

# TRANSCRIPT

## FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE

### Inquiry into the handling of child abuse by religious and other organisations

Melbourne — 29 April 2013

#### Members

Mrs A. Coote

Ms G. Crozier

Ms B. Halfpenny

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#### Witnesses

Bishop P. Bird, and

Bishop P. Connors, Catholic Diocese of Ballarat.

**The CHAIR** — Good afternoon. On behalf of the committee, I welcome from the Catholic Diocese of Ballarat, Bishop Paul Bird and Bishop Peter Connors. All evidence taken by this committee is taken under the provisions of the Parliamentary Committees Act, attracts parliamentary privilege and is protected from judicial review. Any comments made outside the precincts of the hearings are not protected by parliamentary privilege. Witnesses may be asked to return at a later date to give further evidence if required. All evidence given today is being recorded and witnesses will be provided with proof versions of the transcript. Please note that these proceedings are not being broadcast.

The committee has just received some information from you. I thank you very much for that. Obviously we have not had time to read through this, but I think you are well aware of what our terms of reference are. Under our terms of reference the committee has been requested to look at policies and processes within religious and other non-government organisations and whether there are systemic practices within those organisations that have contributed to the abuse of children. Certainly we are looking at a number of areas. The Ballarat area has come under a great deal of scrutiny and focus in recent times, and we are looking at aspects in relation to that particular diocese. You will be given an opportunity to make a concluding statement to the committee. I note that a lot of what we have heard has related to prior to your time, when Bishop Mulkearns was in charge of the diocese. We have been informed that Bishop Mulkearns is not available to come before the committee, and I am just wondering if you could give us an indication as to the nature of his condition.

**Bishop BIRD** — Yes. Bishop Mulkearns had a stroke some years ago. I spoke with him about this inquiry in January and I advised him that I was going to forward all the documents from our diocese, including those from his time. He said he hoped the documents would help the committee form an accurate picture of the history. When I spoke with him it seemed to me his memory was not good on details. He had in those documents, though, made his reflections closer to the events, so it seems to me that his best contribution would be the documents that we have provided for you from his time.

**The CHAIR** — Thank you. It was our understanding that he was still conducting mass. Is that not the case?

**Bishop BIRD** — That is correct, yes, although not generally publicly. He is retired many years now.

**The CHAIR** — But he is still conducting mass?

**Bishop BIRD** — Yes.

**The CHAIR** — So he can still have reflections closer to the events which you have provided to us — —

**Bishop BIRD** — Provided for you.

**The CHAIR** — But not to events perhaps prior to those dates that you have given to us. Is that what you are saying?

**Bishop BIRD** — I am saying his memory in general is not very good, and his ability to focus on things is not very good, but he is able to manage what is happening at the moment.

**The CHAIR** — The committee has many questions in relation to a number of those complaints. In your submission that you provided to us — thank you very much indeed — earlier this year, we are particularly interested in those records of the diocese regarding Father Ridsdale, which have been incomplete. I am just wondering if you could comment, then, either Bishop Paul or Bishop Peter, on the record keeping of the Ballarat diocese, just the general nature of how they are kept, and how they have been kept in the past.

**Bishop BIRD** — Having the copies of all the records that we have, you would see that they vary a good deal. In the later years I believe they are much more detailed, much more complete. As to the big gap that you referred to there in relation to Gerald Ridsdale, it is the understanding of Bishop Connors — he can comment on it — that that gap would be because of documents given to the police around the time of their investigation in 1992, I think it was, and that had not been returned. So that would be the major gap. Others would be varying — full records of careers of the different priests, but others not so full.

**The CHAIR** — I understand, Bishop Paul, that you have only just recently taken over your position in 2012, and Bishop Peter, that you were in the position prior to that from 1997 to 2012, and that Bishop Mulkearns was before that. He commenced in the Ballarat diocese as bishop in what year?

**Bishop CONNORS** — He became bishop in his own right in 1971. He was ordained I think in 1968, but he was the co-adjutant bishop, assisting Bishop O'Collins, and then took over in 1971.

When I came to the diocese in 1997 I was aware that Ridsdale had been convicted on two occasions and was serving a long sentence. I understood that lots of victims came forward. At the Magistrates Court hearing there were not so many, but because he got such a light sentence many others came forward because they were distressed at the way things had gone. Then he went to the County Court in Warrnambool — I think it was Warrnambool — and was given a long sentence. When I came to the diocese, I realised that the solicitors acting for the victims and the solicitors acting for our insurance company had come together and come to settlements, and there are a number of those documents I have got, but that is about all I have got of that.

When I came to the diocese in 1997 it was agreed that there should be no more cover from the insurance company for any offences after 1975. Bishop Mulkearns was made aware that Ridsdale had offended against a young man in the parish of Inglewood and so, on legal advice, CCI decided there was no more cover for victims of Ridsdale. I had to handle all of them myself.

**The CHAIR** — Could you explain to the committee when you became bishop in 1997 and took over that role, did you ask — obviously this was in the public domain — where are the records and the files in relation to the complaints?

**Bishop CONNORS** — I did not look at those files from the records until this inquiry was coming on. I said to Bishop Mulkearns, 'Is there anything that you should tell me?'. He mentioned one particular priest was a concern to him, but other than that I depended upon the files of individual victims who had gone through the Towards Healing process, which meant that they had contacted the director and then a contact report was drawn up, and that would be given to me and almost always I accepted the allegation because I thought Ridsdale pleaded guilty to so many offences, who was I to argue with the fact that the victim had made this complaint.

**The CHAIR** — Could you just explain to the committee how many complaints you were aware of at that time?

**Bishop CONNORS** — I was aware that there were a significant number already being processed.

**The CHAIR** — How many is 'significant'?

**Bishop CONNORS** — I think there were about 31 that had been dealt with before I came, and then I started to deal with them one by one and I dealt with, I think, about 50 victims.

**The CHAIR** — I just want to get clarification about the files. There were no formal files other than those that were going through the Towards Healing process that you are aware of.

**Bishop CONNORS** — That is correct.

**The CHAIR** — There was nothing kept within the Ballarat diocese in relation to any complaints prior to the Towards Healing process being set up?

**Bishop CONNORS** — Not complaints, but rather the fact that it was information we discovered that Bishop Mulkearns had been interviewed by a man on behalf of CCI, Catholic Church Insurances, in which he set out his own understanding of what had happened.

**Bishop BIRD** — If I may join in, that is in the documentation we have given to you.

**The CHAIR** — Yes. In relation to clarification of the individual with CCI and Bishop Mulkearns, they must have been aware that there were a number of complaints coming through because they made that decision to have no more cover for any individual.

**Bishop CONNORS** — They had covered so many cases and paid out on those that they realised there were going to be more and more, and so they took advice from two Queen's Counsel as to whether they were obliged to continue the cover. One Queen's Counsel said there should be no cover for the these kinds of accidents, I call them, but they are not accidents obviously. The other barrister suggested that up until 1975 Bishop Mulkearns

was of the view that he did not know the nature of Ridsdale's actions, but from 1975 he did know that Ridsdale was an offender.

**The CHAIR** — Do you know if he took those concerns to the police, if he knew that he was an offender in 1975?

**Bishop CONNORS** — In 1975 the policeman came to Bishop Mulkearns and told him about an incident in the parish of Inglewood. Bishop Mulkearns spoke with the policeman and said, 'I will get him some therapy and I will take him out of the parish of Inglewood', and that seemed to be satisfactory as far as the police were concerned.

**The CHAIR** — Because these are criminal activities.

**Bishop CONNORS** — I realise that.

**The CHAIR** — And that was the extent of it?

**Bishop CONNORS** — Yes.

**Mr McGUIRE** — Thank you, Bishops, for attending. I just want to go to the issue of the church's leadership in regard to all these incidents. Was any investigation conducted by the Catholic Church into what was happening with child paedophilia crimes in Ballarat?

**Bishop CONNORS** — Not directly with Ballarat, no. I was on the committee at the national level when I was an auxiliary bishop in Melbourne, and I cannot get my mind exactly around what did happen with those committees. One was called Special Issues for a while, and then there was a national one, and gradually we worked towards establishing the protocol called Towards Healing.

**Mr McGUIRE** — But, just on this — it is a critical point — there was no investigation conducted by the church specifically into these criminal offences?

**Bishop BIRD** — Can I respond? It seems to me that investigations of that kind would need to be conducted by the police or if, where one is thinking of research into causes, it would be better done by an independent body rather than the church investigating itself.

**Mr McGUIRE** — Did that happen? Was it taken to the police? Did the church take it to the police?

**Bishop BIRD** — From the 1990s the police were involved.

**Mr McGUIRE** — No, I am talking about 1975?

**Bishop BIRD** — Not that I know of.

**Mr McGUIRE** — Let us just set it out on the record for the parliamentary inquiry. What is the totality of the number of offences and the number of victims that have been drawn to public attention now from Ballarat? What are the actual facts?

**Bishop BIRD** — I have 116 claims. Substantiated, 107 — that is, around 94 per cent of the claims were accepted as substantiated.

**Mr McGUIRE** — And this is child rape and child sexual abuse?

**Bishop BIRD** — This is child abuse. The number of child victims therefore is 107. Of those, 67 were by Ridsdale.

**Mr McGUIRE** — There were 67 by Ridsdale. Father Gerald Ridsdale is one of the worst offenders in Australia's history.

**Bishop BIRD** — Yes.

**Mr McGuire** — In 1975 you had knowledge of his offences and at that stage you still did not take it to Victoria Police?

**Bishop Bird** — It was a policeman who reported to — —

**Mr McGuire** — Okay. Why did that not then become a charge and go into the criminal justice system? Is that not the proposition here?

**Bishop Bird** — I think you could ask the police about that because at least one policeman knew about that matter.

**Mr McGuire** — But when this pattern of behaviour continued to emerge, why did that still not occur? Why was it not taken to the police? What was the discussion between the police officer and Bishop Mulkearns? Did Bishop Mulkearns specifically ask what the alleged offence was or not?

**Bishop Bird** — Yes, again, in the documentation we have given you, he has given his account of what he was told by the policeman, and I put it in my relatively brief statement that I have given to you.

**The Chair** — Can I interrupt you there?

**Bishop Bird** — Yes.

**The Chair** — I see that you have said that you spoke to Bishop Mulkearns earlier this year, and you have indicated that to the committee. I am just wondering whether there is any reason as to why Bishop Mulkearns cannot appear before the committee so that we can inquire as to what he can actually recall?

**Bishop Bird** — He said he was willing to come, but that he did not think he would be of great assistance at this point because his memory and ability to focus is not very good anymore.

**The Chair** — But he could recall back to 1975, as per the question Mr McGuire just asked of you?

**Bishop Bird** — As I mentioned, he had written quite a deal at the time and we have provided those documents. What he was able to note near to the events I think is fuller.

**The Chair** — Thank you.

**Mr McGuire** — But given the consequences of what happened during Bishop Mulkearns' time in charge, his leadership, with Father Ridsdale, do you not think it is incumbent on the church that Bishop Mulkearns should testify before this inquiry so that we can actually ask him directly what his knowledge is?

**Bishop Bird** — I think that is within your power, is it not, to ask him to come?

**Mr McGuire** — Okay, we will take that up. I do think there are issues there if you look at what happened due to the lack of consequences, action and the behaviour of Bishop Mulkearns. Issues have been raised with us about wilful blindness. What do you say to that?

