

1 **A SUBMISSION TO THE**
2 **VICTORIAN PARLIAMENTARY INQUIRY**
3

4
5 **MY EXPERIENCES**
6 **ON CLERGY CHILD SEXUAL ASSAULT**
7 **AS A SEMINARIAN AND CATHOLIC PRIEST**
8 **IN MELBOURNE**
9 **FROM 1969-1999.**

Page | 1

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12
13 **TABLE OF CONTENTS**
14

15
16 **DOCUMENT ONE – MY PERSONAL EXPERIENCE**

17		
18	Page 2	Preface
19		
20	Page 4	Personal Background
21		
22	Page 6	Awareness of the Problem
23		
24	Page 20	Gladstone Park 1976-1978
25		
26	Page 33	Sunbury 1981-1983
27		
28	Page 44	“Rupertswood” – Salesian College, Sunbury
29		
30	Page 46	Other personal involvement with clergy assault
31		
32	Page 48	Kevin O’Donnell
33		
34	Page 51	Not Just Then, But Now
35		
36	Page 56	Two Further Submissions
37		
38	Page 57	Document 2 (Summary) – “Reflections”
39		
40	Page 61	Document 3 (Summary) – “Continuing Struggles”
41		
42	Page 62	Further Important Facts (Summary).

“FOR GOODNESS’ SAKE”

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PREFACE

This paper was originally written specifically to influence Bishops and Parliamentarians of Australia, as these are the people entrusted with the responsibility to lead our Church and our Nation respectively.

It was written in the hope that it may:

- Assist and support victims of clergy child sexual assault.
- Encourage the many unknown victims to come forward
- Assist in restoring the reputation of the Catholic Church
- Assist in restoring the reputation of Catholic priests
- Be part of a general society/church conversation on how best to proceed following the exposure of this long term major crisis.
- Request the Catholic Church in Australia initiate an independent public enquiry into clergy sexual assault of children in its care, and
- Request the Federal Parliament initiate a Royal Commission (or similar body) to investigate general institutional sexual assault of children in Australia.

I am now editing this document to be a formal submission to the Victorian Parliamentary Inquiry investigating sexual assault of children. I am deleting material not directly related to the Victorian Inquiry.

I hope this may be a contribution to assist the many known and unknown victims, their families and friends, victim support groups and the priests, religious and people of the Catholic Church for whom this scandal has been a particularly heavy burden.

The Australian Catholic Church established “Towards Healing” and the Melbourne Church established its own structure, “The Melbourne Response”. Catholic bishops have issued public statements of good intent. They have developed professional processes and protocols for clergy and all other officials engaged in the care of children. These initiatives over the last 15 years are a dramatic improvement on the previous 50 years – where this major scandal was neither acknowledged nor addressed by any acceptable standards.

1
2 Although the Catholic hierarchy have initiated internal structures and
3 processes to deal with sexual assault, they have been reluctant to engage
4 in conversations or co-operate with other people and agencies for the
5 common good.

6
7 The Catholic Church's Canon Law states that "... Christ's faithful have a
8 right and duty to manifest to their pastors their view on matters which
9 concern the good of the Church..." (Canon 212, 2-3). Those of us with
10 knowledge and information have both the right and the responsibility to
11 present our views to our Church leaders.

12
13 It is the hope of so many victims and supporter/advocates that the
14 hierarchy move from their past defensive mindset and listen and
15 positively respond to the stories that will become public through this
16 Victorian Inquiry.

17
18 I have chosen to participate in this process as I believe it would be moral
19 cowardice and a serious failure of personal responsibility for me to take
20 the easy option of just walking away from this problem. Knowledge
21 brings responsibility, and I have specific knowledge that should be part of
22 the journey to recovery for all parties.

23
24 It is my belief that this "festering sore" in our society/church will not heal
25 itself by just wishing and hoping it will go away and die a natural death.
26 The strategies, since the 1950's, have not succeeded to any significant
27 effect. They have not dealt with the problem and its underlying causes,
28 and have not consigned this scandal to history.

29
30 I argue that it is not appropriate for the Church to internally investigate
31 itself in these specific criminal matters. The Catholic Church is not
32 separate from or above the law. As with every other citizen and
33 organisation it is accountable for its actions.

34
35 This Parliamentary Inquiry gives the opportunity for every Victorian
36 individual and organisation to participate and contribute any information
37 that may assist the common good.

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1 PERSONAL BACKGROUND

2
3 It has taken over 30 years for me to decide to put on record my
4 experience of clergy child sexual assault in Melbourne.

5
6 Unfortunately I have not been able to discuss this paper or this topic with
7 anyone as the Archdiocese of Melbourne has chosen to apply stringent
8 confidentiality clauses. On multiple occasions I have formally requested
9 permission to be released from certain confidentiality agreements so I can
10 be part of the continuing process but, to date, this request has not been
11 accepted.

Page | 4

12
13 On 1 May 2012 I was informed by the Archdiocese of Melbourne that
14 they were prepared to modify the Agreement of 2003, but not to release
15 me from confidentiality as requested.

16
17 I believe my personal experiences bring something to the current
18 discussion on this crisis in our Church and our society.

- 19
20 • For 30 years I was training in the seminary (1969-1975) and in
21 public ministry (1976-1998) as a Catholic Priest in Melbourne;
22 • For 6 of the first 8 years in ministry (1976-1983) I lived with two
23 Parish Priests who were serious child sexual abusers;
24 • For 20 years (1978-1998) I was actively involved as a support and
25 advocate for victims of sexual assault and their families;
26 • I have now been married for 12 years, have inherited 4 step-
27 children and enjoy 9 young grandchildren.

28
29 I have deliberately maintained a low profile in this field, with the
30 exception of “15 minutes of fame” when I accepted an invitation to be
31 interviewed by a TV program, “60 Minutes”, in 2002.

32
33 The personal stories from a substantial number of victims, who
34 approached me over a 20 year period, enables me to reflect upon the
35 context in which such serious clergy child sexual assault occurred.
36 As I was a priest at that time I also had “insider” knowledge of how the
37 Melbourne authorities failed to respond when alerted to these crimes.

38
39 It also enables me to make some sense out of a particularly negative
40 experience and to finally articulate how I understand the truth of this
41 crisis. My exposure to the failure of the Melbourne Church on this matter
42 has been an extremely disillusioning experience and contributed
43 significantly to my decision to no longer remain a Catholic priest.

1 Towards the end of 2009 I was contacted by a journalist, Paul Kennedy,
2 who was writing a book with Christine and Anthony Foster on the abuse
3 of their daughters that resulted in horrific tragedy. Although I was not
4 personally involved in or aware of the assault circumstances in this case,
5 in a relatively minor way I was part of the process that assisted the
6 perpetrator to be exposed and convicted.

7
8 Although personally reluctant to re-enter this ugly scene, I felt morally
9 obliged to respond and support this family who have been damaged so
10 seriously by this offending priest and the subsequent response of the
11 Archdiocese of Melbourne.

12
13 Following this general background briefing meeting that only lasted an
14 hour or so, on 30 November 2009 I received an email from Mr Peter
15 O’Callaghan asking for some clarification of what was said in this
16 meeting. Accordingly I replied to him on 1 December 2009.

17
18 This meeting and the subsequent correspondence from Mr O’Callaghan
19 stirred up a lot of the past, and in the following time there has been so
20 much press publicity and exposure of this scandal throughout the world.
21 As I understand it, what is now being exposed throughout the world, and
22 most particularly in Ireland, is so similar to what has happened in
23 Melbourne.

24
25 Very simply, Dublin and Melbourne have so much in common. What has
26 caused such spectacular public scandal in Dublin has also happened
27 (albeit less spectacularly) in Melbourne. Clearly this sexual assault issue
28 is a universal problem, not restricted to a few rogue priests or dioceses.

29
30 It is also not surprising that there are parallels with Ireland/Dublin and
31 Australia/Melbourne as the Irish clergy have been a most significant
32 presence and influence in the formation of the emerging Australian
33 Church. As a descendant of eight Irish great-grandparents I will be the
34 last to denigrate the gift of the Irish to Australia. However some elements
35 of clericalism and negative attitudes towards sexuality seem to have
36 contributed to an understanding of priesthood/sexuality that could have
37 implications for understanding some aspects of this scandal.

38
39 When we look at the problem in the universal Church, the strategies and
40 processes of world-wide bishops, when confronted by reports of sexual
41 assault, seem to have a remarkable similarity and consistency. They seem
42 to be working from the same Roman script. It is fascinating to see the

1 same responses, including phrases and terminology, of bishops around
2 the world as in Melbourne.

3 And so, it is in this context, that I submit my personal experiences and
4 reflections in the hope of shedding perhaps a little more light and insight
5 into this criminal behaviour that has become such a major public scandal.

6
7 It is my hope that this document may assist the six Victorian
8 parliamentarians entrusted with this Inquiry in understanding some of the
9 Catholic Church's structures, laws and culture that has contributed to this
10 sad situation. Another benefit I bring to this Inquiry is my personal
11 knowledge of the hierarchy and clergy involved in this story.

12
13 Personally, I feel the task for these six people could well be daunting,
14 over-whelming and even possibly damaging. Simply being exposed to the
15 utter ugliness of this repulsive sexual abuse of innocent children takes an
16 inevitable toll. I do hope they have access to appropriate counselling and
17 support.

18 19 20 AWARENESS OF THE PROBLEM

21
22
23 I was ordained a Catholic Priest on 24 May 1975 by the newly appointed
24 Archbishop of Melbourne, Frank Little.

25
26 In January 1976, Archbishop Little appointed me as the assistant Priest in
27 the newly formed parish of "The Good Shepherd", Gladstone Park.

28
29 It was in this first year at Gladstone Park that I became aware and
30 experienced the reality and effects of clergy sexual assault of a child.

31
32 Fr Wilfred (Bill) Baker was the Parish Priest who ultimately was
33 convicted as a serious, long-term abuser of children. However, it was not
34 until 1999 - 23 years later - that he pleaded "Guilty" to multiple charges
35 dating back to 1960, and was jailed.

36
37 After a healthy appointment in the parish of Scoresby in 1979/80, in
38 January 1981 Archbishop Little then appointed me as the Assistant Priest
39 in the parish of "Our Lady of Mt Carmel", Sunbury where I was required
40 to live and work for 3 years in an extremely bizarre situation with my
41 Parish Priest, Fr. Peter Searson.

42

1 The Archdiocese removed Peter from active ministry 16 years later
2 (1997) when, in the words of the Melbourne Response Independent
3 Commissioner, Peter O'Callaghan Q.C., he "was found by an
4 independent enquiry to have been guilty of sexual misconduct with young
5 children.....". He was also convicted on a criminal charge of physical
6 assault of a child.

7
8 As a consequence of this early exposure of clergy sexual child assault, I
9 became involved with ongoing support of victims and families.

10
11 This support and advocacy of victims escalated dramatically around 1990
12 when media exposure resulted in so many victims seeking assistance.
13 Whereas the 70's and 80's had been relatively quiet because of the
14 secrecy of the problem, the 90's was when it became public and the
15 numbers of people seeking care increased dramatically.

16
17 I was acutely aware I was not qualified to professionally care for victims
18 and their families, As such, I would always encourage referral to relevant
19 legal and health professionals. My value was being a priest who was
20 available to people and would supportively listen to their stories and offer
21 whatever pastoral care was needed. So many of the people, who had the
22 courage to come forward and tell their story to me, were not emotionally
23 strong enough to go the next step. As such my pastoral role often became
24 blurred in an on-going quasi-professional support role.

25
26 As a result, for most of the 1990's, as well as my parish duties, I travelled
27 extensively throughout Melbourne and Victoria visiting, listening to, and
28 supporting these victims and their families.

29
30 Throughout the 90's, I worked closely with the then Sexual Crimes Squad
31 (its name has changed over the years), lawyers, journalists and a wide
32 network of supporters of victims of sexual assault.

33
34 I had multiple sources of reliable information including the victims, their
35 families, their support groups, the police, the media, the insurance
36 industry, Catholic schools and clergy.

37
38 Another source of reliable information was a meeting I had at the
39 Cathedral with the then Vicar General who was particularly frustrated
40 with the "poison chalice" he had inherited. After I had written an angry
41 letter to him demanding to know why known abusers were still on active
42 parish appointment, he invited me to come in and discuss things. While

1 with him he shared quite a lot of information and showed me a number of
2 documents.

3

4 It was in about 1997 that I was contacted by Mr Peter O'Callaghan QC
5 who is the Independent Investigator of clergy abuse for the Archdiocese
6 of Melbourne. I accepted his invitation to co-operate with him, providing
7 as much information as I could in the cases where I had some specific
8 knowledge.

9

10 In my dealings with Peter I have found him to be fair and honest. Without
11 "fear or favour" Peter investigated allegations against clergy and, most
12 importantly, where there was conclusive evidence he acted decisively to
13 ensure offending priests were removed from active ministry, so
14 eliminating their opportunity for continuing abuse of parish children in
15 their care. This important and decisive aspect of the Commissioner and
16 the Melbourne Response is to be highly commended.

17

18 As I edit this document, I now need to say that my previously good
19 working relationship with Peter has taken a definite turn for the worse. In
20 recent years I have found communication with him to be particularly
21 frustrating, and I resent what I consider to be his narrow legal response to
22 a complex situation. This having being said, I do acknowledge Peter has
23 been placed in an invidious position and, although we are in quite serious
24 disagreement, I respect his personal and professional integrity.

25

26

27 Sadly, I am aware of people who lost their jobs in the Archdiocese of
28 Melbourne because of their role in supporting victims. It is to these and
29 other professionals, who worked so diligently in such difficult
30 circumstances, that we owe a great debt of gratitude. I understand some
31 of these former professionals will be making submissions to the Inquiry.

32

33 Because of the good work done by so many, particularly over the last 20
34 years, there is a very different culture and awareness of the abuse issue. I
35 believe that children, parents, school teachers, social professionals, clergy
36 and society generally are now so aware and alert to the signs of child
37 abuse that someone somewhere will identify and expose adults, including
38 seminarians and priests, who have this inclination to abuse children.

