

Continued testimony of Cardinal George Pell

Today's hearing contained cross-examination of Cardinal Pell from eleven lawyers representing survivors and other parties to the proceedings, as well as examination from his own counsel. Key cross-examination is outlined below.

Mr Odgers – representing David Ridsdale

Mr Odgers cross-examined Cardinal Pell on David Ridsdale's phone call to him, the one in which Ridsdale alleged that Cardinal Pell asked him what it would take to keep him quiet. After identifying the many parts of the call which were not in dispute, Mr Odgers then suggested that the lack of contact between Ridsdale and the Cardinal after that time suggested the phone call ended acrimoniously. Cardinal Pell denied this, saying that he had phoned his home on one or two occasions to check on his welfare but spoke to his then-partner. He said he would have provided other assistance if David had asked.

Cardinal Pell described David's account as implausible for the following reasons: he was aware the police were already speaking to Gerald Ridsdale, so he would have no motive to try to prevent him to go to the police; he had never tried to dissuade anyone from contacting the police; he was an auxiliary bishop with no access to significant resources; he was an auxiliary bishop in Melbourne and it was a matter for Ballarat; and an attempt to bribe someone was criminal.

Mr Odgers responded to this by suggesting that because police investigations don't always result in charges, Cardinal Pell had motive to keep further complaints from coming to light, and that while he might not have had the capacity to provide financial inducements, he was connected to others who might have.

Discussing why Cardinal Pell walking Gerald Ridsdale to court when he was first charged with offences against children, Cardinal Pell explained that this was done following the Christian idea that it's an appropriate activity to be kind to prisoners and those who are at the bottom of the pile.

Cardinal Pell was also asked about his comment on Tuesday that "it was a sad story and not of much interest to me." He explained that he regretted the choice of words, was confused about the time period which was being referred to and answered poorly. He said that reading the accounts of the sufferings was painful because the behaviour was abhorrent.

Dr Marich for BWE

Cardinal Pell called the fact that several perpetrators were in Ballarat East at the same time a "disastrous coincidence" because even though he considered the way the leadership of the Christian Brothers dealt with abuse was "disastrous", he wouldn't suggest they placed abusive brothers together in the school intentionally.

Dr Marich also repeated the evidence of BWE, who alleged that while he was serving a funeral Mass at the Ballarat Cathedral, he overheard Cardinal Pell tell Father Madden that "Gerry has been rooting boys again." Cardinal Pell outlined the falsities in the claim: Father Madden was working in Horsham, a parish 200km away and had a practice of not returning to a previous parish for funerals;

neither of himself or Father Madden had a recollection of concelebrating a funeral together; and the funeral described was not recorded in the Cathedral records.

Mr O'Brien BWF

BWF previously gave evidence that one weekday afternoon at about 4pm he had visited then- Father Pell at the presbytery of Ballarat Cathedral and told him that his brother had been beaten and molested by Dowlan, and that Father Pell got angry and told him to go away. BWF's ex-wife had also provided a statement that BWF told her that this had happened.

Cardinal Pell said that he was not living at the presbytery, nor working at the presbytery, was hardly ever at the presbytery and usually worked right through until evening. He said that he was certainly not present at the time and said that despite other times when he has not recalled events, he has no ambiguity about the non-existence of the incident alleged by BWF. "This is false evidence, even the language that I was alleged to have used is ridiculous. The suggestion that I would speak like that to a young person in distress is absolutely false."

There were also a couple of questions about what Cardinal Pell did with the information he received from another student that Dowlan had been "misbehaving with boys." Cardinal Pell said that he inquired with the school chaplain and conceded that with the experience of 40 years, he agreed he should have done more.

Mr Shaw for Andrew Collins and Stephen Woods

Mr Shaw challenged Cardinal Pell on a number of statements he had made in his evidence.

He proposed that Bishop Mulkearns had no reason for keeping Cardinal Pell in the dark about Ridsdale, and that he was lying to protect his reputation. Cardinal Pell called it a baseless allegation, untrue and unjustified by any evidence.

Mr Shaw also put to the Cardinal that the Church cared more about its reputation than children. Cardinal Pell responded by saying that the Church too often did not care adequately for the survivors and children.

