

The Royal Commission into Institutional Responses to Child Sexual Abuse recommenced today, returning to Case Study 28. Case Study 28 is looking at the Diocese of Ballarat, and began the first stage of its hearing in May 2015. A third sitting for Ballarat will occur in February 2016.

In today's hearing, we heard the opening statement from Senior Counsel assisting the Royal Commission, Gail Furness SC, the cross-examination of witnesses David Ridsdale and Timothy Green, and testimony from BWE, BWA, Paul Levey and Beverly Ann Levey.

Opening statement of Gail Furness SC

In her opening statement, Ms Furness said that the primary purpose of this hearing was concerned with the knowledge of the Bishop and Priests of the Diocese of Ballarat in relation to allegations of child sexual abuse, and the response of the Diocese to those allegations. To consider this, a number of written statements from families and others would be provided. Additionally, the Commission will hear from nine current or former Priests, including all living Vicars General and Secretaries to Bishop Ronald Mulkearns (who is in palliative care and too ill to testify.)

Ms Furness summarised data received by the Royal Commission relating to the Diocese of Ballarat. She said that 140 people had made a claim against Priests and Religious operating within the Diocese of Ballarat. She said that 90% of all claims were made against seven Priests, with the highest number made against Gerald Ridsdale (78 claims.)

Ms Furness then detailed evidence expected to be heard during the Commission hearings. This will be covered on Catholic Talk as the evidence is presented by various witnesses.

Cross-examination of David Ridsdale

David Ridsdale previously testified at the Royal Commission regarding the abuse he suffered at the hands of Gerald Ridsdale, his uncle. He also gave testimony that on 2 February 1993, he phoned then- Bishop George Pell to tell him about the abuse, and alleged that Bishop Pell said: "I want to know what it will take to keep you quiet."

David Ridsdale said that he was terrified of going public because of what it might do to his grandmother, and asked Cardinal Pell if a private process was available which would not include going to the Police.

In cross-examination, counsel for Cardinal Pell showed David Ridsdale a letter written by Bishop Mulkearns dated 4 February 1993 and a letter written by a solicitor acting for Gerald Ridsdale dated 26 January 1993, each noting that a Police investigation against Gerald Ridsdale was occurring. Mr Duggan suggested it would be pointless for Cardinal Pell to bribe or otherwise attempt to keep David Ridsdale quiet given that an investigation was already occurring and this was known by those within the Church.

Cross-examination of Timothy Green

Timothy Green previously testified at the Royal Commission regarding a conversation he allegedly had with then- Father George Pell in the 1970s at a swimming pool. Mr Green told the Commission in May that he was in the swimming pool change room with two other friends and saw Father Pell.

Mr Green said that he told Father Pell that Brother Dowlan had been touching little boys, but that Father Pell said: "Don't be ridiculous" and walked out.

Senior Counsel assisting the Royal Commission, Angus Stewart SC referenced a statement of BWD, one of the boys Mr Green said was in the change room with him, which said that he did not recall the conversation occurring. Mr Green replied that BWD – who he said was sitting to his right – may not have heard him.

In cross-examination, Mr Duggan, counsel for Cardinal Pell asked Mr Green about the conversation. Mr Green said that he could not see Father Pell's demeanour, because he had his back to Father Pell. Mr Duggan asked if it was possible that Father Pell did not hear him, given the noise of a swimming pool generally, BWD's statement that he did not hear the conversation, and the fact that Mr Green was facing away from Father Pell. Mr Green said this was not the case, because Father Pell responded to him. Mr Duggan suggested that Father Pell did not respond, but rather – at a distance of more than 40 years since the conversation – that it was only Mr Green's impression that Father Pell said: "Don't be ridiculous," which he obtained from Father Pell leaving the change room.

Testimony of BWE

BWE said he was BWE said that he was first told to stay away from Ballarat priests in 1976 when he was 5 years old. He said he was a victim of child sexual abuse by a member of the clergy, but did not give further detail.

BWE told the Commission that one Wednesday during the third week of September 1983, he was an altar boy at a requiem Mass for a woman who he believed to be a former parishioner or close friend of then- Father Pell, who celebrated the Mass. He said that Father Madden was also present, and that while he was getting ready for Mass with another boy (referred to as BWK), he heard a conversation between Father Madden and Father Pell along these lines:

Father Madden: How are things down your way?

Father Pell: I think Gerry's been rooting boys again.

Senior Counsel assisting the Royal Commission, Angus Stewart SC noted that in June 1982, Father Madden left St Patrick's Cathedral to become parish Priest of Horsham. He asked whether BWE was sure that the conversation occurred with Father Madden, and BWE said he was absolutely certain.

Mr Stewart also drew BWE's attention to a statement from BWK, who said that he could not remember serving a funeral with BWE, Father Pell and Father Madden. He said that he could not recall BWE being an altar server because he could not recall seeing him in altar robes. BWK also said that he did not recall hearing the alleged conversation, and considers that he would have remembered because he knew what "rooting" meant and would have gone home to tell his brothers.

Mr Duggan, counsel for Cardinal Pell, showed BWE a list of funerals which occurred at the Cathedral during 1983, noting that there were only two funerals during September: Margaret Morgan on Monday, 5 September 1983 and Gladys Pope on Wednesday, 14 September 1983. BWE could not recall either of these names.

Mr Duggan noted that Ridsdale was in Maroubra, Sydney from November 1982, and had not been in Ballarat for 10 years. He suggested that this would make it unlikely that, in response to a question about how things were down his way, Father Pell would have spoken about Gerald Ridsdale at all. He further suggested that Cardinal Pell did not celebrate a requiem Mass in 1993, and that given this, the conversation described by BWE was “utterly false” and “pure fantasy.”

Testimony of BWA

BWA attended Christian Brothers College in Warrnambool and was abused by Ridsdale for two years while he was 14 and 15 years old. He told the Commission that after the abuse, he went from being an A1 student to almost being kicked out of home. He said that he ran away at age 16, and continued to act out on his return.

He said that he spoke to a Priest named Father Tom Brophy and told him what had happened. He learned many years later (following Father Brophy’s death in 1974) that Father Brophy went to Bishop Mulkearns within days of speaking to BWA.

BWA told the Commission that he was advised by a Father Dan Torpy to forgive and not report the matter to Police.

BWA said that he wants people to start listening to kids, and said that if a person thinks something is wrong, it probably is. He noted that no one apart from Father Brophy ever asked him what was wrong, even though they saw significant changes in his behaviour.

Testimony of Paul Levey and Beverly Ann Levey

Beverly Ann Levey is the mother of Paul Levey. They were introduced to Gerald Ridsdale in 1980, when Paul was 12, and accompanied him on a camping trip to Whitecliffs. Gerald Ridsdale began abusing Paul on that trip.

Following the separation of the Levey parents, Paul’s father made a decision that he should go to live with Ridsdale at the presbytery in Mortlake. Beverly Ann Levey said that she was not happy with this arrangement and that she knew she had full custody of Paul, but did not call the Police.

Paul Levey slept in the same room as Gerald Ridsdale and said he was abused almost every day.

Beverly Ann Levey said she called the Diocesan offices repeatedly until they allowed her to speak with Bishop Mulkearns. She said she asked him: “How can you let a boy live in a presbytery? It’s inappropriate,” but that Bishop Mulkearns said there was nothing he could do because the father had consented. It was only after Beverly Ann Levey threatened to call the Police that Paul was sent to live with another family and Gerald Ridsdale moved to another parish.

The hearing will continue tomorrow.