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Blowing the whistle on corruption

An interview with Clarrie Briese, B.A., Diploma of Criminology (Cantab.), A.O., former Chief Magistrate¹ of New South Wales (Australia).

by [Carl Wieland](#)

Summary

One man's refusal to bow under pressure brought down a leading judge, threatened political careers and made him a household name against official corruption. But who would have thought that many years later, one could see that God had used it to prepare him to help the CMI ministry repel a horrific onslaught?

It's painful to be relentlessly attacked in headlines by a State Premier² and a famous High Court³ judge, even knowing truth is on one's side. Most of those who knew Clarence (Clarrie) Briese would not have expected him to be in such a storm. But beneath the mild-mannered exterior of this former country-boy-turned-magistrate lies a steely resolve. Truth matters, and no-one, regardless of status, should be able to get away with corrupting and distorting the law.

The so-called 'Murphy affair' exploded in the early 1980s across Australia, but especially in Sydney, capital of its most populous state, New South Wales (NSW). Mr Justice Lionel Murphy was a former parliamentarian and federal Attorney-General of the then-ruling Australian Labor Party.⁴ He had been appointed to the highest court in the land.

At that time, there was a widespread belief that political corruption was rampant in NSW at very high levels, including the police and judiciary. And on the sworn evidence given by Clarrie Briese, then NSW's Chief Magistrate, it reached to the highest court. In a 1982 phone call to Briese, Mr

Justice Murphy had made oblique hints that Briese should arrange the ‘fixing’ of (tampering with) a court case. This was against a Sydney lawyer, Morgan Ryan, whom Murphy referred to as ‘my little mate’.⁵

This was not the first time that subtle efforts had been made to get Clarrie to do ‘favours’ by tampering with court case outcomes, and there had been another uncomfortable situation involving Murphy—see panel, right.

But Clarrie still did not want to fully believe the worst about the judge. Not, at least, until *The Age* (a major newspaper) published extracts from a series of phone conversations involving Murphy and other notables. (The police had illegally recorded them.)

‘A substantial network of corruption’

Reading the full transcript, says Clarrie, ‘It was clear to me that there was in fact a substantial network of corruption at work, which crystallized my previous fears and unease.’ He came forward with his testimony of what had taken place.

But whistle-blowing has its price—a relentless and unprecedented barrage of public attacks on Clarrie’s character from influential quarters.

But his opponents had underestimated their church-going nemesis. Once set on his path, Clarrie was determined to stand firm regarding what he knew had been said to him. His reputation for unbending, unselfish integrity made it hard for anyone to think of a motive for him risking everything in this way. Some suggested it was political bias against Murphy’s Labor Party, but, he says, ‘I was well known for sympathy to the Labor side at the time.’

Clarrie Briese’s fellow magistrates rose in public support for his integrity. Judges and law societies publicly deplored the notion that there might be retribution against him for giving evidence. Clarrie was actually already known to support measures he believed would help to reduce corruption in the judiciary. One of these was ensuring that the State’s magistrates should be independent of government, like judges of higher courts already were. He had also proposed they be accountable to an independent commission. The media spotlight turned ever more relentlessly on Clarrie’s attackers.

The flavour of corruption

Before the fateful phone call from Mr Justice Lionel Murphy (see main text), Clarrie Briese recalls, there had been subtle efforts to have him (Briese) take over the ‘fixing’ of court cases from the previous Chief Magistrate (Murray Farquhar, who was later jailed for ‘perverting the course of justice’). Clarrie says Farquhar asked him once whether he would handle drink-driving cases ‘discreetly for the Premier’.

A district court judge, claiming to be acting at the instigation of the Premier, had also seemed to be attempting to ‘lean on’ Clarrie in relation to the Ryan case. And Clarrie had attended a 1979 dinner at the house of Ryan, who presented himself as a friend of then Labor Premier, Neville Wran. The three others present were Farquhar, Murphy and the Police Commissioner. Shortly after, Clarrie confided in a close friend that he was very uncomfortable that night—especially at what could be interpreted as hints of corruption. He thought to himself, ‘Have I struck a high-class Lavender Hill Mob [from a famous gangster movie—Ed.] here?’



Clarrie, with his wife Gloria, on the day he was presented the medal of an Officer of the Order of Australia (A.O.).

Despite assembling one of the finest legal defence teams in the history of Australia, Mr Justice Murphy was convicted and sentenced to prison in 1985, but died before having to face any formal consequences of his actions (see [The trials of Mr Justice Murphy](#)).

While doubtless not all corrupt players were made to face justice, everyone agrees that the whole affair led to massive and beneficial reforms of law and government in NSW.⁶ Clarrie Briese emerged with a deserved reputation as a corruption fighter of unbending integrity. In 2002 he was awarded one of his country's highest civic honours, Officer of the Order of Australia (A.O.).

