry.
18
19 Q. What would you like to change?
20 A. I would just like to change that - when I found out
21 that the perpetrator's name was Frank Houston, in that same
22 conversation I wasn't given the name of [AHA]. It's
23 mentioned there in the first line and also about five down.
24
25 Q. So you are saying that the identity of [AHA] was not
26 revealed to you on any of the occasions mentioned in that
27 paragraph; is that correct?
28 A. Correct.
29
30 Q. Are there any other changes you wish to make?
31 A. No, that's it. Thank you.
32
33 MR BECKETT: I tender the statement.
34
35 THE PRESIDING MEMBER: Exhibit 18 -11.
36
37 **EXHIBIT #18-11 STATEMENT OF JOHN ROBERT McMARTIN**
38 **DATED 26/09/2014**
39
40 MR BECKETT: Q. Pastor McMartin, you are currently the
41 state president of the Australian Christian Churches; is
42 that correct?
43 A. That's correct, yes.
44
45 Q. In 1999, what position, if any, did you hold within
46 the Assemblies of God?
47 A. I was a state executive member.

1
2 Q. Did you also minister at a particular church then?
3 A. Yes.
4
5 Q. Which church was that?
6 A. Liverpool Christian Life Centre.
7
8 Q. Today, do you still minister at that same church?
9 A. Same church, but we changed the name to Inspire
10 Church.
11
12 Q. I understand you have served in the role of the
13 New South Wales president of the ACC since October 2008?
14 A. Correct.
15
16 Q. I am going to ask you some questions speaking to two
17 parts: first of all, we're going to deal with some of the
18 issues surrounding the way in which the Assemblies of God,
19 Hillsong Church and Brian Houston dealt with the
20 allegations made by [AHA].
21 A. Sure.
22
23 Q. Then I want to come to some questions about the
24 current policies and procedures at the ACC today. Do you
25 understand that?
26 A. Yes.
27
28 Q. No doubt you heard Pastor Barbara Taylor's evidence
29 that has been given at the Royal Commission?
30 A. Yes.
31
32 Q. Have you read her statement as well?
33 A. Yes.
34
35 Q. She says that she had a meeting with you and
36 Kevin Mudford on 4 November 1998.
37 A. Correct.
38
39 Q. Do you recall that meeting at all?
40 A. No, I don't.
41
42 Q. Do you recall any detail about any such meeting
43 concerning [AHA] and his allegations in November?
44 A. Just when you read through the documents, I saw that
45 a meeting did happen - we did have a meeting. I probably
46 have no reason to doubt that meeting happened, but the
47 whole content of the conversation I'm unsure.

1
2 Q. So you don't doubt that the meeting took place; is
3 that right?
4 A. Yes.
5
6 Q. Do you recall today knowing in 1998 that there were
7 some allegations about a senior pastor within the
8 Assemblies of God?
9 A. Correct.
10
11 Q. Do you recall receiving that information from Barbara
12 Taylor or from somebody else?
13 A. In 1998 I didn't receive that information. I received
14 it later in 1999.
15
16 Q. There are two ways in which the information seems to
17 have been conveyed: first of all, that there were
18 allegations of child sexual abuse against a senior pastor?
19 A. Correct.
20
21 Q. That's what Pastor Taylor has said. And then,
22 secondly, that there were allegations by an identified
23 person, [AHA], against Frank Houston; do you understand
24 that?
25 A. Say that again?
26
27 Q. Yes. The first set of allegations that came forward
28 were not identified either as to complainant or as to
29 alleged perpetrator; do you understand that?
30 A. Correct, yes.
31
32 Q. Then at some later stage, the identity of the
33 complainant and the perpetrator became known?
34 A. The identity of the perpetrator became known to me.
35
36 Q. All right, I will go through that, at least.
37 A. Yes.
38
39 Q. Do you accept now that in November 1998 there was
40 a meeting between you, Barbara Taylor and Kevin Mudford at
41 which allegations of child sexual abuse against a senior
42 pastor were put to you; do you accept that?
43 A. That's correct.
44
45 Q. We have seen no evidence of anything being done at the
46 state level or the national level at that stage. Can you
47 assist us with what steps, if any, were taken at that time

1 in 1998?

2 A. Yes, I'm hearing you. The format that I take when
3 someone comes with a complaint is always: put it in
4 writing and present it; then we can move it forward. In my
5 conversations with Barbara - and I honour the lady and
6 I appreciate her bringing this forward - there was always
7 a reluctance to say who the perpetrator was, even though
8 I pushed, but it wasn't forthcoming. That was my dilemma
9 and my frustration.

10

11 Q. Do you recall, as you say, pushing Barbara Taylor to
12 inform you about the identity of the complainant and the
13 perpetrator?

14 A. Well, my feeling was, and we're being honest, why tell
15 me if you are not going to tell me who, because it leaves
16 me in a dilemma of: I know this, but I don't know who.

17

18 Q. Did you suggest to Barbara Taylor that you could write
19 a letter, which she could pass on to the complainant,
20 setting out what the process was within the Assemblies of
21 God to deal with such allegations?

22 A. No, I didn't suggest that, but I made it clear to her
23 what the process was, and I was relying on her to pass that
24 information on.

25

26 Q. Now, Pastor Taylor says - and certainly we know by
27 19 May that it appears that you had suggested to her that
28 the matter be taken to Pastor Brian Houston?

29 A. Was that in May?

30

31 Q. I will go to the document. It is annexure F to
32 Barbara Taylor's statement, if that could come up. It has
33 been retyped for clarity, because the original is poor.

34 A. Excuse me, what was that date? Just scroll up.

35

36 Q. 19 May 1999.

37 A. Yes, got it.

38

39 Q. I can show you the original, but the copy is quite
40 poor. Would you like to see the original?

41 A. No, that's fine.

42

43 Q. In this letter, referring to an earlier conversation
44 between you and her, she says that you suggested that she
45 and Kevin Mudford:

46

47 *... go to Brian Houston but we said we did*

1 *not feel we could do that.*

2

3 Do you see that?

4 A. Yes, I do, yes.

5

6 Q. So it appears that at least you suggested that the
7 matter be taken up with the national president of the
8 Assemblies of God at that stage?

9 A. Yes, this was step two of the frustration, that the
10 name of the perpetrator wasn't coming forward, so my
11 reflection to her would have been, "If you don't trust me
12 with the name, take it to a higher level."

13

14 Q. Did you provide any letter to her to convey to the
15 complainant to explain that to him?

16 A. No, I didn't, because all this started - even though
17 my role in here was dual, she came to me because Mr Mudford
18 apparently was in our church, so he wanted to come and
19 speak to me, so it started off pastoral and then it kind of
20 got collared in from pastoral to state role.

21

22 Q. In September 1999, if annexure G could come up - no
23 doubt you have read this letter recently.

24 A. Yes.

25

26 Q. That is the one to [AHA], I apologise. Could
27 annexure H come up, please. Do you see this is a letter to
28 "John", and certainly Pastor Taylor said that this was
29 addressed to you.

30 A. Yes.

31

32 Q. You are aware of this letter, are you not?

33 A. I did not receive this letter. I had the conversation
34 with her, but I never, ever remember receiving this letter.

35

36 Q. There is a reference in that first paragraph to you
37 receiving her, that is, having a meeting with her on
38 16 September?

39 A. That's correct.

40

41 Q. So you don't doubt that that took place?

42 A. That meeting took place, yes - or thereabouts, yes.

43

44 Q. Do you also accept that, in that meeting, she revealed
45 to you the name of, first of all, the perpetrator?

46 A. In my recollection, she spoke about the perpetrator.
47 I don't remember the victim's name - or his name coming up.

1
2 Q. Do you accept today, and based on this letter, that on
3 16 September, whether at a meeting or whether in this
4 letter, you received the identity of both the complainant
5 and of the alleged perpetrator?
6 A. No, my memory is that all that I can remember is the
7 perpetrator. I have no memory of the abuse victim. I knew
8 it was a child that was molested, but I never remember
9 a name - I don't remember the name coming forward.
10
11 Q. What next step did you take after you received
12 information about the perpetrator?
13 A. I went back to the process: "If you want to take this
14 forward, we need a written statement."
15
16 Q. Who did you say that to?
17 A. To Barbara, and she was to pass that on to the victim.
18
19 Q. Did you write to the victim at all?
20 A. No, I didn't.
21
22 Q. Do I take it, then, that you didn't receive some form
23 of written complaint from [AHA] or from anybody?
24 A. That's correct.
25
26 Q. Is that right?
27 A. Yes, no written complaint at all.
28
29 Q. And so, as a result of that, you didn't commence the
30 process under the Administration Manual?
31 A. That's true. I was waiting - I was waiting for that
32 confirmation in writing.
33
34 Q. You knew at that stage that allegations had been made
35 against a senior pastor in the Assemblies of God movement;
36 is that right?
37 A. Through this conversation on the 16th?
38
39 Q. Yes.
40 A. Yes, correct.
41
42 Q. And you knew that the allegations were of child sexual
43 abuse?
44 A. Correct.
45
46 Q. You knew that child sexual abuse is, and was at the
47 time of the offence, a criminal offence?

1 A. Correct.
2
3 Q. And you took no steps to commence the procedure under
4 the Administration Manual to handle such allegations of
5 abuse?
6 A. Yes, I did take steps. I asked for a written
7 statement of when and where. That is our first step.
8
9 Q. Were you really content not to take any further step,
10 given that such serious allegations had come forward of
11 a criminal offence involving a child?
12 A. No, I was very concerned for the victim. I was very
13 concerned that this issue be resolved. My frustration,
14 again, looking at the way we process things, is we need
15 a written complaint.
16
17 Q. Sir, it appears that you were caught in a bureaucratic
18 fix at that point, from what you are saying?
19 A. Was it a bureaucratic fix? I sat on it, waiting, and
20 then, if you want to roll the scenario forward a bit more,
21 I spoke to Wayne Alcorn, because, "Hey, this is sitting
22 here. I need to get some answers. What should I do?"
23 That's where he recommended I go and speak to Brian,
24 Pastor Brian Houston.
25
26 Q. Why, at that stage, did you not have a state officer,
27 somebody on the state executive, as per the Administration
28 Manual, appointed to go and interview, for example, the
29 complainant?
30 A. The complainant always wanted to stay anonymous, and
31 even in this statement on 16 September, you will notice
32 there, if you want to look at one of the paragraphs down in
33 the lower area, it says:
34
35 *I will convey this to [AHA] and ask him if*
36 *he wants to pursue the matter further ...*
37
38 So we were always stuck in this bind of, you know, how do
39 we take this forward?
40
41 Q. By this stage, it wasn't entirely confidential, was
42 it; that is to say, certainly Barbara Taylor knew what the
43 allegations were?
44 A. Yes.
45
46 Q. And you understood that?
47 A. Mmm.

1
2 Q. And you understood that Kevin Mudford knew what the
3 allegations were?
4 A. Correct.
5
6 Q. Now you knew what the allegations were?
7 A. I knew there was child abuse. I didn't know the
8 details, which --
9
10 Q. So there are three people within the Assemblies of God
11 movement generally who were aware of the particular matter?
12 A. Yes.
13
14 Q. Yet you are saying that you needed some form of
15 written complaint from the complainant to take the matter
16 forward?
17 A. Correct.
18
19 Q. Were you happy, in your own mind, to leave those
20 allegations hanging over a senior pastor of the church
21 while you waited for formal notification of the complaint
22 from [AHA]?
23 A. I wasn't happy at all, but, you know, I just acted on
24 what I knew at the time.
25
26 Q. So you took the matter to Pastor Wayne Alcorn; is that
27 correct?
28 A. That's correct, yes.
29
30 Q. He determined, I think you said, to take the matter to
31 Brian Houston; is that right?
32 A. That's correct.
33
34 Q. You say in paragraph 55 exactly what you have just
35 said then.
36 A. Could we bring the statement up, please?
37
38 Q. Yes. You say:
39
40 *Pastor Alcorn and I discussed the matter*
41 *and decided that the National Executive*
42 *President ... Brian Houston ... needed to*
43 *be advised of the allegation.*
44
45 Do you see that?
46 A. Yes, I do.
47

1 Q. Then in the last sentence of that paragraph, you say:

2

3 *I am unaware as to who made that decision*
4 *to refer the matter to the National*
5 *Executive.*

6

7 Do you see that?

8 A. Yes.

9

10 Q. Are you able to assist us with the apparent
11 contradiction between those two matters?

12 A. Explain the question?

13

14 Q. Pastor Brian Houston was the national president and
15 a member of the national executive, wasn't he?

16 A. That's true.

17

18 Q. And it appears that Pastor Alcorn had made the
19 decision to refer it to him?

20 A. Okay.

21

22 Q. Are you making a distinction there in that last
23 sentence between the national president and the national
24 executive?

25 A. No, that's probably badly written. In my
26 understanding, I told Pastor Wayne. He was part of the
27 national executive. And because it was Frank Houston,
28 Pastor Wayne advised me to speak to Brian Houston, because
29 he was the Australian president of the AOG.

30

31 Q. By the stage that you had reached with Pastor Alcorn,
32 you were aware of allegations that had been passed on to
33 you from Barbara Taylor and from Kevin Mudford, weren't
34 you?

35 A. Yes. That's in September.

36

37 Q. And you knew the identity of the perpetrator, or the
38 alleged perpetrator, I should say?

39 A. Correct.

40

41 Q. Why didn't you have appropriate people within the
42 state executive allocated, including yourself, to interview
43 Frank Houston about those allegations?

44 A. It's a good point. For me, going back to then, the
45 reason why we felt we couldn't move on this - we were
46 waiting for a written statement.

47

1 Q. So the whole process just didn't start, really, under
2 the Administration Manual, until you had that; is that
3 correct?

4 A. Yes.

5

6 Q. So, again, you were content to have Frank Houston
7 having those allegations hanging over his head and not go
8 through the process under the Administration Manual?

9 A. Yes, I'm hearing what you're saying, but to be
10 "content" is a bit of a strong word. It was a frustrating
11 time, waiting for us to kick-start the process that we can
12 make this happen.

13

14 Q. The easiest way in which to deal with it was to
15 appoint an independent committee of some sort to consider
16 the allegations and take Frank Houston's evidence about
17 that; don't you agree?

18 A. That would probably be correct now, yes.

19

20 Q. After you spoke with Wayne Alcorn, what was the next
21 step in your recollection of what occurred?

22 A. After I spoke to Pastor Wayne, I made it my effort to
23 contact Pastor Houston. I don't know what the gap was
24 there, but I - I think I spoke to Pastor Wayne probably at
25 the end of October, and I'm pretty sure - time lines are
26 a bit sketchy, but I'm pretty sure it was in about the
27 second week of November that I called Pastor Houston.

28

29 Q. You spoke to him on the phone or did you meet with him
30 in person?

31 A. I spoke to him on the phone.

32

33 Q. Is that the conversation that you set out at
34 paragraph 57 of your statement? It will come up on the
35 screen as we scroll down.

