

TRANSCRIPT

FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE

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

Bendigo — 14 March 2013

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Father P. Walliker.

The CHAIR — Good morning everyone, and welcome. We are pleased to have the opportunity to be here in Bendigo to hear firsthand evidence and experiences from people in the Bendigo region. Much continues to be reported about child abuse, and I am pleased to report that our inquiry continues to make significant progress on this very important issue. We have now heard from 95 people who have given evidence at public hearings, and by the end of this week we will have heard from well over 100. Many more have preferred to give evidence confidentially to the committee, and we have received nearly 380 written submissions.

We have gathered a huge amount of material to help inform our decisions on how we can make Victoria a safer place for our children, but we are not finished and there is still much work that needs to be done and still much more evidence we need to hear. From next month we will begin to hear from representatives from organisations. We will also hear from experts who can continue to inform the committee in relation to best practice and how we can design a framework in Victoria that better protects children.

We would like to advise all present that it may be necessary in order for the statements made before the inquiry to be properly investigated and tested that publication of some or all of the evidence of any witness may have to be suppressed. I have always said our committee was focused on conducting a thorough inquiry, not a hasty one, and extending our reporting deadline to 30 September has allowed us time to hear from these people.

Thank you again for having us in Bendigo, and I will now ask our first witness to join me at the table and run through some housekeeping. In accordance with the guidelines of the hearings, I remind members of the public gallery that they cannot participate in any way in the committee's proceedings. Only officers of the Family and Community Development Committee secretariat are to approach committee members. Members of the media are also requested to observe the media guidelines. Could you all ensure that your mobile phones are turned off whilst in the gallery.

On behalf of the committee, I welcome Father Paul Walliker and thank you for your willingness to appear before this hearing. 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. This hearing today is being recorded, and you will be provided with a proof version of the transcript. Following your presentation, committee members will have a number of questions relating to your submission and the evidence that you have provided today. Again can I thank you for being before us and we look forward to hearing from you.

Fr WALLIKER — Thank you very much, Chair. I come today with two, possibly three emphases. The first emphasis goes back to my previous existence as an Anglican priest. Now I am orthodox, so people need to understand that. The first issue was primarily to do with the way that the Anglican Church had handled the issue of child sexual abuse in the past, and the fact that despite their protestations things really have not changed a lot along the way. The second issue, I suppose, to a lesser extent is the way that people who blew the whistle, so to speak, have been treated by the church, and their lack of response. Then thirdly is to highlight the fact that despite the news media and obviously this committee's existence highlighting the need for there to be protocols and for there to be provisions made by religious organisations that are working with children, this still has not occurred.

I first became involved in dealing with the victims of sexual abuse in 1977 in the western suburbs of Sydney. In those days I was doing youth work for the Baptist Church, would you believe, so I have moved across the spectrum.

Mr O'BRIEN — Very ecumenical.

Fr WALLIKER — Indeed, and I suppose the point there is that is where my first contact began. Over the years I became involved through connections with Human Services in New South Wales and working with some of their field officers in a consultative way. On the quiet it became known that if you had these sorts of issues, you could always go and see Father Paul. So in the western New South Wales communities that I worked in this was the situation.

In 1991 I moved to Victoria to take up a position within a government high school in south-western Victoria. It was at that point that I did a lot of work with children in a state government high school, for some of which I was thankful and some of which I was not. The consequence of that was that within the church it also became

known that I was a go-to person if you wanted some information, or if you wanted to know how to handle things.

The consequence of that was that in 1995 I was called by my then bishop to deal with a situation where a priest had himself been involved in an inappropriate relationship with a young person. The situation was complicated by the fact that the priest was also my local parish priest. Subsequently I found out that this priest had originally been engaged in an inappropriate relationship in his original diocese. He had been shipped out of that diocese to Melbourne and placed in a situation with his papers marked not to return to parochial ministry. That was ignored by the then archbishop, and he was subsequently appointed to a pastoral position. The parents of the young person were obviously upset. They went to the local bishop and explained that this was highly inappropriate and should not continue. The bishop agreed and the priest resigned his position.

