

Continued testimony of Cardinal George Pell

Apart from a few questions about Ballarat, today's hearing focussed on the Archdiocese of Melbourne and Cardinal Pell's role as auxiliary bishop.

The hearing sat for an additional hour today (until 3am Rome time) and will sit extended times again tomorrow (7am-1pm Sydney time, 9pm-3am Rome time.)

Ballarat

At the beginning questioning, Cardinal Pell clarified that when he testified that "paedophilia" was not mentioned in consultants' meetings, it was not simply a reference to the word but any reference to actions of a nature which might denote sexual offending against minors.

In relation to Brother Edward Dowlan, Cardinal Pell said that he should have done more after hearing allegations against him by consulting St Patrick's College principal Brother Nangle and ensuring the matter was dealt with properly. He expressed regret for not doing more.

Melbourne

At the beginning of the questioning about the Archdiocese of Melbourne, Ms Furness asked Cardinal Pell about the role of the Archdiocesan Curia, the Personnel Advisory Board (**PAB**) and the auxiliary bishop. He said that the PAB was responsible for advising on the placement of priests. He agreed it held a similar role to the college of consultants, but said it was not recognised in canon law.

He then spoke about the relationship between the auxiliary bishop and the Catholic Education Office (**CEO**). He said that matters were ordinarily reported by the CEO to the Vicar General, that reports to the auxiliary bishop did not happen with any frequency, but that he was "certainly open" to dealing with complaints.

He said that he familiarised himself with the southern region to which he had been assigned by filling his schedule with activity and speaking to the Vicar General, but did not seek access to any files relating to priests in the region. He said that he did not make any specific enquiries about any specific person in relation to child sexual abuse, but said bishops were alive to the matters, the CEO was ahead in these matters, and information was given to all clergy.

Father Peter Searson

Much of the questioning today related to Father Peter Searson.

Ms Furness first took Cardinal Pell through a series of correspondence which showed a number of serious complaints about Searson prior to Cardinal Pell becoming auxiliary bishop in Melbourne.

These included showing students a dead body in a coffin; pointing a handgun at students; wanting girls to sit on his lap or kneel between his knees during confession; having a tape recorder in the confessional; making a sexual advance to one of the girls; and a petition from the parents about Searson's behaviour.

Cardinal Pell said there were sufficient grounds for some sort of investigation occurring quickly, that Searson should have been stood down while it was occurring and labelled the response was unsatisfactory and inadequate.

Cardinal Pell received a delegation of concerned teachers and parents from Holy Family, Doveton in November 1989 to discuss Searson. He told the Commission that prior to that meeting, he had spoken to CEO officers who discussed a list of grievances and the resignation of school principal, Graeme Sleeman, with him but said they did not provide him with the other complaints, saying he only discovered the extent of them in the lead up to the 2013 Victorian Parliamentary Inquiry.

Asked why the CEO officers might have deceived him, Cardinal Pell explained that he was not from Melbourne, so was the new kid on the block, he was capable of being outspoken and that the staff might have been fearful of how he would handle the situation, particularly if they had wanted to keep a lid on the Searson matter.

Cardinal Pell was challenged by both Ms Furness and Justice McClellan on his evidence that he had been deceived by the CEO. They argued that because there was evidence that the CEO had regularly send complaints through to the Vicar General and the Archbishop, there was no reason to conceal them from the auxiliary bishop. Cardinal Pell said that this could have been because he was not “cut from the same cloth” as the others, that he represented a very different approach to matters than Archbishop Little (which became apparent after he succeeded him) and had been critical of the approach of the CEO to religious education. He said that the CEO would be protecting Archbishop Little from his interference.

Ms Furness suggested this was completely implausible, and that he was seeking to deflect blame from himself for not acting against Searson, a notion which Cardinal Pell rejected.

Ms Furness went further to challenge Cardinal Pell’s evidence that information had been withheld from him by Archbishop Little, Bishop Mulkearns and the consultants in Ballarat.

“It’s an extraordinary position, Cardinal,” she said. “Counsel, this was an extraordinary world,” he retorted. “A world of crimes and cover ups and people did not want the status quo to be disturbed.” Asked if he put himself in that world to disturb the status quo, Cardinal Pell responded: “I not only disturbed the status quo, when I became Archbishop, I turned it right around so that the Melbourne Resopnse procedures were light years ahead of all this obfuscation and prevarication and deception.”

She suggested that he had knowledge of Ridsdale’s offending and was briefed adequately on Searson. Cardinal Pell rejected these suggestions.

Cardinal Pell accepted Archbishop Hart’s assessment that there had been “a complete failure of process.” Ms Furness asked if he participated in this failure, and Cardinal Pell responded that he had, “tangentially, marginally” and regretted that he was not more vigorous in his questioning.

Other offending priests in Melbourne

Ms Furness then took Cardinal Pell briefly to the cases of Fathers Baker, Gannon, Daniel, Fasciale and Pickering. Baker, Gannon, Daniel and Fasciale had all been the subject of allegations of sexual assault against children, but were permitted to resign on grounds of ill health. Cardinal Pell said that he may have been aware of the allegations in some cases before the resignation on the grounds of ill health were accepted, and agreed that this was wrong. He did say that a factor in judging the wrongness would be the truth or otherwise of the health claim.

Church structure

As he has done with many other witnesses, Justice McClellan proposed that an Archdiocese is akin to a large corporation with more than 200 branch offices, and suggested that the mishandling of abuse cases were due to management failures which could be remedied with a significant “middle management” structure. In this structure, priests would be responsible to auxiliary bishops who would then be responsible to the Archbishop.

Cardinal Pell said that the corporate model was not a Catholic one, that he could see no sufficient reason to recommend an abandonment of the traditional structures of the Church which come to us from the New Testament, and that any change would be a question for the universal Church. Justice McClellan foreshadowed that this would be revisited in the summary hearings for the Church later this year.

Cardinal Pell said that many changes had been made in the last 20 years, including the introduction of the Melbourne Response and Towards Healing, the changes introduced by Pope Benedict XVI which referred cases to the Congregation for the Doctrine of the Faith and the establishment of the Pontifical Commission for the Protection of Minors by Pope Francis.

Cross-examination by Dr Hanscombe

At the end of proceedings, Dr Hanscombe asked questions on behalf of her client, Timothy Green, who had alleged that he reported the behaviour of Brother Dowlan to then- Father George Pell in a swimming room change room in the early 1970s. Cardinal Pell said that while he did not suggest Green was lying, but this did not necessarily mean he accepted Green’s evidence was accurate, because another person who Green had said was at the pool with him does not recall the incident, and Green testified that he had his back to Cardinal Pell when he blurted the information out

The hearings concluded after this line of questioning and will resume again at 7am.