Mr O'Dwyer for BVC, O'Donnell and Sleeman

Mr O'Dwyer's questions focussed on the case of Father Peter Searson. He took Cardinal Pell through a memo from Norm Lalor from the Catholic Education Office, which contained a description of the 1989 meeting between Cardinal Pell and representatives from Holy Family, Doveton. Mr O'Dwyer suggested that the staff would have told him about their concerns about the safety of children around Searson. Cardinal Pell replied that he remembered explicitly that they said they were not asking for his removal, and supported this by saying that a request for Searson to stay would have been incompatible with the staff also telling him that the children were at risk of sexual abuse from Searson.

Ms Serpell for Julie Stewart, BVD and BTU

Ms Stewart and BVD were both abused by Searson, and BTU by Pickering. Cardinal Pell accepted Ms Serpell's suggestion that the mistakes made by the Church led to innocent children being touched, molested, raped and tortured, and suffering long-term harm including psychological harm.

Ms Serpell told Cardinal Pell that Ms Stewart had not been inside a confessional since she was abused by Searson in the confessional. Cardinal Pell said that he deeply regretted it and one of the things he regretted as a Catholic priest was the damage this had done to the faith of the victims, their family, friends and others in the community.

Mr Gray for the Truth, Justice and Healing Council

Mr Gray also asked questions about the evidence of Dan Torpy, a former priest who had testified in a private hearing. Cardinal Pell agreed with Torpy's assessment that while the consultants' meetings with Bishop Mulkearns were not a "rubber stamping" process, it seemed that many decisions had already been made between senior priests and the bishop, that Bishop Mulkearns did not discuss the reason for proposing particular moves, and that problems of sexual abuse which emerged in the late 1970s were never discussed.

Mr Duggan for Cardinal Pell

Finally, Cardinal Pell was questioned by his own lawyer.

Mr Duggan asked about the allegation by BWF that he had visited Cardinal Pell in the Ballarat Cathedral presbytery to report the abuse of his brother. Cardinal Pell confirmed that at the time, he was a full-time academic at Aquinas College, and did not usually leave work until evening meal time.

Mr Duggan presented Cardinal Pell with his diary entries for 5 September 1983 (which showed that Cardinal Pell had a staff meeting and was then playing tennis) and 14 September 1983 (which showed that he delivered lectures in Ballarat in the morning, went to Melbourne for meetings in the afternoon, and then returned for meetings in the evening). [Note: these were the only two dates on which funerals were recorded to have occurred at Ballarat Cathedral in September 1983. BWE alleged that he had served a funeral for Cardinal Pell at the Cathedral in September 1983 at which he overheard him telling Father Madden that Ridsdale was "rooting boys again."]

Turning to the Melbourne case study, Mr Duggan recalled that Ms Furness suggested the Cardinal's explanation that he was not adequately briefed by the Catholic Education Office about Searson was "completely implausible." He then referred to the prior testimony of the CEO director, Father Tom Doyle and an exchange between him and the Chair.

Father Doyle had said, in relation to Searson, that he tried to get the Vicar General to assist in getting Archbishop Little to act, but asked no one else because there were not many others who influenced the Archbishop. Asked about auxiliary bishops, Father Doyle said they really were not part of the decision making structure. He confirmed that he "didn't even try" with the auxiliary bishops. Cardinal Pell agreed with this, commenting that a request from him might even hindered the process of getting Little to take action, and noted that Doyle had been put in an awful situation after Archbishop Little rejected his request for Searson to be removed.

Finally, Mr Duggan showed Cardinal Pell documents recording Searson's removal from ministry. It records a meeting between Cardinal Pell and Searson in May 1997 (several months after Cardinal Pell had been appointed as Archbishop of Melbourne), where Searson was given a letter asking him to resign as parish priest and suspending his faculties. The report records Searson's pleas to remain in the priesthood, even in another diocese, and Cardinal Pell's response that he would take proceedings to canonically remove him if he did not resign. Cardinal Pell reported that Searson resisted the process in every way possible, and that Searson's appeal to Rome being upheld (a decision which Cardinal Pell said he ignored.)

The testimony concluded at this point and the Cardinal was excused.