

**INTERVIEW CARDINAL PELL WITH GEOFF THOMPSON
OF ABC 4CORNERS IN ROME ON TUESDAY 12 JUNE 2012
AT ROME REPORTS OFFICE**

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Q 1

Cardinal Pell thank you very much for agreeing to speak with us. The last time the 4 Corners program looked at the Catholic Church handling of child sexual abuse allegations was in 1996. Do you acknowledge that mistakes were made in the past and what has changed since?

A

Yes mistakes were certainly made in the past and because of those deficiencies we set up the Melbourne Response and the Towards Healing response and I think that when the provisions in those responses are followed I think they are quite adequate. I think we have basically, apart from individual lapses, we have an adequate story to tell in the way we help victims.

Q 2

In the protocols Towards Healing and in the Melbourne Response both advise victims to go to the police as you have done yourself and the victims as well. However police in Victoria say that abuse suspicions or allegations are never referred to them by the Church. Why is that?

A

The first preliminary and it's not the most important fact that in Victoria there is not an obligation to do so and the more important fact is to respect the wishes of the complainant. Now in Melbourne I know that they are urged to go to the police and if they decide not to go to the police they have to sign a document which shows that. So the wishes of the complainant are always respected. And that I suspect and I believe would be the principal reason why material is not referred on to the police. If there was a situation of immediate danger (rather than the case from the past) I am sure that the Melbourne system would require the person to speak to the police.

Q 3

Do you think that there is a requirement to go to the police when the Church has suspicions or have heard information which point to a case of a child sexual abuse? Is that something that should lead to a police report from the Church?

A

Well there has to be justice for everybody concerned certainly first of all for the victims. There's got to be justice for the persons accused also. So there has to

be decent prima facie evidence. The system we have in NSW I think is a good system. Even when the victim does not want to go to the police. In NSW the name of the priest accused, details of the case are given to the police but not the name of the complainant or the victim. I think that it is a good system, of course in the light of the discussions that take place, the regular interaction between Towards Healing and the NSW police force, then if further information is required from the complainant then I'm sure that they would be encouraged to provide that but they might choose not to. In one or two of our worst cases the victim refused to go to the police.

Q 4

Now of course you were an architect of the Melbourne Response, can you explain briefly given that you seem to favour now Towards Healing? Why is there a division why not bring them into one and the same thing?

A

Well I think they are two good systems. I'm actually delighted to put a few things on record about the Melbourne Response and its genesis. I was appointed Archbishop of Melbourne in August of '96. By the end of October I had announced the Melbourne system. It was actually at a time of crisis, a time of very hostile press coverage. The victims were very upset that they were not being dealt with properly. There was a priority to do something for them. I was at a fundraising breakfast and the Governor Richard McGarvie, he was something of a friend of mine, he said to me "look you need to really get cracking and set up something like a Catholic Royal Commission, a person of integrity of high level, give him independence and tell him to deal with those things." I had reason to see the Premier. The Premier said to me there won't be any Royal Commission but you clean up the situation. It wasn't that I decided to do anything like this by myself, I called together I think at least a couple of times a collection of some of the most senior figures in Melbourne life. I don't think all of them were Catholics. They thought that this proposal of the Governor's was a very good one. I deputed a Bishop to liaise with the national authorities so that we could come together, if not combine at least be under the same umbrella. He reported back to me that that wasn't possible. Now at that time which I announced it in October, at that time the Australian Bishops hadn't even decided finally to set up a national system. We set up a system in October. Very soon after we were processing the first complaints. The Towards Healing system was announced in December of '96. They never started processing complaints until middle of '97. It would have been impossible in Melbourne to have waited for such a time. There has been continual dialogue since I gather and two of the reasons early on why the schemes couldn't be brought together was because Towards Healing..... we set up several compensation panels, a counselling agency as well as dealing with the cases. The Towards Healing did

not want an independent compensation panel and also they were reluctant to have such a high level of legal expertise investigating the cases. Given....

Q 5

Cardinal of course many people who have gone through Towards Healing say they feel the process, and also true of the Melbourne Response, they say they feel the process is more about protecting the Church's image, minimising compensation, not about stopping perpetrators or helping victims?

A

I think that's a misunderstanding and a misstatement. You will remember of course, back in the eighties every institution was concerned, in their ignorance first of all in protecting their good name. Actually I think the Catholic Church was probably the first organisation in Australia who has explicitly and publicly stated, recognised, that the needs of the victims must come first and I have been no part to any cover up. We have in NSW for example under the Towards Healing since it was set up in '96 there's been about 1170 complaints. That's not evidence of a cover up. A third of those touch on young children adolescents, a third of them are about adult behaviour violations and a third of them are about behaviour in institutions such as alleged cruelty and things like that. The Catholic Church has been very serious and very up front in putting the needs of the victims first. Our performance has not been impeccable but the procedures have been progressively refined to their present good state.

