

Witness Statement

Name	Bishop Michael Fabian McCarthy
Address	Bishop's Residence, Rockhampton
Occupation	Bishop of Rockhampton
Date	10 April 2015

- 1 My name is Michael McCarthy and I am the Bishop for the Catholic Diocese of Rockhampton (Diocese).
- 2 I have been a Catholic Priest since August 1978. Until I moved to Rockhampton, I was a priest in the Brisbane Archdiocese and did not have any involvement with the management or pastoral activities of the Diocese of Rockhampton.
- 3 I took up duties as the Bishop of the Diocese on 29 May 2014. My appointment as the Bishop of the Diocese was announced by Pope Francis on 10 March 2014.
- 4 I have attached to my statement a personal history which is marked "Annexure A".
- 5 Unless I state otherwise, I have set out in this statement my independent recollection of the subject of the statement.
- 6 I have been asked to provide this statement in connection with my involvement in the implementation of policies and procedures in relation to child protection, complaint handling and the disciplining of offenders accused of child sex abuse.
- 7 This statement has been prepared with the assistance of Gilbert + Tobin lawyers in response to and compliance with Notice to Produce Number C-NP-722. It is produced to the Royal Commission on the basis that it will be tendered and received in evidence by the Royal Commission pursuant to that Summons and on the basis that the statement will be treated as evidence pursuant to section 6DD of the *Royal Commissions Act 1902* (Cth).

Child Protection and Complaint Handling

- 8 When I became the Bishop of Rockhampton I endeavoured to familiarise myself with all existing policies and procedures relating to child protection and complaint handling. The Diocese had previously adopted *Towards Healing* and I have not changed this.
- 9 Since becoming the Bishop of Rockhampton, I have undertaken the following:

- (a) I formed a Resource Group in accordance with the Towards Healing guidelines;
- (b) I appointed a (part time) Response Contact Person and instated a 1800 telephone number for people to call to report sexual abuse;
- (c) I created the (part time) position of Parish Child Protection Education Officer. The Parish Child Protection Education Officer provides in-service training to all priests, staff and volunteers about child protection issues. I appointed Ms Margaret Hallinan to this role. Margaret is a former teacher. Ms Hallinan provides in-service training to all clergy, staff and volunteers in the parishes. This is in addition to the work of Ms Anne Czekanski provides in-service training in relation to all Diocese Catholic Education Office schools as part of her role as Student Protection Coordinator for the Catholic Education Office, a role she has held for over 10 years;
- (d) I am reviewing all policies of the Diocese including the child protection and complaint handling policies of the Diocese. I am assembling a group of people with various professional backgrounds to assist me in updating all child protection and complaint handling policies to ensure everyone in the Diocese is accountable for child safety. This group will include members, for example, who are:
- (i) An officer at the Department of Communities, Child Safety and Disability services;
 - (ii) A solicitor; and
 - (iii) A social worker;
- (e) This review also includes all policies on recruitment of staff and clergy and I will draw on the assistance of the group I described in the preceding paragraph in relation to policies on recruitment of staff and clergy;
- (f) I have a zero tolerance approach to child sex abuse. Once an allegation is received, an employee or member of the clergy is suspended pending an investigation by the Queensland Professional Standards Office. If an investigation reveals that the allegation is likely to be correct, then the employee or member of the clergy is not reinstated. In the case of clergy, this effectively means that priestly faculties would remain suspended. I would also ensure that appropriate steps are taken to ensure adequate supervision, their removal from any contact with children and their treatment. If I consider it appropriate, for example if there is a criminal finding of guilt, I, as the Bishop of Rockhampton, would petition the Congregation for the Doctrine of the Faith in Rome to have that member of the clergy dismissed. I would anticipate this dismissal would occur.
- (g) On receipt of a complaint, it is the policy of the Diocese that the police be notified. In respect of schools that process is recorded in the Student Protection Policy, which was most recently updated in January 2015. In respect of a complaint in the context of the parishes or

Centacare or other ministries of the Diocese, this is recorded in the Diocesan Working with Children and Young People Policy.

