

Witness Statement

Name	Bishop Paul Bird
Address	5 Lyons Street South, Ballarat, Victoria, 3350
Occupation	Bishop of the Diocese of Ballarat
Date	27 May 2015

- 1 My name is Paul Bird, and I am the Bishop of the Catholic Diocese of Ballarat (the **diocese**).
- 2 This is my second statement in this case study. My first statement, signed on 11 May 2015, was in response to a request from the Royal Commission that I address six particular matters identified by the Commission, mainly relating to the impact of child sexual abuse on the community in Ballarat. None of those six matters related to any particular victim or survivor.
- 3 I was subsequently provided with the statements of the eighteen survivor witnesses who have now given evidence. In the first week of the hearing, I attended every day, and have heard the survivors give their evidence. I again express my deepest apologies to all of the people affected by child sexual abuse by any member of the clergy in the diocese of Ballarat.
- 4 In this statement I respond briefly to some particular matters raised in the following statements:
 - (a) BAV [redacted], dated 14 May 2015 (BAV [redacted] s statement).
 - (b) Helen Margaret Watson, dated 28 April 2015 (**Ms Watson's statement**).
 - (c) Andrew Collins, dated 29 April 2015 (**Mr Collins' Statement**).
- 5 In the case of Mr Collins, I also respond briefly to what is contained in two additional notes by Mr Collins. They are an initial note provided by the Commission on 20 May (**Mr Collins' Initial May Note**), and a revised and longer version of that note provided by the Commission on 21 May 2015 (**Mr Collins' Revised May Note**). I was present when Mr Collins read the Revised May Note, as additional oral evidence, on 26 May 2015.
- 6 This statement has been prepared with the assistance of Gilbert + Tobin Lawyers, and counsel, in response to and compliance with a Notice or Summons issued by the Royal Commission in connection with a hearing into the Ballarat Case Study. It is produced to the Royal Commission on the basis that it will be tendered and treated as evidence pursuant to the Commonwealth or State legislation applicable to this Royal Commission case study.

Signature Paul Bird | Witness Andrew Guy

BAV 's statement

- 7 At paragraph 69 of **BAV** 's statement, he refers to a mediation in early 2013. This was in the context of a review of an earlier settlement with **BAV** . In 2003, **BAV** had received an amount of \$80,000. At the mediation in early 2013, he was offered an additional \$80,000, but did not accept that offer.
- 8 In early June 2013, **BAV** came to see me and asked that the offer of the additional \$80,000 be increased. **BAV** 's recollection, as contained in paragraph 69 of his statement, is that I said that I could not offer him any more because 'the money was coming off the parishioners' plate'. I believe that this conflates two distinct elements of our discussion.
- 9 One element was that of the offer made to **BAV** . When asked about increasing the offer I said that I was not inclined to do so because I believed the offer made at the mediation of an additional \$80,000 was a reasonable one.
- 10 Another element of our discussion was the question of funds available to the church. As I recall, my basic response was that funds for church activities come essentially from the gifts of the Catholic community. The most obvious contributions are in the parish collections each week. Less obvious contributions are in bequests that individuals make, either to a parish or to the diocese. Payments to survivors of child sexual abuse do not come from donations parishioners put on the plate at church on Sundays. Those donations remain in the parish. Payments to survivors of child sexual abuse are currently drawn from a fund that was established following a bequest in the 1930s.
- 11 As **BAV** says in his statement, agreement was later reached as to the amount of an additional payment, namely \$90,000, bringing the total payment to \$170,000, and **BAV** 's claim was resolved.

Ms Watson's statement

- 12 At paragraphs 52 to 56 of Ms Watson's statement, Ms Watson describes a mediation which I attended, which occurred on 11 February 2014. Ms Watson says that she contacted her lawyer about a week after the mediation and he told her that he had not been contacted by the diocese or our solicitors (paragraph 57). Ms Watson then says that in March or April 2014 her solicitor Mr Hills contacted the Church's lawyers to advise them of her intention to make a civil claim because nothing had come of the mediation (paragraph 58).
- 13 I set out below my understanding of the steps which occurred following the mediation.
- 14 On 27 February, Mr Monahan, the solicitor representing the diocese in connection with Ms Watson's complaint emailed me expressing his concern that he had not been contacted by Ms Watson's solicitor (Mr Hills) following the mediation. Mr Monahan told me that he was concerned about the delay, because Ms Watson had been keen to have the matter resolved promptly, and that his office had telephoned Mr Hills' office and left a message for Mr Hills, asking him to contact Mr Monahan

once he had received appropriate instructions from Ms Watson. Mr Monahan said he hoped this would speed things along. Copies of this email and that referred to in the next paragraph have been provided to the Commission and are CTJH.120.04003.0051 and CTJH.120.01113.0092.