**Bishop Bird** — From my reading of the accounts, it was not wilful blindness; it was a tragic mistake on his part. He explained to me, in so far as he could think of the approach that he had taken, that it was, he believed, the accepted opinion at the time that dismissal was not the first option, but that a person might be referred for treatment in the hope they would correct their behaviour. It proved to be a terrible mistake, and I accept that fully.

**Mr McGuire** — It had tragic consequences too, didn't it?

**Bishop Bird** — Tragic consequences. It was a terrible mistake on behalf of Bishop Mulkearns. In fact looking back Gerald Ridsdale should have been taken out of ministry when there was the first report of offences.

**Mr McGuire** — Whose advice was Bishop Mulkearns acting on when he went down this path?

**Bishop Connors** — Can I comment at this stage?

**Bishop BIRD** — Sure.

**Bishop CONNORS** — After he took Ridsdale out of Inglewood in 1975, he referred him to a psychologist, who interviewed him and was of the opinion that it was good enough to put him back into parish ministry. So after a period of time Bishop Mulkearns appointed him parish priest of Edenhope — first of all as administrator and then as parish priest of Edenhope. There were horrid offences at Edenhope; I can assure you of that because I interviewed some of the victims after the settlements.

Then Ridsdale said, ‘Can I go and do a course in Melbourne — in-service training for 12 months?’. He went to Melbourne for 12 months and I believe he offended in Melbourne, but Bishop Mulkearns would not have been aware of that. Then when he came back to the diocese, he appointed him to Mortlake. That was a horrible situation. I think every young man in Mortlake was offended against by Ridsdale.

**Mr McGUIRE** — You do understand that we are trying to investigate whether this was wilful blindness, ignorance or naivety? How did he keep getting moved on to innocent parishes, where he continued to offend with the most heinous crimes?

**Bishop CONNORS** — That is what happened. I think he got bad advice and he very naïvely accepted that advice.

**Mr McGUIRE** — There is another view on this though, and that is: was the church also taking a narrow view on this issue and trying to avoid scrutiny and accountability?

**Bishop CONNORS** — It is hard for me to answer for him because of the fact that I do not know how much he really knew about the situation, but when he took Ridsdale out of Mortlake he would have got some strong reports from individual and responsible citizens of Mortlake, the sister in charge of the school and a very concerned teacher at the school who has already given evidence to this inquiry.

**Mr McGUIRE** — That is what I am saying. The evidence is overwhelming. The convictions are there. It is not in dispute.

**Bishop CONNORS** — Okay.

**Mr McGUIRE** — So what is the explanation for why it continued?

**Bishop CONNORS** — There were no convictions at that stage.

**Bishop BIRD** — At that stage, no.

**Mr McGUIRE** — No, but the evidence was overwhelming.

**Bishop CONNORS** — It was overwhelming, you are quite right.

**Mr McGUIRE** — So why was further action not taken at that point?

**Bishop CONNORS** — I know there are two things. He sent Ridsdale to America for two years of therapy, but he also sent him — I do not know whether this came before America or after; it does not really matter a great deal — to the Catholic Enquiry centre in Sydney to work in an office situation. But there was a horrible lack of supervision there because Ridsdale went out on the weekend and supplied in parishes and offended badly against one young man who committed suicide.

**Mr McGUIRE** — This is the consequence that I am talking to you about. Where is the leadership within the Catholic Church to address the severity of this issue and its consequence? How many warnings did you need? Is this a systemic failure of leadership is what I am asking?

**Bishop BIRD** — I would accept that up to that point. I believe a better leadership did emerge in the 90s which was really the basis of the process that we have which is called Towards Healing, so that there would be better provisions put in place and much more rigorous screening of candidates; there would be much more rigorous treatment of any report of offences. So there was really a terrible lack of leadership. In this case we

have been looking at Bishop Mulkearns's failures. I believe there was some learning. It was very slow perhaps, but into the 90s the leadership then became better.

**Mr McGuire** — I will hand over to my other colleagues, but can you take it as a given that there is an open invitation for Bishop Mulkearns to come before this inquiry to testify as best he can to his knowledge of what happened, because this is critical to know and understand to try and prevent it happening again in future.

**Mrs COOTE** — Thank you, Bishop Bird and Bishop Connors, for being here with us today. As you know, we have been to Ballarat with this committee twice and have had many submissions both written and verbal. They have been particularly poignant, and it has been bad across Victoria but I would have to suggest Ballarat is almost the worst of all.

On the back of what Mr McGuire was just asking you, could I ask individually: do you believe that paedophiles can be cured?

**Bishop CONNORS** — From my little limited study of the matter and listening to experts, I would say they cannot be cured.

**Mrs COOTE** — And Bishop Bird?

**Bishop BIRD** — I do not think so either. It seems that it used to be considered the case. You had places that were offering therapy, but I do not know whether that is the case generally in the expert view now.

**Mrs COOTE** — Would that be the church's point of view at the moment?

**Bishop BIRD** — I could say that as far as action is concerned, it is on the presumption that the person who has offended will not be given responsibility any further.

**Bishop CONNORS** — As an example, I had a priest who committed a homosexual act with a man who was over 18. I took him out of ministry, put him through Encompass, a therapy course, for 12 months. At the end I said to the director, 'Can I put him back into ministry with the assurance it will not happen again?'. The reply was, 'I could not possibly give you that assurance'; so I never put him back into ministry again.

**Mrs COOTE** — Thank you, but it was not really the line of questioning I wanted to question you on. I just wanted that clarification on the back of what Mr McGuire was asking.

Bishop Connors, you alluded before to a document but you were uncertain of what its title became, which you said was the forerunner of Towards Healing. The document is intended 'for bishops and major superiors and superiors only' and is entitled *Australian Catholic Bishops Conference Special Issues Subcommittee — Protocol for dealing with Allegations of Criminal Behaviour*, and the plenary meeting was in April 1992. It would seem that you have suggested that it was the pre-emptor of Towards Healing.

I would like to go through some of the aspects of that document to see what was in fact taken on with Towards Healing and what was neglected. I am particularly concerned with a number of the attitudes through this document, which I think send very concerning directions. I will read some of those — for example, in paragraph 3 it says:

Bishops have duties and responsibilities to their priests, religious, and all of Christ's faithful according to natural justice and canon law. They have a responsibility to protect the good reputation of individuals and the church as a whole. They have a special concern for the victims of injustice and those who are vulnerable.

I think that is commendable. Then it says —

... as well, the rights of all Christ's faithful and the good of the whole church.

Superiors ...

It goes on to say frequently 'for the good of the whole church'.

In paragraph 4, 'Values to be promoted', it says:

In dealing with the allegations of criminal behaviour against the accused, the competent ecclesiastical authority is obliged to take into account and preserve various values.

And one of those values is:

To act so as to prevent or remedy scandal.

It then goes on to say in paragraph 5, 'Resources', that there is to be a person managing contact with the media.

Then in paragraph 5.5 it says:

The provincial council and the relevant major superiors and superiors, shall nominate a spokesperson(s) who shall be the only authorised person(s) available to comment to the media on behalf of the ... ecclesiastical organisation.

Then it goes on more concerningly under 'Preliminary investigations' in paragraph 7.3:

No admissions should be made to the complainant or victim, or any other person that

... the accused is guilty

... that there is any liability in damages ...

It goes on along those lines. All the way through this document it is to support the church, the church's reputation, the reputation of the priests, and the victims become very much a secondary issue all the way through this document. So can I ask you, if this is the pre-emptor of Towards Healing, what has changed?

**Bishop BIRD** — I would say that the focus is now on the victims, and that is fairly clear in the Towards Healing document, which was five years later.

**Bishop CONNORS** — That is a very defensive approach, and I think it was due to the fact that the church was listening to insurers and lawyers who were saying 'Admit nothing' and at that stage 'Never say you are sorry'. I think that was the difficulty for bishops, because they were taking the wrong advice never to meet with victims and never to admit something had happened.

**Mrs COOTE** — We have had evidence continually in this inquiry to suggest that it is still the case. Is that still the direction of Towards Healing and the Catholic Church today?

**Bishop CONNORS** — Certainly not.

**Bishop BIRD** — No.

**Mrs COOTE** — Why do you suspect people are continuing to say this?

**Bishop BIRD** — I do not know.

**Mrs COOTE** — Can I ask you then is the taking of special issues insurance directly linked to this protocol? Is this attitude of 'Protect the church', 'Say nothing', 'Don't admit that you're guilty' still inculcated in today's Catholic Church Insurances Ltd?

**Bishop CONNORS** — Not with Catholic Church Insurances. Very few of the cases I have dealt with have been Catholic Church Insurance matters, because as I say Ridsdale matters were disqualified. He was disqualified from any cover — I wish it was — but for incidents after 1975.

**Mrs COOTE** — In the document that I have just read, and there are many elements of that that I did not have time to read, could you tell me what are the aspects that Towards Healing did take on?

**Bishop BIRD** — Sorry; off the top of my head I cannot answer that question in comparing the two documents.

**Mrs COOTE** — Bishop Connors?

**Bishop CONNORS** — Well, it commences very much by a statement from the bishops, saying that they apologise to the victims of assault against minors by Catholic Church personnel. It is very clear at the start. And

it has been very much the approach adopted by myself in dealing with victims to apologise unreservedly. Twice I have made statements to the diocese expressing my distress at what I have learnt, the horrible things that happened to victims, and apologising and assuring the diocese I will do everything possible to make sure that it does not happen again.

**Mrs COOTE** — Given that this document was done in 1992 and Bishop Mulkearns would have been the bishop at the time, would he have abided with the rules here in this document, about not admitting any guilt, protecting the church's reputation at all costs, making quite certain that the priests themselves were protected and that the victims were a secondary item? Would that have been what his directions were at the time?

**Bishop CONNORS** — I would imagine so, but I cannot really be sure, because I have never discussed his administration with him, except that I said to him, 'Is there any matter that you should bring to my attention?', with just the one particular priest. That was all he said to me. I thought, 'Well, he's retired' — before time because he is obviously just overburdened by all of this and he wanted to leave the diocese. I thought I should take over the diocese and leave him alone. I did not want to worry him anymore and I had enough cases — as I could realise very soon — to deal with, and I very soon met with victims and saw the horrible effect on those victims.

**Mrs COOTE** — With all due respect, should you not, as church members, have made certain that Bishop Mulkearns faced it all the way through, instead of retiring and taking an easy option? Would that not have been a Christian thing to have done?

**Bishop CONNORS** — I dare say he took advice from his peers and from his doctors.

**Mrs COOTE** — Can I go back, then, to this document, which is from the Australian Catholic Bishops Conference? If there were to be a bishops conference today — in fact, I think there is one coming up that you are attending and that we tried to fit you in within that — —

**Bishop BIRD** — Before and after, yes.

**Mrs COOTE** — you would take note of what that bishops conference directs. Is the understanding that that is how it works? If there were to be a similar document put out today, you would adhere to that. Therefore you could possibly assume that Mulkearns was adhering to all of these?

**Bishop BIRD** — Yes. For example, in relation to not admitting guilt before it had been demonstrated, yes. It was his time and that would have been reflecting, I think, the general approach amongst the Catholic bishops in 1992.

