

**ROYAL COMMISSION INTO INSTITUTIONAL
RESPONSES TO CHILD SEXUAL ABUSE**

**Public Hearing - Case Study 44
(Day 208)**

Level 17, Governor Macquarie Tower
1 Farrer Place, Sydney

On Tuesday, 13 September 2016 at 10.08am

Before:

The Chair: Justice Peter McClellan AM
Commissioner: Justice Jennifer Ann Coate

Counsel Assisting: Ms Gail Furness SC

1 MS FURNESS: Thank you, your Honour. I call [CPA], who is
2 present.

3
4 <[CPA], sworn: [10.08am]

5
6 <EXAMINATION BY MS FURNESS:

7
8 MS FURNESS: Q. Mr [CPA] your name is known to the
9 Royal Commission?

10 A. Yes, it is.

11
12 Q. You've been given the pseudonym [CPA] for these
13 purposes?

14 A. Yes, I have.

15
16 Q. Your address is also known to the Royal Commission?

17 A. Yes, that is correct.

18
19 Q. You have made a statement, which I think is in front
20 of you?

21 A. Yes, I have.

22
23 Q. Are the contents of that statement true and correct?

24 A. It is.

25
26 MS FURNESS: Thank you. I tender the statement.

27
28 **EXHIBIT #44.002 STATEMENT OF [CPA]**

29
30 MS FURNESS: Q. I invite to you read your statement?

31 A. "This statement made by me accurately sets out the
32 evidence that I am prepared to give to the Royal Commission
33 into Institutional Responses to Child Sexual Abuse. The
34 statement is true and correct to the best of my knowledge
35 and belief.

36
37 My full name is [CPA]. I was born in 1969 in
38 Tamworth, NSW. I am the second of three sons and have a
39 younger sister. I currently live in Sydney with my
40 partner. I have three children aged in their 20s.

41
42 My family lived in Tamworth from 1969 to 1978 where,
43 in 1978, we moved to Moree because of my dad's work. In
44 1983, my family moved to Sydney. I have lived in Sydney
45 since then.

46
47 I was born into a strong Catholic family. My mum was

1 very religious. Dad accepted that he was Catholic. All
2 my siblings were baptised and we did our Holy Communion and
3 Confirmation.
4

5 Mum made sure that we all went to church at least once
6 a month. When we lived in Moree, on Sundays mum would come
7 and find my younger brother and I while we were out riding
8 motorcycles or shooting BB guns and take us to church.
9

10 Growing up, I was close with my family. While I would
11 sometimes fight with my brother (like all brothers do)
12 I was always a happy kid and enjoyed life.
13

14 All my life I was very close with my dad. He was my
15 best mate until he died in 2005. I remember that he told
16 me that you could count your true friends on one hand. The
17 day he died, I lost my thumb.
18

19 I was nine or 10 years old when my family moved to
20 Moree. We moved into a house located about 300 metres from
21 the main church in Moree, St Francis Xavier Church. I was
22 enrolled at St Philomena's Catholic Primary School, which
23 is on the same block as St Francis Xavier Church and the
24 presbytery, where all the local priests lived. One of my
25 friends at school was [CPN].
26

27 Some time in 1980, when I was in year 5, I volunteered
28 to become an altar boy along with [CPN]. I remember that
29 my teachers encouraged me to become an altar boy. I felt
30 it was because it meant that I would spend more time at
31 church instead of school, and they would get a break from
32 me. I was a pretty hyperactive kid growing up. It was
33 also a natural thing for me to become an altar boy given my
34 Catholic upbringing.
35

36 I was excited when I became an altar boy as it was a
37 big honour. I was very proud, as there were only seven or
38 eight altar boys from St Philomena's. Looking back now, it
39 was the biggest mistake of my life.
40

41 When I first became an altar boy, Monsignor Frank Ryan
42 was in charge of the altar boys. I liked Monsignor Ryan a
43 lot. I found him to be friendly and trusted him immensely.
44 He was the type of person that would help a kid up if they
45 fell over in the playground.
46

47 I remember that at altar boy training it was not

1 compulsory, and I did not attend every practice or mass
2 that I was assigned to help with. There was a pool of
3 around 10 or 12 altar boys and we were divided into two
4 groups - junior and senior altar boys. Generally the older
5 altar boys would assist with funerals and larger masses,
6 while the junior altar boys, like me, would assist with
7 weekend school masses. I do not recall who the other altar
8 boys were, but I remember there were a couple of boys from
9 my school. Although we weren't all mates, the altar boys
10 knew each other.

11
12 Some time during the fourth term of school in 1981,
13 Father Farrell came to the parish as a new priest. I was
14 in year 6 at the time. I had seen Father Farrell at Moree
15 before he became a priest but I did not meet him until he
16 was ordained. When Father Farrell arrived at the parish,
17 he took over from Monsignor Ryan as the priest in charge of
18 the altar boys. I do not recall specifically the first
19 time I met Father Farrell, but I recall that my first
20 interaction with him was as an altar boy. I believe that it
21 was a school mass. There was nothing particular that stood
22 out about Father Farrell.

23
24 One afternoon during the summer of 1981/1982, I was at
25 St Francis Xavier Church assisting Father Farrell with mass
26 preparation or some cleaning. I am not entirely sure about
27 the exact date, but I believe that it was November 1981.
28 I remember that I was in the cellar underneath the altar,
29 which could only be accessed by a trapdoor and a ladder.
30 I think that I was in the cellar because Father Farrell
31 asked me to clean the statues for the nativity scene. The
32 cellar was a small room and even at 11 years of age I could
33 not stand upright without hitting the roof.

34
35 While I was in the cellar, Father Farrell opened the
36 trapdoor and climbed down the ladder. I remember that he
37 was wearing his black priest's pants, black button-up shirt
38 and a white collar. Without saying a word, he unzipped his
39 pants and pulled out his semi-erect penis.

40
41 The next thing I remember was that I was kneeling in
42 front of Father Farrell and he held the back of my head and
43 forced his penis into my mouth. Father Farrell then
44 repeatedly pushed my head forwards to meet his penis, which
45 caused me to start gagging. I felt like I was going to
46 vomit. When he was doing this, I did not understand what
47 was going on. The only naked man I had seen up to that

1 point was my father in the shower.

2

3 Father Farrell ejaculated into my mouth, on my face
4 and down the front of my t-shirt. He then zipped up his
5 pants and climbed up the ladder and left the church. He
6 did not say anything to me.

7

8 As soon as I heard Father Farrell's footsteps leaving
9 the church, I climbed up the ladder and ran to the
10 presbytery next to the church. I went to the entry door
11 located in the middle of presbytery and I told
12 Monsignor Ryan that Father Farrell had hurt me.
13 Monsignor Ryan then placed his hand on my shoulder and he
14 told me, 'It's okay, I'll sort it out', or 'I'll fix it
15 up', or words to that effect. I then ran home and
16 continued with the day as if nothing had happened.

17

18 The following morning I returned to St Francis Xavier
19 Church as I had been rostered on by Father Farrell to
20 assist with the morning mass. I arrived around one hour
21 before the service. When I entered the church,
22 Father Farrell was standing behind the altar. No-one else
23 was in the church. As I walked in, Father Farrell looked
24 at me and acknowledged me without saying a word. I did not
25 feel scared at the time because I had been told by
26 Monsignor Ryan that he would deal with Father Farrell.
27 I continued walking down the altar.

28

29 As I approached the altar, Father Farrell grabbed my
30 left arm and dragged me behind the altar. Father Farrell
31 bent me over what I think was a single pew behind the
32 altar. Father Farrell then pulled down my shorts and
33 underpants. I clearly remember thinking that
34 Father Farrell was going to cane my backside for telling on
35 him the previous afternoon. Father Farrell did not cane me
36 but, instead, placed his finger inside my anus. This was
37 very painful, but not as painful as when he placed his
38 erect penis in my anus moments later. The pain was
39 immediate and excruciating.

40

41 I do not remember how long Father Farrell's penis was
42 in my anus, but it felt like hours. At one stage I thought
43 that he was rubbing sandpaper against my face, but
44 I realised that it was stubble on his face rubbing against
45 my cheek. This stubble was coarse and hurt almost as much
46 as his penis. I remember the rotten smell of his breath as
47 he pushed his penis in and out of my anus. While

1 Father Farrell's face was pressed against mine, he leaned
2 closely into my ear and said in a clear, whispered voice,
3 'If you tell anyone about this I will kill you and your
4 family.'

5
6 After Father Farrell stopped raping me, I pulled up my
7 pants and ran home. When I got home, I desperately needed
8 to go to the toilet. I remember pulling down my pants and
9 seeing a pool of blood in my underpants. I tried to clean
10 my underpants by scrubbing them, but it did not work, so
11 I threw them out. I did not tell my parents what
12 Father Farrell did to me because I thought he would kill me
13 and my family if I did.

14
15 For around a week after I was raped by Father Farrell,
16 I felt pain in my anus. It hurt every time I went to the
17 toilet because the tears around my anus would split and
18 re-split.

19
20 After Father Farrell raped me, I stopped being an
21 altar boy. I began to hate going to church, so I stopped
22 going. Since Farrell raped me I have been to church no
23 more than 10 times.

24
25 There were times, such as during mass at Christmas in
26 1981, when I had to go to church with mum. On this
27 occasion, I recall that before the mass Father Farrell
28 walked up to my mum and had a conversation with her.
29 During the conversation, Father Farrell was staring at me.

30
31 In 1982, I started year 7 at Moree high school and no
32 longer had anything to do with Father Farrell. I never
33 spoke to Monsignor Ryan after I told him that
34 Father Farrell had hurt my. I felt let down by
35 Monsignor Ryan because I trusted him and I thought that he
36 would help me.

37
38 When I started high school I tried to forget about
39 what Father Farrell did to me by keeping busy working and
40 playing sport. In year 7 I spent a lot of time working on
41 a cotton farm. I would use work and sport as an excuse not
42 to go to church.

43
44 After being raped by Father Farrell, I started getting
45 into trouble at school and developing a problem with people
46 in positions of authority. I wagged school a lot and when
47 I was at school I would have fights with other students.

1 I lasted at Moree high school for about six weeks before
2 I was moved to Courallie high on the other side of town.
3 I started to lose the plot and it was at this time I began
4 to steal cars and commit other petty crimes. From the age
5 of 13 to 18 I was in and out of court a lot for all sorts
6 of crimes.

7
8 At the beginning of 1983 my family moved from Moree to
9 Sydney. I was enrolled at a local Catholic school and kept
10 getting into trouble. After moving to Sydney my issues
11 with people in authority progressively got worse and I did
12 not accept or trust anyone in a position of authority.

13
14 When I was 14 or 15 years old I stole a police car
15 after a police officer told me to wake up to myself and go
16 home. I had zero respect for authority. Whenever I saw a
17 priest walking down a street I would spit in their face and
18 keep walking. I didn't care if I lived or died. I was
19 self-destructing.

20
21 When I was 14 I left school and got a job in a
22 wrecking yard. This job was great as I was getting paid to
23 smash things up. I went back to a different high school
24 briefly the following year. At the swimming carnival
25 I broke a school record and was told I would have to go and
26 compete at regionals. As my problem with authority was so
27 bad, I refused to compete and left school again and went
28 back to the wrecking yard.

29
30 As a teenager, I drank a lot and I smoked marijuana
31 regularly. I would drink until I was written off. I did
32 this every couple of months. I road motorbikes that I had
33 stolen as fast as I could and I didn't care if I fell off.

34
35 I also often had nightmares about Father Farrell
36 during my teenage years. I literally would feel him
37 grabbing me and pulling my pants and underpants down and
38 I would wake up muffling a scream. The nightmares or
39 'Farrell moments', as I called them, made me feel dirty.

40
41 In 1990, I went to Long Bay Gaol after going to court
42 for stealing a car. It was also around this time that
43 found out that I had a daughter from a one-night stand a
44 few years earlier.