Asked if corruption is no longer a problem in NSW, Clarrie says, 'Far from it. But the reforms mean we have better ways of identifying it and dealing with it. We have to be vigilant; where people from fallen mankind are given power and authority, corruption is an ever-present possibility.'

A more deadly form of corruption

According to Clarrie, this also applies to people with power and authority in Christian churches. 'Ever since Christ's bodily Resurrection', he says, 'we see the existence of corruption in the church's activities, especially with regard to the interpretation of the Bible. Jesus Christ believed and taught that the Bible, which was then only the Old Testament, was absolutely true and authoritative—in fact, it "could not be broken"? ([John 10:35](#)). Tragically, there have always been Christian leaders and teachers with a different attitude. They defer to fallible human opinion and reasoning. In recent times, this has centred around views on origins allegedly grounded in science. But most of this is not empirical science but philosophical. So Scripture is often "broken"? to accommodate views based on faulty human premises.'

'There is powerful peer pressure to conform to this type of corruption of the Word,' says Clarrie. 'Many even persuade themselves and others that failure to "reinterpret"? Scripture this way actually hinders the gospel as they understand it. This is sadly widespread, and countless people lose confidence in the Bible as historical because of it. Thus, many of them also lose their faith in the substitutionary atonement of Christ, the essence of the gospel ([1 Corinthians 15:3](#)). *What Lionel Murphy tried to do, serious as it was, pales into insignificance by comparison.*'

Clarrie says it is important for those within the church to speak up about this corruption of God's Word. He says we all need to be sure we are not 'preferring the praise of men more than praise from God' ([John 12:43](#)). He sees *Answers in Genesis* as being on the front line in this 'whistle-blowing against corruption', showing the Christian church 'that it is necessary and rational—and intellectually and scientifically sound—to believe the *whole* of the Bible.'

The Humanist connection

Interestingly, Clarrie is in a unique position to know of the vilification that comes to CMI as a result. Years after his entanglement with Lionel Murphy, the 1983 'Humanist of the Year' (see panel below), Clarrie came up against yet another Humanist of the Year (1995)—Dr Ian Plimer, the head of Melbourne University's geology department. It is now a decade since Plimer published a book, *Telling Lies for God* (1994), which was aimed squarely at CMI—Australia.^{7,8} Plimer had long tried to crush the creation movement with a variety of bizarre tactics, including fabricating non-existent articles in geological literature and the like—see [Plimer files](#).

Anti-Christian bias provided foundation for high level corruption

The late Mr Justice Lionel Murphy (1922–1986): despite his fame and friends in high places, he was sentenced to prison as a consequence of Clarrie Briese's testimony. The prominent leftist historian Manning Clark, an admirer of Murphy, said that the late judge, a well-known Humanist member, was 'a man who passionately believed that the morality of Judeo-Christianity had ceased to be relevant', one who 'strove to end the domination by God over human beings'. The laws he pushed through, allowing for super-easy divorce and opening the gates to a flood of pornography, reflected his passionate anti-Christian emphasis.

The book represented an escalation of his desperate campaign to discredit the ministry. Apart from its mocking, lampooning attitude towards the Bible (especially Genesis), there were horrific ethical/moral allegations against CMI and its personnel. And Plimer had powerful allies, not just in the media, who cheerfully assisted his nationwide promotional 'blitz'. Joining him in some public promotional appearances was a prominent Anglican Archbishop,⁹ who wrote the foreword to *Telling Lies for God*.

The tactic seemed obvious: Plimer knew that our existence depended on continued support from Christians. With so much smoke around, the average

person would say, 'There must be at least a little bit of fire in there. Why would a prominent academic say such things if they were *totally* untrue?' Even worse, many would say (and did): 'If it's not true, why don't they sue?' However, Plimer had already boasted in the Skeptic press that he had divested himself of his assets and was keen for CMI to sue him—with appropriate media attention, of course. Sadly, many Christian publications and radio stations gave credence to Plimer's cunning campaign.

There seemed little point protesting our innocence; guilty people do that, too. We knew that Clarrie Briese was sympathetic to CMI and subscribed to [Creation](#) magazine. So I approached him to chair a committee to formally investigate Plimer's charges, with 'no holds barred', and publish the findings. He says, 'When I eventually agreed, I was pleased at the makeup of the panel members. Christians from a wide range of denominations and backgrounds, they each had public prominence independent of CMI. One had a strong science background. I was convinced they would not put their reputations at risk by finding otherwise than in accordance with the evidence.' I felt that Clarrie, especially, would be (correctly) perceived this way; in addition to his formidable anticorruption reputation, he was then with the NSW Crime Commission.

I remember Clarrie's sombre magistrate's tones sternly warning me that if any of the allegations had any substance, or any kind of malpractice was uncovered by the committee's investigations, he would not hesitate to let the Australian public know. My heart leapt for joy—this was *exactly* the reason we had asked him!