36 A. Mmm-hmm.

37

38 Q. Do you see that?

39 A. Yes, correct.

40

41 Q. You say:

42

43 *... he was in shock.*

44

45 And then he said to you:

46

47 *... "how do you know if it's true?"*

1
2 Do you see that?
3 A. Yes.
4
5 Q. That's your recollection of the conversation?
6 A. That's correct, yes. Maybe "he was in shock" may be
7 a bit of drama, but he was definitely taken aback.
8 "Shocked" will do.
9
10 Q. And then you said, "It needs to be investigated"?
11 A. Correct.
12
13 Q. Did you suggest at that time that an independent
14 committee should be established to undertake that
15 investigation?
16 A. No.
17
18 Q. Why not?
19 A. The reason why I said, "It needs to be investigated" -
20 again, we were still waiting for this written complaint to
21 come through.
22
23 Q. Well, it is more than that, though. You had
24 a complaint. It was a serious complaint, wasn't it?
25 A. From the complainant.
26
27 Q. Well, you had a complaint that had been provided
28 through Barbara Taylor in her letter of 16 September,
29 hadn't you?
30 A. Yes, yes.
31
32 Q. And --
33 A. I didn't receive the letter, though. We had the
34 conversation.
35
36 Q. In any event, Pastor Houston expressed to you that
37 there was some doubt in his mind as to whether the
38 allegation was true or not; is that how you took it?
39 A. No, not at all. I think when I told him - and I've
40 heard the evidence; he may have been told before I told
41 him - I just think it was, "Oh, no." That's what I was
42 feeling.
43
44 Q. But he wanted to know - this is what you say he said,
45 that he wanted to know if it was true or not?
46 A. Yes, and the spirit of that was, not doubting, "Have
47 we got more evidence?"

1
2 Q. Sir, I will just stop you there. It won't assist the
3 Royal Commission if you try to put words into
4 Pastor Houston's mouth --
5 A. Fair enough, okay.
6
7 Q. -- or to interpret what he said.
8 A. Okay.
9
10 Q. It will assist the Commission if you tell us what he
11 said in terms?
12 A. Okay. He said, "How do you know if it's true?"
13
14 Q. And then you responded by indicating that it needed to
15 be investigated; is that right?
16 A. Correct, yes.
17
18 Q. What did you say to him about the process for
19 investigation?
20 A. I didn't say.
21
22 Q. Why not?
23 A. Beg your pardon?
24
25 Q. Why not?
26 A. Why not?
27
28 Q. Yes.
29 A. Well, he was the national president and would get it
30 into the hands of the national executive, and they would do
31 their own investigation.
32
33 Q. There was a process under the Administration Manual
34 for such investigations to take place, wasn't there?
35 A. I think so.
36
37 Q. But do I take it from that that you did not suggest to
38 him that that process be adopted?
39 A. No.
40
41 Q. Then at paragraph 59 --
42 A. Could I just ask another question? Oh, no, that's
43 fine. Keep going. 59.
44
45 Q. Paragraph 59 is about a meeting, would you agree now
46 on the basis of Barbara Taylor's notes, that took place on
47 28 November 1999?

1 A. I'm not too sure of the date. 28 November 1999 is
2 a Sunday, but I'm pretty sure it probably happened on
3 a Saturday, maybe the 27th.
4
5 Q. All right. I will have it brought up so that you have
6 it in front of you. It is annexure K to Barbara Taylor's
7 statement. I will just let you read through that.
8 A. Okay.
9
10 Q. This was the first meeting that you had had with
11 Brian Houston about the allegations against his father?
12 A. That's correct.
13
14 Q. You will see there at the first point, it refers to
15 Frank Houston confessing to a lesser incident than the
16 truthful one?
17 A. Yes.
18
19 Q. But it was further than Barbara Taylor had been able
20 to get; do you see that comment there?
21 A. Yes.
22
23 Q. What was the incident that Frank Houston was said to
24 have confessed to?
25 A. I can't remember all the details of this meeting,
26 except that I know that we had it, and so I don't know what
27 he confessed to.
28
29 Q. Do you recall what Brian Houston had said about any
30 confession by Frank Houston?
31 A. No, I can't.
32
33 Q. Did you form an opinion as to whether Brian Houston
34 had suspended his father by the time of this meeting, or
35 was that to come?
36 A. No, I think this was - as you see there, it was at the
37 end of November. I think Frank Houston was still coming
38 back from overseas, I think. So it either happened just
39 after that - I'd say.
40
41 Q. You see it is couched in the terms of "his father
42 would be stood down from preaching"?
43 A. Yes.
44
45 Q. On the face of it, it seems to indicate that the act
46 of suspension had not occurred at that stage?
47 A. Yes, I would say that would be true.

1
2 Q. Just returning to your paragraph 59, you say that you
3 recall you had a meeting between Pastor Brian Houston and
4 Pastor Taylor shortly thereafter. Do you think that's the
5 same meeting that is recounted in Pastor Taylor's note that
6 I have just taken you to?
7 A. Are you speaking about 59?
8
9 Q. Yes. Is paragraph 59 the same meeting?
10 A. And the 28th --
11
12 Q. And the 28 November meeting.
13 A. I would say so. We only had one meeting.
14
15 Q. You say there that it was an informal meeting between
16 the three of you, and you were:
17
18 *... trying to ascertain the facts of the*
19 *matter, as we were unsure of the legitimacy*
20 *of the allegation.*
21
22 A. Yes.
23
24 Q. What do you mean by that - "the legitimacy of the
25 allegation"?
26 A. Again, we go back to our protocol, and our system is
27 a written time and place where the incident took place, so
28 that's what we were looking for.
29
30 Q. "Legitimacy" seems to indicate, by the use of that
31 word, whether the allegation was a real allegation or
32 something less, so perhaps a slur on Frank Houston's
33 character?
34 A. Probably an unfortunate word. I was pretty convinced
35 that this was a legitimate allegation, but we needed it to
36 be proved with paperwork.
37
38 Q. Do I take it from paragraph 60 that that was the end
39 of your involvement in the particular matter?
40 A. That's correct, yes.
41
42 Q. Just to confirm, no steps were taken under the
43 Administration Manual, up until the special executive
44 meeting of 22 December 1999, to set up a process under the
45 complaints process there to deal with this particular
46 matter?
47 A. Under our policy, if a prominent pastor transgresses,

1 we have a right - not a "right"; we can take it straight to
2 the national executive and they will deal with it.

3

4 Q. And your understanding of what had happened is that it
5 was in the hands of Brian Houston?

6 A. And the national executive.

7

8 Q. And the national executive?

9 A. Yes.

10

11 Q. Had you had any other conversations with members of
12 the national executive, apart from Pastor Alcorn?

13 A. No, just two members, Pastor Houston and
14 Pastor Alcorn.

15

16 Q. Had Pastor Houston indicated to you whether he had
17 taken control of the response to the allegations?

18 A. Yes.

19

20 Q. What was the role of the national executive, if any,
21 in that response?

22 A. Basically, my recollection is that Pastor Houston said
23 he would deal with it with the national executive.

24

25 Q. Then that was the end of your involvement in the
26 response?

27 A. Correct, yes.

28

29 Q. Sir, I want to take you now to some of the New South
30 Wales policies.

31 A. Okay.

32

33 Q. What I am particularly focused on asking you is the
34 interaction between the New South Wales Australian
35 Christian Churches and its affiliated churches underneath
36 it.

37 A. Sure.

38

39 Q. Perhaps in general form, in terms of child protection
40 policy and procedures, we have been provided with
41 a number - in fact, a large number - of documents that
42 reflect the ACC's current procedures for child protection.
43 Am I right in saying that the ACC just itself, without
44 referring to its affiliate churches, the ACC itself, has
45 some but a limited role of engaging with children; is that
46 correct?

47 A. The ACC - what are you trying to ask?

1
2 Q. Let me wind back. Where is the ACC New South Wales
3 located?
4 A. The office?
5
6 Q. Yes.
7 A. In Baulkham Hills, Norwest Boulevard.
8
9 Q. How many people work in that office?
10 A. There are two people.
11
12 Q. Two people?
13 A. Yes.
14
15 Q. That office itself does not run any programs that
16 affect children directly?
17 A. No. We have a department called Kids R Us that runs
18 the kids department.
19
20 Q. What does that department do?
21 A. It runs a conference. It creates programs and trains
22 children's workers in safe children's practices. This
23 year, they have trained just on 700 in our churches. It's
24 called Safe Places, I think.
25
26 Q. How many affiliated churches are there in New South
27 Wales with the ACC?
28 A. Approximately 340.
29
30 Q. Do the policies and procedures that have been adopted
31 by the ACC in New South Wales apply to all of the churches
32 underneath?
33 A. Yes.
34
35 Q. What is that mechanism? What I mean by that is, are
36 they adopted by those individual churches or is there
37 a mechanism whereby the state executive adopts a policy and
38 it then applies to all affiliated churches?
39 A. We adopt a policy and ratify the policy. Then it is
40 sent out to all the individual churches who are to ratify
41 that at a board level and make it part of their culture and
42 their practice.
43
44 Q. If an individual church does not adopt those policies
45 or procedures, what happens?
46 A. Well, they will get a visit from us.
47

1 Q. What does that mean?
2 A. We will just go and check and just see how their
3 policies are. Usually you see when a problem comes up -
4 are they following that procedure? We are in constant
5 communication - not constant, but we are in regular
6 communication with them regarding the importance of
7 governance and policies. Even at a conference we had this
8 week in Port Macquarie, again, we were speaking about the
9 importance of having your policies in place and your
10 governance to create safe environments for people.
11
12 Q. One of the things that have been emphasised to the
13 Royal Commission as part of this case study has been the
14 independence of individual churches --
15 A. Sure.
16
17 Q. -- from the Assemblies of God and now from the ACC?
18 A. Yes.
19
20 Q. That is still the situation, is it not, that there is
21 a high degree of independence of local churches?
22 A. We are a fellowship of individual churches.
23
24 Q. You are unable, for example, as the ACC, to order
25 a particular church to adopt a specific policy?
26 A. We recommend best practice and we strongly encourage
27 them to adopt our policies and operate their churches in
28 a safe way that creates a best practice for the people in
29 their congregations.
30
31 Q. You have mentioned recently a meeting up at
32 Port Macquarie. Was that a state conference of the ACC?
33 A. Correct.
34
35 Q. What other steps are taken by the ACC in New South
36 Wales to ensure the application of the ACC's policies
37 across the 300 or so churches affiliated with it?
38 A. It's a fair question. We email them out from our
39 state office, and then they are followed through by our
40 regional leaders. We have 15 regions that separate the
41 churches into workable units. So there are about 10 or
42 12 churches - maybe some are bigger - in regions. Then the
43 regional leader spends time with the pastor, going through
44 and making sure governance is followed. Plus we have
45 workshops during the year.
46
47 Q. How frequently does that process that you have just

1 described happen - not the workshops but the other ones?
2 A. They would meet probably three or four times a year.
3
4 Q. Is child protection policy one of those matters
5 considered at that time?
6 A. That would - it could be, but our children's
7 department would be working on another level to make sure
8 that happened as well.
9
10 Q. What do you think your success rate is, if you like,
11 in terms of implementation of the child protection policy
12 of the ACC in New South Wales?
13 A. I think us stating the urgency and the importance of
14 these policies has greatly enhanced people's, or pastors',
15 ability to get this happening. Like I said, so far this
16 year, we have trained just on 700 leaders in Safe Place
17 practices.
18
19 Q. I will just show you briefly some of these policies,
20 so if you could help identifying them. If tab 37 of the
21 policies and procedures bundle could come up, there is
22 reference to this document in a large number of the other
23 documents. It is a document entitled "Child Safe and Child
24 Friendly Policy 2008-2011".
25 A. Correct.
26
27 Q. Do you see that?
28 A. Yes.
29
30 Q. This is a one-page brochure that I presume summarises
31 the policies and procedures; is that right?
32 A. That's correct, yes.
33
34 Q. It is a brochure, so in fact the last page is the
35 column right in the centre of the screen; is that correct?
36 A. Which one do you want me to read?
37
38 Q. In the middle column there, you will see, "Our policy
39 is supported by" --
40 A. Okay, yes.
41
42 Q. -- and those matters there.
43 A. Yes.
44
45 Q. A Ministerial Code of Conduct, a Code of Good Ministry
46 Practice, and so forth, down to Response to Complaint
47 Guidelines. Do you see that?

1 A. Yes.
2
3 Q. So this brochure summarises, or at least is an
4 introduction to, a whole suite of policies that the ACC in
5 New South Wales has; is that correct?
6 A. That's correct.
7
8 Q. We have asked a number of times, through those
9 assisting me, for a copy of the ACC New South Wales
10 Response to Complaint Guidelines, without success.
11 A. Right. Oh, true, okay.
12
13 Q. Are you able to assist us as to providing that
14 document --
15 A. Sure.
16
17 Q. -- or explaining why we were unable to get a copy of
18 it?
19 A. I am sorry that you haven't been able to source that,
20 but it's definitely available. I don't know why it hasn't
21 come through. How would I get that to you?
22
23 Q. We have had a look on the website - well, through your
24 solicitors. We would be assisted, I think, if we could
25 have a copy of that particular document.
26 A. Okay. Can we take note of that?
27
28 MR CHOWDHURY: I'm sorry, if I could just interrupt, I am
29 instructed that we gave that document to the Commission
30 this morning. It may not have reached Mr Beckett.
31
32 THE PRESIDING MEMBER: Was it given in hard copy,
33 Mr Chowdhury?
34
35 MR CHOWDHURY: Email.
36
37 MR BECKETT: We received two documents, which we already
38 had and which are already contained in the tender bundle,
39 neither of which meets the description of the ACC NSW
40 Response to Complaint Guidelines. Perhaps Mr Chowdhury's
41 instructing solicitor can assist Mr Camporeale to sort that
42 matter out.
43
44 MR CHOWDHURY: That will be done. There was an
45 explanation in the covering email, but the two can sort it
46 out.
47

1 THE PRESIDING MEMBER: Thank you.

2

3 MR BECKETT: Q. One thing that that brochure that you
4 have in front of you does not include is mention of
5 a document called the 2005 edition of the Child Protection
6 Policy and Procedures. Are you aware of that document?

7 A. Yes.

8

9 Q. I will just have it brought up. It's tab 36 of the
10 policies and procedures. What I want to ask - it is also
11 not mentioned in your statement - is whether this is the
12 policy that still applies with respect to child protection?

13 A. Could that be scrolled up a little bit more?

14

15 Q. I will just have a hard copy shown to you.

16 A. I'm pretty sure this has been - in the process of
17 being upgraded. I'm not sure.

18

19 Q. I'm just having a hard copy of that given to you. You
20 will find it at tab 36 of that volume.

21 A. Yes, I think this is the one we use now.

22

23 Q. Excuse me?

24 A. I think this is the one we use. Is that what you were
25 asking?

26

27 Q. Thank you.

28 A. Yes.

29

30 Q. So it still has ongoing application to child
31 protection; is that right?

32 A. Sure, yes.

33

34 Q. I wonder if, certainly for the screen, we could have
35 Ringtail 1022, or page 17 of the document you have in front
36 of you, Pastor McMartin, brought up and if we could scroll
37 down a bit further to where it says "G". Are you
38 sufficiently familiar with this document that I can ask you
39 questions about --

40 A. I have read it through a few times, but word for word,
41 no.

42

43 Q. As a general proposition, much of the child protection
44 policy governs issues concerning current children - that
45 is, abuse of current children and the mandatory reporting
46 guidelines in New South Wales?

47 A. Yes.

1
2
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Q. With reporting to the now Department of Family and Community Services; you would agree with that?

A. Yes.

Q. So I want to ask you about the way in which people who are adult now, who were abused as children, are dealt with under the current policy; do you understand that?

A. I understand what you are saying.

Q. The nearest I can get is G, which refers to "Where the victim is now 16 years of age or over"; do you see that?

A. Yes, correct.

Q. You are probably aware that the position under the Children and Young Persons (Care and Protection) Act in New South Wales is that with a 16-year-old, you may report the matter to DoCS, but you should seek the permission of the 16-year-old or 17-year-old?

A. Yes.

Q. But I want to ask you about, say, for example, an 18-year-old who came forward today with a complaint of child sexual abuse from some years earlier; do you understand that? Is this the process that would be adopted by the ACC New South Wales in that circumstance?

A. What we would operate on is what that document states.

Q. So that a report would be made directly to the state Police Department?

A. Yes. Does it say you need to report it to the police or that the victim has got to be okay with that?

Q. It doesn't seem to say specifically about that. It just says that a report should be made directly to the state Police Department.