39

40 I trust that the current hierarchy would have no hesitation in acting
41 appropriately and decisively. Whereas they cannot undo the mistakes of
42 their predecessors, I am confident they also are not prepared for these to
43 be repeated.

1 That having being said, I have serious personal reservations about the
2 review and response system initiated by the Archdiocese of Melbourne. I
3 think it would have been more wise and transparent to have had an
4 obviously independent investigation structures and personnel.

5
6 I maintain it was an error to appoint a lawyer as the first point of contact
7 for victims approaching the Catholic Church. Many critics, myself
8 included, resent the predominantly legal tone and process of the
9 Melbourne Response. A social worker or counsellor would have been a
10 more approachable first point of contact for those abused by Church
11 personnel.

12
13 Also I maintain it was an error to appoint a male to this role, as victims
14 were predominantly sexually assaulted by male clergy.

15
16 I also maintain it was an error to appoint a Catholic to this role. We
17 Catholics have an innate respect for clergy and our education and
18 upbringing has created a culture where we are reluctant to challenge those
19 in authority.

20
21 As such, I think the Independent Commissioner of the Melbourne
22 Response should have been a female social worker/counsellor who is not
23 a Catholic. Perhaps the Victorian Inquiry could recommend future
24 appointments to lead the Melbourne Response could be according to
25 these criteria.

26
27 The Archdiocese of Melbourne, and the Jesuits, went alone while the
28 other 32 Australian dioceses and the many Religious Orders formed the
29 national structure, "Towards Healing". Having gone alone, the
30 Archdiocese of Melbourne can hardly be surprised when serious
31 questions are raised about its operational structures and principles.

32
33 The fact that Archbishop Pell decided to create his own structure,
34 accountable to himself, raises questions of internal control and
35 accountability. It must be asked why, when the rest of the Australian
36 Church, was in the process of establishing a national response, did
37 Melbourne choose to not participate in the national program.

38
39 Many of us feel uncomfortable with only internal investigations of
40 serious matters. An example is the police investigating police
41 corruption/abuse. No-one is saying that the police investigators are
42 corrupt or compromised. It's just that "in house" investigations do not
43 inspire public confidence. The old adage, "Not only should justice be

1 done, it should be seen to be done” applies in these matters. This is even
2 more important when the investigations are of a serious criminal nature,
3 as is child sexual assault.

4
5 Whereas the purpose of this paper is not to review the Melbourne
6 Process, there are so many issues of concern.

7
8 It is a major concern that the complete process of investigating and
9 deciding is left to the same person. There is no problem if that person
10 rules in your favour. Obviously, you will think everything is fine. But
11 what about those, including me, who had our applications rejected by Mr
12 O’Callaghan. As he is accountable only to the Archbishop of Melbourne,
13 he clearly does not feel obliged to give any detailed response to any
14 claimant explaining his rationale on how he came to reject our claims.

15
16 I have argued with both Mr O’Callaghan and the Archdiocese of
17 Melbourne that there should be an opportunity for review or appeal for
18 any rejected claims. I suggest a recommendation of the Victorian Inquiry
19 should be the establishment of a Panel of Appeal in the Melbourne
20 Process that enables those of us with continuing grievances with Mr
21 O’Callaghan to have the process and his judgement tested independently.

22
23 It would be so easy to continue exploring in detail and further questioning
24 aspects of the Melbourne Response. Tempting as it is, I want to focus on
25 the narrative, the story which is the most important contribution.

26
27 One of the difficulties of working in this field is that anonymity and
28 privacy is vitally important. In most circumstances it is not possible to
29 make information public. A consequence of not been able to talk about
30 matters made it relatively easy for people to criticise those of us who did
31 support and represent the victims as disaffected trouble-makers.

32
33 Over time I have become very disillusioned and disengaged with the
34 Roman/Vatican/hierarchical Church. When all this started I was a 24 year
35 old, altruistic, enthusiastic, newly-ordained priest. I had implicit faith and
36 trust in my Church and its leaders. Now I confess to be a battle-hardened
37 61 year old who is less than trusting of the operations and motivations of
38 some of the larger organisations in our society – including the Catholic
39 Church.

40
41 I just happened to be in the wrong place at the wrong time (or perhaps the
42 right place at the right time) and became aware of a specific situation
43 where I believed my Parish Priest was inappropriately cultivating a

1 relationship with a young boy. At the time, I alerted the parents of the
2 child. My concerns were later confirmed by a formal complaint to me
3 against my Parish Priest by the father of that child.

4
5 The parents of this young boy, and a magistrate and lawyer, personally
6 visited and informed the then Archbishop and Vicar General

7
8 I naively, but reasonably, thought that by ensuring that this very serious
9 specific allegation of sexual assault of a young parishioner was reported
10 to my Archbishop, that it would result in an open and proper
11 investigation and resolution of the allegation that would be fair to all
12 parties. How wrong I was, as it took over another 20 years, and many
13 other subsequently abused children, to bring this priest to justice where he
14 eventually pleaded “Guilty” to multiple charges and was jailed.

15
16 The nature of our humanity is imperfection and we will always have this
17 problem with us. It is naïve to think that any investigation will cause
18 sexual child abuse to stop. This problem has always been with us and will
19 always be with us. This makes it even more important for our society to
20 be totally open, co-operative and vigilant in ensuring the safety and well-
21 being of all our children.

22
23 Community structures and expectations must be put in place to minimise
24 the impact of offenders. A lesson we have learned over the past 50-60
25 years is the absence of such community structures and expectations has
26 allowed offenders to cause untold damage to so many known and
27 unknown child victims.

28
29 A practical difficulty in the past about being able to respond to a specific
30 allegation is that sexual acts between an adult and child are normally in
31 private with no witnesses. It is an adult’s word against a child’s. It is a
32 priest’s word against a parishioner’s. The power imbalance is obvious,
33 and the ability of the child or parishioner to prove “beyond reasonable
34 doubt” is minimal in this context.

35
36 In the earlier days of reporting abuse, all court cases consisted of a priest
37 defending an allegation by an individual child. The evidence tested in
38 court was always one child’s account against the priest’s denial.
39 Invariably, the benefit of the doubt had to be in the priest’s favour.

40
41 So many cases were discontinued, or not even started, because of this
42 legal process. Parents, lawyers and police often deemed it unfair to an
43 already abused child to put them through such a gruelling process with

1 minimal expectation of a conviction. It was only in later days, when
2 multiple children could bring a group case against a priest that
3 convictions became more regular.

4
5 Sensitivity and due process has to be exercised when allegations are made
6 against a priest. As always, the presumption of innocence must be
7 maintained. Fortunately, this is the fundamental principle of the legal
8 system, and we can be confident that all parties in the court process
9 respect this presumption of innocence.

10
11 Also, the complainant does have the right to make the allegation and
12 expect a proper process to be enacted. Parishioners should have
13 reasonably assumed that making an allegation of concern to the
14 appropriate authorities was a right they had with an expectation that it
15 would be fairly processed. It is a documented fact that this was not the
16 reality in Melbourne.

17
18 I also think we must remind ourselves that clergy child sexual abuse is a
19 crime. It is not just an internal Church disciplinary problem of a priest's
20 failure to remain faithful to his vow of celibacy. It is not about personal
21 moral lapses, or even breaches of professional standards – it is about
22 criminal activity.

23
24 Recently I spent a few weeks as a juror on a rape case. The language of
25 law is very clear relating to rape, and much of the reported sexual abuse
26 of children by priests would fit into the rape category of crime.

27
28 It saddens me that some in the church and society tend to minimise the
29 seriousness of these crimes. Comments like “it wasn't really that bad”,
30 “there were only a few bad apples”, “those things happened in those
31 days”, “we didn't know much about it then”, and “get over it and get on
32 with your life” are not helpful.

33
34 Also, it is too easy to speak in euphemisms and technical language that
35 may even mask the reality that what we are dealing with are adult men, in
36 positions of trust, engaging in specific sexual activity with children.

37
38 Sadly, I have even heard people minimising child abuse saying that
39 sexual attraction to children is part of human nature and can be traced
40 back to the ancient Greeks. I would challenge people of that view to say
41 so in front of an angry parent of an abused child.

42

1 I have heard some Church authorities trying to minimise damage by
2 making the academic distinction between paedophilia (sexual activity
3 with a pre-pubescent child) and ephebophilia (sexual activity with a
4 youth). In the two parish stories to follow, one clearly is ephebophilia and
5 the other is paedophilia.

7 But irrespective of the definition, both are instances where an adult priest
8 has inappropriate and unlawful sexual activity with a minor.

10 I am sure the distinction is important for the psycho-sexual response and
11 treatment in the two categories, but in this context the distinction is
12 irrelevant as they are all serious sexual crimes against children.

14 Bluntly, it is to do with priests, who are adult men, who violate innocent
15 children and teen-agers by engaging in sexual activities that range from
16 inappropriate conversations, exposure to alcohol and pornography, genital
17 touching and fondling, masturbation, mutual masturbation, oral sex,
18 mutual oral sex, vaginal and anal sex.

20 More often these abuses occur in private, but sadly we are aware that
21 some children have suffered from group sexual activity. It is time for a
22 major study to investigate not only the causes of individual abuses, but
23 also the culture that allowed group sex with children. In my opinion, this
24 group activity is an area yet largely unexplored. If we are horrified by
25 accounts of individual sexual assault, I suspect we could not even start to
26 understand how networking and group abuse of children could possibly
27 happen.

29 We can quite easily talk dispassionately in professional language and give
30 statistics and case studies. However, it is not so easy when the raw stories
31 are recounted in such graphic and horrific detail.

33 I challenge anyone reading “Hell on the Way to Heaven” to remain
34 unmoved with stories of an elderly priest forcing a child, well under 10
35 years old, to perform oral sex. I concluded that book on a train and I was
36 in tears as I walked down the platform. I looked up and saw an ad for a
37 credit card company that read “Emma – you are person, not a number, to
38 us”. This happened to be the name of the child who ultimately suicided
39 following her abuse at the hands of this perverted priest. I don’t think it is
40 unfair to ask what did Emma, and the many other “Emma’s”, matter to
41 the Melbourne hierarchy.

1 Denial in this area is infamous. We only need to recall Bill Clinton
2 famously saying, “I did not have sex with that woman” when Monica
3 Lewinski engaged in oral sex with him. I think a court of law would
4 differ in their interpretation – especially when it was by force with a
5 child. This is clearly rape which has always been a most serious crime.

6

7 Is there anyone who would seriously justify any adult, let alone their
8 priest, having such sexual activity with a child, especially one entrusted
9 to their care?

10

11 It should go without saying that this sexual activity is clearly
12 unacceptable, and our church and society should be ever vigilant in
13 protecting the innocence and well-being of our children.

14

15 As such it is utterly bewildering how those in authority in our Church –
16 throughout the world, and here in Melbourne – failed so spectacularly in
17 their responsibility and duty of care.

18

19 It perplexes, disappoints and disillusiones me that bishops and other senior
20 Church administrators, who were so good in every other facet of their
21 personal lives and public ministry, were so negligent in their handling of
22 this crisis.

23

24 Indications are that they were under strict orders and instructions from
25 Rome. It appears that Rome acted ruthlessly on this potential public
26 scandal. It appears they removed the decision making from the local
27 bishop, and reserved it to the Pope, or his delegate. It appears that serious
28 sanctions, including excommunication, may have applied to bishops who
29 failed to comply with Rome.

30

31 As my experience is with the Melbourne Church necessarily, I have to
32 reflect upon the role of the Archbishop from the mid 70’s to the early
33 90’s, Frank Little.

34

35 In every other area of life and ministry I have the highest regard for
36 Frank. He ordained me and I was privileged to work with him as one of
37 his priests in a most exciting and creative period of Church life. I can cite
38 story after story of excellence, courage and inspiration with his
39 leadership.

40

41 However, in this context, I have to say that Frank failed most seriously,
42 and this failure in such an important facet of life diminishes so much of
43 his otherwise wonderful work. If it is true that Rome was in control of the

1 agenda, Frank's failure becomes more understandable, especially with his
2 natural loyalty and commitment to the institutional Church and his vows
3 of obedience to the Pope. However, ultimately the Nuremberg defence –
4 “I was following orders” – fails.

5
6 I suggest the Victorian Inquiry should directly ask the bishops about the
7 role of Rome in the sexual assault crisis in Victoria. It is only these
8 bishops who can testify whether they acted in their own right, or as
9 instructed by Rome.

10
11 An area that doesn't seem to get much attention is the duty of care of
12 children in our Catholic schools. There is recorded information of priests
13 using children from their parish school for sexual gratification.

14
15 Offending priests enjoyed unlimited, unaccountable access to children.

16
17 One source of contact was the parish school under his authority.
18 Parents should reasonably expect their children to be safe during school
19 hours. Where else, but in a Catholic parish, could a Minister of Religion
20 remove children from their classes and take them to the privacy of their
21 room?

22
23 Why is a Parish Priest still the employer/manager of Catholic parish
24 schools in Melbourne? Apart from the fact that he has no training as a
25 teacher or business administrator, it puts Catholic Principals and teachers
26 in particularly difficult situations when they suspect, or know, that their
27 Parish Priest, who is their direct employer, is sexually assaulting children
28 in the school.

29
30 How much abuse occurred in Catholic schools? How much of it was
31 reported to the Catholic Education Office? What action resulted? I am
32 aware of a Principal and teacher who lost their jobs by reporting clergy
33 abuse and by supporting the children in their care. It is worth noting that
34 these two teachers were subsequently compensated by the Archdiocese of
35 Melbourne. Will all specific files on clergy sexual assault of children be
36 freely made available to the Parliamentary Inquiry by each of the Catholic
37 Education organisations in Victoria?