**Mrs COOTE** — You have said, then, that Towards Healing used this as a document, as we have suggested?

**Bishop BIRD** — No, I said that that was the precursor. There is significant difference now, certainly, from what you have explained as far as admitting offences, focusing on the victim and being ready to offer help to the victim, so that the focus of attention has certainly changed from that time, when there was a good deal of focus on protecting reputations.

**Mrs COOTE** — What do you think made the change?

**Bishop BIRD** — Perhaps the distress that everyone felt at learning of the crimes. I think that that could hardly not touch anyone, once crimes like this became a lot more widely known and particularly, of course, it was 1993, I think, so it was after that document that the beginnings of the investigation into Gerald Ridsdale were under way and you began to have court cases about him.

**Bishop CONNORS** — I think that we should also say that Bishop Geoffrey Robinson\* took over that portfolio at the conference and we owe him a tremendous debt of gratitude for what he achieved.

**Mrs COOTE** — In what way?

**Bishop CONNORS** — In the way that he redressed those criticisms which you have already made, so he worked towards the development of principles of Towards Healing, which are now in vogue. They have been

revised over the years, but the *Towards Healing* document that we are now using is due very much to the insights, the experience and the concerns of Bishop Geoffrey Robinson.

**Mrs COOTE** — May I ask you one last question. That is: given that you are a Christian church and obviously victims are very important, do you both think that Bishop Mulkearns did the right thing?

**Bishop BIRD** — I think he made terrible mistakes.

**Bishop CONNORS** — Absolutely.

**Mrs COOTE** — What would happen today, if that were the case?

**Bishop CONNORS** — I cannot see how a bishop could possibly do the things that Bishop Mulkearns did in his own time today.

**Mrs COOTE** — Thank you both very much.

**Ms HALFPENNY** — As you know, there has been a lot of criticism that the church has not, I guess, taken this sort of abuse and criminal rape of children and so on seriously enough. I just make the point that when Frank McGuire was talking to you, Bishop Bird, about a question of the fact that virgin religious had raped children and there was all sorts of abuse, you emphasised the abuse rather than the rape. Do you accept that these were criminal activities that involved most horrendous crimes against children?

**Bishop BIRD** — Yes, I do, and sadly I have heard some details about some of them, in meeting with victims.

**Ms HALFPENNY** — In terms of *Towards Healing* and there having been a change of focus more onto the victim, we have heard a lot of evidence from victims to say that they were not happy with the *Towards Healing* approach. They felt that it was not supportive enough, and the fact that it was connected to the church aroused their suspicions. In the interests of victims, would you also support the establishment of an independent redress scheme that the church would contribute to, rather than one that was run by yourselves?

**Bishop BIRD** — There may be a couple of points there. First of all, the efforts that have been made, I think, locally to attend to victims are important, but if there were a government-managed redress scheme, that may well be a good way of helping victims. Insofar as the diocese of Ballarat would be able to help with that I would be willing to consider that, certainly, yes. So that is in response to the final part of your comments there.

**Ms HALFPENNY** — Thank you. Also I guess in terms of what you are saying and the response of the Ballarat diocese to what has happened, it seems the extent of the abuse and the number of people involved is incredible.

**Bishop BIRD** — Very high.

**Ms HALFPENNY** — Appallingly high in that Ballarat diocese. What has been the response of the hierarchy — people such as yourself — in terms of supporting the communities that have been affected so badly?

**Bishop BIRD** — I am sure Bishop Connors can speak about it. I have had six months in the role. In that time I have visited quite a lot of communities and I have been very saddened by the number of times that people have referred to the hurt that so many have suffered. I suppose that is one way, by providing a listening ear and providing some care in a personal way, that one can help the community. But I am hoping — as I plan to mention in my closing statement, one particular group of parishioners in several parishes is hoping to develop a more coherent caring for victims and families in the Ballarat diocese. But I do recognise that the communities of the parishes certainly need help to cope with these crimes that have been committed in their midst.

**Ms HALFPENNY** — When will that happen? From what the committee heard from people living in the area — where they had tried to perhaps call community meetings or organise people for the church to reach out to, to bring people in so that church members can talk to them, support them or encourage others to come forward — the claims are that none of that has happened.

**Bishop BIRD** — On that, if I am thinking of a particular group, I have met twice with that group and they are in the process of filtering, as it were, the various suggestions of ways in which people who need help can be helped. They have been able to offer some assistance but it is not fully developed yet.

**Ms HALFPENNY** — You probably know Ms Ryan, who gave evidence. I think you might have made reference to her. I just want to read out a bit of her evidence and maybe ask you to respond. She was a teacher in Catholic schools at the time and she said:

I come to speak for the boys I taught, whilst being unaware of the dire situation many of them were in at the time. I am their voice, seeking a hearing, being believed, achieving some degree of justice at last, seeking empathy for their struggles as they live their lives amongst family and friends. The years from 1982 to 1997 were personally fraught with anguish, calling for help from the church authorities — namely, the bishop of the diocese, the diocesan pastoral council, the council of priests, the special issues committee — through letters, personal visits, participation in diocesan planning and events. It was a call to challenge, and begging almost, but the responses were devoid of genuine feeling for the victims.

I need to ask again: why did the bishop, the council of priests, the special issues committee, the diocesan pastoral council — all the representative bodies of the people of Ballarat diocese — not hear the depth and enormity of what was taking place?

Now here was an individual that did know at that time obviously and was raising the issue. It was not a hidden issue. What happened? Why was there no response?

**Bishop CONNORS** — I am not being defensive at all on this matter because of the fact that I found it very difficult as a bishop to be able to let people feel happy in my presence. I never wear this clerical collar when meeting a victim because this is a symbol of the church and it just threatens them, so I take it away. I went to Mildura when I first came to the diocese because there was a horrible situation in Mildura. A parish priest who was then deceased had offended badly — I learnt that afterwards. I went to a communal meeting and I met with some victims. I then went to a similar gathering in Swan Hill and a similar one in Warrnambool, but I found that those who came to those meetings were distressed parishioners, sometimes family members, but hardly ever did a victim come to those kinds of meetings.

Then I do not know how many were involved, but it was certainly after Anne Ryan wrote that letter, I met with a group of concerned parishioners in Mortlake. Once again, as I said, there are many, many victims — young men — in Mortlake, but none of them came to the meeting but their parents and friends came to the meeting.

**Ms HALFPENNY** — I think she was also talking about the issue of the general community, not just the individuals. I think that was the point.

**Bishop CONNORS** — I think they were confused as well about what was happening. It took bishops all up quite a while to understand the nature of the problem and I think they felt frustrated, but it is pleasing to note, as Bishop Bird has said, that people are now coming forward to form support groups. We have not responded in an adequate manner to what the situation was but, as I say, I have been to those meetings but I always felt that they were counterproductive to some extent.

**Ms HALFPENNY** — In terms of the schools within the Ballarat diocese, is there any change in procedures in terms of parish priests? My understanding is that the parish priest is actually the sort of controller of the school. They hire and fire the principal, for example. They are the ones that renew or choose not to renew the contracts. What are the systems in place now?

**Bishop BIRD** — I think in summary I would say there are the protocols for how people behave in all the schools, and that applies to everyone — teachers, visitors, parish priests — in relation to their dealings with children, even the person who is the director, in a sense, of the school as the parish priest. Everyone must follow the procedures — for example, about being sure to have another adult present if you are speaking with a child.

**Ms HALFPENNY** — When did this start?

**Bishop BIRD** — This has been part of — 2004, I think, the policy was put in a document — —

**Bishop CONNORS** — *Integrity in Ministry*.

**Bishop BIRD** — *Integrity in Ministry* was the name of the document, applying particularly to priests and religious. More recently there has been a broader document, *Integrity in the Service of the Church*, which refers to employees and volunteers, as well as to priests and religious.

**Ms HALFPENNY** — Yes, but I think it is more about, then, the monitoring. Who do you report to? Where does it go? If the priest is in a position of power, where does, say, the principal go if a teacher reports them? I think it is more about the independence — what is the monitoring situation, rather than a bit of paper on the noticeboard?

**Bishop BIRD** — I think teachers, of course, now are obliged — if they come to any view that there is a possibility of offence against a child, they are obliged to report that to the Department of Human Services.

**Ms HALFPENNY** — To the principal in most cases, I think, is the protocol.

**Bishop BIRD** — Or to the Department of Human Services, is it, directly — teachers themselves are required to report that.

**Ms HALFPENNY** — We have had some presentations to the committee from teachers, and I know there has been some challenging or whatever of certain aspects of that, but there have clearly been a number of teachers or former teachers within the Catholic system who have come before us and raised concerns when they have tried to report an incident.

**Bishop BIRD** — If there were an incident at a school, it should be reported to the bishop or directly to the office of professional standards Victoria, as far as the Catholic Church is concerned. I think it should be reported to the government organisations as far as the civil authorities are concerned.

**Ms HALFPENNY** — As I understand, in New South Wales, for example, it is the dioceses that run schools rather than the individual parish priests. Is that correct?

**Bishop BIRD** — I think there are different systems. There are several systems, including sometimes that religious orders will be in charge of schools, but it may vary between the states.

**The CHAIR** — I think you are referring to the mandatory reporting that teachers are obliged to undertake if they suspect abuse on a child. Is that right?

**Bishop BIRD** — That is what I am referring to, yes.

**The CHAIR** — Does Bishop Bird's answer clarify your point, Ms Halfpenny?

**Ms HALFPENNY** — I was just asking further about how it actually works and the monitoring, but I do not think you have really answered on the monitoring; it was more about the mandatory reporting requirements.

**Bishop BIRD** — I suppose by way of monitoring — if, say, the principal becomes aware of any problem at the school, then they would report both probably to the director of Catholic education, who would report it to me as far as the Catholic Church lines of communication are concerned — —

**Ms HALFPENNY** — And you have had nothing reported to you since becoming the bishop?

**Bishop BIRD** — I have not, no.

**Ms HALFPENNY** — Thank you.

**Bishop CONNORS** — And I might say that I have had no complaints made to me over the last 15 years.

**Mr O'BRIEN** — Thank you, Your Graces, for coming before us. I was just intrigued by an answer you gave to, I think, two questions, Bishop Connors, where you said from discussions with Mulkearns — Bishop Mulkearns, who is not before us — he had awareness of one particular priest. Can I ask you who that priest was and what the nature was of Mulkearns's discussions with you?

**Bishop CONNORS** — He did not tell me anything other than the fact that he was concerned about the priest. I received an allegation several years later about the priest, and I followed Towards Healing procedures

on that. I found that the complaint was unsubstantiated, but I made a partial response to the victim, and I made a financial contribution to her assistance.

**Mr O'BRIEN** — If the priest's name is not on the public record, I will not ask you to name him now, but we might seek those details at a separate time. One priest you have not mentioned in your latest summary that I thought you might have been referring to was a priest by the name of Father Paul David Ryan. Certainly, whatever you answered in relation to the nature of Gerald Ridsdale's activities to Mr Frank McGuire's questions, it cannot be said that Mulkearns was ignorant of the matters in relation to Ryan, can it?