I was given a watching brief to deal with this person and also to work with this family in the transition. I subsequently moved, and I moved into the same diocese and area in which this person had been. In the process it came to light that this priest himself had been abused by another member of clergy, that that member of clergy in fact occupied a senior position within the Anglican Church at the time and that the priest-victim was not the only one. The local bishop in this case sought confirmation of the situation from the perpetrator. He provided a written statement where he said, yes, he had done it, he had done it. The consequence of that was the bishop then demanded his immediate resignation and sought to sack him immediately. Unfortunately there was intervention from outside sources, and so the fiction was that this man retired because of ill health. He was granted six months in which to get his house in order.

The local bishop I can remember pacing up and down in his office incredibly frustrated for 10 minutes, stating: what was he going to do? The archbishop, who was also the primate at the time, knew the facts but was basically tying his hands. The perpetrator was then given a limited licence to operate as a priest within the archdiocese of Melbourne. All of this is on the public record. That then allowed the priest to continue to be able to operate with impunity. He took weddings, he took locumcies; for all intents and purposes to the wider community his health had improved slightly and he was able to do things again. In the meantime, there was this festering undercurrent of people knowing what the truth was, and a battle began — a battle which was played out over a number of years; a battle which finally took me to the point where I was personally, my reputation was being damaged by some of his supporters. And so, along with the local parish priest, we decided that something had to be done.

We approached the then local bishop, and he refused to do anything. So we came up with the answer that we needed to press charges under the Ecclesiastical Offences Act, which meant basically trying to get the man defrocked. None of his victims were prepared to come forward at that stage. We approached the then local bishop, and he said, 'Well, if that's what you want to do, you find five witnesses to do it'. The bishop himself could have pressed the charges; he did not. Instead, I was given the unenviable task of having to find five people who were prepared to put their name to a piece of paper which would be put up on the walls of the church, at their local church, saying that they were bringing charges against a man who had been the parish priest there for over 25 years. That was the situation.

The charges were pressed. It was publicised. Over the period of time I had received death threats, as had other people involved in the situation. We had gone to Victoria Police. Victoria Police, the people we were dealing with, had said, 'We can't do anything. You haven't got a victim. We can't get involved'. We said, 'What more do we need?'. I said, you know, 'I'm getting phone calls and can give you a log of when these phone calls are occurring, you can' — 'No, we can't do anything'. Finally they then acted when one of the supporters left a rather unpleasant phone message on my mobile, which also gave them the phone number. I got a pair of detectives who were prepared to act — and so began the process. The perpetrator was charged, on the basis of the admission, the victims came forward, there were further charges, and he was to face 20 charges. Unfortunately he was never brought to justice because he chose the path of non-compliance with medication. He was a type 2 diabetic, and he died of complications arising from gangrene. So there was nothing there.

In the meantime the support that we received from the diocese was zip — zero, zilch. I was frustrated at every point that I went, when I was trying to formulate the charges and bring it forward, as this was the first time in the history of the Anglican Church of Australia that this action had been taken. I needed advice, I sought advice, and initially I got help and then I was told I was not to contact these people because they may be called upon to advise the people who were going to be judging, so I could not get any further assistance. One of them was a

person I had known for quite a number of years, and he was incredibly frustrated because he said, 'Paul, I can't speak to you'.

In the meantime, from a personal point of view, my second daughter was harassed twice, on two occasions, by one of the paedophile priest supporters at a school mass. My youngest daughter was harassed on her way to school. Both of them were harassed at the supermarket where they worked. I had a bishop, a retired bishop who I had helped in my previous life in New South Wales, who rang up and abused me and — if people will excuse the language — described me as 'a piece of shit' because I had blown the whistle on this situation. The consequence is where I live now I live, in a sense, in a form of secrecy. Because there was no criminal case, Victoria Police could not put me into a witness protection program, but I do not exist as far as electoral rolls and things like that. I have been back into Seymour, which is the community — possibly I have done the wrong thing but I have identified it now; it is too late — and occasionally somebody will see me and they will make unpleasant remarks. They still remember that I was the man.