A. I see that, yes, correct.

Q. To your understanding, is the current way it operates that the permission of the child is sought first?

A. What was the question again?

Q. Is it your understanding of the way in which this policy works that the permission of the child is required first, before a report to the police is made?

A. If we're going make a decision on this, we go back to the document, and then we read it, then we apply it and

1 then we do what we need to do, to protect the victim.

2

3 Q. Are you able to assist by answering my question, that
4 is to say, is the way in which this policy operates one in
5 which the permission of the child is sought first, before
6 going to the Police Department? I'm not trying to be
7 critical of you. I'm just trying to understand what the
8 policy says and how it works.

9 A. I'm just trying to work out what you are saying,
10 sorry. I just must be in a phased-out patch at the moment.
11 Okay.

12

13 Q. Do you understand what I'm asking?

14 A. If they are under 16 years of age?

15

16 Q. No. I'm asking you about the position of over
17 16 years of age, particularly adults.

18 A. If it says in the document we need to, we will do it.
19 I just don't see it there in the document, do you?

20

21 Q. What does that mean, "need to"? What are the
22 circumstances in which you would need to report to the
23 police?

24 A.

25 *... disclose the abuse after they have*
26 *reached the age of 16 years are no longer*
27 *in the province of DOCS.*

28

29 So I would be asking, okay, they are over 16; who do we
30 report this to now?

31

32 Q. Would you report all matters of child sexual abuse
33 communicated to you by an adult to the police, then?

34 A. I would now.

35

36 Q. Is that the policy of the ACC New South Wales now?

37 A. It's there - yes.

38

39 Q. If we go over to the next page, at the top of the
40 page, you will see in the middle of the page there that
41 ongoing care and support is to be provided to the victim;
42 do you see that?

43 A. I do, yes.

44

45 Q. And other steps are to be taken, such as removing the
46 alleged perpetrator from a position of any risk that he or
47 she might pose to children?

1 A. Correct.
2
3 Q. Support and counselling for the victim?
4 A. Yes.
5
6 Q. And then if the alleged abuse is confirmed by
7 investigation, the perpetrator should face the full
8 implications of his/her actions; do you see that?
9 A. Correct.
10
11 Q. That is the point I have reached in terms of my
12 analysis, at least, of the policies and procedures. There
13 is a question mark as to how that investigation takes
14 place.
15 A. Right.
16
17 Q. I will just give you some parameters, first of all.
18 A. Okay.
19
20 Q. I'm not asking you about pastors, because it seems to
21 be clear that the Administration Manual from the national
22 side kicks in, and there is a detailed process known as the
23 grievance procedure which deals with that matter. Do you
24 understand that?
25 A. Yes.
26
27 Q. So I am asking you about non-pastors --
28 A. Non-credentialed pastors.
29
30 Q. Non-credentialed pastors, members, volunteers within
31 ACC churches; do you understand that?
32 A. Yes.
33
34 Q. Where a matter has been referred to the police and
35 those investigations are concluded, what is the process
36 that occurs after the end of the police and prosecution
37 process?
38 A. For the abused or the perpetrator?
39
40 Q. For both.
41 A. Okay. For the abused, we will care for them as much
42 as we can and offer them counselling, offer them help and,
43 through our network, just surround them as best we can and
44 bring them to a place of healing. The perpetrator, in many
45 of our churches - are you talking about paedophilia? Is
46 that what we're talking about?
47

1 Q. Yes.
2 A. In a church of our size, we will encourage them to go
3 to another church where there is less chance of re-offence.
4 Let me state this: it is really hard for us to monitor,
5 you know, the goings-around of a paedophile as such in
6 a congregation, but if they are in a smaller church and we
7 have given the brief to the pastor, where there's less -
8 where there are no children, or something like that, we
9 just feel that's a better way to go in caring for the
10 perpetrator.
11
12 Q. To be fair to you, I think you have in fact a very
13 detailed process called an ISAP.
14 A. Yes, I realise that.
15
16 Q. Where you have somebody who has been identified as
17 a paedophile, they then enter into a detailed process of
18 support of that person - that is, the paedophile - but also
19 an agreement with the local church to assure that they are
20 not a risk to children; is that right?
21 A. There is the policy there. Me personally, I would not
22 engage that, because of litigation, but I would definitely
23 make sure that they could be positioned in a place where
24 they could be cared for and helped.
25
26 Q. So you would not go through the ISAP process; is that
27 what you are saying?
28 A. You are asking me personally?
29
30 Q. What do you recommend to your affiliate churches?
31 A. As a document, it is there and we would recommend that
32 they use it. I should have kept my personal thing out of
33 it.
34
35 Q. Is that a personal opinion that you express to
36 affiliate churches?
37 A. No.
38
39 Q. So just going back - and I think this is the last
40 point I want to raise with you - once a matter has been
41 concluded by the police, and say, for example, they
42 determine not to prosecute the alleged paedophile, the
43 alleged perpetrator, what is the process recommended by the
44 ACC of New South Wales for any further investigation or
45 substantiation of those allegations?
46 A. Okay. So a scenario: a child; a family reports
47 a situation to the police; it is investigated and no

1 criminal charges are filed?
2
3 Q. That's correct - we're not talking about a child.
4 We're talking about an adult who said, "Ten years ago, when
5 I was 15", for example, "I was abused by a member of the
6 church."
7 A. We would do an internal investigation on that.
8
9 Q. How would you do that?
10 A. Through the processes of - probably wouldn't do it
11 ourselves. We would engage the services of an investigator
12 who could look at that independently and bring back
13 a report to us.
14
15 Q. I don't seem to have seen a policy that sets that out
16 in the terms --
17 A. That's a good point.
18
19 Q. -- with the clarity that you have said?
20 A. Right.
21
22 Q. Would you agree that it would be preferable to
23 actually have a written policy that would state how such an
24 investigation would occur?
25 A. Oh, definitely, yes.
26
27 Q. Such a document would include the determination of
28 whether the allegation was proved or not proved set out;
29 would you agree with that?
30 A. Yes.
31
32 Q. Providing support to the perpetrator?
33 A. Support to the perpetrator and the accused victim - or
34 the victim, yes.
35
36 MR CHOWDHURY: I am just wondering whether my learned
37 friend is talking about a credentialed pastor in this
38 scenario or talking about a member of the church or a youth
39 worker. I don't know. It is quite important.
40
41 MR BECKETT: Yes, it is very important and I thought I had
42 clarified it earlier. Clearly I had not, to the degree
43 that Mr Chowdhury asks.
44
45 Q. Sir, I made a distinction earlier between pastors --
46 A. Yes, I was clear.
47

1 Q. -- who were dealt with under the Administration Manual
2 and the grievance procedure set out there; you understood
3 that?

4 A. Yes.

5

6 Q. And what I was just asking you about were members and
7 volunteers and non-credentialed ministers; did you
8 understand that?

9 A. Yes.

10

11 Q. All of what you said still applies to them, does it
12 not?

13 A. Yes.

14

15 MR BECKETT: Those are my questions. Thank you.

16

17 MR KERNAGHAN: No, thank you, your Honour.

18

19 THE PRESIDING MEMBER: Mr Higgins?

20

21 <EXAMINATION BY MR HIGGINS:

22

23 MR HIGGINS: Q. Mr McMartin, I just want to ask you some
24 questions about the conversation you had with Pastor Brian
25 Houston about the allegation. Correct me if I am wrong:
26 I understood you to say to counsel assisting that the note
27 that you have been taken to of the meeting on 28 November
28 1999 between yourself, Barbara and Brian Houston was the
29 meeting at which you say you told Brian Houston of the
30 allegation?

31 A. That's not where I told him. I told him the week or
32 two before that.

33

34 Q. So there were two meetings between you and
35 Brian Houston?

36 A. I talked to him on the phone, about two weeks after
37 I spoke to Wayne Alcorn, and informed him of the
38 allegation.

39

40 Q. Can I suggest this to you, that when you spoke to
41 Brian Houston on the phone about the allegation, it was
42 apparent to you that it wasn't the first time he had heard
43 of the allegation?

44 A. I can't - I can't respond to that. Pastor Brian could
45 respond to that in his statement. When I was speaking to
46 him, it did seem like a shock. And I'm not saying -
47 I can't comment for him, yes.

1
2 Q. Just as to that conclusion by you that it appeared to
3 shock Brian Houston, what did he do or say that enabled you
4 to come to the conclusion that he was shocked by what you
5 told him?
6 A. Just his voice changed and, like, kind of, "Oh, no.
7 How do you know it's true?" And I said, "Well, look,
8 I don't. You have just got to investigate it."
9
10 Q. When you say he said to you, "How do you know it's
11 true?", were they the exact words that he used or do you
12 mean that there were words consistent with that?
13 A. It's - it doesn't say it's quoted; it's words
14 consistent with that.
15
16 Q. Can I suggest to you, was his response to you along
17 the lines of, "Look, have we got some details about the
18 complaint?"
19 A. Say that again?
20
21 Q. Were his words to you consistent with, "Have we got
22 some details about the complaint?"
23 A. Right - that's what I would probably be thinking that
24 he was thinking.
25
26 Q. Because did you understand at that stage that he was
27 waiting for his father to return from an overseas trip?
28 A. Not really, no. I probably - it's 15 years ago.
29
30 Q. You knew that Frank Houston at that time was overseas
31 for about a three-week period?
32 A. I've heard that from here, yes.
33
34 Q. Does that sound inconsistent with your memory at that
35 time?
36 A. No, that's fine.
37
38 Q. At the time that you say you had this telephone call
39 with Brian Houston, was it apparent to you that he was
40 asking you about whether or not you had detail because he
41 was awaiting for his father to return, to confront him
42 about it?
43 A. I take that - and I'm just trying to find where the -
44 you know, "When I told Pastor Houston, he was in shock, he
45 said to me, 'Do you know if it's true?'" , and I was
46 probably thinking, from that, have I got information; have
47 I got more information? And I didn't, because I was still

1 waiting for the statement.
2
3 Q. Did you understand from your telephone call with him
4 that he was asking you were you able to provide any detail
5 in preparation for his conference with his father?
6 A. No, not really; it wasn't that clear.
7
8 Q. Sorry, it wasn't that --
9 A. It wasn't that clear, that he was asking that.
10
11 Q. You are not saying that he wasn't asking you, you are
12 just saying it's not clear to you now; is that right?
13 A. Yes, mmm.
14
15 Q. You are nodding your head, I take that's a "yes".
16 A. What's a "yes"?
17
18 Q. You are nodding your head. I'm taking that as
19 a "yes".
20 A. I was unsure of what he was asking?
21
22 Q. No, that you are not saying he wasn't asking you that,
23 it's just about your memory now; is that right?
24 A. You can look into - you know, "How do I know if it's
25 true" - I can't interpret what he meant by that. Was he
26 asking, "Have you got information?", which I hadn't - all
27 I had was an accusation from a lady.
28
29 Q. So that by the time that the meeting of 28 November
30 came about --
31 A. Yes.
32
33 Q. -- it was apparent to you that he had spoken to his
34 father?
35 A. I'm not sure. It seems like it was either before that
36 or after it. The 28th?
37
38 Q. Can I ask that the note of Ms Taylor of the 28th be
39 brought up? It should be annexure K. By reference to item
40 number 1 in that note, would you agree that, accepting it
41 as an accurate entry, it would suggest to you that by the
42 time that meeting came about, such a meeting between Brian
43 and his father, Frank, had occurred?
44 A. It seems that way, yes.
45
46 Q. Not only had it occurred, but he had confronted him
47 about the allegation?

1 A. Mmm.
2
3 Q. And that he had confessed to some aspect of it?
4 A. Yes.
5
6 Q. So by accepting that as an accurate recount of what
7 was said to both of you at that meeting, it would suggest
8 to you that by 28 November, Brian Houston had confronted
9 his father about the allegation?
10 A. Sure. Yes, fair enough.
11
12 Q. I have finished with that document, thank you. Can
13 I just move to another aspect, if I may?
14 A. Sure.
15
16 Q. Although you were a state executive member, were you
17 aware that as at 1999, the national executive of the
18 Assemblies of God would meet every two months?
19 A. Did I know that? No.
20
21 Q. You didn't know that?
22 A. No. I knew they met. I thought they meet three or
23 four times a year, but I didn't know, no.
24
25 MR HIGGINS: I have nothing further, thank you.
26
27 **<EXAMINATION BY MR CHOWDHURY:**
28
29 MR CHOWDHURY: Q. Could the witness be shown, please,
30 annexure G to Barbara Taylor's statement. This was not
31 a letter to you. It should come up on the screen there.
32 A. Okay.
33
34 Q. This is a letter that Barbara Taylor gave evidence
35 that she sent to the complainant, [AHA]. I want you to
36 look at the second paragraph there and just read that.
37 A. Yes.
38
39 Q. Did you give that advice to Pastor Taylor?
40 A. Yes, I did.
41
42 Q. And the requirement for a written accusation with
43 details at least as to the time and place of the
44 allegations --
45 A. Correct.
46
47 Q. -- was required by the policy; correct?

1 A. Correct.
2
3 Q. That document can be taken down. If you have a look
4 at paragraph 59 of your statement, please, if that can be
5 brought up, you were taken to this paragraph by counsel
6 assisting, and in particular, the middle sentence where the
7 meeting between you, Mr Houston and Ms Taylor was trying to
8 ascertain the facts of the matter; correct?
9 A. Correct.
10
11 Q. Then you state after that sentence:
12
13 *This doubt arose from the fact that the*
14 *victim ([AHA]) wished to remain*
15 *anonymous ...*
16
17 A. Yes.
18
19 Q. You were aware, clearly at that time, that the
20 complainant did not wish to be known; he wanted to remain
21 anonymous?
22 A. Correct.
23
24 Q. Were you also aware that the victim, [AHA], did not
25 want a church investigation?
26 A. Correct.
27
28 Q. You were aware at that time?
29 A. (Witness nods).
30
31 Q. You have to speak your answer.
32 A. Yes.
33
34 Q. I should ask about credentialling and credentials. At
35 that time - that is, in November/December 1999 - were
36 ministers or pastors of the Assemblies of God given an
37 actual card, a credential card?
38 A. I know we have one now.
39
40 Q. You can't recall if you had such a card in 1999?
41 A. No.
42
43 Q. Thank you. I will just take you to --
44 A. We had a card, but I don't think it had the details of
45 the photograph on it that it has now.
46
47 Q. Did you think there was a card of some sort back in

1 1999 that pastors had?
2 A. I think there would have been, yes.
3
4 Q. Was that card used, for example, for identification at
5 hospitals, where people wanted a pastor to minister to
6 them?
7 A. Yes, probably. I've been pastoring for 33 years and
8 have never taken it out of my wallet.
9
10 Q. Please let me know if you don't know this: when
11 a pastor's credentials are removed, is that card taken from
12 them?
13 A. It should be retracted. It should be a physical
14 handing over of the card.
15
16 Q. If the witness could be shown in the policies bundle -
17 and you were taken to this by counsel assisting - tab 36,
18 page 17. We will just start there with G?
19 A. This is what we looked at before?
20
21 Q. Correct. Mr McMartin, the policies of the church are
22 quite lengthy, are they not?
23 A. They are.
24
25 Q. They are very lengthy?
26 A. Yes.
27
28 Q. And you would have copies of these policies in your
29 office?
30 A. Yes.
31
32 Q. You would be able to have recourse to them to refresh
33 your memory of the policies?
34 A. Sure.
35
36 Q. If you can just go to the next page, towards the top
37 of the page, let me know if you need to see the previous
38 page, but the policy states that an attempt ought to be
39 made to counsel them - this is a person of the age of 16
40 and over --
41 A. Yes.
42
43 Q. -- as to the wisdom of reporting their situation to
44 the police. That's the policy?
45 A. Yes.
46
47 Q. And the reason for that policy is then stated there in

1 the paragraph; correct?