**Bishop BIRD** — No.

**Mr O'BRIEN** — And in that regard would you admit that this is, in relation to the behaviour of both Mulkearns and Ryan, a serious, terrible mistake, at its best? I have a number of propositions I would like to put to you, and I also have some documents because we do not have Mulkearns before us. So, picking up your phrase, these documents will be necessary to substantiate some of these propositions.

Can I just ask you to give me yes or no answers in relation to this series of propositions I would like to put you in relation to the behaviour of the church in relation to Paul David Ryan? Perhaps Bishop Connors goes first, and if Bishop Bird wishes to add as well or disagree, I am happy with that, but procedurally there are a number of them. Firstly, would you agree that there was an awareness of Ryan's sexual problems from early times and of their persistent nature?

**Bishop CONNORS** — Yes.

**Mr O'BRIEN** — Would you agree that there was an awareness of the risk to children?

**Bishop CONNORS** — At the time of ordination, with children, I am not sure.

**Mr O'BRIEN** — Or from early times, and I will include adolescents in that definition.

**Bishop CONNORS** — Adolescents. Homosexual acting out with his peers — that was certainly on the record when he was ordained in the early years.

**Mr O'BRIEN** — All right, so you will qualify it to homosexual — to his peers. We will go to the documents. Would you agree that there was a willingness by the church, through Bishop Mulkearns, to be duplicitous about the issue and in advising people of the true nature of Ryan's movement around the church?

**Bishop CONNORS** — From my reading of the documentation, he sent Paul David Ryan to America very soon after ordination for therapy, which I do not think he was faithful in carrying out, the therapy. He commenced studies, he came backwards and forwards to the diocese, but the actual information that Bishop Mulkearns had, I am not sure of the details, but it was backwards and forwards over a number of years.

**Mr O'BRIEN** — Do you know what I mean by duplicity, where there were secret reasons or unstated reasons and reasons that would deal not just with the therapy but also the reputation of either Ryan or the church through Ryan?

**Bishop CONNORS** — There may well be, but I cannot comment. I was not there.

**Mr O'BRIEN** — I will go to the documents on that. There was a persistent course of conduct in not warning people; do you agree with that? I am meaning relevant parishioners, other countries.

**Bishop CONNORS** — There might well have been. I cannot comment.

**Mr O'BRIEN** — All right. There was a persistent behaviour in relation to seeking to retain a priest even when it was clear that he was a high risk and was not being honest about his problems?

**Bishop CONNORS** — He appointed him parish priest of Penshurst, and I do not know how much knowledge he had of the likelihood of Paul David Ryan offending. He may well have had a report about a problem at the school at Warrnambool, but as I say, I just have not got the facts.

**Mr O'BRIEN** — Do you agree or not that there was a persistent behaviour in seeking to retain him, even though it was clear he was a high risk, be it at Penshurst or at other places? There was a persistent willingness even to disregard the risk of further offending; do you agree with that?

**Bishop CONNORS** — Yes, I do.

**Mr O'BRIEN** — There was a persistent disregard for the interests of victims; do you agree with that in the whole scheme of things?

**Bishop CONNORS** — Yes. I think he was naive about it all.

**Mr O'BRIEN** — There was no action to bring this offending priest — and you have made the comments in relation to Gerard Ridsdale — taken by Mulkearns or the church to account for his criminal behaviour; do you agree with that?

**Bishop CONNORS** — Yes.

**Mr O'BRIEN** — There was a persistent course of conduct exhibited by the Roman Catholic Church in Ballarat in shifting a problem priest?

**Bishop CONNORS** — Certainly Bishop Mulkearns was the one who made the decisions, and in the light of experience certainly a lot of harm was caused to victims. I have met with the mother of one victim who committed suicide.

**Mr O'BRIEN** — I will go to that in a while, if you do not mind — that is the Watsons. She has given evidence to our committee.

**Bishop CONNORS** — That is right.

**Mr O'BRIEN** — One of the things that she has asked about — I will go to this point — is that there has not been an explanation as to how this persistent problem or course of conduct was able to occur. Yes, you have apologised to her, Bishop Connors, but there has not been for her or any of the other victims, and indeed the state of Victoria, any investigation or detailed explanation as to how a priest such as Ryan could have been shifted around, has there?

**Bishop CONNORS** — No. I do not know all the facts. I have read the documentation that is there, and there are so many documents dealing with Paul David Ryan. I met with the parents and the individual young man who was offended against at Penshurst, and another victim at Penshurst. In the case of Mrs Watson, I referred her straightaway to a detective from Warrnambool, Colin Ryan. He came to meet her in my office. I gave him documentation that I had. I assisted also with the burial of her son in consecrated ground up at Ararat.

**Mr O'BRIEN** — I just want to confirm that in all of that there has not been cause for you as Bishop of Ballarat or any other person in the hierarchy to undertake an independent — if it is undertaken by the police — or separate public process to investigate how this terrible state of affairs came to pass?

**Bishop CONNORS** — No.

**Mr O'BRIEN** — All right. The final proposition I put to you before I go to the documents is that the church has effectively, by its defaults in this instance, facilitated the commission of criminal offences against child victims of sexual assault by providing a known offending priest with positions which allowed him to continue his offending once it was known. Do you agree with that?

**Bishop CONNORS** — I agree with that.

**Mr O'BRIEN** — All right. If I could just go to some of the documents to make out the propositions that you were not so sure of. I have provided these documents, and

you will see at the top corner there is a page number A20. If I could take you to the first one, which is a letter from the Bishop of Ballarat, which would be Mulkearns, dated 6 May 1991 to Father Paul David Ryan at the Catholic presbytery in Penshurst. I should place on record that I am very familiar with that area and some of

these circumstances, but I will proceed with my questioning from the documents. I wish to take you to the highlighted second paragraph where Bishop Mulkearns says this:

I also want to address the other question which you raised in your letter advising me of your willingness to go to Ararat, and that is the question of your eligibility for any other appointments which might arise following initial discussions at the meeting of the consultants and personnel board tomorrow. I would like to stress the fact that I certainly hope that you will be eligible for an appointment in the diocese later on.

We will get to what extent of knowledge Mulkearns had at this point, but that is his proposition there.

However, I do not think that it would be appropriate for you to accept one immediately. You will be aware that the people who brought to my attention the particular incident which led to our discussions were most understanding about the situation but were given to understand that some positive action would be taken in the interests of all concerned.

Finally, it goes to this point:

Were you simply to be appointed to another parish it would not appear to them that any such action has been taken. I am sure that there would be a legitimate expectation that a period of counselling would intervene.

Just to conclude this point, over the page it says:

In conveying these ideas, I am not in any way attempting to disown you or to dampen your enthusiasm for effectively working in the diocese in the future. But I do think that we have to take some steps which are and which are seen to be appropriate in the present circumstances and trust that this will lead to a much more satisfying future in ministry.

Do you accept that in that letter there is an element of appearances over actually seeking to substantively cure this priest as is claimed?

**Bishop CONNORS** — (Inaudible)

**Mr O'BRIEN** — I think that was 'Absolutely', did you say? Can you speak up a bit?

**Bishop CONNORS** — I am just reading what Bishop Mulkearns has done. I think he was being very naive. He has wasted so much time. This man should never have been ordained a priest, and I think he has been trying to help him for so long, and he has taken steps which really were not going to make him a suitable man for ministry.

**Mr O'BRIEN** — But the proposition I put to you earlier, without seeing this document — I think you were nodding and said 'Absolutely', but I just want to confirm that for the record — was that in a sense he was being duplicitous as to the real reasons.

**Bishop CONNORS** — It would seem to be.

**Mr O'BRIEN** — I will take you to some other documents. That document was dated 6 May 1991, and it refers to the discussions that occurred with the resignation from Peshurst. Are you aware of what those discussions entailed between Mulkearns and Ryan? That document talks about a willingness to go to Ararat. Are you aware that that is where, in a sense, Peter Watson was abused, for which you have apologised, sometime in 1991? I am not sure if the parents can remember precisely, but sometime in 1991. Are you aware of that link of events?

**Bishop CONNORS** — Mr Watson came to discuss the fact that Paul David Ryan was living in the presbytery at Ararat, and that was when the offence took place.

**Mr O'BRIEN** — Would you agree with the proposition that if at this time — and there was already a significant history, which I will take you to shortly, but at this critical juncture — Mulkearns had referred the allegations brought to him about Ryan's abuse in Peshurst, which gave rise to the resignation, to the proper authorities, in all probability Peter Watson may not have been abused?

**Bishop CONNORS** — Correct. That would be the case.

**Mr O'BRIEN** — And for which are you aware he suffered psychiatric problems and eventually took his own life?

**Bishop CONNORS** — It happened before I came to the diocese, of course.

**Mr O'BRIEN** — Do you also agree that the document shows ongoing support for Paul David Ryan that was exhibited by Mulkearns, in a sense, whatever he could throw up?

**Bishop CONNORS** — Yes.

**Mr O'BRIEN** — Are you aware of the reasons for that continuing support — apart from naivety, as you say? Was there something more to it?

**Bishop CONNORS** — I do not think so. I think it was just a great concern for an individual priest over the concern for victims that he should have shown more concern for.

**Mr O'BRIEN** — Just in relation to these documents that we have, they are not complete. This may be a matter for you, Bishop Bird, as well. I will get you to go to document A34, which is behind one of the tabs. It seems to be a note from Brian V. F., which is Finnegan, saying at the conclusion to 'Dear Paul', who I take to be Paul Noonan, but I am not sure:

The enclosed may be of interest — destroy when read.

That is the very last handwritten note. Do you agree with that?

**Bishop CONNORS** — Yes; 'The enclosed may be of interest — destroy when read'.

**Mr O'BRIEN** — I do not know what the 'enclosed' is, but the 'destroy when read' component, is that part of the modus operandi of the church at the time, certainly Mulkearns, in that you did not want this stuff written down or, if you did write it down, you wanted it destroyed as much as possible?

**Bishop CONNORS** — I think somewhere you will see where Bishop Mulkearns did destroy the report given to him by that psychologist in the case that took him out of Inglewood. I think he also destroyed a report that came back from the institute in the United States, which Ridsdale attended. So he did destroy some documents.

**Mr O'BRIEN** — And in relation to Ryan, I will proceed to go through some of these documents as quickly as I can. If I could take you to A1, which is the first document, it is a letter dated 4 November 1971, again from the Bishop of Adelaide, Gleeson, to His Lordship, the Most Reverend R. Mulkearns. In the second paragraph it says:

As you already know Paul was encouraged to leave the seminary. About the time of his ordination this year, he made a special approach to me seeking his readmittance, but I was unwilling to approve of this.

Do you know what is referred to there where it says, 'As you already know'?

**Bishop CONNORS** — I do not know; I can only surmise.

**Mr O'BRIEN** — It says:

While I do not ... wish to place a 'black ban' ...

Could you tell us what you could surmise?

**Bishop CONNORS** — Acting in a homosexual manner in the seminary.

**Mr O'BRIEN** — All right. And there is reference to that behaviour further on. If I could take you to document A2. There is a reference in the second-last paragraph to a Father O'Donnell, OMJ. Do you know who that might be? I know there are a number of O'Donnells.

**Bishop CONNORS** — I think he was an ordained priest who was certainly a spiritual director, but I think a qualified psychologist.