What pay-off was there for me in this? I lost money. I had to sell my house quickly. I had to move. I have had to pay for counselling for my daughters — my second daughter. Along the way I also remembered an event which occurred where I was indecently assaulted by the perpetrator priest as well, which I had locked away at the back of my memory. My ex-wife and my eldest daughter both remembered that night and my reaction and how off the wall it was. I was promised by the church that I would receive counselling. I went and saw a counsellor for one session and was told that I would have to continue to pay the bill. I was given nothing.

I was effectively excommunicated by the diocese after the *7.30 Report* program. A priest I had had — by that stage I had broken down; I had been hospitalised for post-traumatic stress, with blood pressure of 178 over 142, and a priest decided to ignore the advice that was given off the record and would come and bring me Holy Communion. But I was told I was not to set foot in any of the churches, because I would be refused communion. You can understand that that is fairly heartbreaking.

Over the years I have tried to obtain what is called a permission to officiate as an Anglican priest, and that has been refused. There have been various reasons given, but ultimately I have been informed by a bishop who tried his hardest to get me rehabilitated, who said, 'I can't do it. This is still payback for what you did'.

Amongst the material that I forwarded to the commission last night — unfortunately you do not have copies of it, but Ms Johnson will give you them — is a letter written in 2004 from three of the five women who I got to press charges, seeking that something be done to support them and to support everybody involved and that the church apologise for the shameful way that they treated them. The Synod of the diocese did pass a resolution apologising for their bad treatment, but ironically there was never a letter sent any of them, nor did I ever receive a letter. To this day, none of us have received a copy of that apology. Four of those women developed significant health problems. Three of them developed breast cancer in the period afterwards. I am no doctor; I do not know what the answer is there, but that is the situation. So that, I suppose, is that side of the story.

My concern is that the church, despite proclaiming that it has changed, really has not. It really has not. There have been some improvements. There was a situation where a former priest from the diocese to which I last belonged moved to Melbourne and was subsequently caught with child pornography. He was dismissed and there were counsellors sent to that parish to deal with it, a team of them, and there was work done. I suppose that is a plus, but there is still the fact that there is this gaping sore, or wound, which has never been properly dealt with. And it is to their shame. Lest people think that I left Anglicanism because of bitterness or anything like that, I am sorry, no. Before I was ordained an Anglican I already had a Greek Orthodox priest try to get me in, so it was a case where he eventually got me — his prayers were answered!

I will jump to the third point, because I am conscious that I have probably gone over time. I am concerned about the fact that, for example, within the Orthodox side of things, if you google them, there are no working-with-children guidelines on any of their websites. I know two parishes in Melbourne that, off their own back, have instituted working-with-children checks for those who work with children and young people, but there is no enforced policy. I have raised this issue with senior clergy, I have raised it with senior laypeople, I have raised it with my brothers in the other Orthodox churches — the Russians, the Serbs and the Greeks — and the thing that I keep on getting told is, 'We are not like that. It doesn't happen'. Unfortunately last night before I went to bed — I belong to an Orthodox news service — I saw that an Orthodox priest was being jailed for 18 years for offences against children. It does happen. It has happened.

All of my ministry has been very much focused on caring for kids. I am not a great fan of the state intervening the life of the church, but where the welfare of children is concerned, I do not have any hesitation in backing the state saying, 'No. This is the bare minimum standard'. I am incredibly proud of the fact that I carry in my wallet a working-with-children check card. It means that to those people who would see me walking in the street and say, 'Oh, you're one of them', I can say, 'No, I'm not. I have been cleared by you, by the people of this state, as being safe to work with children'. Over the years there have been people who have abused their position. In New South Wales it was well known that Anglican clergymen would get state wards to come and live with them and would groom them and then abuse them.