38
39 It should be just one of the many mutually protective strategies that
40 priests be chaplains, not employer/managers, in Catholic schools. The
41 authority in a local school should be with the Principal, not the Parish
42 Priest, and over-all authority for all schools within a diocese should be
43 with the Director of Catholic Education.

1 Hopefully a full review of the role and authority of a Parish Priest in a
2 Catholic school will be one of the recommendations of the Parliamentary
3 Inquiry. The Government may have less clout in determining what
4 happens in parishes, but as a major financial contributor it should be
5 proactive in ensuring proper structures and expectations operate in all
6 Victorian schools.

7
8 I wish to repeat most definitely that I did not choose to become involved
9 in this sordid mess. I would vastly have preferred to have never known
10 these problems existed. I envy the many clergy who have never lived or
11 worked with a child abuser, or have never been approached to take on the
12 pastoral care of a victim and/ their family.

13
14 I have the highest respect for the vast majority of Catholic clergy. I think
15 they are particularly dedicated, hard-working men who are decent, honest
16 and consistently caring in their pastoral ministry.

17
18 However, this being said, I have no doubts that the majority of priests,
19 religious and parishioners are deeply shocked and embarrassed by the
20 scope of this scandal and the inept way it has been managed by the
21 hierarchy.

22
23 I also have no doubts that the vast majority of priests, religious and
24 parishioners welcome and support the pending Parliamentary Inquiry. It
25 is important for the six parliamentarians to understand that the views and
26 practices of the hierarchy over an extended period of history do not
27 reflect the views and practices of the vast majority of priests, religious
28 and parishioners.

29
30 While reflecting on who may be victims, without being over-
31 melodramatic, we must also consider how many primary victims of abuse
32 have suicided, become alcoholic and drug dependant, suffered severe
33 depression, had dysfunctional relationships, or even become sexual
34 offenders themselves.

35
36 Strange as it may seem, so many Curial officials, Vicar Generals ,
37 Auxiliary Bishops and even Bishops are also “victims” of this scandal.
38 They have been exposed to the horrific raw details of this scandal, that
39 most of us have been fortunate to avoid, yet most of them lacked the
40 authority to respond as they would wish. The more they were unable to
41 respond, the more they became complicit, and the more they became
42 targets of public criticism. There must be so many senior Church leaders
43 whose lives have been so negatively dominated by this scandal.

1 How many of these good, pastoral men would have wanted to respond
2 with their good pastoral instincts, but were constrained by their senior
3 Bishop or Rome. These Church leaders were placed in a classic
4 pastoral/authority dilemma.

5
6 How large is the problem? How many priests engage in sex with
7 children? I do not know current statistics, but in the late 90's the
8 insurance actuaries in Melbourne based their premiums on 3.4% of
9 diocesan priests as offenders. This figure was higher with religious
10 congregations, but my experience is predominantly with diocesan clergy.
11 It is worth noting that this figure of 3.4% happens to be exactly the same
12 for male offenders in the general community.

13
14 It is worth noting that figures in the USA are significantly higher. Some
15 dioceses have around 10% of clergy identified as offenders. My feeling is
16 the reality in Australia lies somewhere in between the actuarial figure of
17 3.4% and the USA reality of 10%. With proper co-operation and
18 investigation these guesstimates will one day become accepted reality.

19
20 The problem with the clergy offenders is they have had so much
21 unlimited, unaccountable access to children and they have been abusers
22 over very lengthy periods of time (some even 50 years). As such the
23 numbers of children abused by these clergy is extraordinarily high.

24
25 Later, I will tell in detail the story where 78 victims came forward with
26 allegations of abuse against one priest within two days after one person
27 had approached me with a complaint. This is clearly exceptionally
28 unusual, but it shows the potential damage that one offender can cause
29 over a 50 year period – as was the reality in this case.

30
31 The data from court convictions reflect only the tip of the ice-berg. In
32 most convictions only a representative sample of abuse cases are actually
33 listed to be tested in the court. In the above case only 12 of that initial
34 group of 78 proceeded to court where the offender pleaded “Guilty” and
35 hence there was no public trial.

36
37 Of great significance, and one of the central aspects of this document, is
38 the number of victims who have never confided their abuse to anyone, or
39 may have told a trusted friend, family member, teacher, priest or other
40 professional on the strict condition of anonymity and confidentiality for
41 fear of public exposure and shame.

42

1 So, when those trying to minimise the extent of this problem quote the
2 insurance actuarial statistic of “only 3.4% - the same as in the general
3 adult male population”, I see it as a less than honest strategy to give the
4 impression that the extent of damage is far less than it actually is. We will
5 never know the scale of this scandal. Suffice to say that it has been far too
6 high.

7
8 We know that there is so much abuse that for one reason or another does
9 not proceed to the courts. There is another problem associated with this
10 fact. One hierarchical defence has been unless a priest has been found
11 “Guilty” in a court of law that the person is therefore “Not Guilty” and so
12 no concerns, allegations or criticisms will be countenanced. One senior
13 bishop is reported as saying at a public meeting of victim supporters that
14 it’s “all gossip until proven in court”.

15
16 We know that this is a less than reasonable or accurate response insofar as
17 Melbourne’s Independent Commissioner, Peter O’Callaghan has found
18 allegations to be true. The Archbishop has then acted on his advice
19 removing these priests from their parishes, without the priest being
20 charged or convicted in a court of law.

21
22 Also, I think it is disingenuous for church authorities to play the
23 “vexatious critic” line – that bishops are the “victims” of angry people
24 with a hidden, or not so hidden, anti-Church agenda. A simple response
25 to such denial or propaganda is to ask, “Who really is the victim?” The
26 answer is clearly the innocent abused child in our care, not the bishop to
27 whom the crime was reported.

28
29 Who were the people raising the original allegations? By and large, it was
30 the parents who are also usually the very best parishioners. They are not
31 nasty anti-Church activists. These are committed, supportive and loyal
32 parishioners who have entrusted their child to the offending priest’s care
33 in a spirit of total trust and respect. Some even offered open hospitality
34 inviting the priest into their family circle as he then went about using
35 their family home to befriend and cultivate their child for abuse.

36
37 These parents initially needed to deal with the horrific reality that their
38 child had been sexually assaulted by their priest. It would have been a
39 trauma discovering your child was a victim of sexual assault – let alone at
40 the hands of your parish priest. They are already in shock, berating
41 themselves for “failing their child” by placing their child at risk.

42

1 It is these devastated and fragile parents who approached their bishop
2 with an expectation of compassionate support, only to be met by
3 avoidance, denial and rejection. The result was further confusion, pain,
4 damage and disengagement from their faith community.

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My final comment, in introduction, is to state that I am not an embittered
ex-cleric, ex-Catholic. My wife and I are continuing, financially-
supporting, practising Catholics and active in a parish that typifies the
very best of what it means to be Catholic.

1 GLADSTONE PARK

2 1976 – 1978

3
4 Archbishop Little appointed me as the Assistant Priest to Fr. Bill Baker in
5 Gladstone Park in January 1976.

Page | 20

6
7 I had some previous experience with Bill as he had been a Chaplain at my
8 school, St Kevin's, Heyington. I had not been particularly comfortable
9 with what appeared as his obsession with adolescent sexuality in his
10 chaplaincy and confessional roles. However, there was nothing specific of
11 personal concern from these schooldays.

12
13 Bill had been Parish Priest of this new parish for 12 months and was most
14 industrious in building a school, church and building this new parish
15 community.

16
17 In so many ways Bill was a good Parish Priest. He genuinely cared for
18 people, was a person of faith and commitment, and was proud in his
19 identity as a priest. He had a talent for financial administration and
20 project management with the new buildings required in the parish.

21
22 As everything was so new we did not have a presbytery. I started parish
23 life with Bill by living in motel units at the Gladstone Park Hotel through
24 the generosity of its owner and manager. After a while, Bill accepted the
25 advice of Frank Little, and we moved out of the motel to a rented
26 property in Tullamarine which was not actually in the parish.

27
28 At this time I did not have a car driving licence, so every evening Bill and
29 I would meet at a parishioner's home, have supper and return to our
30 house in Tullamarine. This family (the "Smith's") was particularly
31 hospitable and made their home our second home.

32
33 "Pat and Julie Smith" had four young children – the eldest was "Danny"
34 who was about 12. Clearly these are not the real names of these people.

35
36 After a while I became concerned at the time Bill was spending in
37 Danny's room helping him with his homework, and by Bill's
38 conversations with me being so heavily fixated on Danny. As time went
39 by I was concerned that Bill was cultivating Danny and I brought this to
40 the attention of the parents.

41
42 By this stage Bill had built a new presbytery on our parish site, but we
43 still spent many evenings with the Smiths.

1 The parents did not immediately share my concern. However, a few
2 weeks later the father visited me at the presbytery and made it clear that
3 he too now believed there was an unhealthy relationship between Bill and
4 Danny.

5
6 After he told me about Bill taking Danny to Bill's parent's house in
7 Maryborough, teaching him to drive sitting on his lap, and showering
8 with him, I realised we had a problem. With the child's and parents'
9 permission I interviewed Danny. To save him having to repeat his story
10 to others, again with permission, I taped this interview.

11
12 It was at this stage that I made a legal judgement error. After hearing the
13 preliminary stories of driving with Danny sitting on his lap and
14 showering with him, I chose not to ask further explicit sexual questions of
15 an obviously traumatised child. Further questioning may have resulted in
16 disclosure of information of a more definite criminal nature.

17
18 However, I had heard enough to realise it was a serious matter and to
19 justify referring the matter to the Archbishop. With hindsight, it would
20 have been beneficial to many subsequent victims if I had interviewed
21 Danny in more depth, and if there was evidence of criminal activity to
22 have directly reported it to the police, rather than the Archbishop.

23
24 I immediately took the matter up with Bill and he denied impropriety and
25 said he was like a father to Danny and that he loved him in that way. It is
26 important to state that Bill and I discussed all aspects of this problem in
27 our normal daily conversations over a significant period of time. There
28 was nothing that was secretive. Bill was aware of the complaint and what
29 was happening.

30
31 I spoke with the School Principal (JC) and she was concerned for the
32 safety of the children at school. As such, she raised the matter with the
33 Chairperson of the School Board (BC) who was a Stipendiary Magistrate.

34
35 A meeting was convened at the Normanby Hotel in Thornbury where the
36 School Principal, the Magistrate and I met, along with two friends of the
37 Magistrate. One was a Church canon lawyer (MG) and the other a senior
38 lawyer (BM). We discussed what we should do, and it was agreed that the
39 parents should take the matter personally to the Archbishop.

40
41 An appointment for the parents was arranged with the Archbishop at his
42 private residence "Raheen" in Kew. The parents maintain that the
43 Archbishop was "evasive" and his focus was how people complain about

1 priests, rather than supporting them. They went on to say that the
2 Archbishop said he didn't think such things (clergy sexual abuse of
3 children) happened. They described his general response as
4 "unsympathetic". They returned home very disappointed.

5
6 Later they had a meeting at St Patrick's Cathedral. The parents reported
7 that the then Vicar General, Mgr. Peter Connors, gave them a sympathetic
8 hearing and assured them that Bill would be removed from the parish
9 upon the completion of the new Church in mid-1978.

10
11 It is also important to place on record that the Magistrate and the Lawyer,
12 who had been at the initial meeting at the Normandy Hotel, also visited
13 Archbishop Little at "Raheen". Whereas the parents made it into the
14 parlour they claim they "sat on the handstand".

15
16 They describe the Archbishop's attitude to them as "openly hostile",
17 where he said their allegations against Father Baker were "despicable".
18 They claim the Archbishop attempted to intimidate them by raising the
19 issue of defamation. This topic went no further when they revealed their
20 legal professions, but also the conversation went no further.

21
22 At a later date "BC" and "BM" had a meeting at the Cathedral that
23 involved the Vicar General.

24
25 It is important to document that there were multiple appointments,
26 involving both parents and two laymen, to alert the Cathedral authorities
27 about the Gladstone Park problem with Father Baker and this boy. Three
28 of these four people are still alive and prepared to make Statuary
29 Declarations if required.

30
31 It is also important to document these visits insofar as a Civil Writ was
32 much later issued against The Archbishop (and I understand also the
33 Vicar General) by a victim at Eltham claiming that they had knowledge
34 of the Gladstone Park problem, and yet knowingly transferred him to
35 Eltham where he re-offended against this person.

36
37 Court records have the Archbishop being asked if people from Gladstone
38 Park visited him alerting him to specific allegations against Father Baker.
39 His response is recorded as "I have no recollection whatsoever".

40
41 This "Alan Bond" legal strategy may be clever, but it is not honest. It is a
42 matter of concern that the Archbishop, in a court of law, had "no
43 recollection" of multiple meetings that would easily be proven if the

1 parents and the two legal professionals had been called as witnesses. I
2 understand Archbishops act on their legal advice in denying knowledge
3 of these allegations, but nevertheless I would have hoped for a higher
4 standard of integrity from a Church leader.

5
6 I do not know the outcome of the Civil Writ, but I would confidently
7 guess that it was quietly settled “out of court”. I recommend that the
8 Parliamentary Inquiry request relevant documents on this case as it could
9 be quite indicative of the legal strategy employed by the Archdiocese of
10 Melbourne.

11
12 I return to the reality of living with Bill with this clear conflict of
13 information. I was completely open with Bill about what was happening.
14 At all times our relationship was friendly and, despite the tension of the
15 situation, we continued living and working co-operatively in what was a
16 busy and energetic parish.

17
18 One evening Bill was in the small study near the front door in the
19 presbytery. The phone rang and it was Frank Little. Bill silently beckoned
20 me in and held the phone out as I distinctly heard Frank say, “Bill, I don’t
21 believe these scurrilous allegations against you”.

22
23 We returned to the lounge room and I said to Bill that I was confused as it
24 appears that either Peter Connors or Frank Little was not telling the truth.
25 I informed him that Peter reportedly had told the parents that he was to be
26 removed from the parish when the Church was completed. Frank clearly
27 wasn’t accepting any truth in the allegations. Bill was confident in the
28 support of the Archbishop.

