

Witness Statement

Name	Bishop John Gerry
Address	509/736 Beams Road, Carseldine, Queensland
Occupation	Retired Auxiliary Bishop of Brisbane
Date	15 November 2013

- 1 This statement, made by me, accurately sets out the evidence that I am prepared to give to the Royal Commission into Institutional Responses to Child Sexual Abuse. The statement is true and correct to the best of my knowledge and recollection.
- 2 Exhibited to me at the time of making this statement is a folder of documents marked Exhibit "JJG1". Unless stated otherwise, a reference in this statement to a tab number is a reference to a corresponding tab number in Exhibit JJG1.
- 3 I provide this statement in connection with my involvement in the handling of a complaint by Joan Isaacs (Mrs Isaacs).
- 4 This statement has been prepared in response to and compliance with a Summons dated 15 November 2013. 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).

Background

- 5 My full name is John Joseph Gerry. When I retired in 2003, I was one of the two Auxiliary Bishops of the Catholic Archdiocese of Brisbane.
- 6 I was ordained a priest in 1950.
- 7 I was appointed assistant priest in Coolangatta and Burleigh Heads in 1951 and held that position until 1955. In 1956 I was appointed assistant priest of Cathedral parish. I was then parish priest in Stafford from 1962 to 1974. In 1975 I was appointed parish priest at Herston.
- 8 I was appointed Vicar for Social Welfare in 1974. In that role I was available to assist all institutions and agencies in the Archdiocese associated with social welfare.

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- 9 I was ordained a Bishop in 1975 and performed the role of Auxiliary Bishop for the Archdiocese of Brisbane. In that role I continued the functions of Vicar for Social Welfare, overseeing the growing social welfare arm of the Archdiocese of Brisbane, which is now known as Centacare.
- 10 Between 1976 and 1988, I was the Chairman of Australian Catholic Relief (now named Caritas Australia). Caritas is a relief agency providing aid and support services to people in need around the world.
- 11 As Auxiliary Bishop, my portfolio developed to include many social welfare projects. I dedicated myself wholeheartedly to the ministry of developing practical and pastoral care of people in need. A copy of my C.V. is at **Tab 1. 125**
- 12 I was not involved in the drafting of *Towards Healing* or any subsequent amendments although I was a member of the Australian Catholic Bishops Conference which adopted the protocol in 1996.
- 13 From 1997 to 2003 I was the person in Archdiocese who fulfilled the role as the "Church Authority" under *Towards Healing*. Although I do not remember the detailed provisions of the *Towards Healing* document now, I would have been familiar with the document at the time as part of my role. I was also aware that the *Towards Healing* document was revised more than once since it was first implemented in 1997.
- 14 In my role as the Church Authority, I saw my principal function as focusing on the pastoral aspects of the Archdiocese's response. I had a passion for caring for victims. I always tried to relate to each individual person with respect, and to establish a relationship of trust. I had some very valuable experiences helping people close the door, to the extent that can be achieved, on their hurts, even on one occasion a satisfying meeting for reconciliation between victim and a perpetrator priest.
- 15 I do not remember how many *Towards Healing* cases I cared for, and I also have very little recollection of the specifics of individual cases.
- 16 I was personally not involved with the "assessment" of the allegations underlying a *Towards Healing* complaint. Assessment, where required, was performed by an assessor appointed by the Director of Professional Standards. Also, so far as decisions concerning amounts of monetary payment were concerned, I regarded those as depending upon the expertise of lawyers and other advisers.

Joan Isaacs case

- 17 Other than as indicated in this statement, I have no independent recollection of any specific events concerning the *Towards Healing* process undertaken for Mrs Joan Isaacs. My memory has not been assisted by the documents I have seen in relation to Mrs Isaacs' complaint in the course of preparing this statement, including my letters to her.
- 18 I have read a statement of Mrs Joan Isaacs dated 23 October 2013 together with some annexures (**Mrs Isaacs' Statement**).