The CHAIR — Father Walliker, I hate to interrupt you — —

Fr WALLIKER — Yes, I know — —

The CHAIR — I do not want to stop you now if you have got some final points, but I do know that committee members would like to ask questions.

Fr WALLIKER — I am sorry, Chair.

The CHAIR — It is quite all right.

Fr WALLIKER — The last point that I will make is that the perpetrator in the situation that I referred to in fact followed this same pattern and would go to the Lady Northcote home in Bacchus Marsh. His pattern would be that he would bring six children back each weekend, one of whom would be a favourite. The lifetime of that favourite would be somewhere between six and nine months. During the final three months there would be a transition period where that favourite became less favourite and a new favourite was brought in. That is where I wanted to finish. I am sorry that I have gone over time.

The CHAIR — Thank you. Please do not apologise. I know that members do have questions relating to the evidence you have provided to us, and we thank you very much for sharing your experiences with us from a number of areas. You say that the processes or policies have not been implemented in the Anglican church, but we are led to believe they have adopted new policies. Can you talk about those policies that they do have in place?

Fr WALLIKER — The policies that they have in place are, yes, working-with-children checks, psychological testing and all that sort of thing, but essentially there is still protection — backwards protection.

The CHAIR — Do you have any documents in relation to — —

Fr WALLIKER — Do I have any documentary evidence? No, I do not have any that I can give you in writing. I will make very clear to this committee that, whilst I have heard a great many things over the years, I will only state publicly that which I know to be true. Therefore I guess the best thing that I can say is that there was litigation over a matter where I made some public pronouncements. It was not litigation directed against me. I was aware of certain allegations that were made, but I refused to state publicly what they were because I did not know them to be truthful. I had no corroborating, firsthand evidence such that I could say, 'This was the case'. What I can say from my own experience is that, to this day, when I have tried to raise issues and tried to get things remedied, I still get hit with a brick wall. Publicly they said, 'We will treat those who raise these issues and blow the whistle as heroes'.

The CHAIR — That is from the Anglican aspect.

Fr WALLIKER — Yes. Within the Orthodox community what I have raised is the need for there to be clearly stated protocols.

The CHAIR — So they do not have any protocols at all.

Fr WALLIKER — None that are published. When I was ordained there was no working-with-children check performed on me prior to my ordination.

The CHAIR — Despite it having been raised with senior clergy. So their comments are that it is not necessary.

Fr WALLIKER — Yes.

The CHAIR — Okay.

Fr WALLIKER — ‘It doesn’t happen amongst our people’.

Mr McGUIRE — Thank you, Father, for your testimony today. It is very important for us to get this evidence on the public record. What you have described is that there is still this backwards protection. You are saying that there is still this backwards protection, that even if you are a whistleblower, you are told that you will be taken care of, but the reality is that you are ostracised. You have been saying that you have been personally threatened, your children have been threatened and that is the reality. Can you give us a bit more, on the record, about how this plays out — the difference between the rhetoric and the reality?

Fr WALLIKER — I served in New South Wales, and in the diocese that I served up there before I left to come to Victoria I had been involved in the floods of 1990. For better or worse, I ended up involved in the recovery of the community that I lived in. It had had three major floods. I had been involved in going up and helping Nyngan recover and that sort of thing. I had also set up Christian education. I had also been involved in a couple of important reforms in the way that the faith development of people took place. The bishop up there decided, ‘Hey, we did not recognise you properly when you left. We would like to have you come back, and we will hold a thank you, albeit it is 11 years too late, but we want to do it’. When my involvement in this affair became known it suddenly became too inconvenient.

Mr McGUIRE — Just on this, what advice can you give this committee about whistleblower legislation or reforms in that area?

Fr WALLIKER — The difficulty of course is that the church maintains this fiction that the clergy and so forth are not employees because there is no discernible master-to-servant relationship; therefore we cannot be classed as being employees and that sort of thing. It is a conundrum that is for the lawyers to nut out probably with some theologians.