Q 6

A parliamentary inquiry into the handling of child abuse cases is now under way in Victoria as you know and many victims say this is not enough. Would you support a (second) Royal Commission into the Church's handling of the sexual abuse cases? Or are you saying that you've been told that option has now been ruled out?

A

I haven't been told anything about anything being ruled out I think the major problems at the moment seemed be confined to Victoria. We had the Wood Royal Commission from '94 to '97 in NSW. If there was to be an inquiry it should be general, not only non-government organisations but about government organisations also. I can't see the need for a Royal Commission but if there was one of course we would cooperate fully.

Q 7

In Victoria in the Ballarat area where you grew up police have focused on a very high number of suicides and premature deaths which appear to be linked to incidence of child sexual abuse by a few religious. Do you accept that link and what's your opinion of it?

A

Well I was absolutely shocked when I saw the recent report claiming that 40 people had suicided. I was shocked and surprised. I inquired of the Bishop of Ballarat. He was only aware of a couple of cases but I welcome the fact that there will be a coronial inquiry. Whatever the facts are we have to face up to them. My sympathy to the families of those who have gone this way. That is a terrible, terrible thing.

Q 8

Given what transpired in Victoria how do you feel now about your decision to support Gerard Ridsdale by accompanying him to court? In retrospect might it not have been more appropriate to show such support for the victims?

A

I am sorry that I did that now. I recognise that that was inappropriate however his lawyer refused to let me take the stand, because I said "If I go on the stand I will say I'm not disputing the claims of the victims. I'm not disputing their good faith". All I would say was that Ridsdale has done some other good things. He wasn't satisfied with that and said "Would you accompany him to court". I'm sorry I did that. It gave the wrong impression. Also at that stage though, I and possibly most other people had no idea whatsoever about the extent of the wrong doing of Ridsdale.

Q 9

Now I just want to discuss John Farrell, the case of which I think you are familiar. If you could avoid using his name as much as possible that would assist us, so do what feels natural. We have evidence that the Church knew of allegations against him as far back as 1983 but this knowledge was never referred to the police or volunteered to court during Damien Jurd's trial when they took him to court 1988. Why not do you think?

A

Fr XYZ is no longer a priest. He was laicized in 2005. He is not in my area of responsibility. You have to ask the authorities what was done 30 years ago there. What I can say is that when the new Bishop of Armidale came in 1992 he asked a panel of 3 senior priests to interview this Father XYZ. They did so, I asked them to consult the files and they spoke with him. They were unimpressed by his credibility or sincerity, possibly honesty. He made no admissions to them. Also not only the files.... they listed the 3 members of the commission have discussed that and that is the recollection of each of them. Whatever about that, because that committee recommended to the Bishop that this man was no longer credible as a priest he was removed from pastoral work immediately.

Q 10

I'm just trying to understand, did you say he made no admission of paedophilia?

A

To that, the file note of that meeting shows that he did not make any admission and that is the recollection of the 3 priests who were actually at that. One of the things in a pastoral approach a person doesn't have to make an admission before they might be stood down. They were dissatisfied with his credibility, they thought he represented some sort of danger for the future and although he made no admissions to them they suggested to the Bishop that he should be stood down.

Q 11

Cardinal are you aware that during an extortion case in 2004 which was taken by Fr (Farrell) against Daniel Powell he was asked whether he had made an admission to those investigators about whether he had oral sex with altar boys and he said yes.

A

Well I certainly didn't know that. I'm surprised at that, I would take the word of the 3 priests against that allegation.

Q 12

Why then was he laicized?

A

For that we are talking about 2005 I'm not saying that other things didn't become clear to the Armidale authorities afterwards or in some other way. I don't know that but what I am talking about is the intervention that came strictly and only from Sydney. I don't know about particularly the Armidale activities.

Q 13

Of course the difficulty for us is that we put these questions to the Church and then put you up to answer them and nobody else such as Brian Lucas so all we can do is take yours as being the Church's position on these matters.

A

Well, I can't speak for others. I think it is vitally important that the credibility of our process be maintained and established. I think it is fair enough for Brian Lucas as one of those three priests to have me speak for him. I reported what

the file note says and what he said about what happened at that particular meeting.

Q 14

Just to confirm though - did he have his faculties removed, like is he a non-practising priest or has he been actually technically laicized?

A

He was technically laicized in 2005 and he was completely removed from any type of public ministry in '92. In other words he couldn't say Mass, he couldn't hear confessions, he couldn't give counselling, he was forbidden from any public activities, even for example a home Mass. He was forbidden from all those activities I gather from 1992.