**Mr O'BRIEN** — It was not Kevin O'Donnell?

**Bishop CONNORS** — No.

**Mr O'BRIEN** — Thank you. Can you just read the concluding paragraph of that document, which is dated 7 November 1971, again to Mulkearns from the seminary?

**Bishop CONNORS** — It says:

Personally I feel that Paul improved a great deal in many ways over the last six months with us. He has many good qualities and may be worth a new trial. I would be extremely doubtful as to his making a suitable priest.

**Mr O'BRIEN** — Yes. If I could then go to the next document at A3, which is from the Archdiocese of Ballarat. It is a handwritten note from John Chambers to Reverend Mulkearns. Again, you might be able to interpret the handwriting a bit better than me, but if you could just read the start of that letter — the first paragraph — Bishop Connors?

**Bishop CONNORS** — It says:

Thank you for your letter re Paul Ryan. Please forgive this delayed reply owing to work I was committed to and to the thinking your letter provoked re Paul.

**Mr O'BRIEN** — And the next sentence, if you could.

**Bishop CONNORS** — It says:

I hope these inadequate lines will be some help, because I would rather talk about Paul than write about him.

**Mr O'BRIEN** — Can I just pause you there? Is that part of this *modus operandi* that may have existed, which Mrs Coote touched upon, where these things were to be hushed up to avoid scandal?

**Bishop CONNORS** — Well, I am — —

**Mr O'BRIEN** — You are forced to speculate, but given your time in the church, is it consistent with that?

**Bishop CONNORS** — I would never have dreamt of taking that man on for ordination, with those kinds of comments made about him.

**Mr O'BRIEN** — I think you will be saying that — —

**Bishop CONNORS** — I think Bishop Mulkearns would say now he made some horrible mistakes in taking men on for priesthood who were rejected from other seminaries.

**Mr O'BRIEN** — Have you been through these types of documents before? Are these documents new to you, or have you seen these documents?

**Bishop CONNORS** — These documents I have not seen.

**Mr O'BRIEN** — You have not seen these?

**Bishop CONNORS** — No.

**Mr O'BRIEN** — All right. So what you said earlier, I put to you, you may well be thinking that manifold by the time you go through them. You might not have time today, but we can see where we go.

Could I just get you to read on, where it says:

... however, I can only leave you with a dilemma, though by now you probably have the pieces missing to me that would enable you to solve that dilemma. These missing pieces are the real grounds on which Father Rochester, his spiritual director, advised Paul to leave.

Do you see that? And it is underlined by the author, 'real grounds', as I understand it.

**Bishop CONNORS** — It says:

These missing pieces are the real grounds on which Father ... his spiritual director, advised Paul to leave. I respect Father Rochester's judgement, and I respect Father O'Donnell's psychological assessments which apparently confirmed Father Rochester's judgement — but without those pieces I cannot give a black and white assessment of Paul and his suitability for the priesthood.

**Mr O'BRIEN** — You alluded to an incident. Are you aware what those missing pieces might have been?

**Bishop CONNORS** — No, I do not.

**Mr O'BRIEN** — If I can just take you to the next document. I will skip a few and go to A9. You say you are not aware of and have not seen these documents. Can I ask again: why have you as bishop — and I ask you, Bishop Bird, if you can answer as well — and why has the church not sought to interview the relevant people to try to answer some of these questions that I have now been able to put to you from the documents that arise from the very face of the documents themselves?

**Bishop CONNORS** — When Paul David Ryan was imprisoned I endeavoured to see him. I know Bishop Mulkearns endeavoured to get Paul David Ryan to sign a petition for laicisation, but he did not sign that petition. That was before he was arrested and convicted and imprisoned. My endeavour would be to make contact with him to finalise a process by having him reduced to the lay state. Presently I do not know where he is. He is somewhere, I think, in Western Australia, but I do not know exactly where he is.

**Mr O'BRIEN** — That was a question I had for later on, which I might skip to. That was how I read the documents: he has not been laicised, notwithstanding that this was — —

**Bishop CONNORS** — No.

**Mr O'BRIEN** — What about excommunicated?

**Bishop BIRD** — No. His licence to act as a priest has been taken away, so he cannot act as a priest.

**Mr O'BRIEN** — We have heard very clear evidence in relation to breach of the confessional that breaching a confessional, including taking information from the confessional and using it in an improper way, is grounds for excommunication. You would be aware, and I can take you to the documents, that one of the allegations in relation to one of the victims arises from grooming by Paul Ryan in the confessional. So why has he not been excommunicated for breaching the sacred ground of the confessional?

**Bishop CONNORS** — I would have to go through a canonical process of getting evidence, and I would be expected to interrogate Paul David Ryan.

**Mr O'BRIEN** — I will continue back through the documents, but that will save us some time down the track, because these are the questions that remain for very many committed parishioners, as to whether the Catholic Church is really facing the truth if they are prepared to essentially leave a priest like David Ryan on their books just because they cannot find him.

**Bishop CONNORS** — He is no longer on our books as regards any directory, and his faculty has been taken away. He is no longer able to celebrate marriages in the name of the church. In other words, he has no longer got any recognition to be a qualified minister.

**Mr O'BRIEN** — But he has not been laicised or excommunicated. All right.

If I could just continue with some of the documents, A9. One of the things that might have come out in an investigation was Paul Ryan's relationship with other paedophile priests. Have you done any investigations in relation to that?

**Bishop CONNORS** — I can see the name 'Pickering'.

**Mr O'BRIEN** — I can too.

**Bishop CONNORS** — And that rings bells for me.

**Mr O'BRIEN** — Yes. That is why I have asked you about it, because here we have in 1976 a letter from Bishop Mulkearns to Reverend Aelred Sillem, and it says:

In the meantime Paul has received a great deal of kindness from Father Ron Pickering, with whom he is staying at present. Father Pickering is a devoted and compassionate priest, and I am sure that his influence on Paul at this time has been invaluable.

We have obviously received evidence as to what Pickering turned out to be. Has any investigation been undertaken in relation to the grooming, if that is what it was, by Pickering of Ryan at that time — however you want to call it?

**Bishop CONNORS** — It was before my time, and I certainly have not done it since I have come to the diocese.

**Mr O'BRIEN** — Would you suggest it would have been a worthwhile thing to have undertaken —

**Bishop CONNORS** — Absolutely.

**Mr O'BRIEN** — if we are trying to understand this culture of abuse?

**Bishop CONNORS** — Certainly.

**Mr O'BRIEN** — I am conscious of time, but I would like to go to another document, A12. I should say there is another reference to Pickering in A11, where Pickering is making the suggestion that Paul needs to have a deeper spiritual grounding, but I will leave that for now.

A12 is an interesting document, because a number of Catholics, including some former Catholic priests and other priests, have raised the very thorny question of celibacy, which I will discuss, and other practices in the church that maybe have contributed to or perpetuated either the problem or the cover-up in relation to the problem. One of the questions is to what extent Paul Ryan himself may have had abuse. As I read A12 — and you can tell me if I am wrong, Bishop Connors — this is a letter from, I think, Bishop Mulkearns or somebody to John Harvey. It is not Bishop Mulkearns; it is Corpus Christi College, I apologise.

At the fourth paragraph in relation to Paul Ryan, it says:

He then taught at a Catholic primary school in the north of Victoria for a year or so. During that time apparently Paul was one of the informants to the bishop about the homosexual behaviour of a priest there at the time, involving young boys!

**Bishop CONNORS** — I do not know anything about that. It is the first time I have seen it.

**Mr O'BRIEN** — Neither do I, and we do not have any way of linking that obviously without involving an investigation. But to answer my question, this is again evidence here that Paul Ryan has been aware of a priest involving young boys.

**Bishop CONNORS** — It would seem so.

**Mr O'BRIEN** — Do you accept that that is further grounds for needing to have a deeper understanding of the culture that existed at the time?

**Bishop CONNORS** — That culture, I think, did exist at the time.

**Mr O'BRIEN** — I go to some extra parts of this letter. This refers to what may be the incident you are referring to. At the top of page 3.

**Bishop CONNORS** — Page 3 of that letter?

**Mr O'BRIEN** — Yes. This is about Paul Ryan's growth through the seminary. It says:

That was the story as it appeared until mid-October last. Following our usual custom, newly ordained priests remain to complete their studies until the end of the year. Following some information it transpired that for at least the preceding 18 months Paul had been regularly involved in overt homosexual behaviour with other students. Altogether perhaps six others were involved. Mutual masturbation, massaging or exhibitionism were probably most common, but it seems that more serious acts occurred not infrequently.

Is that the incident that you are aware of that occurred in the seminary process?

**Bishop CONNORS** — That was my understanding; that was the culture at the time. I was not directly involved with the seminary, but I heard reports about what was happening in the seminary at that time. I think Cardinal Pell took over as director of the seminary and decided to change that culture — well, he had to change the culture.

**Mr O'BRIEN** — Before he decided to change the culture, is there any public investigation into that culture that he undertook, or anyone else?

**Bishop CONNORS** — I was not a bishop at the time. I presume the other bishops of the province at that time would have been concerned about the seminary, what was going on.

**Mr O'BRIEN** — We, as representatives of the public in this inquiry, see the individual cases that have gone to the courts, but we do not see any investigation into the church as to the culture that led to this, either then or now.

**Bishop BIRD** — If I might comment: you are speaking really about a review of the formation program.

**Mr O'BRIEN** — Any review that has taken place, or the results.

**Bishop BIRD** — And I think you see the results of the review, of the investigation, in the changed practices.

**Mr O'BRIEN** — I think you have changed your practices, but I have not had any evidence that you have undertaken an understanding of what the faults in your practices were. Would you agree with that?

**Bishop BIRD** — No, I would not. No, I think the changed practices reflect a better understanding.

**Mr O'BRIEN** — That is your position; I am not going to argue. Can I ask what you think, Bishop Connors? Do you think that in a sense you have changed some of your practices? You have said you have changed your practices, but you have not undertaken that full review of what happened so you can know where the real problems were, even with individuals who may still be in the community or within your church.

**Bishop CONNORS** — I would expect that there were discussions that took place with the director of the seminary at the time and the members of the staff. That would have been done by the bishops at the time. But, as I say, I have got no evidence of that. I just presume that happened, because they certainly decided to change the formation style, with far more attention given to the understanding of the requirement of celibacy and the way that they should live out their priesthood as celibates.

**Mr O'BRIEN** — I understand this can be very embarrassing for priests, for Catholics, but also very shameful for the church to face up to. I understand that, but do you understand that if it is not faced up to, you have the potential for either individuals to still remain in your organisation or the problems that led to it to occur one day into the future. Do you agree with that?

**Bishop CONNORS** — Those investigations have taken place and procedures are now set in place.

**Mr O'BRIEN** — I asked you about the seminary investigations, and you admitted that there had not been any. You referred to Cardinal Pell, and there had not been any public investigations as to what you call 'mistakes' that took place and were allowed to happen. There has not been any public investigation into what went on at the seminary.

**Bishop CONNORS** — No public investigation, but those matters, with the homosexual acting out, were not criminal.

**Mr O'BRIEN** — No. We are talking about a cultural problem, and you can see how the relationship of cover-up has led to this. If I could just go to some other parts of this letter, a few paragraphs down, in relation to Ryan, it says:

When confronted Paul was extremely, predictably, defensive. In fact, bits and pieces of information about his activities continued to filter through from other sources for weeks. Only when confronted with unmistakable, unchallengeable evidence would Paul even admit to things. One disturbing feature was an allegation that homosexual acts occurred even on the night of his ordination.