- 19 I recall Frank Derriman. I knew him and his parents and family. He grew up in my first parish, Coolangatta.
- 20 I have no recollection of meeting, or having any contact with Mrs Isaacs before 1999.
- 21 I have seen a letter from Ken Robertson dated 2 March 1999 addressed to me. A copy of that letter is at **Tab 2**. It refers to a letter from Mrs Isaacs which I understand was her letter dated 12 February 1999 which is exhibit C to Mrs Isaacs' Statement.
- 22 I have seen a letter from Mrs Isaacs to Ken Robertson dated 8 March 1999 enclosing a number of documents dealing with Frank Derriman's conduct towards her. That letter is exhibit D to Mrs Isaacs' Statement.
- 23 Exhibit F to Mrs Isaacs' Statement is a letter from me (signed on my behalf) to Mrs Isaacs dated 19 March 1999. The following words appear in that letter:

"I, Bishop John Gerry ... have received copies of the papers that you had provided to Dr Ken Robertson".

- 24 I assume that those words in the letter refer to one or both of Mrs Isaacs' letters to Ken Robertson dated 12 February 1999 and 8 March 1999 and any annexures.
- 25 The following words also appear in the letter dated 19 March 1999 to Mrs Isaacs:

"At present, I am house-bound as a result of major surgery and do not foresee an opportunity of any public meetings until the end of May at the earliest".

- 26 My letter refers to a concern that there not be a significant delay in progressing the response to Mrs Isaacs' complaint, and offered her the option of meeting in the near future with Dr Adrian Farrelly, Judicial Vicar, rather than waiting until I could attend myself. Dr Adrian Farrelly was at the time a senior member of the Brisbane Archdiocese.
- 27 I have seen a letter from Mr Laurie Rolls of Catholic Church Insurances Limited (CCI) dated 19 April 1999 addressed to me. A copy of that letter is at **Tab 3**. I do not know on what date I received the letter.
- 28 The following words appear in that letter:

"Thank you for sending the papers regarding the allegations made against Francis Derriman by Joan Isaacs".

I do not recall sending any papers to Mr Rolls. However, it appears from Mr Rolls' letter that I did do so.

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- 29 The second paragraph of that letter concerns legal issues such as the statute of limitations. However, as Mr Rolls notes in the third paragraph, I considered claims by victims from a pastoral viewpoint. That was always my own personal focus rather than such legal issues.
- 30 The sixth paragraph of Mr Rolls' letter refers to a limitation on the form of apology which might be offered at the proposed meeting with Mrs Isaacs. While I do not recall this letter, imposing such a limitation was not my usual practice. I note that in my letter dated 30 April 1999 referred to at paragraph 34 below, I did offer Mrs Isaacs an unqualified apology.
- 31 The eighth paragraph of that letter refers to Father Farrelly telling Mrs Isaacs that he would not be in a position to negotiate in terms of the amount of any payment. In that regard my recollection is that, at that time, the only expenditure which I was empowered to approve was from my budget as Vicar for Social Welfare. Money paid under *Towards Healing* did not come from this budget and so I was not empowered to approve any *Towards Healing* settlements. Similarly, Dr Adrian Farrelly was not empowered to approve any such expenditure.
- 32 I have seen a copy of a facsimile and enclosure from Dr Farrelly to Mr Rolls dated 21 April 1999 in relation to the facilitation on 20 April 1999. Copies of those documents are at Tab 4. From this facsimile it appears that I met with Dr Farrelly to discuss the facilitation on the morning of 21 April 1999. I do not recall this meeting or what was said during the meeting.
- 33 I have seen Dr Farrelly's report of the facilitation. A copy of this document is at Tab 5. I do not recall whether I saw this report following the facilitation.
- 34 On 30 April 1999, I sent a letter of apology to Mrs Isaacs. That letter is exhibit K to Mrs Isaacs' statement. I note that the terms of this letter are slightly different from the draft letter enclosed with Dr Farrelly's facsimile of 21 April 1999 at Tab 4. I do not remember how the changes to the apology came to be made.
- 35 In paragraph 35 of her Statement, Mrs Isaacs states:
- "When I read the letter the first thing I thought was that it had been written by a lawyer, not Bishop Gerry. The letter acknowledged what happened and said sorry for what happened, but that the Church had no role to play."*
- 36 Although I do not have any actual recollection of this case or the drafting of this letter, whenever I signed such a letter I did so sincerely, and any apology I gave was given genuinely, on behalf of the Archdiocese. I am disappointed and very sorry that Mrs Isaacs reacted to the letter in the way she has described.
- 37 I refer to paragraph 36 of Mrs Isaacs' Statement in which Mrs Isaacs refers, amongst other things, to her suggestions about improving the *Towards Healing* process and the Church's response. I do not now recall reading Mrs Isaacs' letter or having a discussion with Dr Farrelly about it. However, I do

recall a discussion with Archbishop Bathersby about the possibility of conducting a Mass for victims of abuse. I do not have any detailed recollection of what was said or who was present other than me and Archbishop Bathersby. I recall that Archbishop Bathersby indicated that he did not think a mass for victims was appropriate at that time.