29
30 I shared with the parents this conflict of information from the Cathedral.
31 They were not at all perturbed and were fully confident that the advice
32 given by Peter Connors was going to happen.

33
34 The Church was opened in June 1978. Frank officiated and came to the
35 presbytery for refreshments. He stayed until everyone had gone except for
36 Bill, myself and the resident seminarian, [REDACTED] Frank asked Bill to
37 see him out to his car. Upon his return Bill was in tears holding a letter of
38 appointment as Parish Priest of Our Lady Help of Christians, Eltham.

39
40 Peter Connor’s advice to the parents happened just as he said.

41
42 There are just so many issues here....

43

1 The conflicting approach of the Archbishop and the Vicar General, with
2 the Vicar-General's position being ultimately vindicated.

3
4 Why would an Archbishop not be sympathetic to parents claiming that
5 their child had been sexually assaulted by their Parish Priest?

6
7 Why would an Archbishop be "hostile" with two laypeople trying to
8 bring this matter to his attention?

9
10 I must state on record that at no stage did I initiate any formal
11 conversation with either the Archbishop or the Vicar General. However,
12 I have no doubt that "the Cathedral" would have been aware of my active
13 involvement with the small group dealing with this matter. I had agreed
14 with the initial group that the matter should be carried by the parents with
15 the support of the two legal professionals. Again, in retrospect, it would
16 probably have been beneficial if I had been involved in a formal way.

17
18 I cannot be totally accurate on the length of time of this saga. However, I
19 estimate it to be 6-9 months. In that time, no-one from the Cathedral
20 contacted me on this or any other matter. I find it hard to reconcile that a
21 newly ordained priest is left to flounder, over such an extended period of
22 time, in such difficult parish and presbytery circumstances without any
23 contact or offer of support. It is hard not to think that I just didn't matter,
24 that no-one cared. The hierarchy was in damage control – and that is all
25 that mattered.

26
27 I believe I now know why the Cathedral was unable to contact or support
28 me and the parish. As mentioned earlier, it appears there was a clear legal
29 strategy to keep the Archbishop technically and officially removed from
30 having any knowledge or responsibility on matters of clergy child sexual
31 assault. It allows him later to have "no recollection" and no-one to testify
32 otherwise. It also allows an element of doubt to defend subsequent
33 litigation.

34
35 I now wish to quote a couple of newspaper reports on the Gladstone Park
36 situation. In the Sunday Herald Sun of 17 June 1997 it reports:
37 "...The Sunday Herald Sun learned this week that serious allegations
38 about Fr. Baker surfaced 19 years ago when he was parish priest at
39 Gladstone Park... Allegations about Fr. Baker were raised by the
40 chairman of the parish school board at Gladstone park in 1978 after
41 complaints by parents,... The then chairman of the school board, a
42 Melbourne magistrate, said allegations had been brought to the attention
43 of Monsignor Peter Connors and the church hierarchy in 1978. "We were

1 told the allegations were despicable, and that the matter would be handled
2 within the church without the police becoming involved. It was a most
3 unsatisfactory response at the time. Later that year Fr Baker was
4 transferred to another parish at Eltham....” said the Magistrate.
5 Bishop Connors said he was made aware of claims against Fr Baker in
6 1978 when he was the Vicar General (chief administrator) of the
7 Melbourne Archdiocese. “As Vicar General, I did not have any
8 involvement in the decision-making process,” he said. He said that was
9 the responsibility of the church hierarchy...”

10
11 Following Fr Baker’s conviction in 1999, the Magistrates’ Court reporter
12 for the Herald Sun wrote:

13 “A Catholic priest... entered a guilty plea on 21 counts of indecent
14 assault and one of gross indecency. The victims were all boys, aged
15 between 10 and 12. The charges related to incidents between 1960 and
16 1979. The summary said that in 1960 a boy, 11, was indecently assaulted
17 by the priest who was visiting a migrant camp in Benalla. Other alleged
18 victims were from churches where Father Baker was based during the
19 60’s and 70’s including parishes in East Brighton, Mordialloc, Doveton
20 and Eltham...”

21
22 I have specific details of names (also available in court records) where
23 Father Baker offended against young boys in Benalla, Jordanville, East
24 Brighton and Mordialloc”. I am prepared to provide specific details to the
25 Parliamentary Inquiry.

26
27 I am also aware that a Religious Sister (Sr. CB) complained to the
28 Cathedral about his behaviour at Jordanville.

29
30 It beggars belief that the Cathedral had no knowledge of allegations
31 against Father Baker dating back to 1960. And yet it took a further 39
32 years before he finally had to face court where he pleaded guilty on all
33 charges. It is a fair question to ask how many young boys were seriously
34 damaged by the abuse Baker inflicted in this extended period, and the
35 neglect of the Cathedral to act responsibly in relation to these matters.

36
37 I now wish to quote a comment from Archbishop Martin of Ireland as
38 reported in the Melbourne Catholic magazine, “Kairos” (June 2012)
39 referring to a clergy offender in his diocese of Dublin:

40 “Archbishop Martin said he believed a Government commission should
41 be set up to look into the case of the Norbertine priest, Fr Brendan
42 Smythe, who was convicted in 1977 of sexually abusing more than 20

1 victims over 35 years. Archbishop Martin said it was important to
2 investigate “how he was allowed to abuse for so many years’.

3
4 The comparison of Fr Smythe and Fr Baker is obvious. Names could be
5 interchanged for the same crimes over the same period of time. Why I
6 quote Archbishop Martin is to show how different his attitude is to the
7 avoidance, denial, resistance and deafening silence of the Melbourne
8 hierarchy.

9
10 Fr Baker is but one of many long term offenders in Melbourne. This
11 problem of the long term offender is not limited to Melbourne. In
12 Victoria we are aware of similar stories of long term abuse in other
13 dioceses (particularly Ballarat) and Religious Orders (particularly in the
14 Christian Brothers).

15
16 The “gold medal” probably goes to Fr Kevin O’Donnell who has
17 recorded crimes dating back to the 1950’s where I know of the abuse of a
18 friend of mine when he was a young child. We know O’Donnell was
19 reported to the then Bishop and Vicar General. Yet he was supported and
20 protected as an active priest until his conviction and jailing in 1995.

21
22 It speaks for itself that Fr Kevin O’Donnell is the oldest person ever to be
23 jailed in Victoria. Even in his old age, the judge had no hesitation on
24 imposing a custodial sentence based on his life-time abuse of young
25 children. The list of clergy offenders who abused for 20 years or more is a
26 damning indictment on the leaders of the Catholic Church for most of the
27 latter half of the 20th century.

28
29 A question I suggest that the Parliamentary Inquiry should ask of the
30 Archdiocese of Melbourne (and other dioceses and Religious Orders) is,
31 “Prior to the formation of the Melbourne Response, how often in the
32 previous 40 years did the bishops take the initiative to remove from
33 appointment clergy with serious allegations of sexual assault?”

34
35 The Baker case is not a case in isolation. It is not the exception. He is but
36 one of many who offended with impunity over extended periods of time.
37 I am aware of many others, but it was only Fr Baker (and later Fr
38 Searson) who I actually lived and worked with. The Baker case is
39 significant for the Parliamentary Inquiry as it is a factually documented
40 account of what happened and how it was handled by the hierarchy. The
41 Cathedral can attempt to claim they were unaware, but I know this to be
42 untrue.

43

1 Suffice to say, for me, this first appointment as a priest was a time of loss
2 of innocence and intense isolation. Over time I came to the sad realisation
3 that the Cathedral's priority was not the care, safety and well-being of our
4 children, nor the pastoral care of their people. Clearly the duty of care
5 towards me, as a newly ordained priest appointed to the parish by them,
6 was sacrificed for the greater good of the Church. I actually witnessed the
7 duplicity of the Cathedral as they acted with such ruthlessness to protect
8 the Church's reputation and assets.

9
10 I take great exception to the fact the Church hierarchy appointed me to
11 two serious sexual offenders and then subsequently developed a legal
12 strategy to ensure I could never speak about their actions or the Church's
13 failure to respond appropriately.

14
15 As previously mentioned, it is more than reasonable to believe the
16 Cathedral knew that there were multiple specific complaints against Bill
17 dating back to 1960. The Archbishop and his advisers had access to his
18 personal file that contained these allegations. They must have been aware
19 that these parents from Gladstone Park were not the first to make such an
20 allegation.

21
22 Even in the unlikely event that they had no knowledge of the multiple,
23 specific complaints since 1960, having now become aware of this specific
24 formal complaint all they had to do was look in his file in their office, and
25 they would have seen the clear and consistent pattern of complaints of
26 sexual assault.

27
28 I know his file exists as I was actually shown the previous letters of
29 complaint from it when I was having a meeting with a particularly
30 frustrated Vicar General many years later. As mentioned earlier, I had
31 written yet another lengthy, detailed letter angrily questioning why Bill
32 Baker and Peter Searson were still in active parish ministry.

33
34 The Vicar General invited me to come in to the Cathedral for a
35 discussion. He was struggling with what he called the "poison chalice" of
36 clergy child sexual assault he inherited. One of the letters of complaint in
37 that file came from a brother of a senior Melbourne cleric concerned
38 about Father Baker and this priest's nephew. And even then, there was no
39 response.

40
41 Why didn't the Archbishop initiate an investigation once a formal
42 complaint of serious substance had been personally made to him?

1 The Cathedral must have known that there was a strong possibility of
2 substance to the allegations, but would or could not address them.

3
4 Perhaps he may have had some form of internal investigation. If so, it
5 would have been reasonable to expect they would interview me as the
6 other priest in the parish, the person who lived with Bill, and the person
7 who actually received the complaint of the parent and subsequently
8 interviewed the child. Most importantly, I had this tape of interview with
9 the child that would have been central to any preliminary investigation.
10 And yet, at no time did any official of the Archdiocese initiate
11 communication with me to ascertain if there may have been any
12 substance to the allegations against Fr. Baker.

13
14 It is understandable, and to be expected, for an Archbishop to start from a
15 position of total support for his priest if it is one incident – as yet
16 unverified and possibly not true or even malicious. But this argument
17 simply does not hold when it is just another allegation 18 years after the
18 first, and consistent with the numerous allegations over those years.

19
20 As outlined in the previous newspaper article, Bill was later to plead
21 “Guilty” to 22 representative charges in the County Court in 1999 –
22 exactly 21 years after the Gladstone Park allegations, and 39 years after
23 the first formal complaint. The important point to note is these 22
24 convictions ranged from prior to his Ordination and involved every parish
25 in which he worked – with the exception of his final parish, North
26 Richmond. Even there, complaints were made to the Cathedral that
27 actually were investigated by the then Vicar General, Mgr. Peter Connors.

28
29 By transferring him from Gladstone Park to Eltham, the Archbishop was
30 simply transferring a criminal risk. Bill was no longer a threat to any
31 child in Gladstone Park, but what about the children in Eltham, and
32 subsequently North Richmond?

33
34 It is a matter of public record that Bill continued his predatory criminal
35 behaviour towards young boys insofar as Eltham is one of the
36 representative cases on the court list to which he ultimately pleaded
37 “Guilty”.

38
39 Neither Gladstone Park nor Eltham parishes were given the reason why
40 Bill had been transferred. Nor had Bill’s successor (MM) as Parish Priest
41 at Gladstone Park been briefed on the reason for Bill’s removal. He had
42 to ask me to find out the circumstances of the parish to which he had been
43 appointed.

1
2 It is a sad, but inescapable conclusion that the issue was avoided and “the
3 problem” was simply geographically transferred from one parish to
4 another, where he re-offended as he had done in each of his previous
5 parishes since 1960.

6
7 Frank Little is no longer alive and able to defend himself, or put forward
8 the story from his perspective. However, I find compelling evidence that
9 Frank had knowledge and failed in his responsibility of duty of care.
10 More significantly my position is also shared by the judge who sentenced
11 Bill Baker in 1999.

12
13 Judge Russell Lewis concluded and put on record that Melbourne’s
14 Archbishop Frank Little was made aware of the Gladstone Park
15 complaint. He went on to say that despite this, Baker was then transferred
16 from the Gladstone Park parish to Eltham where he continued with his
17 criminality. He concluded with, “In the past, there have been paedophile
18 priests who have been moved around with the full knowledge of the
19 hierarchy.”

20
21 I will now conclude the Gladstone Park saga with a personal story and
22 comment.

23
24 On our first night in the new presbytery I had gone to bed, the light was
25 off and my door shut. A short time later Bill came in, sat on my bed and
26 said, “Phil, what do you think about masturbation?” I made it abundantly
27 clear that I was not interested, and he left my room.

28
29 Apart from not respecting privacy, this is clearly not healthy behaviour,
30 and being propositioned by my Parish Priest in my own bedroom was a
31 most disconcerting event. After that, Bill never initiated anything of an
32 overtly sexual nature with me.

33
34 Does such a sexual proposition from a Parish Priest to his Curate
35 constitute “sexual abuse”? I think not, but it is clearly indicative of a
36 personality problem.

37
38 It is important to consider some of the implications if I had agreed to
39 engage in any form of sexual activity with Bill on that evening.

40
41 To start with, it would have side-lined me from ever reporting him for his
42 predatory sexual behaviour. If I had become a sexual partner of Bill, I
43 would have had little or no moral authority to report him. He also would

1 have had serious matter to discourage me even if I did decide to report
2 him in those circumstances.

3
4 What is even more alarming is the network issue. If we had become
5 consenting sexual partners, there is some likelihood that he would have
6 expressed his interest in sexual activities with young boys. There is the
7 possibility that I could have been introduced into child sexual activity
8 with and through him.

9
10 For many years I struggled to accept the reality of networking among
11 paedophiles. I tended to put it down more to coincidence. Now I am more
12 inclined to suspect that clergy who are sexually active with each other
13 also introduce and share children of their sexual interest who are
14 vulnerable and a relatively easy target.