- 15 On 17 April 2014, Mr Monahan sent me a letter saying that he had received an email from Mr Hills on 3 March 2014, confirming that he had instructions to act on behalf of Ms Watson 'in relation to a potential civil claim' against the diocese. Mr Monahan's letter also informed me that in that email, Mr Hills had said that Ms Watson had provided him with a large volume of material, that he had briefed a barrister, Mr Seccull, to advise and confer, and that he would make contact with Mr Monahan after he had heard back from Mr Seccull with a view to reconvening the mediation, which he hoped would occur within two or three weeks.
- 16 There was therefore contact between Ms Watson's lawyer and the lawyer for the diocese, initiated by Mr Monahan for the diocese, within a few weeks of the mediation.

Mr Collins' Statement and Revised Note

- 17 In paragraphs 71 to 73 of his statement, and in paragraphs 7 to 26 of his Revised May Note, Mr Collins refers to a meeting with me in May 2013.
- 18 In paragraph 73 of his statement, and in paragraphs 12 to 25 of his Revised May Note, in recounting the discussion at that meeting, Mr Collins attributes certain words to me. I have a different recollection from that of Mr Collins as to a number of aspects of the May meeting, including as to what I said at the meeting.
- 19 My recollection is that the meeting commenced with a discussion along the lines set out in paragraphs 8 to 11 of Mr Collins' Revised May Note. Mr Collins and Mr Blenkiron suggested to me that the diocese should pay a supplementary pension to abuse survivors, and they explained their reasoning for making this suggestion.
- 20 On that issue, I recall that I said to Mr Collins and Mr Blenkiron that such a proposal would be beyond the resources of the diocese. I recall that the discussion included a reference to other places overseas where dioceses had become bankrupt. However, I am sure I did not say or suggest that the diocese would declare bankruptcy and 'just start up another diocese'. Even if such a thought had occurred to me – and it did not occur to me until I read Mr Collins' recent statement – I would not be able to do what Mr Collins has suggested. I have been entrusted with the responsibility of caring for a diocese but I certainly would have no authority to 'start up another diocese'.
- 21 I do recall that I said that the diocese would be able to assist in meeting specific costs incurred by survivors, such as ongoing counselling and similar expenses.
- 22 I also recall that Mr Collins and Mr Blenkiron made mention of the properties held by the diocese. I recall explaining to Mr Collins and Mr Blenkiron that the individual parishes, as distinct from the diocese, own most of the church properties throughout the diocese.

- 23 Mr Collins and Mr Blenkiron then suggested that the diocese had substantial income from rental properties. I explained to them that the property holdings of the diocese itself are very limited, and the income from them is also limited. In fact the total income received from the rental of properties owned by the diocese last year was less than \$27,000.
- 24 I do not recall raising my voice in the meeting, and I am sure I did not yell at any stage during the meeting. It would not have been my intention to be anything other than courteous to Mr Collins and Mr Blenkiron.
- 25 In Mr Collins' statement at paragraph 73, he writes: 'Bishop Bird told us that we were intent on destroying his church.' I did not make any such assertion. I did not attribute any such motive to Mr Collins or Mr Blenkiron. I saw them as men who were seeking assistance for themselves and others in a similar situation. In meeting with them my aim was to find practical ways in which the diocese could assist. This was my approach then and it remained my approach in encouraging further meetings between Mr Collins and Mr Blenkiron and diocesan representatives. It remains my approach still.
- 26 Also in Mr Collins' statement at paragraph 73, and in his Revised May Note at paragraph 25, he attributes to me a comment to the effect that the Church had endured and would endure for thousands of years and that in 30-40 years 'you people will all be dead'. I did not make such a comment. I was shocked when I read his account attributing this to me. Making such a comment to anyone, let alone a victim of sexual abuse, would be extremely hurtful and I would not do so.
- 27 In paragraph 28 of his Revised May Note, Mr Collins observes that his subsequent meetings with the diocese about these matters were with the Vicar General rather than myself. That is correct, and is in accordance with my normal practice. Given that I had discussed with Mr Collins and Mr Blenkiron the approach the diocese was planning to take in providing counselling and other services, the details and implementation of that approach were a matter on which the Vicar General was then the appropriate person for them to meet with. The diocese has continued its practice of funding ongoing counselling for survivors, and has also added funding for medical and other expenses.

Signature *Paul Bird*
 Name Bishop Paul Bird
 Date 27 May 2015

Witness *Andri Gaj*
 Name ANDRIS GAUTA
 Date 27 May 2015