2 A. Okay, yes.

3

4 Q. If we look at the next paragraph, it is
5 self-explanatory that while the consent of the victim
6 should be obtained, sometimes there are situations where,
7 if other children are at risk, complaint should be made to
8 the police; correct?

9 A. Sure, yes.

10

11 Q. That document can be taken down. In November 1999, or
12 indeed, in November 1998, Mr Mudford, whom we have heard
13 of, was not a credentialled minister of the Assemblies of
14 God at that stage, was he?

15 A. That's correct.

16

17 Q. And, in fact, did not become a credentialled minister?

18 A. No, I don't think he ever has been.

19

20 Q. At the time in November 1999, when you are talking
21 with Barbara Taylor about the complaint of [AHA] --

22 A. Yes.

23

24 Q. -- were you aware that the allegation was that
25 something of a sexual nature had occurred some 30 years
26 ago?

27 A. Correct.

28

29 MR CHOWDHURY: Thank you. Nothing further.

30

31 MR BECKETT: There is just one matter arising out of that.
32 Actually, there may be two.

33

34 **<EXAMINATION BY MR BECKETT:**

35

36 MR BECKETT: Q. You said a moment ago, in answer to
37 a question from Mr Chowdhury, that you understood, I think
38 in November of 1999, that, first of all, [AHA] wished to
39 remain anonymous?

40 A. Correct.

41

42 Q. And you were asked by Mr Chowdhury whether you were
43 aware that [AHA] did not want a church investigation?

44 A. Yes.

45

46 Q. And you answered "yes" to that?

47 A. He did not want.

1
2 Q. That he did not want a church investigation?
3 A. Yes.
4
5 Q. That was your answer to it.
6 A. Mmm.
7
8 Q. Who --
9 A. He wanted to keep his privacy.
10
11 Q. Well, let's just see if we can be specific about that.
12 A. Okay.
13
14 Q. You had been told, and certainly the evidence in your
15 statement is that it had been communicated to you by
16 Barbara Taylor, that he wanted his identity kept
17 confidential?
18 A. Correct.
19
20 Q. Did you assume that, because of that, together with
21 the fact that you had no written complaint, he did not want
22 to go through a church process?
23 A. It got a bit confusing of who was pushing it, and
24 hearing the testimony is - it seemed like Barbara and
25 Mr Mudford were pushing this gentleman out of his comfort
26 zone. So it seemed like there was a greater commitment
27 from Mr Mudford to proceed with this than the victims.
28
29 Q. Who told you, if anybody, that he, [AHA], did not want
30 to have a church investigation?
31 A. Barbara. Mrs Taylor. Pastor Taylor.
32
33 Q. What words did she say to you about that?
34 A. He just didn't want his name to be public. Words
35 to --
36
37 Q. And so you then concluded from that that he did not
38 want a church investigation to occur; is that right?
39 A. Yes, I was giving him the choice to put in a
40 complaint. If he put in the complaint, then that would
41 mean, yes, go ahead, have your - have an investigation.
42
43 Q. I want to take you back to that issue about "did not
44 want a church investigation". I will ask the question
45 again: you concluded from what Barbara Taylor had told you
46 about keeping his name anonymous that he did not want
47 a church investigation to occur?

1 A. True - even if you go --
2
3 Q. Sorry, did you say "true"?
4 A. True, yes. Can we look at a pamphlet here?
5
6 Q. Which?
7 A. I am just looking at Barbara's statement.
8
9 Q. You have a document in front of you, do you?
10 A. Yes.
11
12 Q. Sorry, I wasn't aware of that. What document do you
13 have in front of you?
14 A. Barbara's statement.
15
16 Q. I will have it brought up on the screen so that we can
17 all look at the same document.
18 A. Okay, yes. I'm just trying to find it. 25 November.
19
20 Q. Is there a particular paragraph number or are you
21 referring to annexure A?
22 A. Just the concept where --
23
24 Q. Sir, just so that we have the same paragraph that you
25 are looking at --
26 A. 25 November. What else am I looking at. Can I just
27 give you a quick look at it (witness indicates).
28
29 Q. Sorry, I'm not sure what document that is. I wonder
30 if you could hand it to the court officer and I will have
31 a look at what you are referring to.
32 A. This one here where the asterisk is.
33
34 Q. If annexure J to Barbara Taylor's statement could be
35 brought up. I will just hand the document back to you.
36 Sir, do you have any other documents there?
37 A. Just my testimony - statement.
38
39 Q. Yes.
40 A. So in response - this is on 25 November 1999:
41
42 *He said the church would only say a little*
43 *prayer and sorry.*
44 *He said it is of no benefit to go to the*
45 *church.*
46 *The church wouldn't do anything about it*
47 *anyhow.*

1
2 Q. It's quite important for this sort of evidence that
3 you state what you understood at the time, in November
4 1999, from your memory --
5 A. My memory is --
6
7 Q. -- and not what I think you are doing - and I will ask
8 you a question about that: what you are saying now is
9 based on having read Barbara Taylor's document of
10 25 November 1999; is that correct?
11 A. Probably. I will put it away.
12
13 Q. Yes. Thank you. The second thing I want to ask you
14 is you recall you had a conversation with Pastor Alcorn --
15 A. Yes.
16
17 Q. -- about what to do with the allegation made against
18 Frank Houston; do you recall that?
19 A. Yes, I do.
20
21 Q. He suggested that the matter be taken to
22 Brian Houston?
23 A. Correct.
24
25 Q. As a member of the national executive?
26 A. Yes.
27
28 Q. At that point, did you raise any issue about
29 a conflict of interest that Brian Houston might have
30 between being his father's son and, at the same time, being
31 the national president for the Assemblies of God?
32 A. Yes, sure - I was confident it would get dealt with
33 appropriately because not only did Pastor Brian know about
34 it but also Pastor Alcorn knew about it, and I knew that
35 they, as a team, would deal with it appropriately.
36
37 Q. So you put your trust in both of those gentlemen --
38 A. Yes.
39
40 Q. -- to act appropriately and independently?
41 A. Yes.
42
43 Q. Did you raise any potential conflict of interest with
44 Pastor Alcorn?
45 A. Why would I do that?
46
47 Q. Well, because the allegations against Frank Houston

1 were being dealt with by his son?
2 A. Oh, okay, I have got you. No, I didn't.
3
4 Q. Later, when you met with Brian Houston in the meeting
5 that we think we have established as being on 28 November
6 1999 --
7 A. Sure.
8
9 Q. -- did you have any discussion there about a conflict
10 of interest --
11 A. No.
12
13 Q. -- between those two roles?
14 A. No.
15
16 MR BECKETT: Those are my questions, thank you.
17
18 THE WITNESS: Thank you.
19
20 THE PRESIDING MEMBER: Thank you, Mr Beckett.
21
22 Q. Just a couple of matters before I excuse you,
23 Pastor McMartin. The first one just touches upon this
24 issue about the formal written complaint procedure that you
25 have given evidence about.
26 A. Yes.
27
28 Q. Firstly, just to ask you about what you understood the
29 procedure to be as at the time that this complaint was
30 brought to your attention?
31 A. In 1999, yes.
32
33 Q. In 1999?
34 A. My understanding of the procedure back then is that
35 I hear a complaint and then we ask the person, "Do you want
36 to take it forward?", and then we require a written
37 complaint that states the name of the perpetrator, the
38 place, the time and some detail, and, from that, we can use
39 that as a - to confront, if you want to say, the
40 perpetrator and it just gives us a - evidence.
41
42 Q. So that was the procedure in place for the Assemblies
43 of God in 1999?
44 A. Yes, correct.
45
46 Q. Did that procedure distinguish between child
47 complainants and adult complainants?

1 A. It probably - it was similar but different. If
2 a child had a complaint, they'd talk to someone that was
3 caring, and that kind of stuff. If the parent got
4 involved, they would write the complaint.
5
6 Q. Did you actually have any experience of dealing with
7 such issues as at 1999?
8 A. With paedophilia?
9
10 Q. With either children making complaints about
11 allegations of child sexual abuse within the church --
12 A. No, I can't say I did.
13
14 Q. -- or adults making complaints of what had occurred to
15 them as children --
16 A. No.
17
18 Q. -- within the church?
19 A. No.
20
21 Q. So as at 1999, this was the first time you had
22 confronted such a situation?
23 A. Correct.
24
25 Q. With respect, now, to the policies in place for those
26 churches affiliated with the Australian Christian Churches,
27 is it your understanding that a requirement for a formal
28 written complaint is what is required now to initiate
29 action?
30 A. I think we have moved forward from that. I would say
31 it should be still part of the procedure, but there may be
32 other ways of creating that - you know, through
33 conversation with the victim, scribing that down. Do you
34 know what I mean?
35
36 Q. I think I do, but I will just clarify that with you,
37 that your answer is that the current procedure in place for
38 those churches complying with the policy or procedures of
39 the Australian Christian Churches is that a formal written
40 statement from the complainant is not required to initiate
41 a complaint - is no longer required?
42 A. I think it can still be required, but I think there
43 need to be created other ways where there can be a -
44 a complaint can be substantiated.
45
46 Q. Well, quite clearly, one would assume that you don't
47 require a 10-year-old making a complaint to make a formal

1 written complaint?

2 A. No; that's correct, yes.

3

4 Q. And, indeed, somebody who might be reporting something
5 that has happened, that they allege has happened 10 or 15
6 years ago --

7 A. Yes.

8

9 Q. -- might struggle with time and place?

10 A. Sure, sure. So I think - I think the procedure has
11 got wider, of ways that people can funnel in their
12 complaint.

13

14 Q. When you say you "think" --

15 A. Through conversation, through written, and then they
16 are investigated.

17

18 Q. When you say you "think", is that something that can
19 be found now in the documents that have been produced?

20 A. I'm just not too sure right at the moment what that
21 procedure is, I'm sorry.

22

23 THE PRESIDING MEMBER: Are you able to assist with that,
24 Mr Chowdhury?

25

26 MR CHOWDHURY: It is in the grievance procedure, which is
27 exhibit KA-15. Under "Step One - receipt of complaint".

28

29 THE PRESIDING MEMBER: Are we able to find that?

30

31 Q. Are you familiar with this document, Pastor McMartin?

32 A. When I need it, I get it out. I have read through it
33 a few times. So if a situation comes up, I get familiar
34 with it, yes.

35

36 THE PRESIDING MEMBER: In particular, Mr Chowdhury?

37

38 MR CHOWDHURY: It is under "Step One - Receipt of
39 Complaint", the current policy.

40

41 I should indicate to the Commission that in respect of
42 suspected child abuse of a child, it is different - there
43 is a different policy, and it does not require a written
44 complaint. If there is a report to anyone within the
45 church, then if it is a child, the mandatory proceedings
46 take place.

47

1 THE PRESIDING MEMBER: And that is contained in the
2 document that has been previously on the screen, that is
3 the child protection policies and procedures 2005
4
5 THE WITNESS: That's it, yes.
6
7 MR CHOWDHURY: Yes. That's tab 36 of the policies and
8 procedures bundle.
9
10 THE PRESIDING MEMBER: Yes.
11
12 MR CHOWDHURY: I should say, in the grievance policy which
13 is the document we are talking about now, "Step Two" is
14 "Mandatory Reporting". But the two policies probably need
15 to be read in conjunction with each other.
16
17 THE PRESIDING MEMBER: Yes.
18
19 MR CHOWDHURY: Thank you.
20
21 THE PRESIDING MEMBER: Q. Just one other matter,
22 Pastor McMartin, which relates to the removal of
23 credentials. Have you ever personally been involved in
24 removing the credentials of a credentialed pastor of the
25 church?
26 A. Yes, I have, yes.
27
28 Q. How recently were you involved in such an action?
29 A. I became president of our denomination in October 2008
30 and in November 2009 I had to deal with that situation.
31
32 Q. Did you give a formal notice with respect to the
33 suspension of credentials?
34 A. Yes, I phoned him and told him of the - we were
35 suspending him so we could investigate a situation. I sent
36 him an email and a - confirming that that had happened, and
37 we received his certificate back.
38
39 Q. The email is the written document, is it?
40 A. Yes.
41
42 Q. Where does that then go?
43 A. We keep a copy for ourselves and a copy goes to him.
44
45 Q. Who is "we"?
46 A. The state executive, sorry, yes, in our files. And
47 then we investigate. If the investigation takes longer

1 than 30 days, we extend the suspension. And I can only
2 suspend a credential with the permission of our national
3 president. So I have to explain to him the situation and
4 then he will say "yes" or "no", "needs to be suspended so
5 we can investigate".

6
7 THE PRESIDING MEMBER: Anything arising out of that?

8
9 MR BECKETT: One small matter arising.

10
11 Q. In tab 38 of the policies and procedures document we
12 have a report form for disclosure. I will have it brought
13 up. It is Ringtail ACC.000.001.0298. This is part of
14 a document called the implementation pack for "Towards Safe
15 Places, an awareness program for creating safe places in
16 our churches" - are you aware of that document?

17 A. Yes.

18
19 Q. That includes a number of forms which assist with
20 reporting?

21 A. Yes.

22
23 Q. And the purpose, as I understand it, of this policy is
24 really with respect to current children --

25 A. Yes.

26
27 Q. -- where there are concerns about child sexual abuse?

28 A. Yes.

29
30 Q. "May be reported by the child or by somebody else" -
31 do you understand that?

32 A. Yes. I think it takes in sexual abuse, emotional
33 abuse, physical abuse.

34
35 Q. If we go to the report, it says:

36
37 *This form is to be completed by the Head of*
38 *Department in conjunction with the Senior*
39 *Pastor using one or more Child Protection*
40 *Incident Report Forms ...*

41
42 Do you see that?

43 A. Yes.

44
45 Q. So it is not a form that applies to adults?

46 A. No, this is the child.

47

1 Q. At least on its face?
2 A. Yes.
3
4 Q. But the process, it seems clear from your statement
5 and from the policy, is that once the issue - that is, the
6 disclosure - is made by a child, say to a child worker, she
7 or he then provides it to the head of the department --
8 A. Yes.
9
10 Q. -- to start that process rolling?
11 A. Yes.
12
13 Q. And this process here doesn't require the child, or
14 even a representative of the child, to complete it; it
15 seems to be that it is something that is done by the head
16 of the department on the basis of the information he or she
17 has received; is that right?
18 A. That's correct, yes.
19
20 Q. You were taken by Mr Chowdhury to the grievance
21 procedure which applies to pastors --
22 A. Yes.
23
24 Q. -- is there some benefit, do you think, in having
25 a similar form and a similar approach apply to that
26 grievance procedure?
27 A. I think so. I think anything that would help us do
28 our job better, I think it is a good addition.
29
30 Q. And do you see the way in which this appears to work
31 is that there is not a requirement for consent from the
32 discloser?
33 A. Yes.
34
35 Q. Once the information comes to light, the process
36 commences and then you are taken through the process --
37 A. Yes.
38
39 Q. -- without there being this block that we seem to have
40 had in [AHA]'s case?
41 A. Yes.
42
43 Q. Do you appreciate that?
44 A. I can appreciate that.
45
46 Q. And with that in mind, there is some benefit in
47 adopting this process over the one that is currently in the

1 grievance procedure?

2 A. Whatever the policy ends up being, you know, we would
3 follow that. What I've done over the years is I've stuck
4 by the policy: we need it to be written. If that needs to
5 be changed, you know, the policy has got to be changed.

6

7 Q. But you appreciate what I am saying?

8 A. I appreciate what you are saying, it's --

9

10 Q. There seem to be two different policies: one for
11 pastors --

12 A. Yes.

13

14 Q. -- and one for general child protection matters?

15 A. Yes.

16

17 Q. Do you see that there is benefit in adopting the
18 process under the child protection manual whereby you don't
19 require the consent of the complainant to start the
20 process?