45
46 In 1991, I crashed a motorbike which I had stolen.
47 The injuries were so bad that I died on the operating

1 theatre table. I have a scar which runs from the bottom of
2 my ribcage to the bottom of my stomach. I punctured both
3 lungs, ripped my liver, broke my ribs and scratched my
4 heart.

5
6 After the motorbike accident, and particularly after
7 my two youngest children were born in the mid-1990s,
8 I became more settled.

9
10 I found it difficult to hold down the same job for
11 long periods of time and still had problems with people in
12 authority.

13
14 In November 2005 my dad died. It was within a few
15 hours after dad dying that I finally disclosed to another
16 person that I had been raped as a child.

17
18 I did not want to tell anyone before dad died because
19 I thought if my dad found out that I was raped he would
20 have killed the person who did it. I told my mum that I'd
21 been raped when we lived in Moree. My sister was also
22 present and heard me say that to my mum. I'm not sure if
23 mum heard me. She was in shock. She'd just lost her
24 partner of 40 years. I felt relieved that I had finally
25 told someone. It was a huge weight off my shoulders.

26
27 Around 18 month or two years after dad's funeral
28 I told mum that the person who raped me in Moree was
29 Father Farrell. I was living with mum at the time and
30 I recall that we had this conversation in the evening. Mum
31 was shocked when I told her this.

32
33 I decided not to do anything further after telling
34 mum. I was happy for the matter to be done and dusted.

35
36 It was not until 2012 that I decided to report
37 Father Farrell to the police. In July 2012, I was
38 listening to the Ray Hadley radio show and they were
39 talking about a priest in Moree who sexually abused
40 children. When I heard this, I completely broke down.
41 I called in to the show and spoke to a producer. I told
42 him about my own abuse and he arranged that I would be
43 interviewed by Ray Hadley the following day.

44
45 I called mum and told her that she should listen to
46 the interview. The interview with Ray Hadley was the first
47 time that I told anyone in specific detail about being

1 raped by Father Farrell. When the interview was finished,
2 mum called me and was balling her eyes out. After the
3 interview, Ray encouraged me to make a formal complaint to
4 police.

5
6 I made a complaint to Sergeant Glen Coleman in January
7 2013. I made a second statement to police two weeks later
8 and a third statement in August 2014.

9
10 The police were fantastic from the first meeting that
11 I had with Sergeant Coleman. They made the court process
12 as easy and relaxed as it could be. Even though the police
13 from the Sex Crimes Squad have the scummiest job, they
14 always had a smile on their face. I can't thank the police
15 enough for everything that they did for me, my mum and my
16 partner. I still occasionally speak to Sergeant Coleman on
17 the phone and consider him to be a friend.

18
19 I found the court process at the District Court to be
20 honest. I felt that justice was served when Father Farrell
21 was sentenced to 28 years for crimes committed against me
22 and other children.

23
24 What Father Farrell did to me changed my life forever.
25 It changed me in every way. I stopped caring about school.
26 I went from a happy kid who used to go motorbike riding, go
27 to the pool, play soccer and have fun, to someone who
28 I didn't like. I went on to self-destruct. Anyone in
29 authority was an instant enemy. I spent many years
30 completely off the rails.

31
32 I don't sleep well and will only sleep four to five
33 hours a night.

34
35 In 2003, I thought about going to sleep and not waking
36 up. I bought a petrol generator and I was going to start
37 it in the laundry and wait until I went to sleep.
38 Everything became too hard. My daughter stopped me from
39 turning on the generator. I think that she saved my life.

40
41 I have always had trouble with intimacy. As soon as
42 I finish having sex, I have to go and have a shower because
43 I feel dirty.

44
45 I have never been able to commit to work. I couldn't
46 handle bosses telling me what to do so would often change
47 jobs. Sometimes I'd be sacked for fighting with bosses or

1 other employees. This didn't happen a lot because I could
2 feel it coming on, I could feel the anger building and I'd
3 just stop showing up or resign.
4

5 I do not trust people. It has only been since dealing
6 with the Sex Crimes Squad at Parramatta that I have started
7 to trust people in authority. Making my statement to
8 police was the turning point for me. It was the first time
9 that anyone in authority had believed me.
10

11 I do not have many close friends. I lost contact with
12 all of my old friends from Moree when I moved to Sydney.
13 It was not until the court case against Father Farrell that
14 I saw some of the kids that I grew up with in Moree.
15

16 I hate all religions because of what happened to me.
17 I hate the Catholic Church. I think that the world would
18 be a much better place if there was no religion. My mum
19 has lost her faith in the Catholic Church and is now a
20 Jehovah's Witness.
21

22 Since the moment my kids were born, I have been
23 hypervigilant around them. When they were growing up,
24 I didn't let them go to camps or have sleep-overs. Since
25 the age of two, I have told them if anyone touches them
26 they are to tell me or their mum, and to tell nan and pop
27 if mum or me touches them. I made it clear that they would
28 never get in trouble for telling the truth. My kids
29 suffered because of my paranoia.
30

31 I hope that my statement to the Royal Commission
32 encourages other kids who were raped by Father Farrell, and
33 have not made a report, to come forward. I hope that my
34 statement gives them strength to report Father Farrell to
35 the police as I did."
36

37 THE CHAIR: Does anyone else have any questions of [CPA]?
38 It seems not. Thank you, [CPA]. Thank you for coming and
39 telling us your story. You are excused.
40

41 THE WITNESS: Thank you.
42

43 <THE WITNESS WITHDREW
44

45 MS FURNESS: Your Honours, I call Michael McGroder.
46
47

1 <MICHAEL MCGRODER, affirmation: [10.28am].

2

3

<EXAMINATION BY MS FURNESS:

4

5

MS FURNESS: Q. Your full name is Michael McGroder?

6

A. Yes, it is.

7

8

Q. Mr McGroder, you have made a statement to the Royal Commission?

9

10

A. Yes, I have.

11

12

Q. Do you have a copy of that statement with you?

13

A. Yes, I do.

14

15

Q. Thank you. That statement is dated 9 September 2016?

16

A. Yes, it is.

17

18

Q. Are the contents of that statement true and correct, Mr McGroder?

19

20

A. Absolutely true.

21

22

MS FURNESS: Thank you. I tender the statement.

23

24

EXHIBIT #44.003 STATEMENT OF MICHAEL MCGRODER

25

DATED 9/09/2016

26

27

MS FURNESS: Q. Mr McGroder, I invite you to read your statement?

28

29

A. Sure. My name is Michael McGroder. My address is known to the Royal Commission. It is dated 9 September 2016.

30

31

32

33

"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. This statement is true and correct to the best of my knowledge and belief.

34

35

36

37

38

39

My full name is Michael McGroder. I am 43 years old, I was born in 1972 in Sydney, NSW.

40

41

42

My mother's name is Karolyn Graham and my father's name is Patrick McGroder. I am the eldest of three children. My younger brother was born in 1974 in Sydney, and my younger sister was born in 1980 in Moree.

43

44

45

46

47

As a child, I was baptised into the Catholic Church.

1 My parents were very religious and we would attend church
2 every Sunday as a family.

3
4 In 1978, I began my schooling at St Mary's Catholic
5 school in Erskineville in Sydney.

6
7 My pop (my dad's father) ran the local shoe store in
8 Moree called Pat McGroder's Shoe Shop. The McGroder family
9 had lived in Moree for a number of generations, and were
10 well known in the Catholic community.

11
12 In early 1980, my father decided to relocate my family
13 from Sydney to Moree so that my pop could retire. My
14 father then took over the running of the shoe store.

15
16 After my family moved to Moree, my younger brother and
17 I were enrolled into a Catholic school only a few blocks
18 from our home, called St Philomena's, Moree.
19 (St Philomena's) I was seven years old and in second grade
20 at the time.

21
22 When I started at St Philomena's, I immediately became
23 friends with [CPF] and [CPD]. I remembered that [CPD]'s
24 mum was called [CPE] and [CPF]'s mum was called [CPG].

25
26 At the time, there was a large Catholic population in
27 Moree and around the local district. Moree had two
28 Catholic churches. The main church was situated on the
29 same grounds as St Philomena's. The other church was near
30 the local river in East Moree.

31
32 There was between three or four priests who lived in
33 the presbytery next to the main church. Those priests
34 would conduct mass both at the main church and the smaller
35 church near the river. There was also a church at the
36 Aboriginal mission on the outskirts of Moree. The priests
37 would also conduct mass at the mission church every week.

38
39 Over the time period that I attended St Philomena's,
40 the following priests would conduct mass: Monsignor
41 Frank Ryan, Father Bernie Flood, and later, Father Richard
42 Gleeson and Father John Farrell. Each of the priests had a
43 different style. Monsignor Ryan was tough and
44 Father Gleeson was really nice and cool. I don't recall
45 having much to do with Father Flood. All four priests were
46 very closely affiliated with religious schooling at
47 St Philomena's. They would teach the students about

1 religion, major Catholic celebrations and conduct school
2 mass.

3
4 When we moved to Moree, my parents became heavily
5 involved in the Catholic community and, as a family, we
6 became connected to many aspects of the local church. We
7 would partake in local prayer sessions at people's houses
8 and would hold prayer sessions at our house. It was not
9 uncommon for us, as a family, to go to mass two to three
10 times a week. As a result, I grew increasingly interested
11 in religion and really enjoyed learning about it.

12
13 I recall that some time in 1981 a new priest arrived
14 in Moree and was introduced to us at school as
15 Deacon Farrell. I don't recall who introduced him, but
16 I distinctly remember when he arrived, because it was a big
17 event in the Catholic community to have a new priest.

18
19 When Farrell arrived, he became involved with
20 religious schooling at St Philomena's and would also assist
21 the other priests with mass. I had the impression that at
22 the end of mass everyone would gravitate towards him. It
23 seemed as though everyone wanted to get to know him because
24 he was new. It wasn't long after he arrived that Farrell
25 became ordained as a priest.

26
27 When Father Farrell started celebrating mass, it
28 didn't take long for him to gain popularity with the kids
29 in the diocese. I recall times when he was surrounded by
30 boys and girls and he would be hugging and kissing children
31 on the forehead. After I became an altar boy, I remember
32 him doing this to me and making me feel special. The other
33 priests in the diocese never did this, so this is why
34 I felt special. He would also do this to the other altar
35 boys after mass.

36
37 In 1982, I was offered the opportunity to become an
38 altar boy. At the time, I was nine years old and just
39 starting fourth grade. To me, it seemed a very natural
40 thing to do as I was interested in the church and religion
41 and I was encouraged by my family. I recall that my close
42 friends from school, [CPD], [CPF] and another boy were also
43 encouraged to become altar boys.

44
45 When I first became an altar boy, it was
46 Father Farrell who conducted the altar boy training.