15
16 Even if they are not sexually active with each other, once another abuser
17 becomes aware of the similar disposition in a colleague they are more
18 likely to operate together, or at least provide information to each other.

19
20 I am not aware if any studies have been done on this, but when I became
21 aware of the group of offenders at both Salesian College, Sunbury and St
22 Alipius', Ballarat East, it seemed to make some sense that these
23 paedophile clergy were not acting alone with individual targeted children,
24 but were sharing information and opportunity on these children resulting
25 in ongoing sexual assault.

26
27 I know this group activity happened in the seminary while I was training
28 to be a priest. During that time there was a high profile group who
29 befriended young boys and engaged in sexual activity with them.

30
31 This dominant and high profile predatory seminary group continued their
32 abusive behaviour after they were ordained. It is known that they
33 gathered in a Melbourne presbytery where they sexually assaulted boys.
34 The leader of this group died at a relatively early age, and a significant
35 number of that group have subsequently been convicted of sexual assault
36 of male minors.

37
38 We now see how paedophiles use the internet to groom possible victims,
39 and how they co-operate with each other on the exchange of information.
40 Whereas the internet has made the sharing of information more possible,
41 the same dynamic or process would have resulted from the communal
42 living or close association of these clergy sexual predators.

43

1 I am strongly recommending that one of the terms of reference of the
2 pending Parliamentary Inquiry should be the nature of networking among
3 clergy offenders.

4
5 I wish now to return to Bill as a person. I feel sad for Bill. He was well-
6 intentioned, but was a lonely, sexually immature person who obviously
7 was struggling with the celibate lifestyle required of a priest.

8
9 Those in authority knew he had a problem and was a problem to others.
10 If he had been offered counselling, treatment and monitored supervision
11 in 1960, or in any subsequent incidents – even as late as of Gladstone
12 Park in 1978 – the sexual abuse of many Melbourne children would have
13 been prevented. Perhaps he could have got his life in order through
14 support and rehabilitation, instead of facing the shattering experience and
15 public shame of jail.

16 Unfortunately, I can come to no other conclusion than the fact that the
17 Archbishop failed most seriously in this matter.

18
19 I am aware that the culture of the times was not to respond to any
20 allegations, and that the Archbishop and his advisors must also have been
21 personally shocked by the graphic nature of such allegations. However,
22 even accepting the context of the times, the response was not acceptable
23 by any public standards of decency and law.

24
25 I hold the Archdiocese responsible for their abject neglect in their duty of
26 care to Bill, to me, and more specifically and more importantly the many
27 victims and their families.

28
29 It is important to note that my understanding of what happened at
30 Gladstone Park has been accepted by Rome. Upon leaving ministry in
31 1999, a priest who is a Church lawyer wrote my formal laicisation
32 (release) from priesthood application. I signed it on oath, and it was
33 accepted without question by Rome.

34
35 Rome released me from my priestly duties on the grounds that my health
36 suffered “..... as a result to the personal and professional stress I have
37 endured as a result of my having to deal with the activities of paedophile
38 members of the clergy.”

39
40 Furthermore, and most importantly in relation to these matters at
41 Gladstone Park, it went on to specifically state:

42 “ ... I sincerely believe I undertook the right course of action in reporting
43 him (Baker) to the responsible authorities, whom I believed would deal

1 with the situation appropriately. Thus I was stunned and disappointed to
2 find that he was later appointed to another parish where the same
3 paedophilic activities were subsequently proven to have taken place.”
4

5 Whereas there is some slight doubt whether the Archbishop had
6 information prior to the abuse of Danny in Gladstone Park, I have to
7 sadly conclude that I hold the Archbishop co-responsible for further
8 crimes Bill committed over the next 20 years against children in his
9 parish care after Gladstone Park.

10
11 It appears that when faced with a dilemma, the Archbishop chose the
12 Roman church over the Melbourne children.
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SUNBURY
1981-1983

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2
3
4 My experience at Gladstone Park was relatively good when compared to
5 the three year appointment I endured at Sunbury. At least at Gladstone
6 Park the issue was clear cut and could be understood and addressed. Also,
7 Bill was a good and kind priest to live and work with – despite the
8 obvious difficulties and tensions raised by the allegations of sexual
9 assault.

10
11 It is important to state from the start that I personally had no specific
12 personal knowledge of clergy sexual assault of children by the then
13 Parish Priest, Peter Searson, as I had with Bill Baker at Gladstone Park.
14 At a later date, I found out about what was happening at the time I was on
15 appointment with him. The later details of sexual assault of children are
16 consistent with his general pattern of behaviour from 1981 to 1983.

17
18 This following account will outline the fact that Peter Searson had major
19 psychological problems that seriously impacted on those under his
20 “pastoral care”.

21
22 More importantly, and why this is relevant to the Parliamentary Inquiry,
23 it again shows the strategy of the hierarchy to avoid a problem that could
24 reflect poorly on the Archdiocese of Melbourne, and their unwillingness
25 to initiate any action to address the identified problems in the parish of
26 Sunbury. It is my very strong belief that the self-interest of the Melbourne
27 hierarchy prevailed over the care and well-being of the parish of Sunbury.
28 This reflects my previous experience at Gladstone Park.

29
30 I keep coming back to only one word that captures my three years at
31 Sunbury – bizarre! Later I will count how many times I use this word, but
32 there is no other word that captures the reality of Sunbury with Searson.

33
34 I am confident that fair-minded people can read my account of Gladstone
35 Park and come to some reasonable opinion of reality. I defy anyone to
36 make sense of what follows at Sunbury.

37
38 After about 18 months in Sunbury I had completely lost my confidence in
39 reading reality. It just couldn't be that bizarre. So, I rang [REDACTED]
40 [REDACTED] and asked if I could visit him for a chat.

41
42 [REDACTED] was very welcoming and supportive. He told me even more bizarre
43 stories than I told him! He informed me that prior to him being ordained

1 as a priest he was a Marist Brother, Brother Bonaventure. He finished by
2 giving me the names of two priests (AG and NM) who had lived with
3 Peter as curates, and suggested I contact them if ever I was doubting the
4 degree of Peter's mental instability.

5
6 This meeting was not particularly helpful, except I now knew a bit more
7 about Peter's dysfunctional personality and I understood the situation at
8 Sunbury was crazy. What is also important is that although this bishop
9 was fully aware of the problems I was experiencing with Searson in
10 Sunbury, nothing was done either to address the problem or to give me
11 and the parish any support or assistance.

12
13 I am aware of the continuing havoc Searson caused at Doveton when he
14 was finally transferred from Sunbury by Archbishop Little. Submissions
15 from Doveton will further tell this story.

16
17 I am also suggesting to the Victorian Inquiry that the Marist Order be
18 requested to make available any complaints about the then Brother
19 Bonaventure before he was ordained as a priest. It is clear that Sunbury
20 was not a problem in isolation – it was part of a pattern of assault that
21 finally culminated in him being charged by the police and removed from
22 public ministry.

23
24 As mentioned, in comparison with Gladstone Park, which centred on
25 specific allegations that were factual and documented, Sunbury is more
26 my personal account of trying to survive "living and working" with a
27 damaged, dysfunctional, delusional and dangerous person.

28
29 So, I'll start at the beginning and let the story speak for itself....

30
31 Frank Little rang me in early January 1981 to inform me that he was
32 appointing me as Assistant Priest at Sunbury Parish. I responded that I
33 didn't think I could live or work with Peter Searson. His exact reply was
34 "Let's hope that his bark is worse than his bite." As I soon discovered, his
35 bite was much worse. In fact he hardly barked, but he bit viciously.

36
37 So off to Sunbury I go. The first week was quite pleasant and Peter
38 welcomed me and showed me around the parish. Although he was not a
39 warm person, he was pleasant and polite.

40
41 In the first (or possibly second week) my parents were invited by Peter to
42 come for lunch. They happily accepted this gracious invitation. As it
43 happened, this was the day an extension of our parish school, that had

1 been built by the voluntary labour of parishioners, was being opened and
2 blessed. As my father was the then Chairperson of the Catholic Education
3 Commission of Victoria, the then Director of Catholic Education in
4 Melbourne asked him to be the official representative of the Catholic
5 Education Office at the blessing and opening.

6
7 I have no idea what triggered Peter's response that day. My parents and I
8 were waiting in the dining room for Peter to join us for lunch when the
9 housekeeper informed us that Fr Searson had decided not to dine with us
10 and that he would be eating in his room.

11
12 Later that evening Peter was in his office and I decided to speak with him
13 about the events of the day. After he had said that he had deliberately
14 chosen not to eat with my parents, I was rather stunned and replied,
15 "Peter, I don't want this to happen again". He was measured and definite
16 and said, "It won't, as neither you nor your family are ever welcome in
17 this house again"

18
19 One thing about Peter was he was a man of his word. From that day, in
20 February 1981 until we were both moved in January 1984, Peter excluded
21 me from any active participation in the presbytery. Wherever possible, he
22 lived and worked as if I did not exist.

23
24 Again, I am bewildered by the non-response of the Archbishop and his
25 officials. It was they who appointed me to Sunbury against my expressed
26 reservations, and yet when I was banned from normal presbytery/parish
27 life within the first fortnight of my appointment (which continued for
28 another 3 years), no remedial action was instigated by the Archbishop nor
29 was there ever any visit or offer of support in this entire period.

30
31 After informing me that I was no longer welcome in the presbytery he
32 told me that he "carried a loaded gun at all times". This was clearly to
33 intimidate me. I have no idea whether this was true or not, but obviously I
34 was not prepared to put it to the test. The fact that he had an obsession of
35 being formerly in the Armed Services lent some credibility to his
36 statement. This delusion had no basis in reality, which made him even
37 more dangerous and was indicative of his mental instability.

38
39 Whenever people would ring the presbytery for me, Peter's standard reply
40 was "No one of that name lives here"! At this stage I realised that
41 obstruction was going to be the nature of "living and working" with
42 Peter.

43

1 As I was no longer welcome in the house, I lived in the self-contained flat
2 at the rear of the presbytery that fortunately had its own external access.
3 A family kindly gave me an electric stove, the Josephite Sisters gave me a
4 bar fridge and parishioners would leave pre-cooked meals at my back
5 door for me to re-heat and eat.

7 As presbytery meals were no longer available to me, I ate in my room or
8 went out for meals. I had a regular meal invitation each Monday and
9 Thursday. On Mondays I would eat at the Convent with the most
10 supportive Josephite Sisters, and on Thursdays with a couple where the
11 husband formerly had been a priest in Western Australia.

12 At all other times I had meals with parishioners, ate at the Ball Court
13 Hotel (opposite the presbytery), had “take-aways”, and later I adopted the
14 local Youth Centre (with its kitchen) as my home away from home.

16 I wrote to the Archbishop informing him of the situation. I questioned if it
17 was acceptable for an Assistant Priest, appointed by the Archbishop to a
18 parish, to be denied access and daily living and working resources in his
19 own presbytery. As was the pattern, the Archbishop chose not to address
20 this matter.

22 In fairness, it is most important to state that Peter never attempted to stop
23 me from the fundamental parish priestly work such as Sunday Masses,
24 celebration of the Sacraments or Parish School involvement. It was
25 activities emanating from any of these functions that he obstructed.

27 Before addressing Peter in relation to the topic of this paper, “The clergy
28 sexual assault of children”, I need to paint the larger picture of Peter’s
29 dysfunctional personality that was also manifesting itself in the sexual
30 assault of children in the parish. Peter had a tenuous link to reality and
31 adopted a persona that was much like the character in the movie, “Walter
32 Mitty”.

34 Peter went by the name of “Reverend Father Lieutenant-Colonel Peter L.
35 Searson” and always wore a khaki clerical shirt. Although he had claims
36 to involvement in the Air Force during the Second World War, it is
37 documented that this was a figment of his imagination. His only
38 background in this area was as a Cadet Officer when he was Brother
39 Boniventure in the Marist Order (prior to becoming a priest) and some
40 part time chaplaincy to the USA base in Germany when he was studying
41 in Rome.

1 Every year he insisted on delivering the RSL ANZAC Day address in
2 Sunbury as with his rank of “Lieutenant-Colonel” he claimed to be the
3 “senior soldier” in Sunbury. Fortunately, no-one in Sunbury ever
4 discovered this deception.

5
6 Another embarrassing episode was when local police interviewed Searson
7 on two separate occasions on shoplifting allegations. The police were our
8 neighbours, and I knew them well. It was decided not to proceed further
9 with the enquiries.

10
11 Fraud, also, was one of his scandalous activities. I played cricket with the
12 local Bank Manager and he was so concerned that he approached me with
13 details of financial irregularities in various accounts held in Peter’s name.

14
15 I know that Government funding for schools made its way into the “Peter
16 L Searson Trust Fund”. There was a specific occasion where curtains for
17 the school were paid from this account. He also personally purchased a
18 new car (a Peugeot) using a school Sales Tax exemption. Again, I
19 personally conveyed this information to the Archbishop in writing.

20
21 I was not in a position to challenge Peter without the facts, so I requested
22 access to the parish/presbytery accounts, which he refused.

23
24 On a personal level, Peter would pay me my stipend irregularly at his
25 whim and it was obvious that he was not paying me correctly. Again
26 there was nothing I could do about this as he controlled the finances.

27
28 At the end of my three years in Sunbury the Archbishop moved both of us
29 to new appointments. After a while, the then new Parish Priest (AD)
30 contacted me to let me know that after reviewing the parish finances, in
31 his opinion, I had been “conservatively under-paid \$27,000” in my three
32 years at Sunbury.

33
34 As well as the salary deprivation, because I had no access to the normal
35 Presbytery and Church accounts of the parish, I also had to personally
36 pay for all my own living and working expenses over this 3 year period.

37
38 I wrote regular, detailed letters to the Archbishop informing him of
39 multiple specific problems in relation to Peter. When he did reply, Frank
40 would always be polite and express verbal support and goodwill.