The Briese committee did its job with great sobriety and diligence, including extensive perusals of records, interviewing auditors, and much more. More than one member later shared with me how

hard it was to keep their anger in check at the progressive realization of the gross and cynical travesties of truth Plimer's book contained. Their report, in carefully measured language, utterly vindicated the ministry, thus damning Plimer's mission.

This exposé of the atheistic professor and his churchian allies should have been dynamite to the media, but they suddenly lost interest. So CMI published the committee's report in nationwide newspaper ads. Formerly gleeful 'me-too' accusers slunk away, and the controversy disappeared almost overnight. Huge numbers of people were made aware of the true nature of this battle ([Genesis 50:20](#)). As a result, CMI's support did not just recover, it went to much higher levels, from which it has not retreated since.

Clarrie says that to begin with, he, too, felt that there must be *some* substance to such allegations from such a prominent academic. Some were 'breathtaking in their audacity'. After investigating, he says, 'I have no doubt at all that Plimer was motivated to destroy the reputation and credibility of CMI and was prepared to use any means to do so. The approval given to his book by many prominent church leaders indicated that he was being eagerly believed. Many in mainstream Christianity would have been uncomfortable with CMI's strong focus on their compromise, what I call corruption of the Word of God. So Plimer's claims, that CMI was an evil, subversive organization that should be put out of business, fell on fertile soil.'

Looking back

Clarrie Briese was appointed Chief Magistrate of New South Wales in 1979 (see picture). At the time, he was reported as saying that courts and stiffer penalties could not deal with the problems of rising crime and social breakdown if the values traditionally taught 'by schools, churches and other social and learning agencies' were no longer taught and encouraged.



Clarrie Briese says that *Telling Lies for God* was actually 'a tribute to the effectiveness of CMI. If you weren't being effective, would anyone have gone to such lengths? You folk are blowing the whistle on this huge problem of corruption of the Word of God. In my view, you're at the cutting edge of Christianity.'

Clarrie, who has personally experienced people becoming Christians as a result of his sharing *Creation* magazine, was keen to advise all interested readers, 'Be sure you carefully consider the evidence. You won't get both sides from the ordinary media. If you subscribe to *Creation* and read [Dr Jonathan Sarfati's](#) excellent book [Refuting Evolution](#), you'll be in a much better position to judge.'

The trials of Mr Justice Murphy

At the trial which led to Lionel Murphy's conviction, the judge in the Ryan case testified that Murphy had approached him, too. The conviction was subsequently appealed on technical points of law on the way in which the judge handled some aspects of the trial.

A new trial was ordered. At this second trial, the jury did not get to hear certain relevant evidence, and Murphy was acquitted. But soon after, the government received an official report from a Royal Commission (the highest level of government inquiry in Australia) which was inquiring into the Age tapes. It raised new allegations against Murphy, and the government

appointed three retired judges to a parliamentary commission of inquiry into his conduct.

This ended abruptly when it became clear that Mr Justice Murphy would shortly lose his bout with prostate cancer and face a higher court.¹

Quite recently, Clarrie's testimony was dramatically vindicated when it was revealed that another judge had admitted perjuring himself to protect Murphy at the trials. 'Diamond Jim' McClelland, another senior Labor politician-turned-judge, confessed this to reporters in confidence; he, too, had been approached by Murphy to help 'fix' the Ryan case. The reporters only felt free to break their source's confidence after McClelland's recent death. [Return to text.](#)

1. The details of the allegations, and the inquiry's interim report, were embargoed under legislation (till 2016).

References and notes

1. In Australia, judges of the local courts are called magistrates. In the US, the term 'judge' is used for both local and higher court judiciary figures. [Return to text.](#)
2. In the USA, that would be roughly equivalent to a State Governor. [Return to text.](#)
3. This is the highest court in Australia, the equivalent of the US Supreme Court. [Return to text.](#)
4. A centre-left party, one of the two big Australian parties. The other is the Liberal party, a centre-right grouping usually in coalition with the rural-based National party (US equivalents are roughly Labor = Democratic, Liberal = Republican.) [Return to text.](#)
5. Australian idiom for 'buddy', 'friend'. [Return to text.](#)
6. This included judicial independence for magistrates and a permanent judicial commission. [Return to text.](#)
7. Then called Creation Science Foundation. [Return to text.](#)
8. Sadly, noted progressive creationist Hugh Ross recently cited Plimer's book as an authority against young-earth creationists. *Charisma*, September 2003, p. 10. [Return to text.](#)
9. Peter Hollingworth, who later became Australia's Governor-General. (He became the first Governor-General to resign, after months of controversy, in a wave of public disapproval of his handling of child abuse cases while Archbishop.) [Return to text.](#)

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