Mr McGUIRE — But your advice would be that we definitely need whistleblower protection at the highest level?

Fr WALLIKER — My advice is very simple. There should be protection. The other thing that I want to say to the committee is that there is a great problem with the notion of compensation. Because of the federal government — and I know this is outside of the committee’s realm in one sense — the moment a person receives compensation, if they are on Centrelink, they lose their Centrelink. So it is a double-edged sword. Why would you want any compensation if you need the support that is provided through your Centrelink payments?

Mr O’BRIEN — Thank you, Father Walliker. In your evidence you have highlighted a problem which has been highlighted by other witness and is at present a failing in the criminal justice system alone, if that is to be relied upon. When a case collapses because a perpetrator dies you have the problem of justice for the individual victims whose cases do not proceed, problems with protection of the community from other perpetrators in that organisation and also the treatment of whistleblowers such as yourself. In relation to the state’s recommendations for institutions that have the trust and care of children, what recommendations would you have for how we deal with this example of a criminal case proceeding or an investigation proceeding when the perpetrator dies?

Fr WALLIKER — It is a good thing that I did some law along the way. I guess my answer would be that there has to be some sort of mechanism which acknowledges to the victim the validity of what has happened. For the church, in a sense if there is any admission made by the perpetrator that they have done it, then the church should be obliged to make that known. It did not go through the criminal process, but if the person has made a confession essentially — and I do not mean a sacramental confession but a confession that they have actually done these deeds — then the victims should have some sort of authority to say to them, ‘Yes, we acknowledge it. We have the hard evidence. We have the goods. We are sorry that we can’t give you the justice that perhaps you want, but we acknowledge and we accept’.

Validation is incredibly important for people. I know this only too well, not just from my work within the church but in terms of the hundreds of people that I have worked with. It is when they hear from somebody that

they are believed that it is important. That is a key thing. There are so many competing interests in one sense, and unfortunately what we forget is the interests of the victim ultimately, the person to whom the wrong has been done. Yes, it is important that justice is seen to be done. It is important that we do not descend into a mob mentality and all that sort of stuff. But in amongst all of this you have this person who has been broken, a person who has been hurt, a person who has been shattered, who is sitting there with all sorts of consequential problems and who is never going to have the thing of 'At least somebody heard me. Somebody bigger than my friends, my doctor or my whatever. Somebody in authority, somebody big, heard me'. That is crucial.

Mr O'BRIEN — Thank you for that, particularly for the admissions cases.

The CHAIR — Before I go to Ms Halfpenny I just wanted to raise one thing with you, Father Walliker. In your oral evidence you have said that there was a written statement signed by the perpetrator saying that he did it. In the written submission that you provided to the committee there is a transcript of that *7.30 Report* episode. The reporter, Heather Ewart, said:

That young boy went on to become an Anglican priest himself, and after years of secrecy named Alan Sapsford to the church hierarchy in 1996.

The local bishop was outraged.

He confronted Alan Sapsford and gained a written admission of guilt that sexual abuse took place more than once over a number of years.

Have you got that statement or that written admission?

Fr WALLIKER — No, I do not have a copy of it.

The CHAIR — Do you know where that copy is?

Fr WALLIKER — The copy is in the archives at Wangaratta. I also know of a certified copy of it in existence, and it is in the care of a priest. I would be prepared to make that known to the committee privately. If, as so often happens, 'Oh, it got shredded! Oh, we do not know where the file is', I can tell you where to find it.

The CHAIR — Thank you very much.

Ms HALFPENNY — First, you talked about when it was brought to light about the abusing priest that the archbishop was going to sack him and outside forces intervened. What year was this, and what do you mean by that?