- (h) I am reviewing all files relating to clergy to ensure that I am aware of issues in respect of any complaints of sexual abuse that had previously been made to the Diocese. As part of my review of the files of the Diocese, I have also begun the process of reading all of the files that were transmitted to the Royal Commission and the material that is now before the Royal Commission.
- 10 I have read the witness statements which have been served on me by the Royal Commission which have been prepared by the former residents of Neerkol, providing an account of their sexual abuse and the impact that the abuse has had on their lives.
- 11 Some have expressed their hope that the Catholic Church will ensure that it is a safe place for children. It is my aim as Bishop of Rockhampton to ensure that the children in the care of the Diocese be cared for and protected from the harm which has befallen children in the past. The steps I have taken as set out above, are the practical measures I hope will contribute to the safety of children in the Diocese.
- 12 I have written two pastoral letters expressing my support for the work of the Royal Commission which I believe to be undertaking important work in bringing this issue to light. [CTJH.200.03003.0002] [CTJH.200.03004.0004]

Neerkol

- 13 Reading the witness statements of the former residents of Neerkol has had a deep impact on me, especially witness statements from those who were abused by members of the clergy. I am appalled at the behaviour of these members of the clergy and I am deeply sorry for the impact that it had on innocent lives. Sexual abuse can never be excused. Their conduct was totally unacceptable and against all our values and beliefs. They have damaged the lives of many people and I am deeply sorry for those who were hurt by their criminal actions. As priests, they were the upholders of the moral law and they failed in this regard.
- 14 Upon reading the documents and the witness statements, I can only say as a leader of the Catholic Church, it is our responsibility to put in place good structures and safeguards to ensure that all complaints against church personnel are properly and independently investigated. I also give you my firm commitment to doing all I can to ensure that the mistakes of the past are not repeated. As a Bishop, I believe it is only proper that I seek the best professional advice from within and outside the Church to ensure that at all times the policies and procedures of the Diocese reflect the changing nature of our society and that children and vulnerable adults are always safe in our parish communities.

AYA

- 15 During my review of the witness statements prepared for this Royal Commission by the former residents of Neerkol, I read the witness statement of AYA. At paragraph 34 of her witness statement, AYA states that in August or September of 2014, she received a telephone call from an unknown caller. The caller told AYA that the Catholic Church wanted to send a priest to her house to apologise to AYA.
- 16 I have not heard of such an approach, I would not countenance such an approach nor would such an approach be in accordance with the *Towards Healing* guidelines. Until I was shown the witness statement of AYA, I was not aware that AYA had a complaint against the Catholic Church. I have asked the Response Contact Person, the Resource Group and the Parish Child Protection Education Officers to confirm whether they were aware of contact made with a new complainant in relation to the St Joseph's orphanage known as "Neerkol" in the latter half of 2014 and nobody was aware of any such contact. I have not been able to determine who contacted AYA in the circumstances described by AYA, but it is clearly regrettable that they did so.

Signature 
 Name Bishop Michael Fabian McCarthy
 Date 10 April 2015

Witness 
 Name STUART BRADY
 Date 10 April 2015

Annexure A

- 17 I was born in Toowoomba in 1950. In 1968 I commenced studies at the University of Southern Queensland. In 1970 I graduated with a Bachelor of Applied Science. I then worked as an industrial chemist for four years before entering the seminary.
- 18 I studied for the priesthood at St Pauls National Seminary at Kensington and ordained a priest for the Archdiocese of Brisbane in 1978.
- 19 In 1979 I was appointed as assistant Priest to the parish of Gympie and in 1983 to the parish of Surfers Paradise. From 1986 to 1990 I was the director of the Pontifical missions. From 1990 I was appointed as the parish priest of Laidley until 1992 whereupon I was appointed as the parish priest of Surfers Paradise. In 1996 I was appointed to the Archdiocese in the position of Continuing Education of the Clergy. From 2001 until 2008 I was the Rector of the Holy Spirit Seminary. After completion of that appointment, I was appointed the parish priest of Holy Cross Parish Redcliffe City until 2012. I was then transferred to Hendra as parish priest and vicar for clergy for the Archdiocese of Brisbane where I remained until I moved to Rockhampton.