21 A. Yes.

22

23 Q. Do you agree with that?

24 A. I hear you, and it probably has traction. The only
25 problem I have is anyone could accuse any minister of
26 anything and process begin. If there is a written
27 document, it states to me that they are serious about
28 pursuing this. I'm not saying your idea is wrong. It just
29 needs to be thought about.

30

31 MR BECKETT: All right. Thank you.

32

33 THE PRESIDING MEMBER: Thank you. Nothing arising out of
34 that for you, Mr Chowdhury?

35

36 MR CHOWDHURY: No, thank you.

37

38 THE PRESIDING MEMBER: Thank you. You are excused,
39 Pastor McMartin. Thank you for your attendance and we will
40 resume at 2.

41

42 **LUNCHEON ADJOURNMENT**

43

44 MR BECKETT: Your Honour, I understand Mr Pratt is here
45 for Mr Smith and wishes to announce his appearance.

46

47 MR C PRATT: Good afternoon, your Honour. I am

1 a solicitor with Gilshenan & Luton in Brisbane. I seek
2 leave to appear on behalf of Reverend Dr Denis Smith.

3

4 THE PRESIDING MEMBER: Thank you, Mr Pratt. I understand
5 that application has formally been placed before the
6 Commission and leave granted.

7

8 MR PRATT: Thank you.

9

10 MR BECKETT: Your Honour, I call George Aghajanian.

11

12 <GEORGE GREGORY AGHAJANIAN, sworn: [2.15pm]

13

14 <EXAMINATION BY MR BECKETT:

15

16 MR BECKETT: Q. Mr Aghajanian, I wonder if you could
17 state your full name to the Royal Commission?

18 A. George Gregory Aghajanian.

19

20 Q. You have provided your address to the Royal
21 Commission, haven't you?

22 A. Yes, I have.

23

24 Q. You have also provided a statement to the Royal
25 Commission dated 29 September 2014; is that correct?

26 A. That's correct.

27

28 Q. Do you have any changes to make to that statement?

29 A. No.

30

31 Q. Is the statement true and correct to the best of your
32 knowledge?

33 A. It is.

34

35 MR BECKETT: I tender the statement.

36

37 THE PRESIDING MEMBER: 18-12.

38

39 **EXHIBIT #18-12 STATEMENT OF GEORGE GREGORY AGHAJANIAN**
40 **DATED 29/09/2014**

41

42 MR BECKETT: Q. You are currently the general manager of
43 Hillsong Church Limited; is that right?

44 A. That's correct.

45

46 Q. And before that you were the business manager of Hills
47 Christian Life Centre?

1 A. Yes.
2
3 Q. After that, did you become the business manager of
4 Hillsong Church?
5 A. Yes. It has been a transition, that's correct.
6
7 Q. When did you become the general manager?
8 A. That's a good question. I'm not quite sure. In that
9 transition period some time.
10
11 Q. In the transition period?
12 A. Absolutely.
13
14 Q. In any event, you've been the general manager for
15 a number of years now?
16 A. Oh, absolutely, yes.
17
18 Q. One of your responsibilities as general manager is to
19 oversee the policies and procedures of Hillsong Church; is
20 that right?
21 A. That's correct.
22
23 Q. And that includes the child policy and procedures and
24 so forth?
25 A. Yes.
26
27 Q. And you're familiar with them as well?
28 A. Yes, I am.
29
30 Q. I'll take you to a document. If tab 11 of the
31 policies and procedures bundle could come up, please. You
32 will see this is a document entitled "Hillsong Church
33 Protecting & Supporting Children & Young People"?
34 A. Yes.
35
36 Q. Am I right in saying that this is the major policy
37 that Hillsong Church has with respect to those matters?
38 A. That's correct. It's our latest version.
39
40 Q. When you say "latest", it's the current version?
41 A. The current version, yes.
42
43 Q. If we could go to the contents page, which is the next
44 page from the title page, you will see a number of matters
45 are included there, including the code of conduct, which
46 requires people to act in certain ways and not to act in
47 other ways?

1 A. Yes.
2
3 Q. For the purposes of the Royal Commission, it includes
4 a prohibition on sexual abuse of children; is that correct?
5 A. Yes.
6
7 Q. Then "Child Protection & the Law" sets out the
8 obligations - I think this was at least in New South Wales
9 and some other states as well --
10 A. Correct.
11
12 Q. -- as to mandatory reporting and those matters?
13 A. Yes.
14
15 Q. Then some assistance is provided to the reader in
16 identifying harm to children; is that right?
17 A. Yes.
18
19 Q. Then there are two steps - "Dealing with Complaints &
20 Reporting Requirements", and "Disclosure of Abuse". Do you
21 see that?
22 A. Yes, I do.
23
24 Q. Both of those chapters deal with the matters that are
25 set out there, namely, the way in which Hillsong Church
26 will handle complaints from reception through to the
27 various steps that are disclosed in there; is that right?
28 A. Yes.
29
30 Q. I'll just take you to chapter 7, which is at
31 Ringtail 23. That will come up in a moment. The issue of
32 mandatory reporting is dealt with throughout this document,
33 so there's some cross-over there, but let's just go to the
34 main elements of this part of the policy. You will see
35 that the person who is disclosing is to be listened to and
36 to be taken seriously. Do you see that?
37 A. Which section are you quoting from?
38
39 Q. On the left-hand side.
40 A. Yes, "Listen to the person and take it seriously",
41 yes.
42
43 Q. Under 7.1?
44 A. Yes.
45
46 Q. I should have asked you some questions generally about
47 the application of this policy. It applies to all staff

1 and volunteers at Hillsong Church; is that right?
2 A. Correct.
3
4 Q. Does it also apply to pastors?
5 A. Yes. They're staff.
6
7 Q. Are all the pastors referred to or considered to be
8 staff?
9 A. Yes. Our pastors are our staff. If we do have any
10 lay pastors, they would come under the "Volunteer" heading.
11
12 Q. What about Brian and Bobbie Houston, are they
13 considered to be staff?
14 A. Absolutely.
15
16 Q. So coming back to the policy that's on the screen
17 there, then the person who receives the disclosure of child
18 sexual abuse is not only to be listened to and taken
19 seriously, but the person who receives it is asked not to
20 probe or investigate further?
21 A. Mmm-hmm. Yes.
22
23 Q. One of the reasons is that that might interfere with
24 later criminal or civil proceedings?
25 A. Yes.
26
27 Q. Then the person disclosing is to be supported and made
28 to feel safe and comfortable?
29 A. Yes.
30
31 Q. And that their other needs - it says that pastoral,
32 welfare and legal needs of the person are to be addressed.
33 What is that process? What is offered to people who come
34 forward in this way to disclose child sexual abuse?
35 A. Are you referring to the victims or anybody?
36
37 Q. I am, to the victims, yes.
38 A. To the victims, yes. Usually a victim would approach
39 one of our pastoral team. It's the duty of the pastoral
40 team to establish the facts. If they need - if they find
41 that the victim needs counselling or needs any specific
42 personal attention or help, we would offer that to them.
43 If they need legal advice, we have a network of lawyers
44 that we work with that we could refer them to, including
45 Legal Aid. It's really establishing what their needs are,
46 as a church, and trying to help them with the situation
47 they're facing at that point.

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Q. Then if we could go to the second column, so we need to scroll back to the top of that page, under "Privacy and communication", you go through a process of telling the child who has disclosed, or relevant person, that you have an obligation to make a report to your local government agency if a child under 16 is at risk of harm.

A. Correct.

Q. In New South Wales, for example, that means that you would tell the person that there is an obligation under mandatory reporting guidelines to report the matter to the Department of Family and Community Services?

A. Correct.

Q. Then you would also tell a position known as a "Pastoral Care oversight". What does that mean?

A. That would be the pastor overseeing the situation. In each campus, we have a head pastor, or a pastor that looks after our other pastors; kind of like a department head. That means that they need to push that information up the line.

Q. Then there are some other matters dealt with in that paragraph. You will see it says:

Under no circumstances try to contact the alleged perpetrator.

Do you see that?

A. Yes, I do.

Q. So that's for the person who receives the first disclosure from the child?

A. Correct.

Q. And then it says:

Do not contact a non-offending parent or a supportive family member. Leave this to Community Services.

Is that right?

A. Yes.

Q. Then:

1 *Do not disclose to any person ... the name*
2 *of ...*
3 *. the child or young person [or]*
4 *. the alleged perpetrator ...*
5
6 Is that right?
7 A. Correct, yes.
8
9 Q. But that material is to be given to the pastoral care
10 department head?
11 A. Yes.
12
13 Q. Is that right?
14 A. Yes, who's required to keep the information
15 confidential.
16
17 Q. Then it says:
18
19 *The Pastoral Care Department Head will*
20 *notify within 24 hours the General Manager*
21 *or Lead Pastor to discuss that a report has*
22 *to be made.*
23
24 Do you see that?
25 A. It needs to scroll down a little bit, but, yes, that
26 is in our policy. That is in our policy, correct.
27
28 Q. So a report has to be made - that's a reference to
29 reporting under the mandatory reporting requirements; is
30 that right?
31 A. It's an internal report to me. Where were you reading
32 from, I'm sorry?
33
34 Q. The last dot point there under "Internal reporting"?
35 A. "The Pastoral Care Department Head"?
36
37 Q. Yes.
38 A. That's notification to me, as general manager.
39
40 Q. But then it says "to discuss that a report has to be
41 made".
42 A. I'm sorry, you're right, that's what it does refer to.
43
44 Q. That's a reference to --
45 A. To FaCS, correct.
46
47 Q. -- reporting to FaCS?

1 A. Yes.

2

3 Q. Without going to it, the next section of the policy is
4 "Recruitment of Staff and Volunteers", and then there is
5 a further policy with respect to those who have been found
6 to be sex offenders. What I want to ask you is, going to
7 that point at 7.2 "Internal Reporting", once the matter has
8 made its way to the pastoral care department head and,
9 indeed, to you, what happens?

10 A. Once we gather the evidence - or the facts, I should
11 say, the information --

12

13 Q. Let me stop you there. Who is tasked with gathering
14 the facts and what steps do they take?

15 A. The pastoral care team or the pastoral care department
16 head - so it's one of our pastors. There would be a pastor
17 dealing with the situation. That person dealing with the
18 victim would be charged with pulling the facts together.
19 They would fill in a notification form, which is in the
20 policy. That form would go to the oversight of the
21 pastoral care department, and then ultimately that form
22 would come to me.

23

24 Once we have that information, I usually will get some
25 legal advice. I will call our lawyers, and I'll say, "I'm
26 dealing with this situation", especially if it's not
27 clear-cut, and based on the information I get, we will put
28 a report in to FaCS and most probably go to the police as
29 well.

30

31 Q. There don't seem to be any guidelines expressly in
32 this policy for your part of the equation - that is to say,
33 once you've received the report of the disclosure, what
34 steps are to be taken next. Can you assist us with
35 indicating whether there's a policy document that covers
36 those matters?

37 A. No. This is it, basically.

38

39 Q. During the process of obtaining documents from
40 Hillsong, we were given a copy of the 2005 ACC New South
41 Wales Child Protection Policy.

42 A. Yes.

43

44 Q. You're aware of that document?

45 A. I'm aware of it, yes.

46

47 Q. Is that one that has been adopted by Hillsong to deal

1 with these sorts of matters?
2 A. No. It's a document that we have gleaned information
3 from. We have formulated our policies ourselves, and what
4 we do is we go to several sources, including the ACC,
5 Community Services, and various - whatever other government
6 authorities and sites that we can find that deal in this
7 information and, through our research, we put our own
8 documentation together. We have a psychologist who works
9 with us and we also have - we run it by our legal people.
10
11 Q. I'll take you to your statement now. If paragraph 15
12 of your statement could come up, please. Do you recall
13 this part of your statement?
14 A. Yes, I do.
15
16 Q. It's the latter half of the paragraph I want to take
17 you to, but the first part of it actually covers the fact
18 that the existing policies and procedures have been
19 developed over time.
20 A. Mmm-hmm.
21
22 Q.
23 *Staff and volunteers are required to make*
24 *a report to their immediate oversight.*
25
26 Do you see that?
27 A. Yes, I do.
28
29 Q. And that coincides with those parts of the policy I've
30 just taken you to?
31 A. Yes.
32
33 Q. That's right, isn't it?
34 A. Correct.
35
36 Q. I should say, even though the policy clearly applies
37 to people who are children at the moment, does it also
38 apply to adults who are disclosing child sexual abuse?
39 A. Absolutely.
40
41 Q. Then if we go back to paragraph 15:
42
43 *This oversight or department head will*
44 *escalate the matter to either the Senior*
45 *Pastor or me as the General Manager.*
46
47 A. Yes, correct.

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Q. Then a decision is made about sending the matter to FaCS or to the police?

A. Yes.

Q. By what guideline, if any, do you determine whether a matter should be sent to the police or not?

A. I suppose that would come back to the serious - the level of seriousness of the allegation. Once I get legal advice, I could be guided then to whether the matter needs to go to the police or not. I rely really heavily on our lawyers to give me that kind of direction.

Q. Let's go to the next part:

All substantiated allegations and individuals with known convictions results in the person being asked not to attend Hillsong Church or related activities.

That's a blanket rule that applies, is it?

A. Correct.

Q. Then you say:

If the allegations are historical or not confirmed sufficiently to ask the person to leave Hillsong, the person against whom they are made may become a Person of Interest ...

A. Yes.

Q. I'm going to try to unpack what that means. What do you mean by "historical"?

A. We have situations where, for example, somebody may transfer from another church - we don't know who that individual - the background of that individual, but we might get a tip-off, say, for example, from their minister - we've had this happen - where they have said to us, "We can't prove anything. However, we have suspicions about this individual, their behaviour - relating to their behaviour with minors, and so on", and if there is no finding or a conviction against this individual, our pastoral team will place them under observation.

Q. You have a screening process, I think, that applies to

1 the introduction of new people such as that, do you not?
2 A. No, I'm not sure what you're referring to.
3
4 Q. In terms of Working With Children Checks?
5 A. Oh, absolutely, yes, yes.
6
7 Q. So they would need to go through that process,
8 wouldn't they?
9 A. Yes, yes. We're talking here in the context of them
10 just attending our church.
11
12 Q. Oh, I see.
13 A. This is nothing to do with working with children. We
14 approach the protection of our children and youth
15 holistically, in the sense that it's not just about
16 individuals working with children; it's individuals who may
17 have access to children by the mere nature that they attend
18 our church, and that's what this refers to. So these are
19 people that we place under observation to make sure they
20 don't try and get into areas where children are being
21 looked after, Sunday school-type classes. The situation
22 here is broader than children as well. There are instances
23 where we have had information to say that maybe a certain
24 male individual is exhibiting behaviour that's
25 inappropriate towards females, adult females. That person
26 would be placed under observation as well. So it's any
27 kind of characteristic or behaviour that would endanger or
28 potentially endanger members of our church.
29
30 Q. All right. Can I ask you, then, did you receive
31 yesterday evening a copy of a letter from Mr Tony Giugni
32 dated 9 October 2014?
33 A. I did through our solicitors, yes.
34
35 Q. With a number of questions?
36 A. Yes, I did.
37
38 Q. Together with Mr Gerber, who I understand is assisting
39 Hillsong Church today, you prepared a number of answers to
40 those questions?
41 A. Yes, I did.
42
43 Q. Are the answers to those questions true and correct to
44 the best of your knowledge?
45 A. Yes, they are.
46
47 MR BECKETT: I'll tender both of those documents.

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THE PRESIDING MEMBER: 18-13.