47

1 When we first started, the junior altar boys were
2 required to attend early mass before school, and over time
3 we participated in the bigger masses which were held on the
4 weekends. The altar boys would also assist priests with
5 mass at the second, smaller church in Moree. When
6 I assisted, either one or both of my parents would take me
7 to church and they would almost always stay to attend mass.
8

9 Father Farrell would often take some of the altar boys
10 to the Moree swimming pool after altar boy practice. He
11 never took me to the pool alone, but I may have gone with
12 [CPD] and [CPF]. I remember that he would take groups of
13 boys to the swimming pool, but would also occasionally just
14 take one boy at a time. Father Farrell also visited us at
15 school and often spent lunch times with us in the
16 playground. We thought that we were special because a
17 priest was paying us so much attention and we all looked up
18 to Father Farrell. We thought that he was pretty cool.
19

20 During 1982 and 1983, the other altar boys and
21 I became closer with Father Farrell. I remember going to
22 the presbytery with Father Farrell on a handful of
23 occasions with [CPD], [CPF] and three other boys. It was
24 always with the same boys. We were like a little crew. On
25 these occasions, it was like a show and tell of the
26 presbytery. He would invite us into his room, show us
27 where he slept and what he did as a priest. I remember one
28 time in 1982 or 1983, when I was in fourth or fifth class,
29 Father Farrell showed the boys a Samurai sword and pointed
30 it into the stomach of one of the boys. It became a secret
31 between all of us boys and Father Farrell.
32

33 Some time in 1982, I became aware that some of the
34 other altar boys started to go away on trips with
35 Father Farrell to assist him in conducting mass at country
36 properties and in smaller towns. The other altar boys and
37 I would talk about the trips, as we considered them to be
38 cool. We all wanted to be involved and were vying for
39 Father Farrell's affections. It was regarded as a reward
40 or a privilege to be invited away. I do not recall any of
41 the other priests taking altar boys away on such trips.
42

43 In 1983 and 1984, the other altar boys told me they
44 had gone away with Father Farrell on a number of occasions,
45 including going to Armidale, Narrabri, to other country
46 churches in the district.
47

1 In 1983, when I was in fifth grade, [CPF] told me that
2 Father Farrell was spending a lot of time at his house.
3 [CPF] never said what he was doing but would make passing
4 comments that Father Farrell would visit a lot.

5
6 I distinctly remember that on one occasion towards the
7 end of 1983 or early 1984, there was a whole heap of us at
8 [CPF]'s house swimming his pool. I remember that [CPF],
9 [CPF]'s sister, [CPD] and other kids who I cannot recall
10 were present. Father Farrell was also swimming with us.
11 I do not remember anything untoward happening on this
12 occasion, but I do remember Father Farrell being all
13 touchy-feely with everyone. I would describe it as overly
14 friendly for a priest to behave this way with kids. The
15 other priests never acted this way. What I mean when I say
16 he was "touchy-feely" is that he encouraged us to be close
17 to him and jump all over him. At this time, I had begun to
18 feel uneasy around Father Farrell and his behaviour
19 generally. It seemed to me that something was not quite
20 right, but I could not have said what this was.

21
22 Around January 1984, Father Farrell asked my parents
23 if I could go to Armidale with him for a weekend. I know
24 that it was around this time because it was not long before
25 my pop died. I have a feeling that Father Farrell wanted
26 me to travel with him to stay in his family home in
27 Armidale, and that he was travelling to Armidale so that he
28 could sort out his father's estate.

29
30 My mother initially said that I could go with
31 Father Farrell if I wanted to, but then my pop died on
32 31 January 1984 and my parents decided that I should stay
33 in Moree. I now realise how lucky I am that I did not go
34 with Father Farrell to Armidale.

35
36 I recall that a month or two after Father Farrell
37 invited me to go to Armidale, he asked me to assist him in
38 celebrating a home mass at a farm in the country towards
39 Goondiwindi. My parents allowed me to go with him.
40 I think it was because the person who lived at the property
41 was a family friend, and I would only be away for a few
42 hours.

43
44 Father Farrell picked me up from my house about 2pm,
45 and I remember my mum told Father Farrell that I was to be
46 home by 6pm. I was very excited to be going on a trip with
47 Father Farrell, as I had not been on one before.

1
2 About an hour into the trip I remember Father Farrell
3 saying, 'There's a rabbit', and he pulled over and said
4 something along the lines of, 'See if we can get this
5 rabbit.' We went around to the back of the car where I saw
6 him open the boot to retrieve a gun that I knew that he
7 kept there. I knew this because I remember him previously
8 showing me his gun. This gun was a .22 rifle. I remember
9 the gun was in two pieces and he had to put it together.
10 He then got me to stand behind him. I saw him squat and
11 aim towards the rabbit. He took a couple of shots and
12 missed the rabbit. I got very excited was enthralled over
13 the experience.
14

15 After Father Farrell shot at the rabbit, he handed me
16 the gun. I held it briefly and then quickly gave it back
17 to him as I was really worried I was going to get into
18 trouble with my parents. Father Farrell put the gun away,
19 and he shut the boot, and we got back into the car.
20

21 After we got into the car, he sat there and he looked
22 at me for a little bit. He smiled at me and he didn't say
23 anything. He then put his left hand on top of my inner
24 right thigh and just above my knee, where he applied
25 pressure with his hand. He left it in this position for a
26 little while, and then he started to move his hand up the
27 inside of my leg. He got his hand to almost the top of my
28 leg and near my crotch. I started to squirm and move my
29 legs in a reaction to show that I wasn't comfortable. He
30 moved his hand away, he started the car and we drove off.
31 We both said nothing and proceeded in silence.
32

33 After about 10 minutes, Father Farrell reached across
34 with his left-hand and placed it on my right leg and just
35 above my knee. He slowly moved his hand up my inner right
36 thigh until it got close to my crotch. I grabbed at his
37 hand with my right-hand and I pushed it away from my leg.
38 When I did this, he then grabbed my right hand and forced
39 it on to his left leg, then with his hand he tried to move
40 my hand up his thigh, all the time applying downward
41 pressure on my hand to try and keep it on his leg.
42 I managed to move my hand away with some force. He then
43 repeated the same action with his hand on my right leg,
44 with the same actions as before. I in turn pulled his hand
45 away and he again pushed my hand on to his leg.
46

47 Father Farrell then placed his hand on my right thigh

1 again and again I grabbed it and pushed it away. When
2 I did this, he grabbed my hand and put it straight on to
3 his crotch so that I could feel his penis. He held my hand
4 down on to his crotch area. I was struggling with my hand
5 to get it away and it took me a few seconds to get it away.
6

7 As soon as I got my hand out of the way, I saw his
8 left-hand move and go across to my crotch. I then felt his
9 left hand on my crotch. He grabbed at penis through my
10 clothing and squeezed it with his fingers. By this stage,
11 I was getting really upset. I tried to squeeze my legs
12 together and I grabbed at his hand and I pushed it away.
13 As I did this I said to him, 'No, stop it. I don't like
14 this'.
15

16 He stopped what he was doing and drove on as if
17 nothing had happened. He didn't say anything. We drove on
18 for a little while and we were just turning off the main
19 road and down another road to get to a farmhouse when he
20 said to me, 'You know I was only playing, don't you?'
21 I said, 'No, I don't like it.' He said, 'I'm only having
22 fun. I do it to all the boys.' I said, 'Well, I don't
23 like it.'
24

25 Soon after, we arrived at the property and we were
26 greeted by the parishioners. Father Farrell gave a mass
27 which went for just an under hour. I remember that during
28 this mass I was in shock and thinking about what had just
29 happened. I was trying to process it in my head. I was
30 not physically or emotionally upset, I was just very
31 confused as to what had happened.
32

33 After mass, the parishioners put on afternoon tea. We
34 stayed on for about half an hour. I felt comfortable
35 around these people, but I also felt really scared,
36 apprehensive and vulnerable about going home with
37 Father Farrell. I really wanted to go home.
38

39 I think that it was about 6pm in the evening when we
40 left the farm. We drove in silence for about half an hour,
41 and then it started again. Father Farrell put his
42 left-hand on my upper inner right thigh and he held it
43 there. At the same time he said to me, 'You know I am just
44 playing.' I said, 'You know I don't like it.' He still
45 didn't move his hand away, so I had to push his hand away.
46 As I pushed it away, he moved it straight back to the same
47 location on my upper inner right thigh. I reacted by

1 squeezing my legs together. I grabbed his hand with my
2 right-hand pulling it away, and at the same time I said,
3 'Stop it, you know I don't like it.' He moved his hand off
4 my thigh and continued driving. Nothing more was said
5 during the car trip.
6

7 I recall it was about 7.30pm when we arrived in Moree.
8 Father Farrell bought me some fish and chips and he dropped
9 me home. I remember that my mother was worried about me
10 being late and she had called the woman who owned the
11 proper where we had said mass.
12

13 I remember that after the incidents with
14 Father Farrell in his car, I started to speak to the other
15 altar boys at school about what Farrell had been doing.
16 I mentioned to [CPD], [CPF] and [CPN] what had happened and
17 how Farrell had been touching me in his car. The other
18 responded, 'Yeah, me too.' I realised that some of the
19 boys had also been touched by Farrell, and far worse than
20 I had. There were no specifics mentioned, and this was the
21 last time we discussed it amongst each other until after
22 I told my parents. I remember that [CPD] and [CPF] were
23 the de facto leaders of my group of friends and the most
24 vocal in our discussion of what Farrell had been doing to
25 us. They never told me in detail what Farrell did to them.
26

27 It was at that point that I realised that something
28 was not right and I decided to talk to my parents. I was
29 also feeling extremely guilty because I was keeping secrets
30 from my parents.
31

32 I don't know how I managed to get the confidence to
33 tell my mum, but it just happened one afternoon. I believe
34 that I was the first of all of my friends to speak to their
35 parents about what Farrell had been doing.
36

37 Within about two weeks of the incidents with
38 Father Farrell in his car, I sat down with my mum near the
39 horse stables out the back of our property and I said to
40 her, 'I need to tell you something, because something has
41 happened that is bad. I think that I have done something
42 wrong and that I am going to get into trouble.' She said,
43 'You know you are not going to get into trouble.' She then
44 said, 'Did something happen to you when you were away?'
45 I said, 'Yes.' She said, 'Did something happen with
46 Father Farrell?' And I said, 'Yes.'
47

1 My mum then started to cry. After a while, she
2 gathered her composure and asked me what had happened.
3 I said, 'He tried to touch me. But I pushed him away.'
4 She was getting really upset as I was telling her this.
5 I said, 'Am I going to get into trouble?' She replied,
6 'You have done nothing wrong.' She then held me for a
7 while. I said to her, 'He tried to touch me a lot, but
8 I pushed him away and then he left me alone.' I think
9 I told mum that Father Farrell had touched me on the knee
10 and genitals. She then got more and more upset and angry.
11 She was saying, 'I knew something had happened.'

12
13 Mum asked me a number of times if there was anything
14 more that had occurred, so I then told her about the gun
15 and shooting at the rabbit. She made sure that I was okay,
16 and I am pretty sure that straight after I told her, she
17 went and rang my dad.

18
19 Dad came home that night and he spoke to me about it.
20 I told him what I had told my mum, though I don't remember
21 if I told him all of the details. He reassured me that
22 I had not done the wrong thing and that I wasn't in
23 trouble. I believe that that night my parents contacted
24 [CPE] and told her what I had told them. I know that
25 around this same time my parents also contacted [CPG],
26 [CPO] and another parent.

27
28 I am not sure when this occurred, but I think it was
29 the next day that my father contacted Monsignor Ryan and
30 told him that something had happened with Farrell.
31 I remember that my dad went and had a meeting with
32 Monsignor Ryan. I don't know what the outcome of this
33 meeting was. I do remember dad coming home from the
34 meeting and being very upset. Dad didn't tell me what
35 happened at the meeting, it was not the sort of thing that
36 he would have discussed with me, but I thought he was
37 unhappy about the way Monsignor Ryan had handled it.

38
39 Within a couple of days of telling my parents,
40 I remember I was at school and I was talking to [CPD],
41 [CPF] and two other boys about Father Farrell. By this
42 time, all of our parents were talking to each other.
43 I recall that my friends were angry with me for telling my
44 parents about Father Farrell because they got into trouble
45 with their parents.

46
47 My relationship with my friends changed as a result.

