

NEW SOUTH WALES

ELIZABETH THE SECOND, by the Grace of God, Queen of Australia and Her other Realms and Territories, Head of the Commonwealth.

To MARGARET MARY CUNNEEN SC

By these Our Letters Patent, made and issued under the authority of the Special Commissions of Inquiry Act 1983, We hereby, with the advice of the Executive Council, authorise you as Commissioner to inquire into and report to Our Governor of the said State on the following terms of reference concerning the police investigation of matters relating to Father Denis McAlinden referred to in the ABC Lateline television report broadcast on 8 November 2012:

1. the circumstances in which Detective Chief Inspector Peter Fox was asked to cease investigating the matters and whether it was appropriate to do so; and
2. the extent to which officials of the Catholic Church have co-operated with the investigation, including whether the investigation has been hindered or obstructed by, amongst other things, the failure to report alleged criminal offences, the discouraging of witnesses to come forward, the alerting of alleged offenders to possible police actions, or the destruction of evidence,

AND hereby establish a Special Commission of Inquiry for this purpose.

IN these Letters Patent:

“Catholic Church” includes (without limitation) the Church, a diocese of the Church, or an organisation operated under the auspices of the Church or a diocese of the Church; and

“official of the Catholic Church” includes (without limitation):



- (a) any person who acts as a representative of the Catholic Church;
- (b) any officer, staff member, lay assistant, or volunteer of the Catholic Church; and
- (c) a member of the clergy or any religious order of the Catholic Church.

AND pursuant to section 21 of the Special Commissions of Inquiry Act it is hereby declared that sections 22, 23 and 24 shall apply to and in respect of the Special Commission the subject of these Our Letters Patent.

AND OUR further will and pleasure is that you do, as expeditiously as possible, but in any case on or before 5 April 2013, deliver your report in writing of the results of your inquiry to the office of Our Governor in Sydney.

IN TESTIMONY WHEREOF, WE have caused these Our Letters to be made Patent and the Public Seal of Our State to be hereunto affixed.



WITNESS Her Excellency Professor Marie Bashir, Companion of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.

Dated this 21<sup>st</sup> day of November 2012.

  
Governor

By Her Excellency's Command,

  
Premier.