**EXHIBIT #18-13 LETTER FROM MR GIUGNI TO MR AGHAJANIAN,
THROUGH SOLICITORS FOR HILLSONG, DATED 9/10/2014, TOGETHER
WITH ANSWERS PROVIDED IN RESPONSE**

MR BECKETT: Q. I'll run briefly through some of those matters there and pick up the policy questions as we do. First of all, you were asked as to whether Hillsong had reported any completed disciplinary proceedings with respect to Frank Houston to the Commissioner for Children and Young People after he was disciplined, and I think the answer to that was that you hadn't?

A. Yes, I couldn't recall any reports being made to any of the government authorities.

Q. I think you say in the answer that the matter was overlooked due to a lack of understanding at the time of the child protection regime; is that right?

A. Correct. The laws had just come out at the time. We were trying to get our heads around who to report to - DoCS? We were under the assumption that a report to DoCS was sufficient. Obviously that was not the case.

Q. What I want to come to is the answers to question 6. Question 6 was:

Which policy or procedure is used for the investigation and resolution of an allegation of child sexual abuse:

a. where the matter is not referred to police; and -

it should say "or" -

b. after the police have completed an investigation.

You say in your answer to question 6:

The current policy and procedure describes how all complaints and allegations of abuse should be recorded and provided to Pastoral Care ... and are required to be referred to the General Manager.

1
2 For all matters relating to staff, you have a discipline
3 and termination policy, and that has been tendered as part
4 of these proceedings.

5
6 My question to you is not so much how those matters
7 come to you or, indeed, to the pastoral care head, but what
8 happens after they have come to you?

9 A. Are you referring to matters relating to staff or
10 matters relating to general allegations about --

11
12 Q. We'll deal with each of those. If the matter relates
13 to a member of staff and it has not been referred to the
14 police, how is it dealt with within Hillsong Church?

15 A. The matter is dealt with under our employment
16 agreement and policies with regard to staff. If we receive
17 an allegation against a staff member, that staff member is
18 immediately suspended. We would then go about collating
19 the facts of the matter, getting input from the individuals
20 making the allegation, as well as the information from the
21 staff member. Once we put together our findings, we would
22 give the staff member the opportunity to meet with us.
23 They can bring a co-worker to that meeting. We would
24 present our findings to the staff member and also the
25 actions we are prepared to take based on our findings, and
26 those actions can vary from putting them on probation right
27 through terminating them.

28
29 Q. If we then turn to the way in which a member is dealt
30 with, what's the process there? You have an allegation of
31 child sexual abuse; it has made its way to you, as the
32 general manager; it hasn't been referred to the police, or
33 perhaps the police have finished their investigation and
34 decided not to prosecute.

35 A. Yes.

36
37 Q. What do you do? What is the process within Hillsong
38 Church for handling such allegations?

39 A. If the allegation is proven or it's just an allegation
40 at this point?

41
42 Q. It's just an allegation and the police have decided
43 not to prosecute.

44 A. Well, I suppose we would have to establish if that
45 member was a volunteer or one of our workers, because under
46 the current legislation we would have to report that to
47 Children's Guardian. And if I have any doubts, I would

1 give our lawyers a call and just check with them as to what
2 the best way forward is in that particular situation.
3 Whenever we deal with issues that relate to children, we
4 are overly cautious and I would rather take advice rather
5 than just act on my own volition.
6

7 Q. You said your approach appears to be, when you get to
8 that stage, that you seek advice from your legal advisers.
9 Do you think there is some benefit likely to arise if
10 Hillsong was to develop a complete policy, a full policy,
11 if you like, to deal with those matters?

12 A. Absolutely. We are constantly looking at how we can
13 update and upgrade the policies we have in place, and where
14 we identify areas of weakness we're absolutely committed to
15 updating that and rectifying that.
16

17 Q. You probably heard some evidence earlier today about
18 the position under the ACC policy of a written complaint of
19 abuse?

20 A. Yes.
21

22 Q. What is the approach of Hillsong Church to that
23 particular requirement?

24 A. Our requirement is the complaint can come in any
25 form - verbal, written. It is only after we receive
26 a complaint, our people are required to put it in writing
27 through the notification form and then shoot it up the
28 line. But we will receive allegations in any form. We're
29 not - it doesn't have to be in a written form to us. And
30 often it's not. Often it will come out in a pastoral
31 meeting, or it might come out in a camp situation where we
32 might be praying for a group of children, and one of those
33 children just decides to share information with us, and
34 then that's when the matter is dealt with according to our
35 policy and is escalated to me.
36

37 Q. Finally, you were asked what is the policy and
38 procedure with respect to the handling of allegations
39 against a senior member of Hillsong Church that raises
40 a conflict of interest. Do you recall that?

41 A. Yes, I do.
42

43 Q. While you've given an answer there for paragraph 7,
44 I note that you have recently identified, through a gap
45 analysis, an absence of a formalised policy for conflict of
46 interest; is that right?

47 A. That's correct.

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Q. So it's reasonable to say that as of today, there is no formal policy that governs conflict of interest matters; is that right?

A. It is dealt with in our employment agreement, but as it relates to this matter, no.

Q. So that's something that I think you have indicated to the Royal Commission is going to be developed?

A. Absolutely.

Q. Usefully for us, you seem to have set out a number of other gaps in the policy that are currently under active consideration, and that's included in your answer to question 8; is that right?

A. That is correct.

MR BECKETT: Those are my questions.

THE PRESIDING MEMBER: Thanks, Mr Beckett. Ms McGlinchey?

MS McGLINCHEY: No.

THE PRESIDING MEMBER: Mr Chowdhury?

MR CHOWDHURY: No questions, thank you.

THE PRESIDING MEMBER: Mr Higgins?

MR HIGGINS: Nothing, thank you, your Honour.

THE PRESIDING MEMBER: Thank you, Mr Aghajanian, for your attendance. You are otherwise excused.

<THE WITNESS WITHDREW

MR BECKETT: Your Honour and Commissioner Atkinson, that concludes the evidence with respect to Hillsong Church and the allegations against Frank Houston.

The next witness concerns Northside Christian Centre Incorporated, under its various names. The first witness that we have had been allocated a pseudonym and your Honour had made an order for that to occur. I am now instructed that she wishes to have her name and identity made public, and a revocation order in draft form has been provided to me.

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Perhaps Ms McGlinchey, who represents her, could confirm that?

THE PRESIDING MEMBER: Just confirm that, Ms McGlinchey.

MS McGLINCHEY: I announce my appearance for Emma Joy Fretton. Yes, my instructions are that Ms Fretton would like to give her evidence under her own name without the pseudonym.

THE PRESIDING MEMBER: Thank you, Ms McGlinchey.

MR BECKETT: Your Honour, I will hand up the draft order, that hopefully will assist you.

THE PRESIDING MEMBER: Yes, I have made that direction in the terms in which it has been drafted.

MR HIGGINS: I am unfamiliar with the protocol. Is it permissible for me to leave, or do I ask to be excused?

THE PRESIDING MEMBER: Yes, I will excuse you, Mr Higgins, and those instructing you, thank you.

MR BECKETT: Your Honour, that direction having been made, I call Emma Joy Fretton.

<EMMA JOY FRETTON, sworn: [2.45pm]

<EXAMINATION BY MR BECKETT:

MR BECKETT: Q. Ms Fretton, I wonder if you could state your full name for the Royal Commission, please?

A. My full name is Emma Joy Fretton, formerly known as Emma Joy Hayes.

Q. You have provided your address to the Royal Commission, I understand?

A. Yes, I have.

Q. You have also provided the Royal Commission with a statement dated 8 October 2014?

A. Correct.

Q. Are there any parts of that statement you would like to change?

1 A. Not at this point, no.

2

3 Q. Is the statement true and correct to the best of your
4 knowledge?

5 A. It's a hundred per cent correct.

6

7 MR BECKETT: I tender the statement.

8

9 THE PRESIDING MEMBER: 18-14.

10

11 **EXHIBIT #18-14 STATEMENT OF EMMA JOY FRETTON**
12 **DATED 8/10/2014**

13

14 MR BECKETT: Q. Ms Fretton, I'm going to ask you to read
15 out your statement, but, before I do, I just want to
16 indicate that I appreciate that there are a number of very
17 sensitive matters contained in your statement.

18 A. Yes.

19

20 Q. If you need to take a break while you're doing so,
21 then I'm sure that her Honour will accommodate that.

22 A. Yes. Thank you.

23

24 Q. If you wish me to read it or your counsel to read it
25 instead, or any part of your statement, then just please
26 say so and we can do that.

27 A. Thank you. Yes.

28

29 Q. All right. Please start from the beginning.

30 A. Okay.

31

32 THE PRESIDING MEMBER: Q. You have already had that
33 indicated to you - that it will come up on the screen there
34 in front of you, Ms Fretton.

35 A. Yes, and then just read it.

36

37 Q. I'm also assuming - I can't exactly see - that you
38 have a glass of water down there in front of you as well?

39 A. Yes. Thank you.

40

41 "This statement made by me accurately sets out the
42 evidence that I am prepared to give to the Royal Commission
43 into Institutional Responses to Child Sexual Abuse. This
44 statement is true and correct to the best of my knowledge
45 and belief.

46

47 Where direct speech is referred to in this statement,

1 it is provided in words or words to the effect of those
2 which were used, to the best of my recollection.

3
4 My full name is Emma Joy Fretton. My former name is
5 Emma Hayes. My date of birth is 1980. I have previously
6 been known as Emma Hayes.

7
8 I commenced at Northside Christian College at
9 McLean's Road, Bundoora, Victoria, in 1986. I was
10 six years old and in grade 1. Kenneth John Sandilands was
11 my teacher. He was also my teacher in grades 2 and 3.
12 Northside Christian College is a religious school and has
13 an Assemblies of God church connected to the school.

14
15 Mr Sandilands used to have a portable typewriter in
16 the classroom. I remember that it was black and that every
17 time he finished typing a line there would be a ping and he
18 would have to push the top part up to the side. It's like
19 where the paper rolls up.

20
21 I'm not sure which grade I was in when Mr Sandilands
22 would take the typewriter from his desk outside and call me
23 out. It would be on the wooden bench. The rest of the
24 class were left inside and two girls would read them
25 stories. The girls were in the same class as me.

26
27 Mr Sandilands would make up sexual stories about my
28 family and then type them out. He would make me repeat the
29 stories and agree they were true. After each story he
30 would make me sign it. He wrote the stories like I was
31 telling the story. I remember that he made me sign one
32 piece of paper that he told me was a contract saying that
33 I would not tell anyone what was happening. He told me
34 that if I ever told anyone that they would not believe me
35 and he would show them the stories and tell them that I had
36 come to him about them. He kept all these stories in
37 a file. I do not remember how many stories he typed up,
38 but the file was very thick.

39
40 If I ever tried to deny that the things in the stories
41 had happened he would hit me with a wooden paddle on my
42 backside. When he used the paddle he would take me into
43 the sports room which was at the back of the classroom.
44 There was sports gear kept in this room and the wall that
45 joined the classroom had glass on the top half.
46 Three-quarters of the window was covered up by posters and
47 he would hit me behind the posters so no-one could see what

1 was happening.

2

3 Once I wore my knickers with bloomers over the top to
4 school so it didn't hurt as much when he hit me.

5 Mr Sandilands hit me once, then pulled up my dress and

6 pulled down my knickers and bloomers together. I asked him

7 what he was doing. He didn't answer me or speak to me. He

8 then started to touch me inappropriately. I was crying and

9 asking him to stop it. He kept going. He was rough and it

10 made me feel sick in my stomach. Then he stopped and

11 started hitting my backside with the paddle. He did not

12 pull my knickers or bloomers up or my dress down.

13 Mr Sandilands counts when he hits and I remember he counted

14 up to 12. I was crying and my backside was really sore.

15 Mr Sandilands made me sit on the seat and left me there.

16 He left me sitting there for a while and then came back in

17 and told me I couldn't come back in to the classroom unless

18 I stopped crying.

19

20 There were other times when he touched me

21 inappropriately but that time stuck in my mind because he

22 hit me so many times. Sometimes he would just hit me but

23 other times he would touch me then hit me. After this

24 time, every time Mr Sandilands told me his stories I would

25 agree with him and tell him that they were true and had

26 happened so I would not get hit.

27

28 After I started agreeing with Mr Sandilands he would

29 start saying that I had lifted my dress up in front of the

30 boys or on the bus and I would get hit for that. I felt

31 like Mr Sandilands would use any excuse to say I was in

32 trouble so he could hit me. He would single me out for

33 some reason.

34

35 Mr Sandilands would never let any of the girls in my

36 class go to the toilet during classtime. The boys were

37 allowed to leave the classroom to go to the toilet any time

38 they wanted. I can remember on a number of occasions

39 myself and other girls in the class wet ourselves. If we

40 asked to go to the toilet he would tell us to wait and then

41 tell us to stand beside our chair and do it there. I can

42 remember he told one girl she had to stand up in front of

43 the class and wet herself. And that was in front of the

44 whole class. After we wet our knickers, Mr Sandilands

45 would make us take the knickers off and he would tell us

46 that he would go and wash them out. He would then leave

47 the room with the knickers and be gone for a while. When

1 he got back he would hang the knickers on a clothesline
2 which was outside the window. I can remember there
3 sometimes being 10 or 11 pairs of knickers hanging on the
4 clothesline. We were never given any other knickers to put
5 on or got our knickers back when they were dry.
6

7 When we used to line up to go into the classroom, the
8 boys used to go in first and when it was the girls' turn to
9 go in, Mr Sandilands would touch us on the head and tell us
10 that he loved us. He would not let us go in until we told
11 him that we loved him. If I didn't tell him I loved him,
12 he would then hit me with the paddle later on. He would do
13 this only to the girls and not the boys."
14

15 MR BECKETT: Q. Can I stop you there. If you wouldn't
16 mind, could you slow down a little bit? I'm as guilty as
17 anybody of speaking quickly, particularly in the Royal
18 Commission, but if you could slow down a little bit, that
19 would help.

20 A. I'll try. I don't like reading my statement, so when
21 I read it, I like to read fast, because I don't like to
22 recall anything, so that's how I try to deal with it
23 myself. But I'll try and slow down as best I can. I'm not
24 a very good reader, either, so I'm doing the best I can.
25

26 "When Mr Sandilands used to read us stories from books
27 he used to sit on a wooden stool. The girls had to sit on
28 the floor in front of him and the boys had to sit on the
29 floor behind the girls. Mr Sandilands would tell two of
30 the girls to sit on either side of his legs and tell them
31 to rub his legs underneath his pants. We had to rub
32 between the knees and the ankles. If we stopped he would
33 tell us to keep rubbing. It felt disgusting as he had very
34 hairy legs. He would then tell one of the girls to sit on
35 his lap. It would not be directly on his lap; he would
36 spread his legs and we would have to sit in between his
37 legs. When I was made to sit in between his legs, he had
38 my backside right up against his groin. Mr Sandilands
39 would then move his legs in and out and up and down all at
40 the same time. He also moved his hips front and back. He
41 would pick different girls every day to sit between his
42 legs and to rub his legs.
43

44 Sometimes when we were made to sit between
45 Mr Sandilands' legs, he would undo the zips on our school
46 dresses. Our school dresses were green, white and yellow
47 checked with a big collar. The zip on the dress was

1 underneath the right-hand side, came right down to the hip.
2 To unzip the dress, you had to pull the zip downwards. The
3 dress also had buttons down to our waist. Mr Sandilands
4 would unzip the dress and then put his hand inside the
5 dress. He would then rub my breasts and stomach. I told
6 him to stop a few times but he didn't. He would do this in
7 front of everyone.