Q 15

Of course there would begiven the fact there were two court cases involving a man, there have now been two young men die and there are other victims out there, there would be a public interest in knowing why he was laicized and why did the Church take this action against him. Don't you have a moral responsibility to tell the public that given he is still living in the community?

A

I think, one I don't know the situation. I think that is a legitimate question for the appropriate authority.

Q 16

Aren't you the appropriate authority?

A

No, no, see. I am not general manager of Australia. I am not the Grand Inquisitor. In the church there is something like a division of powers that there is in a democracy - legislative, executive and judicial. In the church, separated in certain dioceses, religious orders and each diocese is responsible to Rome for itself. Religious orders have significant independence from bishops, apart from some public activities a bishop can't order a religious order to do something but I do agree these particular agencies have an obligation to give out basic truth.

(Break for change of camera battery)

Q 17

Two victims of Fr F have already died prematurely, what has the church done to your knowledge to try and find other victims who may be suffering in silence?

A

One I can't answer that specific question, I don't even know if those facts are true. But The church has a toll-free phone line, the church has a web page where people can ...I think in the last month 30 people have approached us, there is public knowledge that we have these processes, there is significant publicity, they would know we offer psychological help and counselling and provide and pay for that and for anybody who is in that situation and is suffering depression I would urge them to come forward to the church authorities and ask them for the provision of those counselling services.

Q 18

Do you have a message then as the most senior Catholic in Australia to the families of those who have died who were, they claim abused by Fr F?

A

I couldn't express my sympathy more deeply. A suicide is a terrible thing in any circumstances and obviously the church.....all the church agencies—to anybody is so tempted...anyone who is suffering significantly, counselling services will be... not just ours... if they prefer to choose their own counselling services, we will pay for that.

Q 19

Now moving to the Salesians. It's...I'm not sure at all it is something you are responsible for but do you have concerns that Julian Fox has not been brought back to Australia to face allegations of sexual abuse?

A

One, I can't speak for the Salesians, I have no authority to do so. I haven't heard their side of the story. Let me make two statements of principle. If for example a person is convicted of a crime it is outrageous that that person would then go overseas and continue professional work somewhere else. That's the first principle. The second principle is if there is significant prima facie evidence especially in some sort of crime then I would, I believe it's appropriate and perhaps obviously even necessary for those authorities to bring that person home. If one of my priests was in such a situation I would require that. But I emphasise I've got no authority to speak to the Salesians and I really don't know their side of the story. I know what has been alleged.

Q 20

We have a copy of a letter dated February 2004 from the then provincial of the Salesians Fr Ian Murdoch to the rector major of the Salesians Fr Pat (?). In it he discusses sexual abuse allegations against Fr Julian Fox and in the letter he says, quote, the only thing that could ever dispel these allegations is to be

prepared to face his accusers and maintain his innocence as quote, Cardinal Pell has done here in Australia. Do you agree with that statement? Is that the appropriate way of a response to these allegations?

A

If that is accurate and I haven't seen that letter, I would certainly agree.

Q 21

Do you believe Julian Fox should return to Australia to face his accusers?

A

I have already answered that as a matter of principle. I don't know his story. I don't know his side of the story but if there is credible evidence against a church figure that person should return to face the music.

Q 22

Now regarding the findings of the Church's own inquiry and allegations against you the retired Justice Southwell found that he was not satisfied that the complaint had been established but he did believe both your account and the account of your accuser. How did you feel about that?

A

I wasn't entirely satisfied. He did say I was a trustworthy witness. The - I was found not guilty. I would have liked it a little bit clearer but that's the way it is. Certainly there was a very clear process. I stood down and I faced up to the situation.

Q 23

And you think Fox should do the same?

A

Well you know what I did and you know the principles I announced.

Q 24

Now while the Parramatta Diocese is not the Sydney diocese it is pretty close, he **[Fr xyz - see attached notes when Fr xyz was in Parramatta Diocese from 1989-92]** was allowed to work with children again in Parramatta in 1991 after being sent away from Moree and even before that he was sent to the council by Rex Brown who was later, well fined at least for possessing child pornography. Is that shocking to you?

A

If those facts are as they are recounted... obviously, if they were said to this person they would have had no idea of that particular weakness of his. I would emphasise this is over 20 years ago, procedures were much less clear then. It would certainly be unacceptable now.

Q 25

What processes are there today to guarantee that paedophile priests won't simply be moved to another diocese?

A

We have a good system in NSW as well as the mandatory reporting to police. We also have to report to the ombudsman on each particular case – and all the details of the case. I think it is a very good system. They'll say yes or no or you might tighten this or that up but I think it is a reassurance for the victim and it is also a reassurance for us as a Church authority that we are doing the right thing.