41
42 However, in my almost 3 years of corresponding with the Archbishop, I
43 cannot recall any instance where he actually acknowledged the specific

1 complaint, nor took any action on addressing or resolving the continuing
2 problem that clearly was the parish priest.

3
4 As in Gladstone Park, I was isolated to fend for myself without any
5 contact or support from the Archbishop or personnel at the Cathedral. It is
6 extraordinary to think, especially after the experiences at Gladstone Park,
7 that history could repeat itself – but far more unpleasantly.

8
9 I wonder and question how an Archbishop can justify appointing a young
10 priest to Baker at Gladstone Park, and Searson at Sunbury, and then
11 abandoning him to his own resources for a total of 6 years - without any
12 offer of personal or professional support and assistance.

13
14 I now want to move from my personal “living and working”
15 arrangements in Sunbury to the problems of Peter Searson in regards to
16 sexual assault of children.

17
18 As I was sidelined from presbytery and parish activities, I was unaware
19 that in my time in Sunbury there were investigations by the Police
20 Community Squad in regard to allegations of sexual assault associated
21 with the parish school. If I had been aware of such investigations I would
22 have assisted the police.

23
24 I knew that Peter was a risk to children, but I wasn't living close enough
25 to him to obtain any definite evidence. I was aware of the School
26 Principal's concern that Peter was taking children to his office for
27 “private sex education”. Rumours were around, but no-one was coming
28 forward to me with definite complaints.

29
30 Unfortunately, although concerned, I was not able to ascertain anything
31 definite in this regard. This sexual assault was just yet another aspect of a
32 seriously disordered person who operated autocratically as a parish priest
33 in total privacy and secrecy.

34
35 I strongly suspect that his now accepted sexual assault of children in his
36 rooms in the presbytery could well be the main reason behind Peter's
37 decision to exclude me from presbytery life. Privacy and isolation is the
38 strategy of offenders.

39
40 Later investigations by the Independent Investigator, Peter O'Callaghan,
41 confirmed the sexual assault, and in 1997 (14 years later) the Archbishop
42 withdrew his faculties to practise as a priest.

43

1 In communication with me, Peter O’Callaghan has confirmed that “...the
2 Parish Priest of Sunbury (Searson) was found by an Independent Enquiry
3 to have been **guilty of sexual misconduct with young children**” (my
4 emphasis). If so, there must have been serious and sufficient grounds for
5 justifying the formal removal of Searson from active ministry. It is
6 important to clarify if any of this sexual misconduct with children
7 happened in Sunbury. If so, was any of this information given to the
8 police for possible criminal charges?
9

10 On the above matters, I wish to quote from an article in Melbourne’s
11 Sunday Herald/Sun from 23 March 1977:

12 “A Catholic priest suspended this week amid allegations of child sex
13 abuse had been removed from a previous parish after teachers and parents
14 complained he was taking children out of school for one-on-one sex
15 education classes..... According to police sources, he had been
16 interviewed by community policing squad police at Sunbury in 1982
17 following complaints from a lay teacher and parishioners.....According to
18 police, the parents of the alleged Sunbury victim decided against taking
19 action and charges were never laid. At the time Fr. Searson denied the
20 allegations, but conceded to a ban which prevented him taking children
21 into the confessional and his presbytery.....”
22

23 This article obviously relies heavily on information from the police which
24 suggests accuracy and credibility. Also, the Archdiocese did not deny or
25 publicly challenge the allegations contained in the article.
26

27 Again, for the record, the Archbishop made no contact with me on this
28 matter at the time referred to in the above article. This is quite
29 extraordinary insofar as I was the other resident priest in a parish where it
30 appears that the Parish Priest was no longer permitted to be involved in
31 the Sacrament of Penance with children in the parish school.
32

33 If, as alleged, he was indeed “prevented from taking children into the
34 confessional and his presbytery” there are at least two serious reasons
35 why the Archbishop should have informed me of this serious matter.
36

37 The first is, as I was the other priest assigned to live and work in
38 Sunbury, I should have been informed to monitor that Fr. Searson was
39 actually complying with the instruction.

40 The second was, that if Fr. Searson was no longer permitted to perform
41 his duties in relation to the Sacrament of Penance, I should have been
42 aware so that this pastoral and sacramental care could continue in the
43 school/parish.

1
2 I now believe I understand why the Archbishop was not able to
3 communicate with me on any of these matters. It was not personal, and it
4 was not because he lacked pastoral care for the parish of Sunbury. I'm
5 sure he would personally have vastly preferred to support me and the
6 parish in these difficult times.

7
8 Fundamentally, it was a legal strategy. To have any communication with
9 me on these matters would have been to admit knowledge, which would
10 have given a basis for later litigation, and also would have held him
11 accountable for subsequent claims both on his personal responsibility and
12 his failure in the duty of care. It was legally imperative that no
13 acknowledgement of the problem be in any way admitted to anyone. This
14 enabled a denial, or a failure to recollect, at a later time.

15
16 This Sunbury experience of the Church hierarchy's failure to
17 communicate or acknowledge the problem reflects exactly what I
18 experienced at Gladstone Park after specific allegations of the Parish
19 Priest were made personally to the Archbishop.

20
21 It also reflects so much of the criticism of the Archdiocese on this scandal
22 over many decades. It appears the only advice that mattered was that of
23 their lawyers. It appears they were focused on minimising the scandal to
24 protect the Church's reputation and assets.

25
26 It is sad that such a narrow legal response appeared to be the strategy of
27 the Archdiocese of Melbourne in dealing with this major scandal. As a
28 Church, one could reasonably have expected a priority to be given to
29 matters of morality such as truth, honesty and integrity.

30
31 Also as a Church, one could reasonably have expected a priority to be
32 given to the pastoral care of the specific people and parishes directly
33 affected by this scandal.

34
35 But above all, one could reasonably have expected a priority to be given
36 to the safety and well-being of children in our care – those actually
37 sexually assaulted at the time and those many children who were
38 subsequently assaulted because of the Church hierarchy's failure to act at
39 the time.

40
41 I return to the story of Sunbury. It is ironic on what brought all this
42 dysfunction and scandal to a head. It was a relatively innocuous matter of
43 Sunday Mass time-tabling. This story is important insofar as soon as the

1 Archbishop was presented with an opportunity that was not going to be a
2 public scandal or have any further implications, he acted most decisively.

3
4 Peter had organised a Sunday Mass roster where I went exactly 6 months
5 in 1983 without leading any of the Sunday Morning Masses. Each week I
6 was rostered to celebrate the Bulla Mass at 10am and the Sunday evening
7 Mass.

8
9 I approached him and requested some access to the Sunday morning
10 Masses. Not surprisingly, he refused so yet again I referred this matter to
11 the Archbishop.

12
13 Much to my surprise this time I received a definite response. The
14 Archbishop wrote to me asking if he could have my permission to refer
15 this matter to his advisers. I replied giving this permission, and saying as
16 he was Archbishop he could do what he liked.

17
18 The Archbishop instructed Peter to organise an equitable Mass Roster.
19 Peter again refused, and this resulted in the Archbishop removing him
20 from the parish (presumably on the grounds of disobedience to an
21 Archbishop's directive) and transferring him to Doveton.

22
23 Over the three years I had alerted the Archbishop to so many specific,
24 substantial scandals and he failed to act on any of these. Then on a matter
25 of refusing to allow an equitable Mass roster he removed Peter for failure
26 to comply with his instructions.

27
28 In matters of substance and genuine scandal the Archbishop remained
29 impassive. When given an opportunity for a non-scandalous removal he
30 acted decisively.

31
32 Again the strategy is so clear in hindsight. To have acted against him on
33 anything scandalous would have admitted knowledge, with subsequent
34 legal implications. However, once a technical, non-scandalous excuse
35 arose, the Archbishop acted swiftly in getting him out of Sunbury and
36 moving him to another parish (Doveton) where he caused continuing
37 damage to many more people.

38
39 It is also sad that the Archbishop transferred a known "problem priest" to
40 yet another socio-economically poor parish. I note that these problem
41 priests tended to be shunted around the more battling communities of
42 Melbourne. As we now know, and as the Archdiocese probably knew

1 then, Peter was simply the next “problem priest” in a long list of
2 “problem priests” at Doveton.

3
4 This Sunbury story will make more sense and relevance to the Victorian
5 Inquiry when detailed submissions of Peter’s subsequent abuse while at
6 Doveton are tabled at the Inquiry.

7
8 In fairness to the Archbishop it was not easy to remove a priest from his
9 parish in those days. Searson would have been well aware of the Canon
10 Law that did not permit the Archbishop to move a priest without his
11 wishes unless a serious offence could be established in formal church
12 proceedings. However, I doubt there was even any effort to “negotiate”
13 with Peter on any of the number of concerns that were part of the
14 Sunbury story. Also, negotiation should not have been required if it was
15 accepted that there was substance to these allegations of sexual assault.

16
17 Although ever so different to Gladstone Park, my experience of Sunbury
18 was that the Cathedral would do everything possible to avoid a scandal.
19 It was evident that avoiding “public scandal” was the priority over any
20 pastoral care of the children, people or the priests of the Sunbury parish.

21
22 On a personal note, although I lost my innocence at Gladstone Park, the
23 major damage to me and my ministry occurred in this bizarre
24 appointment of Sunbury.

25
26 This, and the failure of the Melbourne hierarchy, was formally confirmed
27 in the previously mentioned laicisation application to Rome, written by a
28 priest who is a Church lawyer, signed by me on oath and readily
29 accepted.

30
31 Relevant comments from this legal document on Sunbury/Searson
32 include:

33 “..... After a fulfilling appointment at Scoresby, I was sent to another
34 parish – Sunbury – where I found a re-run of the situation I had endured
35 at Gladstone Park. I reported this priest (Searson) to the appropriate
36 authorities for his financial and personal abuse, but it once again appeared
37 that the required action was not taken. It is only in recent times that he
38 has been stood down and retired. As a result of my standing up for the
39 victims of these two priests, I began to be approached by other victims of
40 other priests....I became increasingly disillusioned because of my
41 knowledge of a significant number of clergy who preyed on their
42 parishioners and other vulnerable people.....”

43

1 Sunbury was far more disturbing than the events of Gladstone Park. I
2 may have been younger and more naïve at Gladstone Park, but Bill was
3 always kind. Unfortunately, he had a serious sexual problem. In Sunbury
4 I had to “live and work ”on a daily basis for 3 years with a person/priest
5 who clearly was psychiatrically disturbed. Peter was hostile to my
6 appointment by the Archbishop and never accepted me.

7
8 I use a phrase that, in my opinion, many of the priests who offend against
9 children are more “sad or mad, rather than bad”. In my opinion, Bill was
10 sad, while Peter was mad. As such, I believe they had diminished
11 responsibility for their extremely serious failures in their pastoral
12 responsibilities.

13
14 You won’t be surprised to hear that I am not that kind in my evaluation of
15 the Archbishop and his advisers. They knew that Bill and Peter were
16 seriously damaged people and that anyone under their “pastoral care”
17 would be “at risk”.

18
19 Yet, they knowingly appointed a young curate to such unhealthy living
20 and working environments, and then chose not to have any ongoing
21 personal, pastoral or professional contact. It is a cause of concern that
22 when they became aware of numerous serious specific problems, they
23 chose not to respond.

24
25 In my opinion, the officials of the Archdiocese of Melbourne were
26 seriously negligent in their duty of care to the abused children, their
27 families, others involved, Bill, Peter, me and both parishes of Gladstone
28 Park and Sunbury.

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1 “RUPERTSWOOD”, SALESIAN COLLEGE, SUNBURY

2
3 While I was a diocesan priest in the parish of Sunbury I had no specific
4 knowledge of the now exposed serial sexual assault of children by clergy
5 that occurred at the local Salesian College.

6
7 Now, in 2012, we know that about 6 priests or brothers attached to
8 Salesian College have been convicted of sexual assault, and it is alleged
9 that another 3 priests or brothers were not charged, but the Salesian Order
10 paid compensation to those who made complaints.

11
12 We all know that one abuser is one too many. But when the official list in
13 one school alone is getting towards double digits it is horrific.

14
15 I have been associated with the Salesian Order for almost 30 years and I
16 have the utmost respect for the vast majority of highly committed
17 Salesians who have dedicated their lives to educating young people. How
18 sad that the wonderful work of these clergy is negated by the crimes of
19 others in their community.

20
21 On a personal level, it particularly saddens me that one priest who has
22 been convicted and jailed as a multiple offender was a friend I trusted
23 implicitly. He had been particularly supportive of me, and I was aware of
24 the high quality of pastoral care he offered in the school/parish
25 community.

26
27 At the time, I was unaware of any person critical of him in any way. I was
28 also close to his family when I was Parish Priest of Belgrave in 1993-
29 1998 and they, like me, believed in him and found the accusations against
30 him hard to accept.

31
32 In fact when I was co-operating with the Sexual Abuse Squad on
33 potential offenders, the police named this priest. I assured them they were
34 wrong. Sadly, they were right.

35
36 Another was a priest, who now has allegations about him, who I worked
37 with closely in my appointment as Parish Priest of Belgrave. He was the
38 Principal of our local Regional College. Again, I held him in the highest
39 regard, and he enjoyed an excellent reputation in the school/parish
40 community. He has not been charged, and now lives in Rome.

41
42 The lesson I have learned from this experience is not always are child
43 abusers pathetic, inadequate broken men. It is relatively easy to identify

1 such clergy, but not so those who project so positively in the community.
2 Some are seemingly highly impressive, pastoral people who do not attract
3 any suggestion of impropriety. So, sometimes it is the popular, seemingly
4 devoted, clergy who are also very much part of the problem.

5
6 I will deal with underlying possible causes or influences that contribute to
7 this criminal behaviour in another paper. As I was a diocesan, not a
8 religious priest, I have little or no knowledge of the dynamics within
9 religious communities such as the Salesian Order. However, I think there
10 is a reasonably obvious factor at play here.