8
9 Even though Mr Sandilands would not let me go to
10 sports classes, I was made to get changed anyway.
11 Mr Sandilands used to send the boys to the toilets to get
12 changed, but the girls had to get changed in the classroom
13 in front of him. The girls always tried to find something
14 to change behind, like a table, chairs or anything that
15 would give us some cover.

16
17 Mr Sandilands was not my teacher after grade 3 but
18 continued to physically and sexually abuse me during
19 lunchtimes and when he could find me outside of class. He
20 would also call me out of my other classes. I'm not sure
21 exactly when the abuse stopped, but I believe it was
22 towards the end of grade 5. At that time I got a new
23 teacher who seemed to be a bit more cautious about
24 Mr Sandilands. As I got older I also became more aware of
25 places in the school where I could go and hide, where
26 Mr Sandilands would be unlikely to find me.

27
28 Mr Sandilands retired when I was in year 7 or year 8
29 and I remember the assembly that was held for him at the
30 school. The students were told that Mr Sandilands was
31 leaving because he was legally blind and couldn't teach any
32 more.

33
34 At the start of one of my school holidays, my friend
35 [AGB] and I had attended the school church on a Sunday.
36 Mrs Ann Brown, ('Mrs Brown'), counsellor, who was a teacher
37 at that time, was also at the church.

38
39 I can't recall exactly when it was on this day, whilst
40 we were all at the church, I said to Mrs Brown I wanted to
41 talk to her about Mr Sandilands and what he was doing to
42 me. She agreed, and after church I recall she drove [AGB]
43 and me to a park. I told Mrs Brown what Mr Sandilands had
44 been doing to me.

45
46 I described how he would unzip the side of my dress
47 and put his hands inside the dress on my breasts and

1 stomach. I described how he would hit me on the bare
2 buttocks with a wooden paddle. I told her that he would
3 often tell me obscene stories and make me say that they
4 were true.

5
6 Upon hearing what I had to say, Mrs Brown said words
7 to the following effect, 'Mr Sandilands should be fired for
8 what he is doing' and, 'The school knows what he is like
9 and are looking into it.' Mrs Brown said that I shouldn't
10 say anything to anyone about what I had told her.

11
12 I heard no more about the matter until some time in
13 grade 2. [AGB] and I were called out of class to a meeting
14 in the old computer room at the church. We were told to
15 sit down at a large table. There were seven or eight other
16 people at the table. Pastor Smith, who was on the school
17 board, and Mr Rookes and Mrs Brown were present.

18
19 I told them what Mr Sandilands had been doing to me.
20 [AGB] told them what he had been doing to her. I do not
21 have a specific recollection of what anybody said at the
22 meeting either to [AGB] or to myself. To the best of my
23 recollection, I can recall someone said words to the
24 effect, 'He will get fired' and 'He won't be your teacher
25 any more'." Yeah, right. Sorry.

26
27 "I recall at the meeting I was told not to tell anyone
28 about what Mr Sandilands had done and someone said 'We will
29 deal with it.' I recall also asking if I could change to
30 another teacher. I was told no. I told them I didn't want
31 to be in Mr Sandilands' class the following year.

32
33 After the meeting, I made further complaints about
34 what Mr Sandilands was doing to me. Normally I made them
35 to Mrs Brown. I would go and see her in an office near the
36 school oval and would tell her that Mr Sandilands was still
37 doing those things to me. Mrs Brown would respond by
38 saying to the effect of, 'Don't worry, it's okay. Don't
39 say anything to anyone. I'll talk it through with the
40 other people and we will deal with it.'

41
42 I recall there was at least one occasion where I went
43 to see Mr Rookes in his office with Mrs Brown. I can't
44 recall whether I said anything to Mr Rookes, but I recall
45 Mrs Brown told Mr Rookes what I had told her, that is, that
46 Mr Sandilands was still indecently assaulting me.
47 Mr Rookes said words to the effect of, 'I will look into it

1 and I won't have Mr Sandilands as a teacher if he is doing
2 what you are alleging.'

3
4 I then made further reports and complaints to
5 Mrs Brown about what was continuing to occur between
6 Mr Sandilands and myself. I either saw Mrs Brown in her
7 office or in the church or in the office by the oval when
8 I made these further complaints.

9
10 During the meetings that I had about what was
11 happening, I recall being told, 'Your mum has been
12 contacted, but she can't make it.' At the time, I assumed
13 that my mum was aware of all the meetings but didn't want
14 to be involved. We didn't talk about it at home. It
15 wasn't until later when I was making my statement with the
16 police that I found out that my mother had not been told by
17 the school about my complaints.

18
19 I recall at the start of grade 3, when I realised
20 I still had Mr Sandilands as my teacher, I went crying to
21 either Mr Rookes or Mrs Furlong, a grade 4 teacher at the
22 school. I recall I was upset, but I can't recall what
23 I said. I made further reports to Mrs Brown during grade 3
24 about Mr Sandilands and what he was doing to me.

25
26 The school did not respond to my requests for
27 Mr Sandilands not to be my teacher. He remained my teacher
28 in grades 1, 2 and 3 and the abuse continued throughout
29 that time.

30
31 In January 2000 I made a statement to the police about
32 what Mr Sandilands had done to me. A copy of my statement
33 is marked NSC.001.005.0062 and has extra details about the
34 way Mr Sandilands abused me. He was charged with indecent
35 assault against me and a number of other students and he
36 was convicted in 2001.

37
38 The criminal justice process was a negative experience
39 for me. The police officer who took my statement was
40 unemotional and blunt. I was by myself when she took the
41 statement and it took about five hours. The officer told
42 me that we were in private, but being in a glass room
43 I felt like there were people watching me and waiting to
44 take questions. I did not feel at that time that I was
45 believed and did not feel giving the statement lifted the
46 burden as I expected it to. The experience was negative
47 for me and made me feel heavier.

1
2 During the trial, I felt like I wasn't understood.
3 The judge wouldn't let me read my impact statement that
4 I had written. It took my heart and my soul to write that,
5 and when the judge said she wouldn't let me read it, it
6 felt like a kick in the gut. I was devastated. The whole
7 trial seemed fast and that the victims were not given an
8 opportunity to read their statements.
9

10 I recall during the trial when I gave evidence that
11 Mr Sandilands felt my breasts, the judge said to me words
12 to the effect, "But you were only six, seven and eight.
13 You didn't have breasts to feel." I was upset when the
14 judge made this comment and I yelled something out to the
15 judge, but I can't remember exactly what I said. The judge
16 said something back to me like I was going to get in
17 trouble. I thought the judge's comment was disgusting.
18 Even though my breasts weren't developed, Mr Sandilands
19 still touched that area of my body. I just didn't
20 appreciate the judge's comment.
21

22 To the best of my recollection, Mr Sandilands was
23 sentenced to one year in prison plus one year on parole.
24 I didn't think this sentence was good enough. It just
25 wasn't appropriate.
26

27 In September 2000 I initiated civil proceedings in the
28 County Court of Victoria against Mr Sandilands, Northside
29 Christian Centre, Inc, Mr Smith and Mrs Brown. A copy of
30 the statement of claim is marked NSC.001.001.0079.
31

32 I believe there were 63 other children involved in the
33 criminal proceedings. Some of them were involved in the
34 civil action against Mr Sandilands, but I'm not sure how
35 many. Most of them pulled out and only five went right
36 through with the proceedings. One of those five committed
37 suicide before the settlement happened.
38

39 I found the legal proceedings extremely stressful. In
40 one mediation I collapsed. That's when my lawyer thought
41 it was too much for me. During the mediation I made it
42 clear that I wanted a written apology for what had
43 happened. The matter settled out of court in November 2001
44 and I was paid \$225,000, inclusive of legal costs. My
45 legal costs were approximately \$48,000. The whole process
46 took about one year. As part of the settlement, I had to
47 agree to keep the matter confidential. I understood this

1 to include speaking to psychologists or counsellors about
2 the abuse. During the final day of the mediation I was
3 told, 'You can still seek out help, but you can't talk
4 about the details of what happened.' I thought, 'Well,
5 what's the point of going to get help?'

6
7 I didn't actually want the money. I wanted an
8 apology, but I never got one. I don't know if my request
9 for an apology was formally included in the settlement.

10
11 I wanted the school and the people I reported it to to
12 be accountable for what happened. I felt like they gave me
13 money just to keep me quiet again, but the money doesn't
14 solve anything. They still did what they did.

15
16 The effects from the abuse that I endured as a young
17 girl will always be a part of my life, leaving me with
18 memories that I can never forget. I have been diagnosed
19 with borderline personality disorder, depression and
20 post-traumatic stress. I have felt angry, anxious and
21 isolated as a result of what Mr Sandilands did to me and
22 had difficulty with personal relationships.

23
24 I can't trust people because I'm scared. I've got
25 a son, and he goes to creche, and I'm even scared with
26 them.

27
28 As a young girl, I believed going to school should
29 have been an enjoyable time with the trust of the teachers
30 to help and guide me along. These critical years are the
31 ones that form the foundation for a healthy education and
32 future. However, for me, being a six-year-old girl, going
33 to school was the scariest thing and made me very afraid of
34 the older people around me. Going to school affected me
35 each and every day, and I lived with an ongoing fear of not
36 knowing what was going to occur on a day-to-day basis. It
37 made me feel physically sick every day knowing I had to see
38 him and feeling a helplessness that I had no control of.

39
40 I put my trust in the people from the school and the
41 church to do the right thing by me. I developed the
42 courage to confront them and to tell them what was
43 occurring, but the promises they made to change things year
44 after year seemed to fall on deaf ears. The school and the
45 people within the church destroyed my faith in the Lord and
46 being able to go to church. After that, I couldn't
47 contemplate or believe that people who call themselves

1 God's followers could allow this abuse to occur right under
2 their eyes for so many years, let alone cover it up. I had
3 told so many pastors, counsellors and teachers that, to
4 this day, I am unable to go to church because I have no
5 trust or faith in the pastors and still feel scared.

6
7 I have tried to attend TAFE a number of times but I am
8 unable to sit in a classroom environment without the
9 flashbacks coming into play at full force. The anxiety and
10 panic attacks I suffer are so crippling that it has
11 affected every part of my life and future. Not being able
12 to learn and develop in a normal environment at such
13 a young age has made it incredibly difficult to manage my
14 day-to-day life. The simplest things can take me much
15 longer to do and to cope with.

16
17 Today, even at my age, I struggle to read and spell,
18 which affects so much of what I can do in life and it eats
19 away at my confidence. It keeps me from doing a lot and
20 makes me feel like I don't have the ability to achieve
21 goals that I set for myself. Even reading bedtime stories
22 to my son is hard. It puts me down, makes me feel low and
23 gives me anxiety. The low moods are the hardest to deal
24 with. Day to day they are so suffocating that there is not
25 one day that goes by that I'm not reminded about what
26 happened. Even getting justice through the law was poorly
27 handled, and I felt let down by them.

28
29 The abuse by Mr Sandilands has had a big effect on my
30 life. People say you learn to overcome your past, but
31 I believe you can't. It makes you who you are." The end.

32
33 Q. Thank you. I have just some very brief questions to
34 ask you.

35 A. Yes.

36
37 Q. You referred in your statement to the criminal
38 proceedings that took place?

39 A. Yes.

40
41 Q. That was in 2000 and 2001?

42 A. Yes.

43
44 Q. You mentioned there at paragraph 38 that you believe
45 there were 63 other students involved in the criminal
46 proceedings.

47 A. Yes.

1
2 Q. Who told you about that number? Who gave you that
3 information?
4 A. My lawyer. There were 63 children who made
5 complaints. A lot of them ended up doing statements, but
6 a lot of them pulled out due to - well, some of the kids -
7 I can't mention names, but some of the kids' fathers were
8 on the board, et cetera, like that, so they weren't allowed
9 to continue to go on.
10
11 Q. So that's information that you obtained from your
12 lawyer, who I presume had heard it from the police; is that
13 how it was conveyed to you?
14 A. Yes, I suppose, yes.
15
16 Q. You gave some evidence about the mediation process.
17 A. Yes.
18
19 Q. Which occurred after the criminal proceedings?
20 A. Yes.
21
22 Q. You said that you were concerned, I think, about your
23 health during that process. Is that right?
24 A. Yes.
25
26 Q. Was that related to the length of the mediation?
27 A. It was related to the length of the mediation and also
28 the people who came from Northside, so the committee people
29 who came from Northside, how they made me feel at that
30 committee.
31
32 Q. Did you meet those people at the mediation?
33 A. No. They were in another room. They did have a Bible
34 meeting before they entered into the room, outside the
35 front.
36
37 Q. But did you see that or --
38 A. I did see that. I officially saw that. They were
39 holding their Bibles.
40
41 Q. How long did the mediation go on for?
42 A. Five days.
43
44 Q. Where was it held?
45 A. It was going to be at the County Court, but media got
46 a hold of it. Northside Christian College and Northside
47 Christian Centre didn't want the media release or it to be

1 at the County Court. The 24 hours before it was to start,
2 it got moved to another building.
3
4 Q. It was just an office building somewhere, was it?
5 A. It was an office building.
6
7 Q. You referred to not being sure about whether an
8 apology was part of the settlement. Just let me ask you
9 a question about that. Have you ever received an apology
10 from --
11 A. Nothing.
12
13 Q. Have you ever received a written apology?
14 A. No.
15
16 Q. Have you received any apology from Denis Smith?
17 A. No.
18
19 Q. Have you received an apology from John Spinella?
20 A. No.
21
22 Q. Would you still like an apology?
23 A. Yes. And I would like an acknowledgment, not just
24 a "sorry". I want an acknowledgment.
25
26 MR BECKETT: Thank you. Those are my questions,
27 your Honour.
28
29 THE PRESIDING MEMBER: Thank you.
30
31 Q. Ms Fretton, I'm not sure whether or not you've had the
32 opportunity to watch what has been going on in here. You
33 have obviously had some exposure to a court-like process.
34 A. Yes.
35
36 Q. So what I'm about to do now is ask the other
37 representatives of various parties who are sitting here at
38 the tables in the hearing room as to whether or not they
39 have any questions for you.
40 A. Yes.
41
42 Q. Are you okay? Are you ready for that?
43 A. Yes, yes.
44
45 Q. So I'll let Ms McGlinchey go last, because
46 Ms McGlinchey here is the legal representative for you.
47 A. Okay.

1
2 THE PRESIDING MEMBER: Mr Kernaghan?
3
4 MR KERNAGHAN: No, thank you.
5
6 THE PRESIDING MEMBER: In fact, Mr Pratt, I'm sorry, you
7 might want to go last.
8
9 MR BECKETT: Your Honour, Ms McGlinchey is representing
10 this witness, and Mr Pratt is for Mr Smith.
11
12 THE PRESIDING MEMBER: Yes, I've just realised, sorry,
13 I've got that around the wrong way.
14
15 MR PRATT: I do have a question.
16
17 THE PRESIDING MEMBER: Yes, go on.
18
19 **<EXAMINATION BY MR PRATT:**
20
21 MR PRATT: Q. Ms Fretton, at paragraph 23 of your
22 statement you talk about --
23
24 THE PRESIDING MEMBER: Would you just introduce yourself,
25 please.
26
27 MR PRATT: Q. Sorry. My name is Mr Pratt. I represent
28 Reverend or Pastor Smith, as you have referred to him?
29 A. Sorry, what company are you from?
30
31 Q. I'm from a firm called Gilshenan & Luton in Brisbane.
32 At paragraph 23 of your statement, you talk about a meeting
33 that was held at the old computer room at the church.
34 A. Yes.
35
36 Q. You say there were seven or eight people at that
37 meeting, including Mrs Brown?
38 A. Yes.
39
40 Q. You say that Pastor Smith was there?
41 A. Yes.
42
43 Q. Can I ask if you're a hundred per cent certain
44 Pastor Smith was there?
45 A. I'm a hundred per cent certain.
46
47 Q. I put it to you that he wasn't there?