Obviously that is confronting in itself.

Paul still denies this, but I have no reason to doubt the truth of the charge.

Is this a wider problem that the church has faced as well? Could I put it to you that way: that the church has only dealt with things where it has unmistakable confronting evidence such as police convictions or admissions, rather than proactively dealing with the systemic problems that may have been out there, but to which it has turned a blind eye?

**Bishop BIRD** — I might just make one response there. I think that touches upon the fact that the church itself has ways of addressing such crimes, as well as their being addressed by the police. For many centuries, if someone were accused of such a crime, there has been a procedure to investigate the evidence about it and come to a judgement about it. So the church court can deal with that, as in the case that you mentioned, apart from any police conviction. So even if there were not any police conviction or inquiry about a particular course of action, sometimes there will be crimes — considered crimes by the church — that would be investigated within the church, but with due process for everyone's rights to be heard and evidence to be gathered.

**Mr O'BRIEN** — If I could just take you again to a further thing in that letter. I will take you to the last part of it as I am conscious of the time. It says:

For myself, I do not feel any antipathy for Paul. I suppose any resentment I may have deep down is due to the harm he may have done to some of the younger students here. Certainly a couple of very naive, innocent boys were among his accomplices, and our task here will be to assist in their rehabilitation.

That is a reference to, as it says, young boys back in 1977, which is on Mulkearns's files, again expressing doubtfulness as to the likelihood of Paul's recovery, yet that behaviour goes on.

I will just take you briefly to A13, where it says:

Paul was uneasy that Brian Finnegan, who is coming to the university, may know why Paul is in the country.

This is after he has returned from America. This is a document dated 5 August 1977.

I assured him that he had no reason for anxiety. But he replied that it would be easier if he could tell Brian in September that he was doing some special work in liturgy. In short, he is very uneasy what the clergy back in Ballarat are thinking about him, and how he will justify his long stay in America.

This is again written to Bishop Mulkearns placing on clear record activities of a cover-up or what I would call duplicitous reasoning — in other words, 'You are doing a study or enlightenment' rather than shifting or covering up. Do you accept that?

**Bishop CONNORS** — My impression was, confirmed here, that he sent Paul David Ryan over to America for therapy because of the way he acted out in the seminary, and I think the impression was given that he was also doing studies, and that is, as you say — —

**Mr O'BRIEN** — Yes, that is duplicitous. There are two reasons, and they certainly did not want to admit the shame reason — for either Ryan or the church — at the time.

**Bishop CONNORS** — Correct.

**Mr O'BRIEN** — My time is short, but if I could just go to A14. I know you are wanting to say something, but you might say it on the next one because it goes even further. It says at the bottom:

... so I am sure the Lord was somewhere in the decision to send him to the states.

In my mind that shows a minor guilty conscience of Mulkearns, where he is hoping that something good is coming out of what he is doing. I put that to you. It says further on:

... I did tell Brian the basic reason for Paul's sojourn in the states, without going into detail.

Then — and this is significant — over the page it states:

On the other hand, I suspect that there is more to the silence than that and that the priests at least know there is a problem, even if they don't know what the problem is.

This is referring to the priest back in Ballarat.

We have our annual retreats beginning next week, so I might hear more then. However, the priest in whose parish Paul worked for some time when out of the seminary before ordination did tell me that one of his parishioners remarked to him that if Paul ever appeared in Ballarat again he would have him run out of town!

This is a parishioner who has made that remark to a priest in Ballarat. We note that Paul Ryan does not get appointed to Ballarat again, does he?

**Bishop CONNORS** — I do not think so, but as I have not — —

**Mr O'BRIEN** — He gets appointed to Warrnambool, Penshurst and then to Ararat, but not to Ballarat. It seems to me that there are incidents during this time that people were aware of that then surfaced prior to his ordination, and one wonders why. The letter also states:

However, it does raise the question as to whether Paul will be able to function effectively as a priest here later.

Again, this is a question fairly on notice. I will not calculate the dates, but this is possibly prior to some of the victims even being born. This was 1997. They would have been born, but they would have been very young. We have decisions here that could have been taken but were not. That is the case, is it not?

**Bishop CONNORS** — Absolutely.

**Mr O'BRIEN** — I will go to one last document. I touched on the question of celibacy. There is a particular document here that disturbed me in relation to that. I note at A17 there is an agreement or certificate of celibacy. But more importantly at A17 there are Paul Ryan's views about married priests, which I will just very quickly read from. In a letter dated 6 August 1989 from Mulkearns to Paul Ryan, it says:

With regard to the question of the possible acceptance of a former Anglican priest who is married as a candidate for priesthood in the diocese, I noted your reservations.

It is lengthy paragraph, but at the conclusion it says:

Hence, I would certainly endeavour to make it as clear as possible that such an ordination is in no way intended to weaken the witness value of the celibate priesthood or to imply any move towards a general acceptance of married clergy.

Do you find it astonishing that Mulkearns is writing that to, effectively, a paedophile priest?

**Bishop CONNORS** — What is the particular sentence you are referring to?

**Mr O'BRIEN** — The very last sentence of the letter dated 8 August at A17. I think Bishop Bird has it.

**Bishop CONNORS** — It reads:

I would certainly endeavour to make it as clear as possible that such an ordination is in no way intended to weaken the witness value of the celibate priesthood or to imply any move towards a general acceptance of married clergy.

**Mr O'BRIEN** — Do you find it astonishing that, notwithstanding the background that at that stage was already known to Mulkearns, he is engaging in a process of effectively defending the celibacy position to Ryan, who is a paedophile? Do you see that this raises very real questions for Catholics in your community —

**Bishop CONNORS** — Surely.

**Mr O'BRIEN** — as to who is maintaining the cause for celibacy or the conservatism in the church? What do you say to that issue?

**Bishop CONNORS** — The whole problem of Paul David Ryan is one which I think was very badly handled from the outset.

**Mr O'BRIEN** — Can I say that there is another thing that has gone on here. At the same time we have a shortage of priests. Do you accept that?

**Bishop CONNORS** — Surely.

**Mr O'BRIEN** — Was it also the case that, potentially, in order to keep — and I am only giving you reasons here; I am not sure if it is true — the church going, the church effectively had to draw upon a lot of bad apples, in terms of the decreasing number of priests?

**Bishop CONNORS** — I cannot really speak for Bishop Mulkearns, but he certainly created a problem for himself by taking on and ordaining men who wanted to be priests when everybody else was saying, 'You should not ordain them'. He made a horrible mistake. I think he felt that a young man who wanted to be a priest should be ordained a priest, and that is where he made horrible mistakes.

**Mr O'BRIEN** — In relation to the reference to young boys as 'accomplices', do you think that is appropriate language, or what do you think of that now in relation to what are effectively crimes?

**Bishop CONNORS** — It is very inappropriate language.

**Mr O'BRIEN** — In relation to the shortage of priests, if I could return to Peshurst as an example that I am aware of, are you aware that in 2011 the parish being formally operated by that name effectively ceased? I should put on record my personal commendation for the work of Father Madden.

**Bishop CONNORS** — Father Madden.

**Mr O'BRIEN** — Frank Madden, and he gave me the great line from the beatitudes that I will always remember, which is what Jesus was saying when he says, 'Do what I say' is, 'Do not spin'. He was referring to politicians. Do you accept there has been some spin and mismanagement in the way this issue has been handled?

**Bishop CONNORS** — Absolutely.

**Mr O'BRIEN** — It is very un-Christ like, isn't it?

**Bishop CONNORS** — Surely.

**Mr O'BRIEN** — Do you accept that perhaps this issue of celibacy ought to be placed live back on the table if it means that a priesthood in Australia can accept either married priests from the Anglicans, or not have to resort to the problems that have occurred, assuming that is part of the problem?

**Bishop CONNORS** — It is a matter of concern for the whole church at the present time.

**Mr O'BRIEN** — Is that what you wish to say?

**Bishop CONNORS** — That is all I can say.

**The CHAIR** — As Chair, I would just like to inform you and advise members of the media and public gallery that any reference to Edenhope, which I think you referred to earlier on, will be suppressed pending further notice on order of the committee.

**Bishop CONNORS** — Thank you.

**The CHAIR** — Thank you, Bishop Connors.

**Mr WAKELING** — I thank both bishops very much for their attendance. Bishop Connors, can I firstly start by seeking confirmation that the care of children at schools within your diocese is of the utmost importance of the Ballarat diocese?

**Bishop CONNORS** — Absolutely; of supreme importance.

**Mr WAKELING** — Has that been of key importance to your diocese since it began operating?

**Bishop CONNORS** — Since I have been in the diocese I have been well aware of the protocols put in place, of the concern that staff are instructed upon their duties of mandatory reporting, and there is a whole process set in place that any kind of allegation, or any concern about the abuse of a child should be followed through very

quickly. The parents should be informed that there has been an incident and I am informed, but of course it should straightaway go to the government authority of registration of teachers.

**Mr WAKELING** — Following on from that then, if I may, Bishop Connors, do you view sexual abuse of a child, rape of a minor, as a criminal offence?

**Bishop CONNORS** — Absolutely.

**Mr WAKELING** — Has it been the view of the diocese that it always has been a criminal offence?

**Bishop CONNORS** — I do not know what has happened, say, 30 years ago, what the attitude was.

**Mr WAKELING** — You would be aware 30 years ago that the statute indicated sexual assault of a child was a criminal offence.

**Bishop CONNORS** — I think any priest who had studied moral theology would understand that while it is a sin, it certainly is a crime.

**Mr WAKELING** — So we would accept that the diocese was aware that it was a crime should it be perpetrated. Can I put it to you that your predecessor was aware that at least two priests, Father Ryan and Father Ridsdale, had perpetrated criminal activities within your diocese?

**Bishop CONNORS** — Correct.

**Mr WAKELING** — In addition to the comments and questions that were put by Mr O'Brien, can I further put it to you that the diocese not only knew of these activities, but it knew that these offending priests were being moved from parish to parish?

**Bishop CONNORS** — I think Bishop Mulkearns knew that from 1975 certainly Ridsdale was an offender? He took advice from experts. By modern standards the advice was certainly wrong. He acted according to that, but he has got to take responsibility for making the decision to give him another appointment.

**Mr WAKELING** — So we can take from that you acknowledge that the diocese was aware that two offending priests were being moved from parish to parish?

**Bishop CONNORS** — Correct.

**Mr WAKELING** — Given that admission and the further admissions you have made to Mr O'Brien and others, your earlier evidence indicated that there were at least 116 reported claims of which 107 were accepted by the church and of those 107, 67 directly related to assaults committed by Father Ridsdale; is that correct?

**Bishop CONNORS** — Correct.

**Mr WAKELING** — I am looking at page 3 of the document provided to us today that was prepared by Bishop Bird. You say in the fourth paragraph:

There is obviously a long gap between 1975, when Bishop Mulkearns first heard a complaint about Ridsdale, and 1988 when he withdrew his licence to act as a priest, and Bishop Mulkearns has stated that he operated on the basis of the common opinion of the time that dismissal should not be the first response. The preferred option was to refer the person to treatment that it was hoped would help them to correct their behaviour, and that was the option taken.