1 While we stayed friends, they were angry with me because
2 they were no longer allowed to go on trips with
3 Father Farrell. My friendships became strained and I spent
4 less time with them outside of school. It was as if nobody
5 wanted to know about what Father Farrell had been doing.
6

7 After I told my parents, Father Farrell continued to
8 say mass and was still involved with activities at
9 St Philomena's. My parents never mentioned to me about
10 reporting the matter to police.
11

12 Around a month or two after I disclosed to my mother
13 what Father Farrell had done, I remember being home and
14 seeing my mother run down the stairs and out the front
15 door. I then walked out to our balcony. I saw that
16 Father Farrell was on the road in front of our house and he
17 was holding on to a motorbike. I also saw my brother
18 sitting on the motorbike and holding on to the handlebars.
19 I saw Father Farrell look in the direction of my mum as she
20 was running down the stairs, yelling abuse in
21 Father Farrell's direction. I heard her tell my brother to
22 get off the bike and to get inside. By the time my mum got
23 to the kerb, Father Farrell had got on the bike and ridden
24 away.
25

26 Over the next couple of months, I remember that my
27 parents were becoming upset that the church was doing
28 nothing about Father Farrell. They were also upset that a
29 number of the other parents were doing nothing about it.
30 I remember my dad telling me that he wrote a number of
31 letters to the church. My parents told me that they
32 attempted to speak to other priests in the local diocese,
33 including Father Gleeson and Father Thomas Crowley, about
34 Father Farrell. I was never approached by any clergy or
35 asked what had happened with Farrell.
36

37 Dad also told me that he went to the local police
38 station, but I don't know what he did or said.
39

40 I remember that some time after my dad met with
41 Monsignor Ryan in 1984, my parents told me that
42 Father Flood came to see them at our family home. They
43 told me that he came to see my parents and check how we
44 were.
45

46 Some time towards the middle half of 1984 and a few
47 months after my parents had approached the church,

1 I noticed that Father Farrell had stopped acting in an
2 official capacity within the diocese at Moree. He was not
3 celebrating mass and was not involved with the school.
4 I still saw him around Moree though. Then, within a month
5 or two, Father Farrell left Moree and I didn't see him
6 again. I don't know where he went and I was never told.

7
8 My father told me that he had a huge argument with
9 Father Gleeson after mass one Sunday because Father Gleeson
10 told dad that he had driven a huge wedge through the
11 community and had divided it. The only person who showed
12 any concern to my parents about our welfare was
13 Father Flood, when he came to see my parents and check how
14 we were.

15
16 I felt ostracised by the church community. I was no
17 longer an altar boy. I had won a scholarship at St Mary's
18 Cathedral Choir and was going to be moving to Sydney for
19 high school. Mum no longer wanted to stay in Moree, so my
20 parents to decided to move back to Sydney. I remember that
21 we moved not long after I finished sixth class, at the end
22 of 1984. This was a very difficult decision for my parents
23 to make, as many of the extended McGroder family lived in
24 Moree and my dad was running my pop's shoe shop.

25
26 My father told me that he ran into Father Farrell in
27 George Street, in Sydney, and he confronted him. I don't
28 know when this happened, as it was only years later he told
29 me this. My father told me that Father Farrell was with a
30 couple of young men. He said to Father Farrell, 'Why don't
31 you admit something and say it?' Father Farrell did not
32 deny what had happened and said something like he could not
33 prove anything about what had happened to me and the other
34 altar boys.

35
36 After my family left Moree, we did not hear anything
37 from the church until August 1987 when, out of the blue,
38 Monsignor Frank Ryan sent my parents a letter and a statue
39 of the Holy Family. My parents told me that they either
40 lost or destroyed the letter, but that in the letter,
41 Monsignor Ryan thanked my parents for their service to the
42 Moree community. I know that my father responded to
43 Monsignor Ryan's letter within a few days and sent back the
44 statute of the Holy Family.

45
46 I did not discuss the abuse with anyone again until
47 some time in late 2003, when my then partner was six months

1 pregnant with my son. We were discussing whether my son
2 would go to a Catholic school, and I told her about my
3 experience, although I did not go into any detail.
4

5 After the Four Corners episode, "Unholy Silence",
6 aired in 2012, my father made a statement to the police. I
7 was interviewed by Detective Peter Malone in 2013, and also
8 made a police statement. My mother also made a statement
9 to Detective Malone in 2013.
10

11 Father Farrell was then charged with sexual offences
12 against some of my friends who served as altar boys. It
13 still affects me deeply knowing what happened to some of my
14 friends. I lost a lot of friends after I told my parents
15 about what Farrell did in 1984. I have only been back to
16 the Moree community once since we left. I have thought
17 about making contact with some of my old friends, but do
18 not know what I would say.
19

20 Although I despise what Father Farrell did, and do not
21 think much of him as a person, my main issue is with the
22 Catholic Church. The individual will be punished, but the
23 church will not be. Their arrogance is beyond belief.
24 They have not said sorry to me - not said anything to my
25 family. So many people's lives have been ruined because of
26 the attitude of the church. My parents displayed great
27 strength and character for making a stand against
28 Father Farrell and the church.
29

30 I would like to see that the church is more honest,
31 transparent and fair in how they deal with situations which
32 are adverse to their interests.
33

34 On 8 April 2016, Father Farrell was sentenced.
35 I prepared a victim impact statement that my mother read
36 out in court on my behalf. I was unable to attend court as
37 I had just gotten out of hospital.
38

39 The impact that Father Farrell has had on my life has
40 been ongoing and I am still dealing with the issues
41 associated with what he did to me. The toll this has taken
42 on both my physical and mental health has been extreme.
43 I reached a point in my life where I was drinking so
44 uncontrollably that I was being admitted to hospital on a
45 regular basis. I attribute my chronic alcoholism to the
46 crimes committed against me by Father Farrell. I also have
47 advanced osteoarthritis in my legs requiring ongoing,

1 painful and expensive operations. I also believe what
2 happened to me directly affected my dad's health and
3 possibly contributed to his death.
4

5 I would like an apology from the Catholic Church,
6 although I doubt very much whether I would feel an apology
7 would be sincere."
8

9 MS FURNESS: Thank you, Mr McGroder. I have no questions.
10

11 THE CHAIR: Does anyone else have any questions? No?
12 Thank you, Mr McGroder, thank you for coming and telling us
13 your story. You are excused.
14

15 THE WITNESS: Thank you.
16

17 <THE WITNESS WITHDREW
18

19 MS FURNESS: I called Ms Karolyn Graham.
20

21 <KAROLYN MARY GRAHAM, sworn: [11.00am]
22

23 <EXAMINATION BY MS FURNESS:
24

25 MS FURNESS: Q. Could you tell the Royal Commission your
26 full name?

27 A. My full name is Karolyn Graham.
28

29 Q. Your address is known to the Royal Commission?

30 A. It is.
31

32 Q. You have made a statement, Ms Graham, dated
33 9 September 2016?

34 A. Yes, I have.
35

36 Q. Are the contents of that statement true and correct?

37 A. They are.
38

39 **EXHIBIT #44-004 STATEMENT OF KAROLYN MARY GRAHAM**
40 **DATED 9/09/2016**
41

42 MS FURNESS: Q. I invite you to read your statement, Ms
43 Graham. You don't need to read the first paragraph.

44 A. "My full name is Karolyn Mary Graham. I am 66 years
45 old.
46

47 In 1968 I met my ex-husband, Patrick McGroder, in

1 Sydney. I was working as a nurse at the time and we met in
2 the city.

3
4 In 1969, Patrick and I got married. We had three
5 children together. Our eldest son, Michael, was born in
6 1972 in Sydney. Our other son was born in 1974 in Sydney.
7 Our daughter was born in 1980 in Moree.

8
9 Patrick and I divorced in 1991, and he died in 2013.

10
11 In 1975, Patrick and I purchased a house in Newtown
12 and raised our boys there until we moved to Moree in 1980.
13 Patrick and I were raised in strong Catholic families, so
14 we always intended on ensuring our children also
15 experienced a Catholic upbringing. We baptised all our
16 children and enrolled them in Catholic schools. Patrick
17 and I were devout parishioners at our local church,
18 St Mary's, Erskineville, and were actively involved in the
19 local Catholic community. As a family, we would attend
20 our local mass service every week.

21
22 At the beginning of 1980, Patrick and I decided to
23 move our family to Moree. We made this decision in order
24 to help out Patrick's father, as he wanted to retire. The
25 McGroder family were well-known in the Moree community, as
26 they had lived in the area for a number of generations.

27
28 Soon after moving to Moree, Patrick and I quickly
29 immersed ourselves in the Catholic community and involved
30 ourselves in a number of parish activities. These included
31 conducting home mass, prayer groups and choir practices.
32 Our family would attend mass at St Francis Xavier Church
33 every Sunday.

34
35 I recall that when we arrived in Moree in 1980, the
36 parish priest was Monsignor Frank Ryan. Monsignor Ryan was
37 a man's man. He liked to go to the races, liked to have a
38 bet and I didn't really have much to do with him.
39 Monsignor Ryan was assisted by Father Bernie Flood and
40 later Father Richard Gleeson. I remember that Father Flood
41 was also the Director of Catholic Education for the Diocese
42 of Armidale.

43
44 Father Gleeson hadn't been in the parish for very
45 long, but he was a really nice man. Father Tom Crowley was
46 an occasional visitor to the parish. Father Crowley was
47 just a lovely, lovely and easygoing person. He would come

1 around when we had home masses and he was involved in the
2 prayer group. Generally, everyone except Monsignor Ryan
3 was approachable and just doing their job - being caring
4 people.

5
6 Moree Parish would hold a number of church services on
7 Saturdays and Sundays at the two churches in Moree, and out
8 at the mission. At all these services, there would be a
9 minimum of two altar boys, who would assist as altar
10 servers. There would usually be at least one senior altar
11 boy and a junior altar server.

12
13 I also remember that in the late afternoon of every
14 Sunday, a local priest would also travel to a farm outside
15 Moree and conduct a 'home mass' for the local farmers
16 around that particular area. The locations were varied
17 from weekend to weekend. An altar boy would always
18 accompany a priest to assist him in conducting these
19 services.

20
21 After we moved to Moree, Patrick and I enrolled our
22 sons at St Philomena's Catholic Primary School
23 (St Philomena's). St Philomena's was located a couple of
24 blocks from our home. It was situated on a large block of
25 land that also comprised St Francis Xavier Church, the
26 presbytery where the local priests lived, and a nuns'
27 convent, called the Sisters of Mercy.

28
29 At the beginning of 1980, Michael was enrolled in
30 second class at St Philomena's. I recall that some of
31 Michael's friends at school included [CPD] and [CPF].
32 These boys all lived near our home, and I remember them
33 regularly being at our house playing together. The boys
34 seemed to settle in really well to their new school and
35 I fitted into the community fairly easily. There was
36 always plenty to do.

37
38 Around 1981 or 1982, a new young priest arrived at the
39 Moree Parish. His name was Father John Farrell. I recall
40 that when he arrived he was a trainee priest and was in
41 Moree only for a short period. He returned to Armidale for
42 his ordination and was then placed in Moree permanently as
43 an assistant priest.

44
45 I immediately did not like Father Farrell. I think it
46 was because of a bizarre memory that I have about him.
47 I recall that not long after he arrived at the parish, at

1 about 6.30am on a Sunday morning, I rode my horse through
2 town over to a pony camp for training. As I was passing
3 the main church, I noticed Father Farrell parading up and
4 down the pathway out in the front of the church dressed in
5 his green and white vestments. He had his arms
6 outstretched and he was doing a pirouette along the
7 pathway. It immediately gave me an uneasy feeling and made
8 me feel there was something odd about this man. I thought
9 it was kinky and I thought it was really off.

10
11 In around 1982, Michael started training to be an
12 altar boy, along with his friends, including [CPD] and
13 [CPF]. Michael's brother was also training to be an altar
14 boy, but did not commence until early 1984. I remember
15 that the boys were all very excited about the prospect of
16 becoming an altar boy, as it was like being part of the
17 gang.

18
19 Father Farrell was responsible for training the altar
20 boys. I recall that the boys would train mostly after
21 school and sometimes on a Saturday morning. Altar boy
22 practice took place at St Francis Xavier. When Michael
23 went to serve as an altar boy, our family would always go
24 to whatever mass he was assisting on.

