

The Royal Commission into Institutional Responses to Child Sexual Abuse continued today with Day 6 of its hearings for Case Study 35. The Commission heard from the current Archbishop of Melbourne, Archbishop Denis Hart, and Dr Peter Barker.

***Continuation of testimony of Archbishop Denis Hart***

In her questioning of Archbishop Hart today, Senior Counsel assisting the Royal Commission, Gail Furness SC, took him through the cases of each of the Priests being studied in this round of hearings: Fathers Peter Searson, Nazareno Fasciale, Wilfred Baker, Ronald Pickering, Desmond Gannon and David Daniel.

For each of these Priests, Ms Furness presented meeting minutes for the Archdiocesan Personnel Advisory Board and the Curia, as well as other forms of correspondence, and requested that Archbishop Hart provide testimony as to what he considered would and would not have been discussed at these meetings by looking at the minutes (Archbishop Hart was not present at these meetings, so his testimony was based on his expectations.) This included questions about the knowledge of then- Bishop George Pell, who is due to testify at the Commission this month.

In relation to Searson, Archbishop Hart agreed that action could have been taken under Canon Law (Canons 1740 and 1741) to remove him as Parish Priest of Doveton. He confirmed that a criminal charge or conviction was not necessary for this to occur.

In relation to Fasciale, Archbishop Hart said that the responses of the priests to whom complaints were made – Father Tom Little and Monsignor Moran – were “totally unacceptable.” He also agreed that it was not uncommon for a Priest against whom allegations were made to be permitted to go overseas for treatment or a sabbatical. Archbishop Hart conceded that allowing Fasciale to resign on health grounds was misleading to parishioners about his standing.

Ms Furness asked Archbishop Hart about the concept of forgiveness in Church teaching as it applies to perpetrators of abuse. Archbishop Hart commented that God can forgive anything, but we still have a responsibility to face up to the consequences of our actions.

In relation to Baker, Ms Furness noted that the documents show there were complaints received by Archbishop Little and Monsignor Connors as early as 1978. Archbishop Hart said that, given Archbishop Little had the authority to do something about this, it was a “totally wrong” decision on his part.

In relation to Pickering, it was noted that he was also allowed to retire on the grounds of ill health, and then left Australia for the United Kingdom. Following this, Pickering was still being paid money from the Priests Retirement Fund, until Archbishop Hart stopped this.

A similar situation occurred with Gannon, who also received funds from the Priests Retirement Foundation following resigning for health reasons.

Daniel was also permitted to retire on health grounds.

Archbishop Hart agreed that this was misleading, and used as a way to hide the crimes committed by these men.

Ms Furness then asked Archbishop Hart about common elements in all cases, including that most offended around the time of Ordination, that they offended for an extreme length of time and in many places. Archbishop Hart agreed that this could have been stopped if the Church had dealt with complaints quickly when received.

In cross-examination, Archbishop Hart was asked about the case of a Priest who was suspended swiftly from ministry by Archbishop Little for financial mismanagement, and invited to contrast this to the lack of action taken against Searson. Counsel also tried to ask questions about the operation of Canon Law, but Justice McClellan intervened, saying that this would all be covered by the Royal Commission in a forthcoming "Catholic wrap up" hearing.

Archbishop Hart was also asked about the funeral of Searson, which was attended by a number of Priests. Archbishop Hart spoke about the importance of praying for the deceased, including – and possibly especially – those who have committed criminal actions in their lifetime. He said that while he did not want to cause any additional suffering to victims, he would not prevent a Priest or anyone else from attending a funeral.

### ***Testimony of Dr Peter Barker***

Dr Barker testified that in 1986, a family friend disclosed to him that he had been abused by Pickering in 1982. This friend also disclosed to his mother, who did not believe him. Dr Barker said that he phoned the Archdiocese of Melbourne offices, and was put through to the "Monsignor," who said he would look into it and get back to him.

A week after this call, the victim told Dr Barker that Pickering was no longer in the parish. Barker said that he was not aware until this year that Pickering had been returned to ministry, otherwise he would have continued to advocate for his removal.

Dr Barker further testified that in his practice as a General Practitioner, he has received two further disclosures of child sexual abuse by Catholic clergy.

The Commission hearings continue tomorrow.