

The Royal Commission into Institutional Responses to Child Sexual Abuse began phase three of its hearings for Case Study 28 today. Case Study 28 is looking at the Diocese of Ballarat (and the Christian Brothers' schools within that diocese). The first stage of the hearing was held in May 2015 and the second session was held in December 2015.

In today's hearing, we heard an announcement from Justice Peter McClellan relating to the evidence of Cardinal George Pell, an opening address from Senior Counsel assisting the Royal Commission Gail Furness SC, and testimony from survivor witnesses Timothy Barlow and Martinus Claassen.

Announcement re testimony from Cardinal George Pell

You would have seen reports over the past week or so relating to the push to have survivors present in the room while Cardinal George Pell provides evidence, and the associated crowdfunding campaign begun by Meshel Laurie.

At the opening of today's hearings, Justice McClellan made the following statement, from which it appears that the Royal Commission will allow this to happen:

The Royal Commission has received requests from some survivors, that they be able to be present in the room where Cardinal Pell will give evidence in Rome next week. The Commission considers that to be a reasonable request. It's important to state, though, that the Royal Commission will be sitting in Sydney, not in Rome, and will be receiving the Cardinal's evidence in Sydney, transmitted from Rome. With the assistance of the Australian Embassy in Rome, we have located a room in a hotel in Central Rome which, I am advised, has the technical facilities to ensure an effective signal to Australia. However, those facilities have not been tested. I understand that testing of the facility is expected to occur late today, Australian time, and when that has taken place, and I expect this will occur tomorrow morning, a further announcement will be made as to the venue. If it happens, and I am advised this is unlikely, that the hotel which has presently been identified is not adequate, an alternative venue will be found in Rome and appropriate arrangements will be made.

Opening statement from Gail Furness SC

In her opening statement, Senior Counsel assisting the Royal Commission, Gail Furness SC, detailed the evidence to be presented in this round of hearings.

She told the Commission that the hearings would look at the response of the Christian Brothers to allegations of sexual abuse at its institutions within the Diocese of Ballarat, and will consider six brothers in particular: Brothers CCK, Farrell, Fitzgerald, Dowlan, BWX and CCJ.

It will also hear from former Ballarat Bishop Ronald Mulkearns, and receive evidence from former priest psychiatrist Peter Evans and former priest psychologist Dan Torpy.

Obviously, Cardinal George Pell will also testify.

Ms Furness then went on to outline the data collated in relation to the Christian Brothers. In summary, the data showed that between 1 January 1980 and 28 February 2015, 853 people made a claim or a substantiated complaint against 281 Christian Brothers, with total reported compensation of \$37.3 million (average of \$64,000 per claim.)

Ms Furness concluded her opening address by detailing the data for each of Brothers who are the subject of this hearing.

Testimony of Timothy Barlow

The first witness was Timothy Barlow.

Mr Barlow was a boarding student at St Patrick's College, Ballarat from 1973. He told the Commission that it was common knowledge that Brothers were touching the boys because it was part of routine conversation amongst the students.

He also said that he observed Brother Edward Dowlan with his hands in the pants of junior boys, often in full view of junior students. He said that he did not recall this happening in front of staff and/or senior students.

Mr Barlow told the Commission that he was elected to the student representative council (**SRC**) during 1973, his first year at the College. He said that he was approached by a younger student who told Mr Barlow that he wanted Brother Dowlan to stop putting his hand down his and his brother's pants.

Mr Barlow brought it up at the next SRC meeting, and it was agreed that a motion be passed to ask the principal, Brother Paul Nangle, to tell Brother Dowlan to stop assaulting the boys. This motion was documented in the minute book, which was then given to Brother Nangle.

Following this, Mr Barlow was physically assaulted by Brothers Barr and Dowlan. Brother Nangle disbanded the SRC for spreading lies, and Barlow was made to apologise to the school for lying.

Testimony of Martinus Claassen

Mr Claassen was a student at St Alipius Primary School, Ballarat East, from 1967 to 1973 and then at St Patrick's College from 1974 to 1979. He had encountered Brother Edward Dowlan in the primary school, but was not assaulted by him. He told the Commission that he was abused by CCK at St Alipius (but detail was not given, likely due to the existence of an ongoing investigation.)

Mr Claassen told the Commission that on one occasion in the classroom, he was abused by Brother Dowlan, who fondled his genitals. Mr Claassen pushed his hand away, and Brother Dowlan hit him and made him stand at the back of the room, where he assaulted him again.

Mr Claassen and his mother reported the abuse to the principal, Brother Nangle, who asked Mr Claassen why he was making up stories. Mr Claassen said that Brother Dowlan left the college at the end of the year with no explanation.

The Commission proceedings concluded after these two witnesses. We will continue our coverage tomorrow.