

UPDATE 55

Royal Commission – The Melbourne Response

Melbourne



Friday 22 August 2014 – Day 5

Day five of the Royal Commission hearing into the Melbourne Response started today with evidence from Mr Jeffrey Gleeson who from July 2012 was appointed as an Independent Commissioner of the Melbourne Response.

Mr Gleeson gave evidence that his role, like that of Mr Peter O’Callaghan, is to enquire into allegations of sexual abuse, consult with the accused, the complainant, relevant witnesses and make a determination based on the evidence.

His role is also to refer the complainant to Carelink for counseling and other pastoral assistance and to the Compensation Panel where financial compensation is determined. He is also charged with making recommendations to the Archbishop about the accused.

Mr Gleeson told the Commission that before being appointed an Independent Commissioner he had acted as Counsel Assisting in a number of contested hearings.

He acknowledged the potential difficulties for victims in attending contested hearings, but gave evidence to the Commission about claimants who wanted to meet face to face with the accused, saying: "I want to eyeball that person. I want them to know that I'm the adult now and I've got the power."

Following the conclusion of Mr Gleeson’s evidence the current Chair of the Melbourne Response’s Compensation Panel, Mr David Curtain QC, gave evidence. Mr Curtain was appointed Chair of the Panel in February 2004.

The Commission heard that the intended purpose of the Compensation Panel is to provide an alternative to legal proceedings. The Panel is intended to operate in an informal way to provide a forum for the settlement of claims, and is not intended to be legalistic.

The Panel commenced operating in the first half of 1997. It comprises four members: a solicitor, a community representative, a psychiatrist and the Chair. Other than the Chair, the current members have held their appointments since 1997.

Mr Curtain told the Commission about the process victims go through when they attend a compensation panel hearing. He said that by the time the claimant arrives at the compensation panel there is no question about the abuse having occurred.

He told the Commission claimants often bring support people to a panel hearing and that he tries to make the process as informal as possible. Mr Curtain said there are no Church lawyers present at any Compensation Panel hearing.

Mr Curtain said the Panel awarded compensation taking into account the impact of the abuse on an individual and the severity of the abuse. Mr Curtain agreed with Commissioner McClellan that what might be considered at the lower end of the abuse scale could have a devastating and lifelong impact.

Mr Curtain also gave evidence about the payment of a victim’s legal fees and deeds of release.

He said there were no confidentiality requirements placed on victims going through the compensation panel. ‘Victims are free to shout it from the roof’, he said.

He said that he tells all victims who consider having counseling, that it will be available as long as required and it will not cost them any money.

At the conclusion of Mr Curtain's evidence the Commission adjourned for the day.

The hearing will continue on Monday.

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