25
26 I recall that in January 1984, my father-in-law had a
27 stroke and was on life support at Moree hospital for about
28 three weeks. I recall that during this period, Michael
29 came home and asked me if he could go with Father Farrell
30 to Armidale on the first weekend of February.
31 Father Farrell had asked Michael if he could help clean up
32 his father's house, as he was being moved into a nursing
33 home. I told Michael that if he wanted to go, he could go.
34 However, on 31 January 1984, my father-in-law passed away
35 so my husband called Father Farrell and told him that
36 Michael could not go with him to Armidale.

37
38 Some time in the winter of 1984, Michael told me that
39 Farrell had asked him to assist him giving a mass on a
40 Sunday afternoon at a property near Goondiwindi. I knew
41 that the owner of the property well, so I was not hesitant
42 in allowing Michael to go to the property with
43 Father Farrell.

44
45 Father Farrell picked Michael up from our house on the
46 Sunday afternoon. I expected that Michael would only be
47 gone for a few hours and would be dropped home no later

1 than 7pm. I remember that around 7.40pm I became worried
2 that Michael had not returned home, so I telephoned the
3 owner of the property. I asked her if Father Farrell and
4 Michael were still there. She told me that they had left
5 some time ago and should be back in Moree by now. Upon
6 hearing this, I became more anxious. I thought about
7 calling the police as I was concerned Michael was alone
8 with Father Farrell for so long.

9
10 Around 8pm, I saw Father Farrell's car pull up outside
11 our house. It was very dark by that time. I greeted
12 Michael at our front door. I said to Michael, 'You're
13 late.' Michael didn't say anything back to me and went
14 inside. I didn't get a chance to talk to Father Farrell as
15 he had driven off by this time.

16
17 Around April 1984, I recall Michael came home from
18 school and we had a conversation on a bench in the backyard
19 of our home. Michael said to me, 'Mum, I think [CPD],
20 [CPF] and I and a few of the altar boys are in trouble,
21 because Father Farrell has been playing around with the
22 altar boys.' I immediately burst into tears and said, 'I'm
23 sorry, Michael. You're not in trouble. I am upset because
24 I had a gut feeling about the bastard.' I then said, 'Why,
25 what's he done to you?' He said, 'Oh, he just put his hand
26 on my knee and I pushed it away.' I said, 'How do you know
27 about the other boys?', and he said, 'We have been talking
28 about it at school.' I then remember saying to Michael,
29 'Don't worry about it. I will talk to your father about it
30 and we will sort it out.' I also reassured Michael that he
31 was not in trouble and that he was a really good kid.

32
33 I then telephoned Patrick, and told him what Michael
34 had told me. He immediately made an appointment to see
35 Monsignor Ryan. That evening, around 6pm, Patrick went and
36 saw Monsignor Ryan at the St Francis Xavier presbytery.
37 When Patrick returned home, he told me that Monsignor Ryan
38 told him that he would confront Father Farrell and 'Look
39 into it.'

40
41 When Patrick got home he sat down with Michael and
42 talked about what Father Farrell had done. I can't
43 remember exactly what Michael said to Patrick. I just know
44 that Michael was adamant that Father Farrell had just
45 touched him on the knee and nothing more happened. I now
46 know that Father Farrell did more than touch Michael on the
47 knee. I'm not sure, but Michael may have told Patrick the

1 whole story at the time. If Patrick knew, he did not tell
2 me. I think he would have been protecting me from the
3 truth. I can't remember what was said to have happened to
4 the other boys.

5
6 During the next few days, Patrick told me that another
7 family had been contacted by Monsignor Ryan and that he was
8 trying to find out how many boys had been interfered with
9 by Father Farrell.

10
11 I recall that Patrick had a second meeting with
12 Monsignor Ryan. When Patrick returned home he told me that
13 during this meeting Monsignor Ryan asked him not to go to
14 the police as it would be traumatic for Michael and the
15 family, and asked whether we wanted to see our boy in a
16 witness stand being torn to pieces. Patrick also said that
17 Monsignor Ryan told him that Father Farrell had said to him
18 that he 'loved the boys, he didn't mean to do them any
19 harm, he only fondled their genitals and it was his way of
20 showing his affection.' I remember when Patrick came home
21 and told me this, I was horrified and felt intimidated by
22 the church. Patrick then said that Monsignor Ryan told him
23 that Father Farrell was going to be removed from the parish
24 and sent away for some help.

25
26 I recall not feeling reassured at hearing that
27 Father Farrell was being sent away, as I was still very
28 concerned about finding out exactly what Father Farrell had
29 done to Michael and the other altar boys. I was also not
30 impressed at the attitude of Monsignor Ryan and how he
31 seemed so nonchalant about the situation. It was as if he
32 was trying to get people to drop the issue and move on.

33
34 I remember that around the same time Patrick had the
35 second meeting with Monsignor Ryan, Father Flood arrived in
36 town from Armidale. I recall that Father Flood came to see
37 Patrick and me at home. I think Father Flood said that he
38 was sent over by Bishop Kennedy to investigate what
39 Father Farrell had done. I also believe he tried to
40 reassure us that something was being done about
41 Father Farrell.

42
43 I remember we asked Father Flood to speak to
44 Father Farrell and ask him what he had done to Michael. In
45 the next day or two, Patrick told me that Father Flood had
46 told him he had spoken to Father Farrell. Father Flood
47 said that Father Farrell had said to him, 'I don't know

1 what the McGroders are on about - I only made a pass at
2 Michael.'

3
4 I recall that not long after meeting with
5 Father Flood, Patrick and I were told by Monsignor Ryan
6 that Farrell was being sent to see a psychiatrist in
7 Sydney. I remember that Father Farrell was whisked out of
8 the parish almost overnight.

9
10 A few weeks after Father Farrell had left the parish,
11 I had a conversation with Father Gleeson out the front of
12 the church and told him how I was concerned that we didn't
13 know how many boys Farrell had interfered with. I told him
14 how we were a great little community, that we should be big
15 enough to deal with the problem and why couldn't someone
16 stand up at the church and say there was a problem. Father
17 Gleeson said to me, 'Nobody has the right to ruin another
18 person's reputation.' I said, 'You're more worried about
19 the money on your plate and losing your parishioners than
20 looking after them. Where do you think these boys will be
21 in 30 years' time? They certainly won't be coming to the
22 church.' I was furious and walked away.

23
24 At around this time, I also recall having a
25 conversation with Father Crowley. I remember that he said
26 words to the effect, 'I should have said something before
27 Father Farrell was ordained.' I'm not sure what he meant,
28 but I have a feeling that he was aware that Father Farrell
29 had problems.

30
31 I also recall an incident while Father Farrell was
32 still around town. He turned up outside our house one day
33 on a motorbike. I saw him sitting on the motorbike, with
34 my other son ready to cock his leg over the motorbike with
35 Farrell. I ran outside and chased Father Farrell away.

36
37 I recall that during the winter of 1984, Patrick and
38 I took our children to the Moree swimming pool. This was
39 not long after Father Farrell had left the parish.
40 I remember seeing Patrick having a conversation with two
41 men sitting on the corner of the artesian pools. When
42 Patrick came back to me he told me that the two men were
43 police officers, and that they had asked him whether he had
44 heard of anything about one of the priests in Moree who was
45 interfering with the altar boys. I don't know what Patrick
46 said to the police officers. I do not know the names of
47 the police officers.

1
2 After Patrick informed Monsignor Ryan about what
3 Michael had told me, I certainly felt that we had upset the
4 applecart and that people weren't particularly happy with
5 us for that.
6

7 In or around January 1985, Patrick and I moved our
8 family back to Sydney. Patrick continued to own and run
9 his father's business and I would drive up to Moree once a
10 month to help maintain the business. No further mention
11 was made of Father Farrell until 1987.
12

13 In mid-1987, when we were living in Bronte, we
14 received a package from Monsignor Ryan. Enclosed in the
15 package was a letter from Monsignor Ryan and a statue of
16 the Holy Family. The letter from Monsignor Ryan thanked my
17 husband and me for all of our work in the parish. I no
18 longer have a copy of the letter. I think that I may have
19 ripped it up because I was so angry. I was angry because
20 the church waited three years before acknowledging anything
21 about the harm which Father Farrell had caused.
22

23 Patrick replied to this letter on 26 August 1987 and
24 sent the statute of the Holy Family back.
25

26 Some time in 1987, I also remember that Patrick told
27 me he bumped into Farrell on George Street, in Sydney.
28 Patrick told me that he wanted to thump Farrell, as Farrell
29 had said to him, 'You have no right to criticise anybody
30 after what you told me that you have done in the
31 confessional.' I understand that Farrell was threatening
32 to talk about a private matter that Patrick had disclosed
33 to Farrell in the sanctity of the confessional.
34

35 In May 2012, I was contacted by Patrick's sister. She
36 told me that Patrick was assisting the Four Corners program
37 in relation to what happened to the boys in Moree in the
38 1980s. During this time, Michael was living with me and my
39 current husband in Mudgee, as he was recovering from a hip
40 operation.
41

42 I recall that I watched the Four Corners episode
43 "Unholy Silence", with Michael. During the episode Michael
44 broke down and sobbed through the whole story. At the end
45 of the program, Michael and I talked about Farrell on the
46 back verandah. I said to him, 'Something must have
47 happened to Father Farrell to be like he is.' Michael

1 responded, 'There are no excuses for that, mum. You don't
2 have to be like that just because something bad has
3 happened to you. I am not like that. If it wasn't for you
4 and dad I wouldn't have had the strength to do what I did
5 that night. Mum, I was shit scared. I was a little boy
6 when I pushed his hand away. He jumped out of the car and
7 ran around the boot and got a gun and started running
8 around and screaming like a madman and fired the gun. It
9 was a pitch black at night on a country road and I was
10 absolutely petrified.'

11
12 We then both talked about God and Michael said that he
13 doesn't believe in God any more. We then talked about him
14 going to the police and he told me that he thought that his
15 dad had done all that he could do.

16
17 After the Four Corners episode, Michael, Patrick and
18 I were all approached by the NSW Police and each made
19 statements in relation to Farrell.

20
21 I attended the court proceedings relating to
22 Father Farrell on 8 April 2016 and took a copy of Michael's
23 victim impact statement, which I read out in court. I then
24 went back with Michael for the sentencing.

25
26 Nowadays I have a different faith. God became a
27 bigger, better person in my life after that. I don't
28 believe in religion, but I believe in God.

29
30 What I would like to see after the Royal Commission is
31 that the Catholic Church is made more accountable for their
32 actions. They should not be allowed to continue to try to
33 resolve problems internally. They must be forced to
34 modernise their practices and become accountable to the law
35 of the land, instead of the law of the church. I do not
36 want to forgive - I want justice."

37
38 MS FURNESS: Thank you. I have no questions.

39
40 THE CHAIR: Just a second, Ms Graham. I need to ask if
41 anyone else has any questions. No, it seems not. Thank
42 you for telling your story and you're excused.

43
44 THE WITNESS: Thank you.

45
46 <THE WITNESS WITHDREW

47

1 MS FURNESS: Your Honour, I wish to tender three volumes
2 of the Farrell tender bundle.

3

4 THE CHAIR: Could I make them one exhibit?

5

6 MS FURNESS: I think so.

7

8 **EXHIBIT #44-005 THREE-VOLUME TENDER BUNDLE**

9

10 MS FURNESS: Your Honour, given the time, perhaps we might
11 adjourn for morning tea and come back with the next
12 witness.

