

UPDATE 57

Royal Commission – The Melbourne Response



Tuesday 26 August 2014 – Day 7

Day 7 of the Royal Commission hearing into the Melbourne Response started with the Archbishop of Melbourne, Denis Hart, continuing to give evidence.

The Archbishop was initially questioned about the civil litigation involving the Fosters. Archbishop Hart told the Commission his overriding instructions to the lawyers and others involved in the litigation on behalf of the Archdiocese was that they should resolve the claim as fairly and as quickly as possible.

The Archbishop also gave evidence about what the Archdiocese knew about Father Kevin O'Donnell, who was the priest who had abused Emma and Katie Foster. He said that following his conviction and release from prison in 1996, O'Donnell was restricted and monitored by the Archdiocese until his death five months later.

Archbishop Hart also gave evidence about a number of other convicted priests, including Glennon, and about the approach of the Vatican to dealing with sexual abuse perpetrators in Australia.

Counsel Assisting asked the Archbishop about the apologies which are part of the Melbourne Response, and why they followed the same wording in different cases. The Archbishop explained that as a result of the independence and confidentiality of the process, the Archbishop has had to give an apology with little information about the circumstances of the abuse. The Archbishop said that he has recently put new processes in place to seek more information without breaching confidentiality, so that he can make apology letters much more personal.

Archbishop Hart was also questioned about the confessional, and the restrictions on disclosing information provided during confession. He told the Commission that the protection of the confessional is universal within the church, and he would have no power to impact its operation in Australia. He also said that he thought the confessional could be a place in which an offending priest could be encouraged to turn themselves in to the police.

The Archbishop agreed with Commissioner McClellan that there had been a problem within the Church about the abuse of children, and said he disagreed with anyone suggesting that the abuse of children was a moral issue rather than a crime. He said that crimes had occurred within the Church, and that not enough action had been taken in the past here in Australia.

The Archbishop answered questions about whether selection and formation practices had changed, so that people becoming priests were now more carefully selected and trained. He said that in the past there had not been the same careful assessment, regular instruction, and review of how trainee priests generally interact with others, as there is today.

He was also asked about celibacy and expressed the view that the current approach to preparing trainee priests better positions them for a life of celibacy.

Counsel for the Fosters asked the Archbishop about whether the Church's response to the Foster's request for help with crisis accommodation for their daughter Emma on her release from hospital was appropriate. The Archbishop said if he had his time again he would have granted their request.

The hearing concluded in Melbourne today.

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