11
12 The vast majority of these offending priests/brothers would have come
13 from strict Catholic families that, in those times, tended towards a
14 negative and repressed view of sexuality. It was a stage in a young man's
15 life where sexual sin and guilt was the predominant focus of their
16 morality and development. In all probability, they had attended a single
17 sex boys' college, probably one conducted by the Salesian Order.

18
19 At a relatively young age in their adolescence or young adulthood they
20 would have entered the religious novitiate or seminary. Here they lived
21 "24/7" for a number of years in community with other religious
22 priests/brothers/seminarians. It is quite possible that at a young age they
23 could have been groomed by a predatory problem member of that
24 community, and the abnormal could have been accepted as normal.

25
26 Even if this grooming did not happen, they were still living in an all-male
27 environment. They would have had little or no significant contact or
28 relationships with women, especially their peers. If they had any sexual
29 leanings, yearnings or experimentation it would, most probably, have
30 been identified or acted out with a male peer more readily available to
31 them in their day to day living arrangements.

32
33 Following their lengthy training period they would usually then be
34 appointed to a secondary college for boys. It is consistent that any
35 unhealthy sexual orientation/activity would continue to focus on those
36 they spent their lives with already – the young boys in their care.

37
38 So, if we look at the community dynamics of that time it is not
39 particularly surprising that a percentage of those in religious life were
40 highly immature, disoriented sexual men who were a risk to children
41 entrusted to them as secondary educators and spiritual directors.

42 .

1 There are a number of serious questions that need to be asked about
2 Salesian College, Sunbury. Among them are:

3 Were these offenders acting alone?

4 Was there an awareness or culture that encouraged or condoned sexual
5 behaviour with adult priests/brothers and young boys in their care?

6 Were any members of the religious community at Sunbury aware or
7 suspicious of any inappropriate or criminal behaviour against children by
8 any priests/brother?

9 Was anyone in authority in the Salesian Order aware or suspicious of
10 such activity?

11 Did any member of the teaching staff, or any parent, raise questions of
12 concern at any stage?

13 If so, what was done to address the identified inappropriate and criminal
14 activity and ensure it did not continue?

15 Is anyone in the Salesian Order aware of further criminal activity that has
16 not, as yet, been reported to church or civil authorities?

17 Is the Salesian Order confident that all offenders in their Order have been
18 exposed and appropriately dealt with?

22 OTHER PERSONAL INVOLVEMENT WITH CLERGY ABUSE

24 My detailed knowledge of the Gladstone Park and Sunbury situations
25 results from living with both Bill and Peter each for a 3 year period.

27 Unfortunately, over the years I have been personally involved in over a
28 dozen other clergy sexual assault cases. However, all of these were more
29 peripheral as I was supporting a specific victim, but was not aware of the
30 broader context of any of these cases. As such, I will neither name nor
31 comment on any of these cases in this paper.

33 Although aware that these priests in all probability were abusers, I did not
34 have first-hand or documented evidence to this effect. In only one of
35 these many cases was I sub-peoned as a witness. My role was primarily to
36 offer pastoral care to the victims and their families. I listened to their
37 story and accepted what they said. As it eventuated, all of these priests
38 were ultimately convicted for serious sexual assault of children, so the
39 allegations of those people who directly approached me were all
40 ultimately proven to be true. This further reinforces my belief that the
41 vast majority of sexual allegations against clergy are not vexatious, but
42 have substance.

43

1 I do want to make one exception to this policy of not naming or
2 commenting where I was not fully involved. It relates to Father Kevin
3 O'Donnell (no relation), as his story exposes the failure in processes of
4 the Archbishops and their advisers over almost a 50 year period.

5
6 A book about him, "Hell on the Way to Heaven", was published in 2010
7 with extraordinary details of graphic and horrific abuse over a very long
8 period of time. As the book has been published, and no legal action has
9 been taken against the authors, it is reasonable to accept that the accounts
10 as outlined are true or, at least, not being contested in the public forum.
11 This book is also now published in the USA and Italy.

12
13 There has been strong media publicity of the book and its issues, and it
14 has become the catalyst for the recent community response that has
15 culminated in this Victorian Parliamentary Inquiry.

16
17 I regard this gruelling account of clergy child sexual assault of the two
18 young sisters as the most significant single contribution to address and
19 resolve this scandal. I would say that any person who has any
20 responsibility or interest in this scandal must read "Hell on the Way to
21 Heaven".

22
23 The parents of the two sisters, Chrissie and Anthony Foster, have been at
24 the forefront of all media efforts to make this scandal a matter for
25 independent inquiry. They have also worked assiduously behind the
26 scenes meeting with politicians and all other stakeholders in this scandal.

27
28 On 3 April 2011 its authors presented the book to Ken Smith MLA, the
29 current Speaker of the Victorian Parliament, for the Parliamentary
30 Library. The authors' local Member, Ann Barker, had initiated this
31 function, and she and the Speaker petitioned the Victorian Attorney-
32 General to implement an enquiry into the current Melbourne Process of
33 handling clergy sexual assault complaints. I was present at that function
34 along with a wide cross-section of victims and victim support groups who
35 strongly supported this initiative.

36
37 It is so good to know that the good work of so many has ultimately
38 resulted in this formal Victorian Parliamentary Inquiry.

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43

1 KEVIN O'DONNELL

2
3
4 My involvement with the Kevin O'Donnell story started while I was the
5 Parish Priest at Belgrave in 1994.

Page | 48

6
7 A couple from Gembrook ("Jim" and "Mary") had made an appointment
8 with me. The husband proceeded to tell me the story of his long-term
9 sexual assault at the hands of Kevin O'Donnell.

10
11 He thought he "was the only one", but wondered about the possibility that
12 his former employer might also have been a victim some years earlier. As
13 it happened, the occupation of these two men was quite specific and I
14 suggested to "Jim" that he may be referring to "Jack" of Scoresby. I had
15 remained close friends with "Jack" and his family following my time in
16 the Scoresby parish in 1979/80. I suggested to "Jim" that he should
17 contact "Jack".

18
19 This resulted in "Jack" ringing me in an extremely distressed state. His
20 words on the phone were, "I think it would have been better to hear my
21 mother had died". He was a relatively early victim of O'Donnell and his
22 abuse was reported to the Cathedral in 1958. This allegation was
23 investigated at the time by both the then Vicar-General, Laurie Moran,
24 and the then Auxiliary Bishop of Melbourne, Arthur Fox. Nothing
25 eventuated from this investigation.

26
27 "Jack" was deeply upset with this call from "Jim" as he too had believed
28 he was "the only one" and that O'Donnell had rehabilitated. Believing
29 this, he had welcomed O'Donnell back into his family. After speaking
30 with his family, he discovered other immediate family members had been
31 sexually abused by O'Donnell. "Jack" was particularly critical of himself
32 for trusting O'Donnell resulting in an environment where other family
33 members were subsequently sexually assaulted.

34
35 "Jim" and "Jack" started ringing around their friends in Dandenong,
36 Hastings and Oakleigh parishes asking directly if they had been sexually
37 assaulted by O'Donnell. The response was extraordinary.

38
39 In a short time they came up with a list of about 80 people claiming to
40 have been assaulted by O'Donnell. Those actively involved in the
41 ongoing investigation claim that this figure reached 169 within the
42 following days.

1 I rang the then Vicar-General to inform him of this massive scandal. He
2 was not surprised that the allegations were against Kevin O'Donnell and
3 when I gave him the figure of about 80 alleged victims, his reply was
4 "That's about the ball park figure we would expect". I was completely
5 stunned that he was not particularly surprised.

6
7 The Vicar General (GC) and the Archdiocesan psychologist (SW) both
8 came out to the Belgrave Presbytery to meet some of these victims. The
9 psychologist met with a representative group of about 12 of the victims.

10
11 As the group was understandably angry, the Vicar General sensitively
12 chose not to be present as the group discussed specific issues with the
13 psychologist. The Vicar General remained with me in my study where we
14 discussed this and other related matters. He was a particularly open and
15 honest person and I have no doubt he was trying desperately to address
16 the problem, but he was out of his depth and ultimately did not have the
17 authority to do anything.

18
19 This again is the difficulty for any Vicar General. It must be particularly
20 frustrating, as he usually receives the initial complaints, may investigate
21 them, but does not have the authority to act. This fact appears to be
22 confirmed by Mgr. Peter Connors when the media questioned him on
23 why he did not act on the allegations against Fr. Baker in Gladstone Park
24 in 1978. His reported reply was, "As Vicar General I did not have any
25 involvement in the decision-making process.... that was the responsibility
26 of the church hierarchy."

27
28 Only the Archbishop can act. And as we will discuss later, there is
29 significant doubt if even the Archbishop could act on these matters in his
30 diocese as it appears this responsibility and decision making in relation to
31 clergy sexual assault cases of children was reserved to the Pope and his
32 delegates in Rome.

33
34 God only knows how many children O'Donnell abused over his now
35 accepted 50 years of sexual assault. A lawyer for his victims estimates it
36 could be "2000". It really is impossible to verify numbers over five
37 decades.

38
39 In 1995, in his late 70's, O'Donnell became the oldest person convicted
40 and jailed in Victoria. He was released just prior to his death in 1997.

41
42 As mentioned earlier, a book (Hell on the way to Heaven) was released in
43 August 2010, written by the mother Christine Foster, which focuses

1 entirely upon O'Donnell and the effect on her daughters and family in
2 Oakleigh. The co-author, Paul Kennedy, is a journalist with strong media
3 connections and the story is horrific.

4
5 Christine kindly forwarded a copy of the book to me. Although battle-
6 hardened in this field and not particularly shockable, I found reading her
7 account extremely distressing. I don't think anyone could read this book
8 and not be appalled by both O'Donnell's predatory behaviour and the
9 Church's response to his crimes.

10
11 It is accepted that both girls of this family were abused by O'Donnell
12 while they were in primary school at Oakleigh. Emma has since suicided,
13 and Kate walked in front of a car and is now permanently physically and
14 intellectually damaged and requires full-time nursing care.

15
16 This family has had a particularly difficult, frustrating, on-going struggle
17 with Church authorities. When the Pope came to Sydney for World Youth
18 Day in 2008, the parents sought an interview with him. The response of a
19 Sydney bishop allegedly was dismissive and the statement attributed to
20 him was that the parents were "dwelling crankily on old wounds".

21
22 There are just too many of these allegedly dismissive comments from the
23 hierarchy on this matter which not only reveal a totally unsympathetic
24 attitude, but of more concern, an obvious ignorance of the degree and
25 nature of this world wide scandal.

26
27 One of the more infamous responses in recent years was that of the
28 Vatican's Secretary of State, Cardinal Bertone. When in the USA, he was
29 asked about clergy sexual assault and first he blamed the media, then
30 greedy lawyers, and then said the Church had "faced this trial with great
31 dignity and courage..." It not only shows how out of touch with reality is
32 Cardinal Bertone, but it implies that it is "the Church" who is the victim,
33 and not the countless children who have been sexually assaulted by the
34 priests of the Church.

35
36 I suspect the Kevin O'Donnell story over a 50 year period, probably
37 involving thousands of Melbourne victims (including the above
38 mentioned high profile victims) may become the worst case of clergy
39 sexual assault in Melbourne.

40
41
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NOT JUST THEN, BUT NOW

1
2
3 I understand the Victorian Parliamentary Inquiry is interested in how the
4 Church responded to knowledge of clergy sexual assault of children. I
5 hope some of my insider stories, as a priest involved in the process,
6 contributes to an understanding of the long-term, defensive, “closed
7 shop” attitude of the Melbourne hierarchy.

8
9 It is beyond factual dispute that the Melbourne hierarchy had knowledge
10 of clergy child assault over a period of many decades. I argue that they
11 saw this issue as a crisis threatening the identity, reputation and resources
12 of the institution we know as the Catholic Church. Nowhere in their
13 understanding or response was there any awareness or sensitivity to the
14 children criminally assaulted by priests.

15
16 Then, as now, the role of lawyers was dominant. A firm of lawyers
17 (Corrs, Chambers, Westgarth) and a public relations company (Royce
18 Communications) were, and still are, engaged to advise and protect the
19 Archdiocese of Melbourne. It appears the response and agenda of this
20 crisis is predominantly driven by these lawyers and public relation
21 experts.

22
23 It is my belief that the original strategy of the Archdiocese was to avoid
24 and deny any knowledge or awareness of this problem. It is the Sergeant
25 Schultz defence, “I know nothing”! – which is contrary to the abundant
26 testimony of so many over so many years. My definite personal
27 knowledge of the Baker/Gladstone Park case proves this defence not to be
28 true beyond any doubt.

29
30 The next strategy was to “strenuously defend” any allegations until it
31 became public through the media or the courts.

32
33 Those of us who have challenged the less than satisfactory performance
34 of the Archdiocese have been treated as though we were an enemy of the
35 Church. This is particularly galling for those of us who are continuing,
36 practising Catholics.

37
38 It will be interesting for the Victorian Inquiry to determine how many
39 advocates for victims of sexual assault have been “threatened” with the
40 possibility of litigation by agents of the Archdiocese.

41
42 Very few, if any, of the advocate/supporters of children sexually
43 assaulted by priests are emotionally and financially capable of a

1 protracted “David and Goliath” legal battle with the Archdiocese of
2 Melbourne. It is just so hard to keep battling away against a wealthy,
3 powerful institution determined to protect its own reputation and assets at
4 all costs.

5
6 My story and involvement in this area could well have ended when I
7 resigned as a Catholic priest in 1999.

8
9 It was my definite intention to remove myself as far as possible from this
10 ugly scene. This was even more important as I was no longer a priest. My
11 wife and my family certainly did not need this scandal to be brought into
12 their lives through my continuing involvement. So, for the next 8 or 9
13 years I had absolutely no involvement in this issue.

14
15 About 3 years ago, after much consideration, I agreed to a request to have
16 a general background meeting with the journalist, Paul Kennedy, and
17 Chrissie and Anthony Foster while they were preparing their excellent
18 book, “Hell on the way to Heaven”. From memory it was a general
19 discussion lasting about an hour where I added little or nothing to the
20 excellent research they had already done. It is important to state that it
21 was not this meeting with Paul, Chrissie and Anthony that resulted in me
22 becoming involved again in this saga.