38 I have seen a series of letters in relation to the Archdiocese of Brisbane making payment for the costs of counselling services rendered to Mrs Isaacs which I describe below. I am not able to say whether this correspondence is complete and, for example, whether any invoices were issued to the Archdiocese by Ms Lynn O'Donoghue prior to the receipt of the letter from Mrs Isaacs in relation to this issue in February 2000. The letters are as follows:

- (a) letter dated 17 February 2000 from Mrs Joan Isaacs to me which is exhibit R to Mrs Isaacs' Statement;
- (b) letter dated 23 February 2000 from Dr Farrelly to me. A copy of that letter is at **Tab 6; 68**
- (c) letter dated 25 February 2000 from myself to Mrs Isaacs which is exhibit S to Mrs Isaacs' Statement;
- (d) letter dated 3 March 2000 from Mrs Isaacs to myself which is exhibit T to Mrs Isaacs' Statement;
- (e) letter dated 7 April 2000 from Mrs Isaacs to myself which is exhibit V to Mrs Isaacs' Statement attaching a letter from Mrs Isaacs psychologist which is exhibit U to Mrs Isaacs' Statement;
- (f) letter dated 2 June 2000 from myself to Mrs Isaacs which is exhibit W to Mrs Isaacs' Statement; and
- (g) letter dated 5 June 2000 from myself to Mr Rolls. A copy of that letter is at **Tab 7.79**

39 I do not now recall being involved in discussions about whether Mrs Isaacs would receive a monetary payment from the Archdiocese of Brisbane, and if so, how much that payment would be. It was generally not my practice to be involved in such discussions as my role, as I saw it, was to deal with the pastoral aspects of the *Towards Healing* process. As noted above at paragraph 16, so far as decisions concerning amounts of monetary payment were concerned, I regarded those as depending upon the expertise of lawyers and other advisers. On reflection, the Archdiocese could have and should have not relied so heavily on such advisers and should have formed an independent view of the appropriate approach to take.

40 In paragraph 48 of Mrs Isaacs' Statement, Mrs Isaacs indicates that she telephoned me on 6 June 2000. She also annexes a document as exhibit AA to her Statement, a document she describes as a "transcript" of that telephone conversation. I do not now recall that conversation. However, I accept that I must have spoken in the words she records. I would hope that my tone may have been conciliatory and not abrupt. Even so, reading that transcript now, I am embarrassed for myself and

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the Archdiocese of Brisbane about what I said and I am deeply troubled by the impact the conversation may have had on Mrs Isaacs.

- 41 In paragraph 55 of Mrs Isaacs' Statement, Mrs Isaacs refers to a conversation with her parish priest, Father Bernie Costigan where Father Costigan attributes certain remarks to "the Bishop". I do not recall discussing Mrs Isaacs' case with Father Costigan at any time.

Reflections

- 42 From the documents, it seems to me that it was very unfortunate that Mrs Isaacs was required to negotiate on so many different levels for such a long time.
- 43 I am also very disappointed that, as it appears from the documents, I did not ever sit down with Mrs Isaacs myself to talk about her experiences.
- 44 It is very brave of Mrs Isaacs to bring this case before the Royal Commission to assist in shining a light on the Church's handling of complaints such as hers. I cannot imagine how difficult it must be for her to do so. I suspect that Mrs Isaacs will also be saddened to hear that my recollection of events which occurred in the handling of the *Towards Healing* process concerning her abuse is very poor. For this I wholeheartedly apologise.

Signature



Name

Bishop John Gerry

Date

15 November 2013

Witness



Name

STUART D'ADDONA

Date

15 November 2013

Signature



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