Q 26

Do you happen to know whether Fr F was ever reported to the police by the Church?

A

I simply don't know that.

Q 27

Ok, I guess this is a final message if you like. There are obviously some people who have gone through the Towards Healing process but one of the concerns is that people who have negotiated a settlement using lawyers get much more money. What does that say about Towards Healing and the Melbourne Response?

A

Well I am not sure that that is always the case. I do know there is an upper limit for the compensation panel or at least there was but there are no legal fees involved in that at all. It could be that in some cases it is better to protect the victims that they have a lawyer there to deal with it. In NSW, in the state, I think about 20 cases have gone to court, only two have been settled by the judges, the others being settled en route and our clear preference is to not go to court and certainly we have a clear policy where liability is established, we settle.

Q 28

Victims have accused the Church in Australia of hiding behind arcane property trusts, I know you have talked about this before, now this is clearly the Church's legal right in Australia but given that that practice is not followed in England, Ireland, Canada and the United States and even in place like Maitland, don't other dioceses have a moral obligation to be liable for the conduct of their priests?

A

Yes we certainly do and we admit that. The church officials can be sued....the people that can't be sued are those who had no part in the procedures. A bishop can be sued. Bishops have insurance for this. Obviously we have to draw on our assets to pay whatever damages are awarded. We have done that, we will always do that, there is no flight from reality and the damages paid should be comparable to whatever is being paid across the nation in comparable situations. We are not fleeing from anything. Sometimes, once or twice in court cases we have told the lawyers they were suing the wrong people. They persisted. Church officials can be sued and obviously this has been done and payments have been made.

Q 29

We know of, obviously, the Ellis defence and equally recognise the Church in Australia is quite unique in this regard. Would you support changes to legislation to make it possible for the Church's property trust to be sued in relation to these abuse cases?

A

While I am not sure we are unique, that might be the case, secondly the Property Trust has got nothing to do with the appointment and supervision of priests. I can't see any need to change and thirdly, of course I repeat, the Church officials and authorities can be sued. It is interesting...a couple of facts. The Church regularly makes payment even when there was no failure of supervision in any particular case precisely because the bond between.. the position of the priest should be so high in society, and the bond between the superior and the priest, so as recognition of that we make payment even when there was no failure of supervision. I can't see any need for change. Church law says whatever the laws of the country are we have to follow them. We will certainly do so because it is vital that the public believes we are sincere in our respect for the victims, in our attempts to bring a little bit of healing and peace to them and that they are our first priority.

Q 30

One last questions if you don't mind Cardinal. In regard to Fr F. We know and obviously the Church knows and you have been told of allegations against him and obviously at some level the Church has substantiated the event that he has been laicized. Two young men are dead, there are other victims. Is it shocking to you he remains a free man living in Armidale?

A

Well I don't know the facts of the case so I can't answer that. What I can say is that when one of his victims wrote to me making these allegations, I replied that very day. I said I am appalled by these. I said you should go to the Professional Standards Officer. I gave his name and his phone number. I said I would check up in a week or so to see whether you have. Also you should go to the police. And I said I don't have authority in this case but I will send your letter and my letter to the Bishop concerned and to the Public Standards Officer concerned. In these terrible cases there is no alternative but to facing up to the truth and doing what we can to make the best out of an awful situation.

Q 31

Unfortunately the person you're referring to found the process, to use his words, "too churchy". He said he could almost begin to smell Fr F again when he was dealing with it. He didn't like dealing with the Church. He felt like he was back in that scary place again. What would you say to him?

A

Well that was one reason why I set up the Melbourne Response. That was one reason why...I know people sometimes don't like dealing with the Church, why I got a senior lawyer with impeccable credentials. Now, for example the Melbourne system, just to switch to another area, has brought to counselling over 400 people. The complaints have been in single digit figures. The complaints about our dealing with cases are very small minority. Some of these people feel that very deeply and it's possible, probable things did go wrong even at the human level. It is a very difficult job to speak to people who are grieving and who have been totally wounded without putting a foot wrong. That's one of the developments in Towards Healing which is very good and that is that now in the very early stages someone from the Church not part of the official process should go and talk to them. But this needs to be done by professionals, by people who are trained social workers, very sensitive and experienced and can do it in a way that will help people. We're there to help the victims.

Q 31

Does that follow through to providing evidence to pursue the perpetrators?

A

If the victims want us to do that I am sure the Church agencies will. If we are requested to do that.

Q

Ok, Cardinal. Thank you so much for your time, we appreciate it very much.

A

Good. Thank you Geoff, all the best.

Q

Thank you. Goodbye.