23
24 It was the email I received from Mr Peter O’Callaghan requesting me to
25 explain why, in his opinion, I had appeared to breach the confidentiality
26 terms of my Agreement with the Archdiocese of 2003.

27
28 At the time of my meeting with Paul, Anthony and Chrissie I was acting
29 on the belief that confidentiality arrangements no longer applied
30 following the public statements to that effect of Cardinal Pell, Archbishop
31 Hart and Bishop Prowse.

32
33 It was the email from Peter O’Callaghan, and his subsequent
34 confirmation that I was still bound by confidentiality, that resulted in me
35 embarking on what has been a most frustrating and unsuccessful three
36 year battle to address and resolve this legal confidentiality matter with Mr
37 O’Callaghan and the Archdiocese of Melbourne.

38
39 Having become aware of the Church’s hard-line position, I then started to
40 reflect upon and question my earlier process with Peter O’Callaghan. Up
41 until meeting this resistance I had naturally presumed the good-will of all
42 parties at the time in 2003. My response, at the time, was one of
43 appreciation for the Church’s “gracious initiative”.

1 It was only upon personally experiencing the hard-line continuing legal
2 position of the Archdiocese that I have come to a different understanding
3 of the situation. I now believe that the arrangements made with me in
4 2003, instead of being a “gracious initiative”, appear to be a legal strategy
5 to silence me on any matters unfavourable to the Archdiocese of
6 Melbourne.

8 I suggest this is significant to the Inquiry as it appears my personal
9 experience reflects the general legal strategy of the Archdiocese of
10 Melbourne on matters relating to clergy sexual assault of children

12 I acknowledge that the Melbourne Response is a dramatic improvement
13 on the total non-response of the previous decades in the Church of
14 Melbourne. However, as a result of my legal struggle with the
15 Archdiocese of Melbourne over the past three years, I suggest the
16 predominant motivation of the Archdiocese still remains minimising the
17 exposure of this extraordinary scandal.

19 As such, I question if they understand the intense community feelings on
20 this scandal. I question if they have the required empathy to respond to
21 the thousands of people who have been so significantly damaged by the
22 Melbourne priests who sexually assaulted children.

24 Whereas they may issue Press Releases and establish structures such as
25 the Melbourne Response, it is difficult not to come to the conclusion that
26 the priority of the Archdiocese is indeed “harm minimisation” – but
27 unfortunately focused on them, and not the children criminally assaulted
28 by a significant number of Melbourne priests.

30 It is my hope that the Victorian Inquiry will finally hold the Melbourne
31 Catholic Church to be fully and publicly accountable for the less than
32 satisfactory strategy they deliberately employed to minimise damage to
33 their reputation and assets.

35 Then, and only then, is there the possibility and hope that the Melbourne
36 hierarchy will have truly learned from the problems of the past and are
37 genuinely prepared to make the safety and well-being of children, and all
38 other people entrusted to their pastoral care, their ultimate priority.

40 I seriously question if the Catholic Church is capable of radical reform
41 from within. The structures and culture of Catholicism have created a
42 way of living that is generationally inbred and insular. The authoritarian,

1 hierarchical structure of the Church does not encourage those with
2 reformist agendas to come forward.

3
4 Rome obviously rules “with an iron rod” and, in the past two pontificates,
5 have predominantly appointed traditional Roman loyalists as bishops to
6 ensure this continuing strong internal control. We have seen in Australia
7 how dissenting or questioning bishops were so ruthlessly removed from
8 their posts by Rome. The Catholic Church is one of the few totalitarian
9 organisations still operating in our modern world. Is it capable of
10 addressing and resolving the problem of clergy child sexual assault?

11
12 A study of how Rome has handled the issue of clergy child sexual assault
13 is indicative of the problem that is now the cause of so much pain and
14 suffering in our community. It is disturbing that a number of the related
15 ministry issues e.g. celibacy and women priests, are actually formally
16 banned even from discussion by Rome. If these major issues are non-
17 negotiable, how can the community trust the Church to be open enough to
18 move forward to create structures and strategies to minimise this scandal?

19
20 It is time for the Melbourne Church to be humble and honest, and simply
21 admit we stuffed up very badly for a long period of time causing untold
22 damage to so many people. It is time for a non-conditional “*mea maxima*
23 *culpa*” apology.

24
25 It is time to remove their protective lawyers and PR people as the front-
26 line advisers. It is time to appoint social welfare professionals with a
27 totally open, independent mandate to lead a church/community response.

28
29 It is time to unreservedly apologise to those whose lives have been so
30 damaged by their “cover up” strategy for such a long period. It is time to
31 draw a line in the sand and to place the lives of children, and others,
32 damaged by their clergy as a priority above their own institutional self-
33 interest.

34
35 At the moment, I have little confidence that the defensive attitude of the
36 Melbourne hierarchy has changed to any great degree. It appears the
37 hierarchy is paralysed by a siege mentality desperately trying to defend
38 their institution from “enemies of the Church”.

39
40 It is so unfair and unproductive for the hierarchy to react to social justice
41 advocates as antagonists of the Church. If anyone should understand the
42 call to social justice, it is the Catholic Church.

43

1 Does anyone seriously question that the need to assist and repair the
2 damaged lives of the many victims of clergy child sexual assault is not a
3 major current social justice crisis? If so, say so – but be prepared to face
4 those who disagree with you. If the crisis is acknowledged, why the
5 reluctance to act?

6
7 I also wonder if the hierarchy is so cloistered that it does not appreciate
8 the depth of community anger with the Catholic Church. Whereas some
9 Australian bishops have identified this scandal as the major problem
10 facing the church in our lifetime, I wonder if others still think it is much
11 to do about nothing. As such, I have doubts that the Catholic Church is
12 prepared to initiate the radical change of heart and mind required to
13 address and resolve this extraordinary scandal.

14
15 How sad it is that this scandal is only going to be addressed in the public
16 forum because of the Victorian Parliamentary Inquiry? This is a problem
17 predominantly, but not exclusively, of the Catholic Church. Why did a
18 response to a major Church problem need to come from the Premier of
19 Victoria? Why has the Church's hierarchy, who have had far more
20 knowledge and information on this scandal, not initiated such an Inquiry?

21
22 However, lamenting the failure of the Catholic Church to address and
23 resolve its own problems gets us nowhere. The good thing is the Premier
24 and his colleagues have assessed this scandal as serious enough to justify
25 a Parliamentary Inquiry. As such, the opportunity and responsibility to
26 bring the Catholic Church in Victoria to open and public accountability
27 lies with the determination of the members of the Inquiry to pursue the
28 truth without fear or favour.

29
30 I do not under-estimate the awesome responsibility placed on the six
31 parliamentarians requested to review this matter. This Inquiry is most
32 likely to be inundated by a volume of ugly and distressing information
33 that could easily overwhelm someone with no previous exposure to this
34 scandal.

35
36 If, in any way, I can support you and your work, I invite you to contact
37 me at any time.

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1 TWO FURTHER SUBMISSIONS

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As mentioned at the start, this is an edited (and significantly reduced) version of a major document I started to write almost 3 years ago in the hope of influencing bishops and politicians to initiate a Royal Commission into sexual assault of children in Australia.

There are two other companion documents to this submission. They are:

- “Reflections on My Experience”, where I deal with what I understand to be the underlying causes of clergy sexual abuse of children. As these are matters of opinion and interpretation, rather than fact as in this submission, I offer them simply for consideration to those who are entrusted to restore a safe environment for all our children.

This was originally a much larger document where many sections were arguing for a Royal Commission on sexual assault of children in Australia - not just in the Catholic Church.

These are no longer relevant and have been deleted as we now have this Victorian Parliamentary Inquiry; and

- [REDACTED]

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DOCUMENT TWO – “REFLECTIONS ON MY EXPERIENCE

SUMMARY OF TOPICS

- Knowledge and Responsibility
Highlighting the principle that knowledge brings responsibility.
If you do not know, you cannot act.
If you do know, you must act.
The Church hierarchy knew and did not act.

- Melbourne or Rome?
Who was controlling the strategy and agenda of the response?
Indications are that Rome played a dominant role over local bishops. Will our local bishops confirm this?

- “Crimen Sollicitationis”
A Roman document focusing on clergy using the confessional to solicit for sexual purposes. Principles are relevant to this issue.

- The Sacrament of Penance with Children
Questioning whether the present age and circumstances for “First Confession” is appropriate today – especially with this abuse scandal.

- The Confessional Seal of Secrecy
Should what is confessed stay secret, or should clergy be subject to mandatory reporting of criminal and abusive behaviour?

- Institutional Sin
The Catholic Church has never been backward in naming sin, especially in others. Is it capable of naming its own sin in this criminal sexual assault?

- The Church’s Legal Strategies
Outlines experiences of strategies employed by church lawyers

- 1 • Confidentiality Agreements
- 2 Names the fact that there are still outstanding confidentiality
- 3 clauses/contracts constraining people on clergy child sexual
- 4 assault.
- 5 Is it appropriate for the Church to demand silence?
- 6
- 7 • Celibacy
- 8 A major exploration of the complexity of practised celibacy.
- 9
- 10 • Celibacy as Control
- 11 Questions the use of celibacy as power or control.
- 12
- 13 • Anglican Priests Now Married Catholic Priests
- 14 By accepting Anglican married priests as Catholic priests the
- 15 principle of mandatory, universal celibacy has been broken.
- 16
- 17 • The Permanency of the Priesthood
- 18 The theology of a “priest forever” limits how the hierarchy can
- 19 deal with abusive offenders.
- 20
- 21 • Homosexuality in the Priesthood
- 22 A major exploration on the incidence of homosexuality within the
- 23 Catholic clergy.
- 24
- 25 • Misogyny and Clericalism
- 26 Negative attitudes to women/sexuality influence certain practices.
- 27
- 28 • Once an Abuser, always an abuser
- 29 Very few abusers express remorse. How do we ensure safety of
- 30 children upon their release from prison?
- 31
- 32 • Female Priests
- 33 A need to include women in the ministerial priesthood to ensure
- 34 the totality of gifts and life experience so as to enrich priestly
- 35 ministry that is presently a male-only option.
- 36
- 37 • Australian Episcopal Leadership
- 38 Multiple public statements of good intent from Australian bishops.
- 39 Can they “walk the talk”?
- 40
- 41 • Vatican Leadership
- 42 How has Rome addressed this scandal?

- 1 Is it capable of reform?
2
- 3 • The 2012 Vatican Conference
4 An account of the recent conference on clergy sexual abuse.
5 Has it had any impact?
6
 - 7 • The Vatican Circular Letter
8 Rome has instructed local Churches to outline their response to this
9 scandal. What is happening in Victoria?
10
 - 11 • Where are the Files?
12 If the files are in Rome, can they ever be recovered for review and
13 investigation?
14
 - 15 • Until Death Solves the Problem
16 Is part of the Church’s strategy to just sit out the crisis until all the
17 players have died? The longer it can delay accountability, the less it
18 must face the consequences.
19
20
 - 21 • Abuse Fatigue
22 Society generally no longer responds with passion to this crisis.
23 People have made their judgements on the Church. They see little
24 hope for change. Why bother?
25
 - 26 • The British Child Migration Scheme
27 This section has been deleted, as it is no longer relevant as we now
28 have a Victorian Parliamentary Inquiry.
29 The point was, if the parliament and community can address this
30 issue, why not sexual assault of children?
31
 - 32 • “Bringing Them Home – The Stolen Generation”.
33 Deleted, and same point as above.
34
 - 35 • “Little Children are Sacred”
36 Deleted, and the same point as above.
37
 - 38 • “The Melbourne Response” – A Call for Inquiry
39 Deleted, as now fortunately it is reality.
40
 - 41 • “The Age” Editorial – “The State must act...”
42 Deleted, for the same reason as above.

- 1 • Ireland, Enquiries and the Vatican
2 Deleted, for the same reason as above.
3
- 4 • The Truth Will Make You Free – Archbishop of Dublin
5 This brilliant paper by Archbishop Martin is deleted for the same
6 reason as above.
7
- 8 • The Importance of Co-operation and Leadership
9 A call for the Catholic Church and Parliament to work co-
10 operatively using all available information, resources and personnel
11 for the common good.
12
- 13 • Some Personal Recommendations
14 Some thoughts on how we can better handle this problem.
15
- 16 • A Royal Commission in Australia
17 My focus for this major document was to advocate for a Royal
18 Commission in Australia on all aspects of sexual assault of children
19 (not just the Churches and other organisations). Although I think
20 this is still the dream, it is so good to have the Victorian
21 Parliamentary Inquiry. As such, this section is deleted.
22
- 23 • The Cummins Report on Vulnerable Children
24 The findings and recommendations of this report recommended the
25 establishment of an Inquiry. This is now deleted as the Inquiry has
26 been established.
27
- 28 • Suicide of Victims
29 Perhaps the major concern and focus for any Inquiry – the suicide
30 of so many people sexually assaulted by clergy.
31
- 32 • For Goodness’ Sake
33 My plea for a bishops/politicians response to this crisis - just “for
34 goodness’ sake”. I listed so much that is so good in the name of the
35 Catholic Church – that now gets overshadowed by this crisis. How
36 important it is for the Catholic Church to get its focus and energies
37 away from the negative to the positive. Deleted, as no longer
38 relevant.
39
- 40
- 41 • Yes We Can

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Pessimism becomes a self-fulfilling prophecy. Pinching Obama's mantra, I was encouraging good people to do good things for the sake of our children. Deleted, as no longer relevant.

- There is a Season

The only time available for us to act is now.

This problem continues, and countless future children will be sexually assaulted if we fail to act appropriately in the present moment, as we have so poorly in the past. Deleted, as it is no longer relevant, as we now have the Victorian Inquiry.

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Thanks, and all the best!

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31 Phil O'Donnell.