13

14 THE CHAIR: Very well, we will take the short adjournment.

15

16 **SHORT ADJOURNMENT**

17

18 MS FURNESS: Thank you, your Honour. I call James Bernard
19 Flood.

20

21 **<JAMES BERNARD FLOOD, sworn: [11.51am]**

22

23 **<EXAMINATION BY MS FURNESS:**

24

25 MS FURNESS: Q. Would you tell the Royal Commission your
26 full name?

27

28 A. James Bernard Flood.

29

30 Q. Your occupation, Father?

31

32 A. Catholic priest of the Catholic Diocese of Armidale,
33 New South Wales.

34

35 Q. What's your position?

36

37 A. I'm the administrator of the Parish of St Michael's
38 Dungowan.

39

40 Q. Your seminary training was where?

41

42 A. St Columba's, Springwood, and then St Patrick's
43 College, Manly.

44

45 Q. How long did that take?

46

47 A. I started in 1956 and graduated at the end of 1962.

48

49 Q. You were then ordained in 1962?

50

51 A. Correct.

52

53 Q. Your first position was in the Diocese of Armidale?

1 A. Correct.
2
3 Q. Is that the only diocese you've worked in?
4 A. No.
5
6 Q. Tell us where else you've worked, Father?
7 A. I had 12 months in New York doing postgraduate work
8 and part-time parish work. That was the academic year
9 1987-1988.
10
11 Q. Have you worked in any other diocese?
12 A. I have. I was in the Diocese of Broken Bay for three
13 years and the appointment was as a Catholic priest chaplain
14 at the Royal North Shore Hospital. Then I returned to the
15 Diocese of Armidale.
16
17 Q. Between 1964 and 1967 you were the Diocesan inspector
18 of schools?
19 A. No.
20
21 Q. When were you the Diocesan director of schools -
22 inspector of schools?
23 A. The first appointment was the Diocesan inspector of
24 schools and after 18 months I was made Diocesan director of
25 education.
26
27 Q. As I understand it - and tell me if I'm wrong - you
28 were Diocesan director of education from 1967 onwards, and
29 prior to that you were Diocesan Inspector of Schools from
30 1964 to 1967; is that right?
31 A. Correct.
32
33 Q. That is right?
34 A. Correct.
35
36 Q. So the time that you were Diocesan Inspector was 1964
37 to 1967?
38 A. Correct.
39
40 Q. What was your role as the Diocesan director of
41 education?
42 A. The role was not formulated and kind of grew as the
43 Catholic school system became diocesan rather than
44 religious orders, with the diocese providing the school
45 buildings. It then became a diocesan organisation,
46 accountable to the Federal Government for the use of funds,
47 which was a major financial resource.

1
2 Q. You weren't accountable to the Federal Government,
3 personally?
4 A. Not personally.
5
6 Q. So the diocese was accountable to the Federal
7 Government for the funds used in the education system
8 within the church; is that right?
9 A. Correct.
10
11 Q. What did you actually do on a weekly basis in that
12 role?
13 A. I ran the office. The office was responsible for the
14 industrial governance of the teachers, the selection of
15 teachers; monitoring of how the parishes spent their
16 government moneys and making sure it was within the law;
17 and each of the nine dioceses of NSW, while independent,
18 cooperated through a State Commission.
19
20 Q. Did you have involvement with the schools themselves?
21 A. I visited them normally once a year.
22
23 Q. For what purpose?
24 A. Assessment of student standards educationally, teacher
25 performance and good order around the management of the
26 school grounds and buildings.
27
28 Q. So you could come to a view about each of those once a
29 year in relation to each school?
30 A. That was the aim. Sometimes it wasn't an annual
31 visit, though.
32
33 Q. What was it?
34 A. I can't recall at this distance of time.
35
36 Q. In 1981, for about six months, you were the
37 administrator at Boggabri?
38 A. Correct.
39
40 Q. What did the administrator of Boggabri do in those six
41 months?
42 A. His job was provide the parish services, visit the
43 local Catholic school. Organise the special religious
44 education for Catholics in the local State schools and the
45 training of the catechists, and was also part-time as
46 religious education consultant for the diocesan Catholic
47 schools, the diocesan base.

1
2 Q. Is it the case that a parish has an administrator when
3 there was no parish priest?
4 A. I didn't hear your question, I'm sorry?
5
6 Q. Is it the case that a parish has an administrator when
7 there is no parish priest?
8 A. The appointment depends upon the Bishop. I was
9 appointed administrator at Dungowan and I had been told
10 I would not be appointed as parish priest by the Bishop.
11
12 Q. Why not?
13 A. It was the Bishop's decision.
14
15 Q. In terms of Boggabri, was there a parish priest?
16 A. No.
17
18 Q. You then became the assistant priest at Moree from
19 November 1981 to November 1982?
20 A. Correct.
21
22 Q. That was your second appointment as an assistant
23 priest?
24 A. Correct.
25
26 Q. Who was the parish priest?
27 A. Monsignor Francis Patrick Ryan.
28
29 Q. How did you get on with him?
30 A. There were good days and there were bad days.
31
32 Q. Tell us about the good days and then you can tell us
33 about the bad days?
34 A. The good days were relaxed, informal. Key decisions
35 were made by him; one may make representation through
36 meetings with him and the other priest who was assistant.
37 Bad days, we didn't get on.
38
39 Q. Why not?
40 A. I think difference of personalities.
41
42 Q. How would you describe his?
43 A. As a person, he was warm, very affective. As a
44 person, I'm distant and very much on justice rather than
45 compassion issues, and so there was a difference of
46 approach.
47

1 Q. How did the fact that he was rather - on justice
2 rather than compassion issues show in what he did in the
3 parish?

4 A. He got along very well with most people, so my
5 impression was they thought very highly of him.
6

7 Q. Well then what was your difference with him in terms
8 of how he operated in the parish?

9 A. My perspective would suggest a certain way forward and
10 his was different.
11

12 Q. Just tell us what it was, Father? What was the
13 difference between you?

14 A. It came back to the justice and compassion focus.
15

16 Q. Would you explain that?

17 A. I tend to be highly cognitive; he tended to be highly
18 affective.
19

20 Q. How did that work?
21

22 THE CHAIR: Q. Can I help, maybe. Can you just
23 illustrate an issue, tell us of an issue over which you
24 differed so we can get an understanding of how you
25 approached matters differently?

26 A. Might I use the Myers-Briggs Type Indicator or am
27 I talking in a field that doesn't help.
28

29 Q. It may not help everyone?

30 A. Well, I'll try, using that. Jung suggests that humans
31 can be divided into roughly 16 different types of way of
32 being human. It depends upon how one takes in information,
33 whether it is at a broad level or attention to details. It
34 depends on whether one has a focus upon theory or a focus
35 upon relationships. It depends upon whether one is
36 comfortable with pursuing and examining all possibilities
37 or feels under certain pressure to come to a quick
38 conclusion.
39

40 In that category, I would be seen as INFP - I'm sorry,
41 INTJ: Introverted, broad pictured, thinking as the key
42 issue in making a decision, and seeking to do it very
43 quickly.
44

45 I read him as extroverted, responding to the
46 environment rather than within their own world; sensate,
47 focusing on the details; attending very much to the feeling

1 component of things; and P, preferring to put it on the
2 long finger as long as possible rather than rushing to a
3 conclusion. Within those categories we're the flip of each
4 other.

5
6 Q. So what sort of things would you disagree about, in
7 simple terms?

8 A. Policies being set and followed, and if decisions were
9 made to change it, then the key players to be told the
10 decision had been changed.

11
12 Q. What sort of policies would you disagree about?

13 A. This is from the context of the schools office. A
14 decision had been made to develop a Catholic secondary
15 school in Moree, 400 acres had been purchased, and the
16 issue was that the primary school was expanding rapidly,
17 and whether one would plan to develop a Catholic school
18 mainly from the graduates of the primary school. My
19 understanding was that the policy was to do it that way.
20 That meant that as enrolment increased we needed extra
21 classrooms, and therefore I advised the principal to go
22 ahead and arrange for a temporary building for the
23 additional classroom space that was needed. I was rung by
24 Monsignor one night at about 11pm to advise that what I was
25 doing was wrong; that he had already approached the Bishop
26 some months back; the decision had been changed not to
27 proceed the way I thought was being done; and that I had no
28 right to instruct the principal to get the additional
29 buildings. He was both parish priest, the Vicar General
30 for the diocese at the time and, from memory, at that time,
31 the Bishop was overseas, so he was the one that was
32 actually running diocese in the absence of the Bishop.

33
34 Q. That short story suggests that there were some fairly
35 serious disagreements between you?

36 A. Yes.

37
38 MS FURNESS: Q. Father, you made a police statement in
39 September of last year. Do you remember doing that?

40 A. I remember giving it. I think it was October last
41 year, in Tamworth.

42
43 Q. Perhaps we could show you a copy of the statement. It
44 will come up on the screen as well.

45 A. Thank you.

46
47 Q. It is tab 328. Do you see that on the screen?

1 A. I can see it, thank you.
2
3 Q. That's your name?
4 A. Correct.
5
6 Q. The date of the statement is?
7 A. 10 September 2015.
8
9 Q. Did you also make a statement in October 2015, or is
10 this the only police statement you made in 2015?
11 A. That was the only statement I made in 2015, from
12 memory.
13
14 Q. Are you happy reading off the screen, Father, or would
15 you prefer a hard copy?
16 A. The screen is okay, thank you.
17
18 Q. Could we just turn down to paragraph 5 of your
19 statement.
20 A. Yes.
21
22 Q. You refer there to becoming aware of John Farrell
23 through your role at the Catholic Schools Office?
24 A. Correct.
25
26 Q. That period of time is in the late '60s to early '80s,
27 is it, or some other period?
28 A. I moved to Armidale, from memory, May 1964. It was
29 then that I became aware that John Farrell was among the
30 altar boys, and he was one particularly favoured by
31 Bishop Doody as his regular server at the private mass.
32
33 Q. And Bishop Doody was the Bishop of Armidale at the
34 time?
35 A. Correct. He died in 1968.
36
37 Q. Was there anything unusual about Farrell's closeness
38 to Bishop Doody?
39 A. Not to my knowledge.
40
41 Q. Could we turn over to the next page.
42 A. Mmm-hmm.
43
44 Q. At paragraph 7 you say that you were aware that
45 Bishop Kennedy - stopping there, Bishop Kennedy was the
46 successor to Bishop Doody was the Bishop of Armidale; is
47 that right?