But the next line I would like to bring you to says:

It is now clear that this was a terrible mistake that led to tragic consequences.

Can I put to you, Bishop Connors, that 107 accepted claims, of which 67 related to Father Ridsdale, is more than 'a terrible mistake', but it points to a fundamental breakdown in the culture of the Ballarat diocese. It demonstrates there was an endemic culture of cover up. It was about covering up to meet the needs of the church, about covering up to meet the needs of priests and with scant regard for victims. What is your comment to that?

**Bishop CONNORS** — I have met with so many victims and heard their sad stories that they were in a situation where they knew it was so difficult to tell their parents that they had been victims. There was such a culture of trust that the priest could do no wrong. That made it very difficult for young boys particularly to tell their parents, and they were confused in their own sexuality; that Ridsdale would ply them with gifts. He was always kind to them, gave them all kinds of opportunities for excursions and gave them all kinds of gifts, but he was always grooming them for the next assault. So they were horribly confused and did not know who to tell.

How could Mortlake have so many victims without it becoming known to the police at that stage and to the bishop himself? It was only when people like Anne Ryan, the principal of the school and a local doctor approached Bishop Mulkearns that they took him out of Mortlake. That is where the greatest number of offences took place.

**Mr WAKELING** — Can I put it to you, Bishop, I think the evidence from today and the evidence that we have heard from many victims, both here in Melbourne and particularly in Ballarat, is that, whilst the actions of those two priests were horrendous, blame potentially should be sheeted home to the diocese and particularly to the actions of Bishop Mulkearns, who knew about these situations in 1975, took no action until 1988, and we now have a situation of 107 claims that you have dealt with, 67 directly relating to Ridsdale. Many of the victims are in this room and have presented evidence to us and the evidence is clear that blame should be sheeted directly back to your diocese. What do you say to that?

**Bishop CONNORS** — I accept that because the bishop at the time was in charge of the diocese and those things happened under his administration, then he has to accept responsibility.

**Mr WAKELING** — Can I take you one step further? It is not just responsibility directly with the bishop, but it is for the entire hierarchy of the Catholic Church?

**Bishop CONNORS** — The bishops of Australia have already expressed their distress at what has happened and apologised for that tremendous hurt that has been done to so many victims, both primary and secondary victims.

**Mr WAKELING** — I will take on notice that you have agreed that the diocese is responsible for those actions. Can I take it to one last comment, if I may? There is an article in today's *Australian*, in which a representative of the Catholic Church talks about today's hearings. In that article they say that people had spoken of nests of paedophiles at Salesian and St John of God institutions, whose representatives appeared before us today, and also in Ballarat, being yourselves. The quote is:

In each of those cases it will say —

it being yourselves —

nobody had that knowledge, there was no evidence of it at the time.

In light of the evidence that we have heard today, do you stand by that comment?

**Bishop CONNORS** — I would say Ridsdale acted independently of any other, as far as I know. I was told by a victim in Ballarat East that he believed there was a nest of paedophiles and at one stage Ridsdale was there, in Ballarat East, but not for very long. Most of the time he acted independently of any other paedophile.

**Mr WAKELING** — The article in the paper says that in each case you will present evidence that nobody in the Ballarat diocese had any knowledge and there was no evidence of this at any time. In light of the evidence and what you have heard today, do you stand by that comment?

**Bishop CONNORS** — I have no knowledge of a priest being involved in a nest of paedophiles in Ballarat East. If the Christian Brothers were, well, I cannot answer for them. I just do not know what happened at the time.

**Mr WAKELING** — If I may, in terms of the destroying of reports, can I ask: did Bishop Mulkearns follow advice when he was destroying those reports?

**Bishop CONNORS** — I believe he was. Certainly he was following advice on the report that came back from the United States. On the one from the police psychologist when he took him out of Inglewood, I do not think there was any advice to destroy that report, but he did destroy the report, so I am led to believe.

**Mr McGUIRE** — Bishop Connors, just to follow up on that point, are you saying that Bishop Mulkearns destroyed documents on legal advice, or of his own volition?

**Bishop CONNORS** — The one from the United States, after the therapy in the United States, was told by the therapist unit to destroy that particular report.

**Mr McGUIRE** — What about any other documents?

**Bishop CONNORS** — The one where I think he got a report from the psychologist who gave treatment to Ridsdale when he came out of Inglewood, he destroyed that on his own decision.

**Mr McGUIRE** — Just going to your admission earlier on when you said that the church was listening to insurers and lawyers and the advice was to admit nothing, what was the strategy underpinning that advice?

**Bishop CONNORS** — I do not know. The insurance people can tell you that. At the time I think it was just kind of the legal process at the time.

**Mr McGUIRE** — Was it not to limit your liability and therefore any payments?

**Bishop CONNORS** — Probably was.

**Mr McGUIRE** — That is certainly really what it was, wasn't it? So what we have now on the record before this inquiry today is systemic failure, the motive was money — do you agree?

**Bishop CONNORS** — Yes.

**Mr McGUIRE** — Then we have the destruction of documents, and now we are in the situation of being able to say that one of your earlier points was that one of the other motives was to prevent scandal. In fact has this not created the biggest possible scandal you could have had? It has cost people their lives, it has shredded the reputation of the Catholic Church, it acts totally against the teachings of the church, and at the end of the day you were trying to save the church's name, reputation and money?

**Bishop CONNORS** — That might have been the culture at the time, but I can assure you that has changed in the light of experience and the realisation of the harm that has been done to victims.

**Mr McGUIRE** — Just on where we are now, at what level should the Catholic Church take responsibility for this systemic failure?

**Bishop CONNORS** — As a group of bishops, I think the bishops have accepted that we have failed terribly in the past, and that will come out in this inquiry and also in the forthcoming royal commission.

**Mr McGUIRE** — What remedies do you suggest? Should there be a fund, looking at the damage that has been caused and the remedies that are necessary, given the facts that are now on the public record?

**Bishop CONNORS** — I have responded, on those occasions when I have met with victims, to not only extend my apology for what has happened and offered them a financial ex gratia payment.

**Mr McGUIRE** — Given the enormity of it, do you think there needs to be more done now? The people who have been victims and are now survivors who have come before us are looking for a range of different remedies, for want of a better word, as best you can: some apology, some recognition, some acknowledgement, some money, some training or some education. Is it not time for the Catholic Church to actually just put the past behind and say, 'In the best interests of the community, the church and the safety of children in the future, here's what we're going to do to make sure this never happens again'? Do you have that plan. Do you have that strategy?

**Bishop CONNORS** — I do believe I have done as much as I could in the 15 years to address some of those harms from the past. I can take some heart that there have been no complaints against a priest for any kind of

incident for the last 15 years. I have endeavoured to meet with victims to offer some assistance. I have always said to them they are welcome to come and see me again. And I have written an apology to them, which they have if they want a written apology. I do believe I have endeavoured to be sincere but I am aware of the fact that as a bishop of the diocese I am the symbol of the harm that been done to them. It is hard for them to come to me.

**Mr McGuire** — Just to finish on that though, do you think now, as you have said that Towards Healing and the Melbourne Response did fail, there is a need to do more?

**Bishop Connors** — I will leave it to my successor, but I would certainly encourage him to respond as best he can to the situation that prevails in the diocese of Ballarat.

**Bishop Bird** — If I might comment on that, I think most of the time this afternoon we have been talking about before Towards Healing, so I do not think it is accurate to say from this evidence that Towards Healing has failed. I think most of the discussion this afternoon has been about Bishop Mulkearns's time. He retired just before Towards Healing came in.

**Mr McGuire** — Just in response to that, there has been other evidence before us that says while Towards Healing was an improvement it still has major issues and its share of failures as well. So will you take that on board at least?

**Bishop Bird** — Certainly. Towards Healing has been reviewed, I think, at least three times and it has, I believe, been improved gradually, but that does not say that it is perfect yet. But I do not think the evidence that we have heard this afternoon really reflects much at all on Towards Healing because most of it has been before Towards Healing came into existence.

**The Chair** — Thank you for that answer to Mr McGuire, but the Towards Healing process was dealing with those people that I think were abused during Bishop Mulkearns's time. I think that was a reference Mr McGuire was trying to make. You made reference to a document, *Towards Understanding*, earlier in your presentation to us, Bishop Connors. It might have been you, Bishop Bird, but I am not quite sure. What is that document?

**Bishop Connors** — Which one?

**The Chair** — *Towards Understanding*. You referred to a document, *Towards Understanding*.

**Bishop Bird** — I think the only two I had referred to were *Integrity in Ministry* and *Integrity in the Service of the Church*. *Integrity in Ministry*, published in 2004, applied to priests and religious in their pastoral ministry — their professional approach to their ministry — and *Integrity in the Service of the Church*, published in 2010, applied to all ministers of the church, including lay ministers and whether employed or volunteers.

**The Chair** — Thank you. Those two documents are in *Facing the Truth*, so I may have misheard you. Thank you for that clarification.

**Mrs Coote** — I would just like to follow up on a point that Mr Wakeling raised before about a nest of paedophiles in Ballarat. We have heard significant evidence of issues at St Alipius with a number of the priests that we have spoken of today in various areas — the ones in the classroom — and my understanding was that a number of these people lived together in Ballarat in the same presbytery. Could you tell me who those people were that lived together?

**Bishop Connors** — The only offender was Gerald Ridsdale, who lived for a time in the presbytery of Ballarat East, but the others were Christian Brothers.

**Mrs Coote** — What about Best and O'Donnell? Where they living in — is it St Patrick's or St Joseph's presbytery?

**Bishop Connors** — No, the Christian Brothers would have their own monastery, their own home.

**Mrs Coote** — Right. How does it work?

**Bishop CONNORS** — They lived at St Patrick's College, I do believe, in the community of brothers and went out every day to St Alipius's in Ballarat East.

**Mrs COOTE** — My understanding is that there were a number of people that lived there at St Patrick's in the presbytery, or in the grounds of St Patrick's, presumably. What were those living arrangements? Did they live in a cottage on the site or a house or an apartment attached to the site?

**Bishop CONNORS** — There was a large community of Christian Brothers in those days who lived at St Patrick's College. They were staffing St Patrick's College but sending out brothers to teach at St Alipius's school and another school, I think, at the time, but it was before my time.

**Mrs COOTE** — That would include Best and O'Donnell at that time?

**Bishop CONNORS** — O'Donnell — the priest defendant?

**Mrs COOTE** — Yes it was. Could you tell me than what your understanding would be — if these people were paedophiles and what we know today and what you have admitted that we have all learnt since that time, there would be some understanding amongst them all if they were living so closely together about what each one was perpetrating. Can you convince me that that did not happen?

**Bishop CONNORS** — The Christian Brothers will be giving evidence before the inquiry in the coming days.

**Mrs COOTE** — I gather that George Pell was then living at the same place. Is that right?

**Bishop CONNORS** — George Pell lived at St Alipius's presbytery where the priest lived, and I am not sure whether Ridsdale lived there at the same time as George Pell.

**Mrs COOTE** — Presumably, in your understanding of how these accommodations run, if there were to be systemic child abuse, even though someone was not perpetrating the child abuse, how would they avoid learning about that?