1 A. Pardon?
2
3 Q. Can I put it to you that he wasn't there on that
4 occasion?
5 A. Who?
6
7 Q. Pastor Smith.
8 A. No, he was. He was there at every committee meeting
9 that I had.
10
11 Q. At every committee meeting?
12 A. Yes. There was a couple of committee meetings. There
13 wasn't just one. There was quite a several amount, where
14 I had to go up into the church and all the men would be
15 sitting around the table and I would walk in, with
16 sometimes [AGB] and other times by myself. But there was
17 quite a few meetings with them, and that was the whole
18 committee of the board of the church.
19
20 Q. Are you talking about the school board?
21 A. I'm talking about the church board and the school
22 board. They were interlinked back then, yes.
23
24 Q. The meeting you mention in paragraph 23 - is that the
25 first meeting that you had with the committee?
26 A. I can't recall exactly if that was the first one or
27 not.
28
29 Q. It was one of the meetings that you had?
30 A. One of many.
31
32 Q. Of many?
33 A. Of many. There were several, and they would write
34 a lot of documents down and they would keep them up - in
35 the computer room, there would be a little room on the
36 side. There was a telephone in there. They would say to
37 me that they would go and ring my mother. I would actually
38 even hear them pretending to talk to my mother on the
39 phone. I could hear Denis Smith talking to my mother. She
40 was not on the phone. After all the meetings would finish,
41 there was the stairs, what you could pull down to the roof,
42 and they would keep all the files up in the roof. My
43 lawyer did find them up in the roof, exactly where I did
44 tell my lawyer to find them.
45
46 MR PRATT: Thank you. I have nothing further.
47

1 MR CHOWDHURY: I have no questions.

2

3 <EXAMINATION BY MR WOODS:

4

5 MR WOODS: Q. Ms Fretton, my surname is Woods. I'm
6 a lawyer representing Northside Christian Church and
7 Northside Christian College. I want to ask you about one
8 issue that Mr Beckett took you to.

9 A. Yes.

10

11 Q. It's in relation to paragraph 38 of your statement and
12 that number of 63. I need to give you some background as
13 to why I'm asking you the question.

14 A. What number, sorry?

15

16 Q. Paragraph 38. You will see in the first line it's the
17 first issue that Mr Beckett took you to.

18 A. Yes.

19

20 Q. I understand what you have said in answer to his
21 questions. Just by way of background, the Royal Commission
22 has asked both the college and the church to provide all of
23 the documents that they have in relation to various issues,
24 including the documents in relation to criminal
25 proceedings.

26 A. Yes.

27

28 Q. They have a document that I will get a copy handed up
29 to you of, which is entitled a "Charge and summons" against
30 Mr Sandilands.

31

32 It has only just been identified. For the
33 Commissioners' sake, we just got Ms Fretton's statement
34 last night, and this issue really arose then, which is why
35 I haven't asked for it to be put in the tender bundle
36 beforehand.

37

38 The charge and summons against Mr Sandilands is the
39 information that my client has had to go on about what
40 criminal charges were made against Mr Sandilands, and it
41 has a total of 11 charges that relate to six students,
42 including you.

43 A. Mmm-hmm, because all the - sorry.

44

45 Q. I think you're going to answer the question that I'm
46 going to ask.

47 A. Because all the kids had to pull out, because the

1 school has got that much control - even if you leave the
2 school, the school controls you. You can't - if their
3 parents say no, you can't. The school's like a cult.

4

5 Q. I understand that you say there were many more
6 students, but is it correct in your understanding that
7 there were 11 criminal charges against Mr Sandilands that
8 related to six students?

9 A. Yes. A lot of charges got dropped.

10

11 Q. Yes, I understand. When you say charges got dropped,
12 again, I only have this document to go by that has
13 11 charges in it. Are you aware of what charges were --

14

15 MR BECKETT: Your Honour, I might interrupt. I don't
16 think there is any dispute, really, about this particular
17 issue. We know how many charges there were. We know the
18 number of students involved. I really don't think there is
19 much assistance provided to the Royal Commission by
20 evidence concerning what happened during the police
21 investigation. We don't have that very detailed material.
22 We don't have a statement from the detectives concerned or
23 other police officers that may be able to assist with what
24 would be a very difficult and long inquiry.

25

26 MR WOODS: And, in fact, that is really the point that
27 I am making. There are the historical documents and there
28 is obviously Ms Fretton's memory of the situation. There
29 was some ambiguity, certainly from my point of view when
30 I read Ms Fretton's statement and looked at the material,
31 and I was just wanting to ask those questions. But I have
32 asked all I want to now, so I'm happy to leave it there.

33

34 Q. Thank you, Ms Fretton.

35 A. No problem.

36

37 <EXAMINATION BY MS McGLINCHEY:

38

39 MS McGLINCHEY: Q. Ms Fretton, for the benefit of the
40 people who are watching, I announce that my name is
41 Ms McGlinchey and I am representing you, Emma Fretton.
42 Emma, you've waited a great deal of your lifetime to tell
43 your story?

44 A. A very long time.

45

46 Q. And to be listened to?

47 A. Yes.

1
2 Q. And it's very important to you that you're being
3 listened to?
4 A. Yes.
5
6 Q. Because you weren't listened to at school?
7 A. No, or the court proceedings or the civil proceedings.
8
9 Q. You've said that you found the criminal proceedings
10 very disappointing for you, a negative experience?
11 A. Very negative.
12
13 Q. And you've said that you weren't allowed to read your
14 victim impact statement?
15 A. No, the judge wouldn't let me read my impact statement
16 because she said it was unnecessary.
17
18 Q. Prior to that, had you expected to read your victim
19 impact statement?
20 A. Yes, I got told to write one, so I took all my energy
21 and my soul. All my feelings were on that. And then, yes,
22 she just said no.
23
24 Q. Was it just you who couldn't read the victim impact
25 statement, or the others as well?
26 A. I think it was the others, too. I'm not a hundred
27 per cent sure, but I was the only one who actually went to
28 the court day on that day.
29
30 Q. Were you given any reason?
31 A. She just said it was unnecessary.
32
33 Q. It was obviously very disappointing for you?
34 A. Oh, it was very disappointing, because that's the
35 way - how a victim says to a judge what happened, their
36 feelings, their own way of - their story. And her not
37 hearing that or other people hearing that, they really
38 didn't get to hear the actual impact of what occurred.
39
40 Q. I just want to ask you a few questions about the civil
41 proceedings.
42 A. Yes.
43
44 Q. You didn't initially start the proceedings with a view
45 of getting a financial payout?
46 A. No.
47

1 Q. What did you hope to achieve by the civil proceedings?
2 A. I did not want a payout at all. What I wanted was the
3 people, not only the perpetrator or the abuser,
4 Mr Sandilands, but I wanted the other people - Mr Smith,
5 Spinella, Mrs Brown, Mrs Furlong - to take account for what
6 they have done also. I feel they're about as responsible
7 as Mr Sandilands. They're the ones who let it occur for so
8 many years. They're the ones who allowed it to occur,
9 after so many complaints.

10

11 Q. And you wanted them to recognise their failings?
12 A. Recognise their failings, but not just say,
13 "I recognise it." They need to actually acknowledge it,
14 not allege - not alleging. They know what occurred.

15

16 Q. The apology you were seeking - what did you hope would
17 be in the apology?

18 A. Not just an apology; acknowledgment, not only for me
19 but for all those other girls and boys. An acknowledgment,
20 what they know. A sorry - anyone can say sorry, but
21 I actually want acknowledgment that the school admits to
22 their wrongdoing, that the church admits to their
23 wrongdoing. And I believe, or I feel, like the people in
24 those positions, the names that I have mentioned prior,
25 should not be able to have their teacher roles or pastor
26 roles or counsellor roles. So that's what I expected out
27 of the civil thing. That's what I thought would happen.
28 I didn't want the money side of it. I just wanted them to
29 be accountable for what they heard and didn't do about it,
30 if that makes sense.

31

32 Q. It does. Thank you, Emma.

33 A. Thank you.

34

35 THE PRESIDING MEMBER: Mr Beckett, any other matters that
36 you had for Ms Fretton?

37

38 MR BECKETT: No, nothing arising from that.

39

40 THE PRESIDING MEMBER: Q. Ms Fretton, I wonder if I can
41 ask you a couple of questions really just by way of
42 clarification.

43

44 A. Yes.

45

46 Q. I was going to ask you about what you meant when you
47 said that you wanted an acknowledgment, but Ms McGlinchey
has assisted with that.

1 A. Okay, yes.
2
3 Q. But can I just tell you what I now understand, and you
4 tell me if we've understood this correctly.
5 A. Yes, okay.
6
7 Q. An acknowledgment for you means a full statement from
8 the church and those in positions of authority at the time
9 that you were being abused?
10 A. Yes.
11
12 Q. A full statement that acknowledges in clear language
13 what happened --
14 A. Yes.
15
16 Q. -- and that it was wrong --
17 A. Yes.
18
19 Q. -- and that it was a failing of those who should have
20 been doing something different?
21 A. Yes, yes, and I want them to actually say, "Yes, I did
22 wrong. Yes, I didn't follow those complaints up. Yes,
23 I let it go on for so long."
24
25 Q. As I said, I was assisted by Ms McGlinchey asking you
26 those questions.
27 A. Yes.
28
29 Q. So that's what you mean, and you draw a distinction
30 between an apology and an acknowledgment; is that right?
31 A. Well, I feel a sorry - anyone can say sorry. You go
32 past someone in the corridor and you say "sorry", and
33 I believe coming from Northside Christian College or
34 Northside Christian Centre, their sorry is not good enough.
35 They'll always try to hide behind it, so I want a full
36 acknowledgment.
37
38 Q. There is just one other thing I want to ask you about.
39 It's just a detail of something that you were saying about
40 that period of the mediation.
41 A. Yes.
42
43 Q. So when you were going backwards and forwards. This
44 is now during the civil part of the legal proceedings.
45 A. Yes, okay.
46
47 Q. You made a reference to people from Northside being

1 there and how they made you feel.
2 A. Yes.
3
4 Q. Are you able to just explain a little bit more about
5 what happened during that process for you and how that made
6 you feel?
7 A. The whole process, the five days or?
8
9 Q. No, I'm just referring to your comment about - you
10 were talking about the committee people from Northside.
11 A. When they were outside having their little church
12 meeting or?
13
14 Q. Yes, that was the reference that you made.
15 A. I just felt like they were using God as a way - trying
16 to cover behind the Bibles and trying to make themselves
17 look good, reading, having a little meeting outside with
18 their Bibles, reading a couple of paragraphs and then
19 having a prayer meeting. I thought it was all on show,
20 really. It really wasn't appropriate. Oh, wow, they
21 disgust me.
22
23 Q. So that's what you meant. Thank you.
24 A. Yes.
25
26 THE PRESIDING MEMBER: Is there anything arising out of
27 that for anyone?
28
29 MR WOODS: Your Honour, the only issue is the document
30 that I referred to a moment ago - I would ask that that is
31 tendered and included in the tender bundle, but I should
32 note that it hasn't been redacted yet because it has just
33 come out of the summons documents.
34
35 MR BECKETT: That's exactly what I was going to say. I do
36 intend to tender it, but it does need to be redacted before
37 I do, and if I could have the liberty of doing that on
38 Monday?
39
40 THE PRESIDING MEMBER: I will mark it as exhibit 18-15.
41
42 **EXHIBIT #18-15 ORIGINAL CHARGE AND SUMMONS WITH RESPECT TO**
43 **KENNETH SANDILANDS, SIGNED BY THE REGISTRAR ON 17/07/2000**
44
45 THE PRESIDING MEMBER: I'm sorry to do this with you
46 sitting in the box.
47

1 THE WITNESS: No, that's fine.

2

3 THE PRESIDING MEMBER: 18-15.

4

5 MR BECKETT: It's the charge and summons with respect to
6 Kenneth Sandilands.

7

8 THE PRESIDING MEMBER: So it's the original charge and
9 summons, obviously not ultimately the presentment.

10

11 MR BECKETT: Yes, signed by the registrar on 17 July 2000.

12

13 THE PRESIDING MEMBER: Thank you. Mr Beckett, otherwise
14 you have no further questions for Ms Fretton?

15

16 MR BECKETT: I have no further questions, your Honour.

17

18 THE PRESIDING MEMBER: Ms Fretton, thank you for your
19 attendance, and you are otherwise excused. That means you
20 can stay seated in the hearing room, if you wish to,
21 although I think probably that completes the evidence for
22 today, does it, Mr Beckett?

23

24 MR BECKETT: Yes, save for some documents I am just about
25 to tender.

26

27 THE PRESIDING MEMBER: All right. But otherwise you know
28 that we resume at 10am on Monday.

29

30 THE WITNESS: No problem. I'll be there.

31

32 <THE WITNESS WITHDREW

33

34 MR BECKETT: Your Honour, just some documentation with
35 respect to Northside. The first bundle of documents with
36 respect to Northside Christian Centre Incorporated and
37 related entities is contained in a volume that was being
38 provided to the parties. I think it is best that I tender
39 that by itself.

40

41 THE PRESIDING MEMBER: Yes, 18-16.

42

43 **EXHIBIT #18-16 BUNDLE OF DOCUMENTS WITH RESPECT TO**
44 **NORTHSIDE CHRISTIAN CENTRE INCORPORATED AND RELATED**
45 **ENTITIES**

46

47 MR BECKETT: There is a supplementary tender bundle which

1 has been compiled as a result of discussions between the
2 Royal Commission and those whom Mr Woods represents, so
3 I tender the supplementary tender bundle of Northside
4 documents as well.

5
6 THE PRESIDING MEMBER: All right, 18-17.

7
8 **EXHIBIT #18-17 SUPPLEMENTARY BUNDLE OF NORTHSIDE DOCUMENTS**

9
10 MR BECKETT: That concludes the evidence for today.
11 Mr Kernaghan wishes, just before we wind up for today, to
12 seek leave to appear for Ms Lovell, as I understand.

13
14 MR KERNAGHAN: I have been recently instructed to act for
15 Ms Lovell and I haven't been able to put in the ordinary
16 application, so I seek that leave now.

17
18 THE PRESIDING MEMBER: Yes. No-one wants to say anything
19 about that application - Mr Beckett?

20
21 MR BECKETT: No, it's not opposed.

22
23 THE PRESIDING MEMBER: All right. In those circumstances,
24 leave is granted, Mr Kernaghan.

25
26 MR KERNAGHAN: Thank you.

27
28 THE PRESIDING MEMBER: Are you able to go through the
29 order of witnesses commencing on Monday morning,
30 Mr Beckett?

31
32 MR BECKETT: Yes. The first witness will be Ms Furlong,
33 who is a teacher at Northside Christian College. Then
34 Ms Lovell, who was also a teacher at the school at that
35 time and also worked as a part-time counsellor at the
36 school. She will be followed by Mr Simon Murray, who was
37 the deputy principal towards the end of Mr Sandilands' time
38 at Northside Christian College. Then we expect to hear
39 evidence from Denis Smith, who was the senior pastor of
40 Northside Christian Centre, which is now Encompass Church.

41
42 Then, although I don't expect we will get to them
43 until Tuesday, John Spinella, who is currently the senior
44 pastor at Encompass Church but was at Northside Christian
45 Centre and involved with the school from 1992. Then
46 finally, the current state officer of Australian Christian
47 Churches from Victoria.

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That witness list is under active consideration and it may be that there are some revisions to that, but that is something that will be actively considered over the weekend.

THE PRESIDING MEMBER: All right. If there is nothing further, we will otherwise adjourn until 10 o'clock on Monday.

**AT 3.37PM THE COMMISSION WAS ADJOURNED
TO MONDAY, 13 OCTOBER 2014 AT 10AM**

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