1 A. I'm not sure.
2
3 Q. Bishop Kennedy was the Bishop at the time that --
4 A. We're talking at the time, then. I'm not too sure
5 whether he followed Bishop Freeman.
6
7 Q. You say there that you were aware that Bishop Kennedy
8 admired John Farrell's mother?
9 A. Correct.
10
11 Q. And that there were a number of priests who didn't
12 think that he should be ordained?
13 A. Correct.
14
15 Q. Tell us about the number of priests who didn't think
16 he should be ordained?
17 A. I remember a particular comment of one fellow who
18 thought his behaviours were odd and, therefore, it was
19 unwise to proceed with ordination. There was strong
20 comment to Bishop Harry Kennedy, and that was my comment to
21 Bishop Kennedy at the time.
22
23 Q. The fellow you were talking about was a priest?
24 A. Correct.
25
26 Q. What did he tell you about his - that is, Farrell's -
27 behaviour that he thought was odd?
28 A. Could I give a couple of examples?
29
30 Q. Mmm-hmm.
31 A. They had a youth group, and he was often the umpire of
32 the game. He would count the bowls being bowled on his
33 rosary beads. I thought that was unusual, that's all. At
34 the annual Christmas concert, Farrell offered to act as the
35 person who pulled the curtains on the stage. He'd stand
36 there with a torch and read his office book, the book of
37 church prayers, while he did that. I thought that was
38 rather strange behaviour.
39
40 Q. Was there anything odd about his dealings with
41 children that this priest was concerned about?
42 A. I have no recollection of my thinking there was
43 anything odd about his behaviours that way at the time, and
44 I have no recollection of the priest who made the comment
45 suggesting he shouldn't be ordained suggesting that his
46 behaviours in that direction were unusual.
47

1 Q. Are you aware that the priest you're referring to
2 speak to Bishop Kennedy about the ordination of Farrell?
3 A. Bishop Kennedy told me that this man, by name, had
4 recommended, and that others, Bishop Kennedy said, were of
5 a similar view. He didn't name them. He was the only one
6 named.
7
8 Q. I'm sorry, you say Bishop Kennedy told you that this
9 man, by name, had recommended?
10 A. Not to ordain Farrell.
11
12 Q. Recommended not to ordain Farrell?
13 A. Yes.
14
15 Q. I see. Did you have a view at that time?
16 A. At the time my comment to the Bishop was that because
17 they saw his behaviours as unusual, it wasn't grounds not
18 to ordain him.
19
20 Q. Did you see his behaviour as unusual in any way?
21 A. His behaviour was certainly unusual, but not to the
22 degree, in my view, at the time, to bar him from
23 ordination.
24
25 Q. In paragraph 7 you say you're aware that
26 Bishop Kennedy admired John's - that is, John Farrell's -
27 mother. Do you think that that was part of his reasoning
28 in ordaining Farrell, notwithstanding there was some
29 opposition?
30 A. Bishop Kennedy did not discuss his reasons for
31 ordaining him with me.
32
33 Q. Why have you put that in your paragraph 7 of your
34 statement, Father?
35 A. I'm sorry, I don't understand your question.
36
37 Q. You have put in your statement that you were aware
38 that Bishop Kennedy admired John's mother, and then in the
39 same sentence you referred to the fact that there were a
40 number of priests who didn't think that he should be
41 ordained. Is it the case that what you were meaning to say
42 in that statement was that Bishop Kennedy's admiration of
43 John Farrell's mother was a reason that he was ordained,
44 notwithstanding that there were objections of others?
45 A. That comment was often put forward as their perception
46 for the motive behind the Bishop's action. Whether it was
47 the Bishop's motive, I don't know.

1
2 Q. Just in the next paragraph you talk to being appointed
3 to the role of assistant in the early '70s and that
4 Monsignor Ryan was the parish priest and John Farrell was
5 the assistant priest?
6 A. Correct.
7
8 Q. You've spoken about not getting along with
9 Monsignor Ryan.
10 A. Correct.
11
12 Q. Do you see also that you refer to him sarcastically
13 joking that he'd won the lottery by getting John and you.
14 Leaving aside you, do you know what view he had of Farrell
15 at the time Farrell began in the parish?
16 A. I don't. I don't.
17
18 Q. Coming to the next paragraph, you say that before the
19 appointment together you had had minimal dealings with him,
20 and you say you were aware he had been suspended for
21 12 months from the seminary and that you were told that
22 John was part of a group that would streak naked along the
23 verandah that faced on to the Manly Village. Stopping
24 there, who told you that?
25 A. I don't remember precisely whom. It was part of the
26 chattering among the local clergy.
27
28 Q. Was it unusual to be suspended from the seminary in
29 those days?
30 A. Yes.
31
32 Q. And your understanding of it, from the chatter, was
33 that the suspension was because of his conduct as
34 illustrated by what you've set out in paragraph 9?
35 A. That was my understanding then and it is my
36 understanding now: he was suspended because they were
37 streaking on a top verandah which looked towards Manly
38 Village.
39
40 Q. In the second-last sentence you say that you don't
41 believe that there were any follow-up reports or
42 counselling offered to John during his suspension. Is it
43 your view that there should have been some counselling
44 offered to him?
45 A. Yes.
46
47 Q. Why?

1 A. In my view, such behaviour is most unusual and
2 undesirable in a future priest of the Catholic Church.
3
4 Q. And the idea of counselling would be to alter his
5 approach so that on his ordination he would behave in a
6 different way?
7 A. Yes.
8
9 Q. When you talk about follow-up reports, what are you
10 referring to?
11 A. I'm not aware that any follow-up report had been
12 sought or handed to either the then Bishop or the then
13 Seminary Rector at St Patrick's College.
14
15 Q. Report about?
16 A. About John Farrell, John Joseph Farrell.
17
18 Q. What report were you thinking there should have been?
19 You spoke about counselling: what follow-up report?
20 A. That his behaviours would be more appropriate to the
21 calling that he was aspiring to take on.
22
23 Q. Do you know there was none?
24 A. No.
25
26 Q. You just don't believe there was any?
27 A. My understanding was none was given.
28
29 Q. You then say that you're aware that he returned to the
30 seminary the following year after his suspension.
31 A. Mmm-hmm.
32
33 Q. Was it unusual, after a suspension, for a seminarian
34 to return, in those days?
35 A. I don't know. I don't remember.
36
37 Q. Coming down to the next paragraph, you say that
38 shortly after your arrival you were allocated jobs, and
39 your job was providing scripture classes to the State
40 schools. Did you have a choice in what job you were given?
41 A. No.
42
43 Q. Did you have a preference?
44 A. No.
45
46 Q. Just coming over to paragraph 16, Father, you will
47 note that there have been redactions in this paragraph so

1 that instead of the names of boys, the pseudonyms or
2 initials have been given. Do you see that?
3 A. I see that, yes.
4
5 Q. I'll ask you to be very careful, when you're talking
6 about boys who are the subject of pseudonyms in front of
7 you, to use those pseudonyms. Do you understand?
8 A. I had understand that. I intend to follow it.
9
10 Q. You'll see there you refer to not remembering the
11 names of altar boys and that your interactions were limited
12 to celebrating mass, and then you describe occasions when
13 Farrell would bring them back to the presbytery and that
14 the boys would be swarming all over him?
15 A. Correct.
16
17 Q. At the time, did you have a view about the
18 appropriateness of the boys swarming all over him?
19 A. Yes.
20
21 Q. What was it?
22 A. I thought it was unprofessional and could be open to
23 misunderstanding.
24
25 Q. How could it be understood?
26 A. The possibility of sexual contact.
27
28 Q. And that was something that was in your mind in the
29 early '80s?
30 A. It was seen as possible, but I had nothing to alert me
31 to the fact that that was the context.
32
33 Q. But it was something that was in your mind at the
34 time - that is, the possibility of sexual contact between a
35 priest and a child?
36 A. It's a possibility, yes.
37
38 Q. Had it been your experience, before now, that there
39 had been, to your understanding, sexual contact between a
40 priest and a child?
41 A. Could you repeat the question, please?
42
43 Q. Had it been to your experience before now that there
44 had been, to your understanding, sexual contact between a
45 priest and a child?
46 A. I knew nothing in regard to Farrell at the time.
47 I knew of a case of a priest who had been part of the

1 Diocese of Armidale back in the late '60s, I think it was,
2 who had the suggestion made that he was interfering with
3 teenage boys, yes.
4
5 Q. Were you in Armidale at the time?
6 A. No.
7
8 Q. How did you hear about it?
9 A. Clergy chitchat.
10
11 Q. Sorry?
12 A. Clergy chitchat.
13
14 Q. Where were you?
15 A. I was an assistant in Tamworth at the time.
16
17 Q. Tamworth and Armidale aren't far apart?
18 A. Not far apart, no.
19
20 Q. And the clergy chitchat was that there was a priest at
21 Armidale who had been interfering with teenage boys in the
22 '60s?
23 A. That was in regard to an event that occurred in
24 Tamworth.
25
26 Q. What was the event?
27 A. The priest concerned was supposed to have been mucking
28 around with teenage boys.
29
30 Q. And the "mucking around" had a sexual component to it?
31 A. That was the implication, yes.
32
33 Q. What happened to the priest?
34 A. Eventually went to another diocese and died in a
35 parish in Sydney, as assistant.
36
37 Q. What was his name?
38 A. Sorry?
39
40 Q. What was his name?
41 A. Leonard Henry.
42
43 Q. The chitchat you heard about him - was there a
44 reaction of those who you were talking to about what was
45 supposed to be his conduct?
46 A. There was strong disapproval at two levels: at the
47 conduct itself and the fact that the guy had acted out when

1 his therapist had advised the Bishop that he not be allowed
2 to be involved in production of musicals and things, which
3 he was extremely good at, because of the therapist's view
4 that when he got involved in those things, he'd get
5 disoriented and was likely to act out yet again.
6
7 Q. And "acting out" meant --
8 A. Sexual contact.
9
10 Q. With teenage boys?
11 A. Correct.
12
13 Q. Do you know who his therapist was?
14 A. No idea.
15
16 Q. Where did you hear that from - is this still general
17 chitchat?
18 A. I first heard the story from a young priest whose task
19 it was to make sure he was never on his own and to take him
20 on his day off and go golfing with him.
21
22 Q. This was in the '60s, you said?
23 A. Correct.
24
25 Q. And the Bishop was?
26 A. Bishop Doody.
27
28 Q. Did you know at that time, in the '60s, that there
29 were counsellors or therapists who were available to treat
30 priests in this sort of situation?
31 A. No.
32
33 Q. This was the first time you'd heard of a therapist
34 being used in this capacity?
35 A. I've heard on other occasions, but not back then.
36
37 Q. The other occasions are more recent?
38 A. More recent.
39
40 Q. Is that the case with Father Farrell or someone else?
41 A. Correct.
42
43 Q. Do you know whether there was a reaction to what the
44 Bishop did with this fellow when they moved him to another
45 parish?
46 A. I don't remember.
47

1 Q. Do you remember whether or not it was thought that
2 moving him to another parish was a good way of dealing with
3 what had happened?
4 A. I've got no recall, what comment one way or the other.
5
6 Q. Can you help us with what you think you would have
7 thought back then about moving to another parish in these
8 circumstances?
9 A. Back then I think I would have thought that more care
10 was needed in monitoring the approach to be taken and its
11 implementation.
12
13 Q. To make sure he wasn't in a position where he could
14 easily do it again; is that what you mean?
15 A. That, and a bit more in the way of positive
16 intervention in his appointment.
17
18 Q. What would that positive intervention look like?
19 A. That his pastoral work didn't involve regular contact
20 with teenage boys.
21
22 Q. So to keep him away, in his pastoral and presumably
23 other work, from teenage boys?
24 A. Correct.
25
26 Q. And that would be monitored, I take it, by the more
27 senior priest where he was located?
28 A. I had no view then on how it would be done, but I held
29 then and still hold now that it need to be done.
30
31 Q. Was there anyone else that you knew of - this is
32 before the early '80s - who was under some supervision of
33 the type that you've mentioned?
34 A. I know of no-one.
35
36 Q. Just this fellow?
37 A. Mmm-hmm.
38
39 Q. Coming back to paragraph 16, you say that you
40 confronted Farrell over bringing boys to the presbytery
41 because you were entitled to some privacy?
42 A. Correct.
43
44 Q. Did you confront him for any reason other than
45 privacy?
46 A. That was the reason then and, at the time, the sole
47 reason.