**Bishop CONNORS** — I cannot answer for the situation when I am not aware of exactly what did happen at the time. Whether Ridsdale was there when George Pell was living at the presbytery I do not know.

**Mrs COOTE** — I think we know that George Pell did accompany Ridsdale to court, so that would imply that they had a very special relationship. Is that right?

**Bishop CONNORS** — He would certainly know him as a brother priest. He accompanied him to court, but George Pell did not give any evidence in support of Gerald Ridsdale.

**Mrs COOTE** — Is that the sort of thing that normally priests would do?

**Bishop CONNORS** — That was culture at the time, to support your brother priest.

**Mrs COOTE** — Would that be happening today?

**Bishop CONNORS** — I would think not.

**Bishop BIRD** — As we said, there have not been any recent court appearances, I suppose, to test the practice of that.

**Mrs COOTE** — If you were saying that St Alipius was a Christian Brothers school — is that right?

**Bishop CONNORS** — St Alipius school was owned by the diocese but staffed by the Christian Brothers and they lived at St Patrick's College.

**Mrs COOTE** — Therefore why was George Pell living at the presbytery at St Alipius?

**Bishop BIRD** — I think we may be not clear. The brothers were living in St Patrick's College, which is a long way away from St Alipius, which is a presbytery.

**Mrs COOTE** — Yes, I know where it is.

**Bishop BIRD** — The priests would live in the presbytery and the brothers would live in a community quite some distance away.

**Mrs COOTE** — There was only one priest living on the site at the time at St Alipius, is that right?

**Bishop BIRD** — There would have been several in those years.

**Mrs COOTE** — So, going back to the comment Mr Wakeling was making before about ‘a nest of paedophiles’ and from the evidence we have been given about St Alipius in particular, is it unreasonable to suggest that George Pell did not understand what was going on?

**Bishop CONNORS** — I believe he has been invited to give evidence to the inquiry. I leave it to him to explain how much he knew at the time.

**Mrs COOTE** — Thank you very much.

**Mr O’BRIEN** — I just want to follow the same line. You were careful how you answered in relation to Ridsdale. You had the evidence I put to you in relation to Ryan — effectively that he would be run out of Ballarat and the victim in the 70s. We are a bit surprised, frankly, as to why the church needs to make those comments. Did you authorise the church spokesman, Shane Mackinlay, to say that many victims had spoken of a nest of paedophiles at Salesian and St John of God institutions and in Ballarat and that in each of these cases it will say, ‘Nobody had that knowledge, there was no evidence of it at the time’? Did you authorise those comments to be made?

**Bishop BIRD** — No, I did not. I take them to be a commentary on some of the evidence that had been given before the inquiry.

**Mr O’BRIEN** — What about you, Bishop Connors?

**Bishop CONNORS** — I certainly did not.

**Mr O’BRIEN** — In light of the evidence of not just Ridsdale but the evidence of Paul Ryan and the Christian Brothers, and I am going to take you to the Christian Brothers in a second, do you accept that they are effectively — and I used a phrase that was not ‘a nest of paedophiles’ but the phrase ‘a cluster of paedophiles’, which is a bit of a psychological term. When you have a problem you need to look into — a cluster of diseases or something. Do you accept that that is a fair description — that there is a problem there in relation to at least the Christian Brothers, Ryan in Ballarat and Ridsdale? Those are the knowns.

**Bishop CONNORS** — I do not know the details of the investigation by the police, which they have carried out over a number of years.

**Mr O’BRIEN** — I will give you the details. If you could take yourself back in the shoes of a nine-year-old boy who has given evidence as an adult before us and the evidence you gave to us in Ballarat — a nine-year-old would not distinguish whether it was a Christian Brother or another order or a Salesian or a diocesan priest, would they, in relation to abuse? As you said, it was the people in the collars they were concerned about in relation to this description of a ‘cluster’ or a ‘nest’, and frankly I want to know why you are still fighting these sorts of labels if the evidence speaks for itself. Before I ask for an answer to that, if I could just put to you what he says:

I would ... like to make the committee aware of some facts that may not have been raised at the inquiry at this stage. Ballarat St Alipius Primary School in Victoria Street was certainly not the place to be if you were a Catholic boy going to school in the 1970s. The principal and grade 6 teacher was convicted paedophile Christian Brother Robert Charles Best. The grade 5 teacher was convicted paedophile Christian Brother Stephen Francis Farrell. The grade 5 teacher in 1971, before Farrell, was convicted paedophile Christian Brother Edward Vernon Dowlan. The grade 3 teacher was alleged paedophile Christian Brother Fitzgerald, who passed away before any charges were laid. The St Alipius Primary School chaplain and assistant Catholic priest was convicted paedophile Gerald Francis Ridsdale.

Then, to answer the question, he says:

The convicted paedophile Christian Brothers all resided at the Brothers residence at St Patrick’s College in Sturt Street.

Combined with the evidence of Ryan, at least, would you accept that there is at least a cluster of paedophiles who operate in Ballarat, be it in the Christian Brothers or in your organisation?

**Bishop CONNORS** — The Christian Brothers will give evidence before this inquiry, and they will know when those brothers were there, the precise dates they were there, whether they were all there together — I don't know.

**Mr O'BRIEN** — We are not sure what the Christian Brothers will say to us. I am asking you: do you accept the description that there was a problem with paedophiles in the Catholic Church in Ballarat in the 70s?

**Bishop BIRD** — Yes, that is what we have been saying over the last little while —

**Mr O'BRIEN** — Yes, I thought that is what — —

**Bishop BIRD** — that there has been a problem with paedophiles in Ballarat for several decades.

**Mr O'BRIEN** — And you have already accepted to me that Mulkearns was at least aware of Ryan because I took you through all those documents.

**Bishop CONNORS** — Yes, that is what we say.

**Mr O'BRIEN** — So when it says there is no evidence of knowledge at the time, do you accept that at least there is some evidence? All right, so that statement is not correct then, is it — at least as it applies to Ryan?

**Bishop CONNORS** — I did not know Ryan was in Ballarat at any stage in his ministry, but clearly I am mistaken.

**Mr O'BRIEN** — I am going off the document. I do not have Mulkearns's here that says he will be run out of Ballarat, which you read. I put it to you, I suppose as my last question and knowing that the time is here: these descriptions, whether it be semantics as to 'nest', 'cluster', 'paedophile' — don't you need to move beyond that and admit that you have not undertaken the investigations to conclude this one way or the other, so all we are left with are your memories and what documents we have, and that in the absence of that it is impossible to say that these problems are not more systemic? In other words, people are still within the organisation who either were paedophiles or knew about it?

**Bishop BIRD** — On that final point I would say it is clear to me that no-one who has been convicted is still ministering in the church.

**Mr O'BRIEN** — There is a document I did not take you to that said in relation to something else — it is not in relation to your documents, but it says proof must be beyond reasonable doubt at a conviction level. That is a hell of a difference to actually doing something — —

**Bishop BIRD** — And no-one, I would say, added to that, against whom complaints have been accepted on the balance of probabilities is still in ministry.

**Mr O'BRIEN** — And still no investigation has been undertaken.

**Bishop BIRD** — They have been investigated. That is where — —

**Mr O'BRIEN** — Individuals, but not into the culture.

**Bishop BIRD** — Well — —

**Mr O'BRIEN** — No.

**Bishop CONNORS** — The culture has changed over the last 15 years in that priests are very conscious of the way they should carry out their ministry and follow our *\*Integrity in Ministry* guidelines. Of course the trust people had for their priests — that has been destroyed. It has to be gained by priests and everyone now in ministry.

**Mr O'BRIEN** — Thank you. I have no further questions.

**The CHAIR** — Bishop Connors and Bishop Bird, thank you very much for answering the questions we have put to you this afternoon. Are there any final comments you would like to make to the committee?

**Bishop BIRD** — Yes. I would like to make a final statement.

**The CHAIR** — Thank you.

**Bishop BIRD** — First of all, thank you for the opportunity to appear at the parliamentary inquiry. Since becoming Bishop of Ballarat six months ago I have had the opportunity to meet a good number of people in Ballarat itself and many of the parishes throughout the western part of Victoria which are included in the diocese. I have been greatly encouraged by the goodwill of the communities in each place; however, I have also been very saddened to hear of the great distress caused to so many people by the abuse of children — the stress to the victims themselves, to their families, to the people of the parishes where abuse occurred and to the wider community that has been shocked by these crimes.

These crimes are the exact opposite of the teaching of Christ, especially his teaching about the respect and care that we should show towards children. On behalf of the diocese of Ballarat I offer my apologies to those who have been abused, their families and their local communities. I offer my apologies through this Parliament to the people of this state for the distress that these crimes have brought upon our whole community. I also offer my apologies for the mistakes that have been made in responding to these offences and the failure to take effective measures to ensure the safety of children.

From the time *Towards Healing* came into effect in 1997, the diocese of Ballarat has followed its procedures in responding to complaints of child abuse. I am confident that this will be clear to you in the documents from the diocesan files relating to complaints of child abuse which have been all provided to you.

The *Towards Healing* process often results in financial assistance being provided to victims. Altogether the diocese of Ballarat has provided a considerable amount of this assistance. In some cases the diocese has been able to rely on insurance, depending on the date of the offence and the date of insurance cover. In other cases the diocese has drawn directly on diocesan funds.

A number of people from various parishes in the Ballarat area have formed a support group called *Moving Towards Justice*. They seek to offer support to victims and families who have been injured as a result of abuse. Since becoming bishop I have met twice with the representatives of this group to encourage them and to discuss how the diocese of Ballarat might be able to assist them with moral and financial support. For example, the group is establishing a list of professional counsellors who could make services available in referred cases. The diocese of Ballarat would be able to contribute to the cost of such counselling.

As well as responding to those who have suffered abuse in the past, we have a responsibility to ensure the safety of children now and in the future. For example, all priests who undertake public ministry have a current working-with-children check with details held by the diocese. Parishes maintain a register of the working-with-children check details of employees and volunteers. We have also introduced codes of conduct for clergy, employees and volunteers — those documents that I have mentioned. We are committed to ensuring that these provisions continue to be rigorously applied to ensure the safety of children.

I am grateful for the opportunity which this parliamentary inquiry has provided to victims of abuse to tell their story and to the church to account for both its failures and the steps it has taken to address abuse. There have been some terrible abuses of trust among those charged with the care of children. There have also been some tragic failures among those responsible for overseeing the care of children in the church. I hope we can learn from this painful history and ensure for the future that our ministry is truly what Christian ministry should be — a service that follows the lead of Christ himself, showing respect and care for all.

**The CHAIR** — Thank you, Bishop Bird. Bishop Connors?

**Bishop CONNORS** — No. I certainly endorse all those sentiments expressed by Bishop Bird. I have been painfully aware of the tremendous harm done to individual victims, their families and friends, communities in which they live and to the whole diocese. It has been no easy task that I took on in 1997 to meet with all those victims, but to hear their stories and the horrible assaults inflicted upon them has left a painful legacy for myself but certainly for the whole diocese to deal with.

**The CHAIR** — Thank you. On behalf of the committee I thank you both very much indeed for your appearance this afternoon. We are very appreciative, and your evidence has been most helpful. Thank you. The hearing now stands adjourned.

**Committee adjourned.**