



## **PUBLIC HEARING INTO CATHOLIC CHURCH AUTHORITIES**

### **IN BALLARAT**

#### **Case study 28**

#### **The Hon Justice Peter McClellan AM**

#### **Chair, Royal Commission into institutional Responses to Child**

#### **Sexual Abuse**

In a few weeks the Royal Commission will pass the half way mark in our work.

Our final report will be provided to government by the end of 2017.

There are many elements to our work and many issues we must resolve. As you know, apart from the other tasks we have, a significant component of our work is undertaken in case studies for which we conduct public hearings.

We have now held public hearings in every state and territory. Today we commence our 28<sup>th</sup> public hearing. This is the second public hearing in a regional centre.

At this point ten case study reports have been tabled in Parliament and published on our website. A further four case study reports are nearing

completion and will be provided to the Governor General and the various Governors in the near future.

The rate of engagement by the community with the Royal Commission remains consistent. Around 270 people make contact with us each week. In total our call centre has received more than 21,000 calls. Nearly 11,000 people have written to or emailed us since we commenced.

The Royal Commission has the power to refer matters that come to us to other relevant authorities, including the police, for investigation. To date we have referred more than 600 matters to the police in various states.

The Commissioners have now completed more than 3400 private sessions and a further 1400 people are waiting in a queue for their session. The rate of request for a private session has not diminished and from time to time, usually in response to particular public hearings, increases.

We have previously spoken of the research reports we have released. A large number of projects are currently under way. We have recently published the

report: Child sexual abuse prevention programs for pre-schoolers: a synthesis of current evidence.

In all we have now published 10 substantial research reports.

As you will be aware the Royal Commission has the major task of considering redress for survivors. The report on that issue is presently being drafted. It will be detailed and comprehensive and will point the way forward for government, both the Commonwealth and the States, and institutions in meeting the needs of survivors. I anticipate that the report will be with the Governor General and Governors in August. The need for a fair and effective redress scheme has not been doubted by any government or the institutions that we have consulted. Fairness and effectiveness will be central to our redress report.

I turn to talk briefly about this hearing. The hearing concerns the response of various institutions, each a part of the Catholic Church, to allegations of child sexual abuse. Although we are conscious that child abuse issues in the Ballarat region extend beyond the Catholic Church it was necessary, having regard to our resources, to define a case study which ensures the most effective use of those resources. It must also be remembered that we are constrained by our terms of reference and cannot conduct a hearing which may prejudice prospective

criminal proceedings. For this reason we cannot presently look at the Ballarat Orphanage in a public hearing.

Early in the life of the Royal Commission I conducted some private sessions in Ballarat. Other Commissioners have also conducted private sessions. In addition, I have met with many local people and spoken at community meetings about the issue of child sexual abuse. In my various discussions I was told of the significant scale of the abuse which has occurred in the Ballarat region and of the great suffering of many people. That suffering extends beyond the individual survivor. Many members of their families and friends have been deeply affected by what has occurred. The impacts have been felt throughout the community.

I am conscious of the work that was done by the Victorian Parliamentary Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations in the Ballarat region. In undertaking our work in Ballarat it will be necessary to retrace some of the ground which that inquiry traversed. However, Counsel Assisting will in her opening draw upon the investigative work that the Royal Commission has been able to do. The evidence in this public hearing will extend significantly beyond the evidence which was available to the parliamentary inquiry.

Because of the nature of the issues which have emerged in the Ballart region we have decided to conduct this hearing in two parts. Ms Furness will outline the evidence which she proposes to lead in the first stage of the inquiry. The second stage is likely to occur towards the end of this year.

The evidence in the first stage of this hearing will include the personal stories of a number of survivors. That evidence will describe the gross violations of individuals by ordained members of the Catholic Church. As you are aware, the Royal Commission has revealed many shocking stories of the betrayal of children. As we listen to the evidence in this hearing we should all reflect on the impact for those who have suffered in the Ballarat region, and the thousands of others who have suffered throughout Australia.

In this hearing there will be evidence from perpetrators. The evidence will not be directly concerned with the circumstances of their offences. That has already been dealt with by the Courts. However, the evidence has an important part to play in the Royal Commission coming to understand both why ordained members of the Catholic Church became abusers and how the Church responded to allegations of their abuse. It will be particularly important in helping the community to learn of the knowledge that people in authority in the

Church had of the abuse and will assist us to assess the response of those in charge. I appreciate that the evidence of perpetrators may be confronting for some people, in particular survivors. However without the evidence of perpetrators, the true story of the response of the Church in Ballarat may never be completely revealed. Mindful of the possible impact of the hearing, the Commission staff have been careful to organise, in cooperation with local services, support for any person who may need it during the hearing.

From my discussions and those of Commission staff with members of the community, I am aware that there may be different and strongly held views about the conduct of ordained people and the appropriateness of the response of leaders of the Church in the Ballarat Diocese. Many want this public hearing. There are others who doubt the need for a public hearing. Some may not want the story told. Unless the truth is revealed and known publicly the prospect of effective healing for survivors and institutions is diminished. When he recently visited Sri Lanka Pope Francis said of the suffering brought by civil war in that country

“the process of healing also needs to include the pursuit of truth, not for the sake of opening old wounds, but rather as a necessary means of promoting justice, healing, and unity”

The Pope's words have relevance to the task we are about to undertake in this hearing.