Fr WALLIKER — The year was 1996. The local bishop, as you will see in the *7.30 Report*, called him up, and the subsequent letter that you do have recounts the circumstances. He was summoned to a meeting in Wangaratta, there were two other senior clergy there, he admitted to the whole thing, he wrote a letter of admission and the idea was that he would be sacked immediately. Because the priest concerned was a member of general synod, and not just a member of general synod but also a member of the standing committee — in other words, the ongoing day-to-day body that oversaw the work of the Anglican Church in Australia — it was appropriate that the primate, who also happened to be the Archbishop of Melbourne, be informed. The archbishop took the position that it was more appropriate that he be allowed to retire. He had health problems, and so it would be made known that his health problems were getting worse and that he would be retiring at the end of the year.

Ms HALFPENNY — We have heard from a number of victims coming to speak to this committee. The overwhelming majority have not been from the Anglican Church. Do you see that there may be a reason why there is less information or interest, or maybe it is not explained, but do you see — —

Fr WALLIKER — No. It happened. I mean, the simple fact is that St Michael's House at Crafers — —

Ms HALFPENNY — I was not meaning it did not happen. It was more that is there some reason that people are prevented perhaps from coming that may — —

Fr WALLIKER — No, it is not a case of being prevented I think it is more a case of people just turning their backs, wiping their hands, running away. They just do not want to acknowledge it. In my experience the

key time for any male victim is around the birth of their children and when their children are about five years of age. That is where there are crisis points because the whole question then arises: 'What am I going to do?'

The priest perpetrator that I refer to had been moved around in the diocese he originally came from, which was in Queensland. I know from a priest who came from that diocese, who went and did some background checking, found that the reason why the perpetrator was moved was that there were untoward goings on, and he was then shipped from the Queensland diocese down to Victoria. Interestingly, he also had connections with the man who was the archbishop at the time of the resignation.

Mr McGuire — Thank you, Father. Can you just explain what, if anything, was done for the victims?

Fr Walliker — Very little. One of the victims I know did receive a very, very small financial payment. The exact amount I cannot tell you off the top of my head, but it was less than \$20 000. At the time the going rate was \$60 000, no questions asked. This person went through absolute hell to get that.

A victim wished to speak to the congregation and say, 'This actually happened'. The parish priest was more than happy for that to occur, the parish council was more than happy for it to occur, the registrar — the business manager of the diocese — insisted that the person had to write down what they were going to say and submit it for editing before it was allowed to be read. One of the things that was chopped out was a plea by the victim for people to pray for those who had been conducting the vendetta against the victims and against those who brought the matter to light. Is it not interesting that the command that Jesus gave to the church to pray for your enemies, to do good to those who hate you, was chopped out of this victim's statement?

Mr McGuire — And that was the business manager who did that?

Fr Walliker — Yes.

Mr McGuire — Right. So was there any pastoral care offered or anything?

Fr Walliker — Very little, and the women concerned, these women who were the signatories, had grown up in this community and their kids had grown up in this community. They were well known. Can you imagine what it is like having people that you have known virtually all your life suddenly turning around and spitting at you and calling you a liar because they do not want to believe the truth.

Mr McGuire — So just to finish, literally the bottom line was, from the church's perspective, to protect its treasure, so-called — its money and its reputation?

Fr Walliker — Yes; that is correct.

The Chair — You said the going rate was \$60 000. So that is implying there were other victims who were being paid out at the time?

Fr Walliker — When I say the going rate, in a number of cases across the Australian church that was what was generally agreed was the appropriate sum.

The Chair — Based on?

Fr Walliker — Based on insurers' estimations and that sort of thing. The Archbishop of Sydney was renowned for the fact that as soon as he had concrete evidence — not a conviction, but once he had concrete evidence that something had occurred — then he would give instructions for a payment to be made, and then he would clear the decks from lunchtime onwards to meet with the victim; and if it took until midnight that night, then so be it. There were no rules. If the victim wanted to stand there and call him every name under the sun and make him blush, then he was prepared to do it.

The Chair — Father Walliker, on behalf of the committee, thank you for appearing before us this morning. Your evidence has been most helpful.

Fr Walliker — Thank you very much.

Witness withdrew.