1
2 Q. In the next paragraph you refer to Farrell telling you
3 that when the boys made a mistake, he'd hit them over the
4 head with the church missal, a large book. Was that form
5 of punishment or discipline common in those days?
6 A. That form of discipline was most unusual. Whether it
7 was his usual form of discipline I'm not in a position to
8 comment.
9
10 Q. It was most unusual in those days; so it struck you
11 when he told you?
12 A. Yes.
13
14 Q. In the next paragraph, you refer to a number of
15 incidents which you thought were odd and then you give
16 examples of what can be best described as animal cruelty?
17 A. 18 refers to the chopping down of the door to the
18 duplicating room. I think 19 refers to the stray cats. He
19 told me about that event, and I think there's also a
20 further event of setting fire to the vines growing on the
21 fence where there were frogs croaking and going on.
22 I can't see paragraph 20. Could I see it, please? Yes,
23 that, again - that was an account from him, and I saw where
24 the vines had been burnt.
25
26 Q. What did you think about those accounts, particularly
27 the animal cruelty accounts, when you were told of them,
28 Father?
29 A. My own view is it was unacceptable.
30
31 Q. Did you tell Monsignor Ryan of your view?
32 A. No.
33
34 Q. Did you think he shouldn't have been a priest because
35 of that conduct alone?
36 A. I never looked at it from that perspective.
37
38 Q. What perspective did you look at it from?
39 A. Unusual, strange behaviour.
40
41 Q. But not incompatible with being a priest?
42 A. I didn't look at it from that perspective.
43
44 Q. So did you think about it in terms of compatibility
45 with being a priest or not?
46 A. I didn't at the time.
47

1 Q. Now?
2 A. Yes. I think it's very inappropriate, and at least
3 further professional advice needed to be sought.
4
5 Q. Just coming down that page, you talk about, in
6 paragraph 22, that you have since become aware that he
7 would take altar servers away with him and you weren't
8 aware of that at the time?
9 A. I was not aware of that at the time.
10
11 Q. Were you aware of any priests taking altar boys away
12 with them?
13 A. I was not aware of anyone doing it.
14
15 Q. Was it a practice that you would have considered then
16 to be a proper one or not?
17 A. I would have deemed it inappropriate.
18
19 Q. Why?
20 A. The possibility of sexual abuse or sexual
21 misunderstanding of contact and, therefore, unhelpful for
22 the pastoral relationship between the young man and/or his
23 family.
24
25 Q. Perhaps a bit more than just unhelpful, Father?
26 A. I agree.
27
28 Q. Damaging, in fact?
29 A. I'm not a psychologist by training.
30
31 Q. But you've described the possibility of sexual abuse
32 or sexual misunderstanding of contact as unhelpful for the
33 pastoral relationship. I'm suggesting to you it was a lot
34 more than unhelpful?
35 A. I'm not in a position to make a comment in regard to
36 the criminality of the event or the psychological
37 implications of such events.
38
39 Q. Do you think you need to have some psychology training
40 to come to a view that that was more than just unhelpful;
41 is that right?
42 A. Correct.
43
44 Q. Coming down the page that's on the screen to
45 paragraph 24 --
46 A. Thank you.
47

1 Q. -- you say there you're unable to say when it occurred
2 or how long after you'd been in Moree, but you remember
3 Monsignor Ryan telling Farrell to leave the parish and
4 never to visit the parishioners again. Stopping there, he
5 told you that - that is, Monsignor Ryan?
6 A. Monsignor Ryan told me that after he'd seen Farrell
7 returning to the parish against his direct orders.
8
9 Q. Prior to that, Farrell had left the diocese or the
10 parish?
11 A. Prior to that, Farrell had been ordered to leave Moree
12 and told not to visit Moree or Moree parishioners again.
13
14 Q. How did you come to know that he'd been told to leave
15 Moree?
16 A. I don't recall precisely. I think Monsignor mentioned
17 that he had been told to go away, as general as that.
18
19 Q. I'm sorry, I missed that?
20 A. I think Monsignor told me he'd been told to go away.
21
22 Q. He didn't tell you why?
23 A. No.
24
25 Q. You didn't ask?
26 A. No.
27
28 Q. You weren't curious?
29 A. Deeply curious.
30
31 Q. But you didn't ask?
32 A. I did not ask.
33
34 Q. What about the clergy chitchat that you referred to
35 before - did that help you in understanding why he had been
36 told to go away?
37 A. The chitchat took off much later than those first few
38 weeks.
39
40 Q. Was it just Ryan, you and Farrell at that time?
41 A. That's correct.
42
43 Q. What about people in surrounding areas, Tamworth and
44 the like - was there talk with them about why Farrell had
45 gone?
46 A. I don't know.
47

1 Q. It didn't come to your attention?
2 A. It did not come to my attention.
3
4 Q. Was it is sudden that he left?
5 A. Yes.
6
7 Q. You didn't hear from any parishioners their thoughts
8 as to what had happened or why?
9 A. I learnt about that time of a complaint of [CPE] to
10 Monsignor Ryan, but I'm not too sure how soon after that
11 was.
12
13 Q. You're referring then to your involvement with Father
14 Gleeson and visiting families. Is that your reference
15 there, to [CPE]?
16 A. Father Gleeson approached me some time after the event
17 of his leaving and asked me would I be willing to meet with
18 any parent and victim who wished and I --
19
20 Q. Just stopping there for the moment, Father, did the
21 complaint of [CPE] come to your attention before
22 Father Gleeson approached you or around that time?
23 A. Around that time. At that stage, I was no longer in
24 Moree.
25
26 Q. You were in Bingara, was it?
27 A. Bingara, yes.
28
29 Q. Bingara, thank you. You say Father Gleeson approached
30 you some time after the event of his leaving, so that's
31 Farrell's leaving, I take it?
32 A. Correct.
33
34 Q. What did he say to you?
35 A. My recall is a general comment that he thought the
36 church needed to do a bit more in responding to the
37 families and their needs, and I had some experience in my
38 time in the Catholic Schools Office in somewhat similar
39 cases, and I agreed on the condition that a parent was
40 present at the conversation and that Monsignor Ryan agreed
41 to the process.
42
43 Q. We will come to the paragraph in your statement where
44 you deal with this, but just dealing with your comment that
45 you had experience in somewhat similar cases, are you
46 referring there to complaints of sexual abuse?
47 A. Correct.

1
2 Q. Within schools?
3 A. Correct.
4
5 Q. By priests?
6 A. No.
7
8 Q. Who by?
9 A. Male teacher.
10
11 Q. A male teacher who wasn't part of the clergy?
12 A. Correct.
13
14 Q. And that was only on one occasion? You referred to
15 "teacher".
16 A. The instance I was referring to was where the
17 accusation was made of feeling up the girls in years 5 and
18 6.
19
20 Q. That came to your attention?
21 A. My attention was drawn to it. I sought advice from
22 senior counsel, in Sydney, in industrial issues and the
23 advice was immediate dismissal and no reference.
24
25 Q. That's what happened?
26 A. That's what happened.
27
28 Q. That was prior to 1984?
29 A. Correct.
30
31 Q. Much prior?
32 A. I don't remember at this distance.
33
34 Q. Was that the first time something like that had
35 happened in a school that you had some responsibility for?
36 A. Yes.
37
38 Q. Do you know how the complaint came to your attention?
39 A. I can't recall at this distance. I think it was a
40 complaint by the principal. He asked me to do something.
41
42 Q. Presumably, the principal found out some way or
43 another and told you?
44 A. I don't know at this stage.
45
46 Q. Coming back to your statement, if we can turn to the
47 next page and paragraph 26, you, on the previous page,

1 refer to Father Gleeson having replaced you as the
2 assistant to the parish priest --
3 A. Mmm-hmm.
4
5 Q. -- Monsignor Ryan. And then you set out that
6 Father Gleeson, sometime after Farrell had left Moree, told
7 you that he, Father Gleeson, was aware that a number of
8 children had been sexually assaulted by Farrell. Stopping
9 there, was that the first time you'd heard of such a thing?
10 A. The first time I heard of it, there were a number, 6
11 or 7. It was as vague as that, yet, as many as that.
12
13 Q. You say that in paragraph 27, you refer to the number
14 of boys. Leaving aside the detail of the number of boys,
15 was it the first time that you were aware that a number of
16 children had been sexually assaulted by Farrell?
17 A. I have a vague memory that Father Gleeson raised the
18 matter before that occasion.
19
20 Q. Was that before or after Farrell had left?
21 A. I don't recall at this distance.
22
23 Q. What was the context of him raising it with you?
24 A. At this stage, I was appointed to Bingara which is
25 about three-quarters of an hour drive from Moree.
26 Father Gleeson would often call on his day off to have a
27 meal, so chitchat over a meal.
28
29 Q. And that's when he told you?
30 A. I think; I don't remember exactly when.
31
32 Q. You don't remember whether Farrell was still in Moree
33 or not?
34 A. If Gleeson was in Moree and I'd left Moree, Farrell
35 was no longer there.
36
37 Q. Did Father Gleeson tell you how he found out about the
38 sexual assaults?
39 A. No.
40
41 Q. Did you ask him?
42 A. No.
43
44 Q. Did you talk about what should be done about them?
45 A. I don't recall precisely what the conversation was,
46 yet, in general terms, I think we would have.
47

1 Q. Can you help us with what you thought then?
2 A. I think my approach would have been that the victims
3 and their parents should be heard and if there was any
4 question they wished to ask, they would be given the
5 opportunity to ask it and an appropriate response made.
6
7 Q. Did you put two and two together and think that's why
8 Farrell had left Moree?
9 A. By that stage I was fairly certain it was the reason.
10
11 Q. This is the second occasion. You're then talking
12 about when you spoke with Father Gleeson about children
13 being sexually assaulted by Farrell; is that right?
14 A. Correct.
15
16 Q. By that stage you knew, that is, that Father Gleeson
17 told you that there were six to seven boys involved?
18 A. My memory was his comment was six to seven. He didn't
19 give an exact number, but he indicated it was more than
20 just two or three, type of thing.
21
22 Q. You hadn't heard of the numbers when he spoke to you
23 on a prior occasion?
24 A. No.
25
26 Q. Were you surprised at the number?
27 A. I believe that one is one too many.
28
29 Q. Six or seven is a lot, isn't it, in one small
30 community?
31 A. Given the number of charges he has been found guilty
32 of.
33
34 Q. You didn't know that then, though, did you?
35 A. I had no idea.
36
37 Q. Father Gleeson asked you to approach the families?
38 A. No.
39
40 Q. And that was after he sought Monsignor Ryan's
41 clearance?
42 A. I did not approach the families at any stage.
43 Father Gleeson made the approach and made the arrangement
44 of time and place to meet with the ones who wished to be
45 part of such a conversation.
46
47 Q. Were you involved in getting Monsignor Ryan's

1 clearance to this activity?
2 A. No.
3
4 Q. Did Father Gleeson tell you about what Monsignor Ryan
5 said?
6 A. No.
7
8 Q. You assumed, I take it, that Monsignor Ryan knew about
9 these claims?
10 A. I presumed, yes.
11
12 Q. You didn't at any time have a discussion with him
13 about them?
14 A. No.
15
16 Q. You say in your statement that you agreed to approach
17 the families of any of the children who wanted to speak
18 with you.
19 A. Mmm-hmm.
20
21 Q. How was it that it was determined which of those
22 families wanted to speak to you?
23 A. My understanding was that Father Gleeson approached
24 each of the families, made the offer and the family
25 responded accordingly.
26
27 Q. And the families were the families of the six or seven
28 boys?
29 A. Correct.
30
31 Q. It is the case that the identity of the six or seven
32 boys was known at least to Father Gleeson at that time?
33 A. I presume so.
34
35 Q. He would need to in order to be able to contact the
36 families, wouldn't he?
37 A. Correct.
38
39 Q. What happened after that?
40 A. I was contacted and told that [CPF] and [CPG] were
41 interested. I was told that - I don't have the pseudonym
42 for him, but the name is mentioned in the witness
43 statement.
44
45 Q. Pat McGroder?
46 A. Correct - did not want me to speak with his son.
47 I did not speak with Pat McGroder at that time.

1
2 Q. In terms of the numbers, one person, the McGroders
3 didn't want you to speak with the son?
4 A. Mmm-hmm.
5
6 Q. [CPG] allowed you to speak with her son?
7 A. Correct.
8
9 Q. Was that the only family you spoke to?
10 A. The only family I spoke to and [CPF] was the only
11 victim I spoke to, her son.
12
13 Q. Is that because Father Gleeson only told you that that
14 family wanted to be spoken to?
15 A. My understanding was they were offered the invitation;
16 that family alone took it up.
17
18 Q. Thank you. Just scrolling down the statement, you say
19 there that you shortly after met with [CPG] and [CPF]?
20 A. Mmm-hmm.
21
22 Q. What happened at that meeting?
23 A. We sat down. I don't remember clearly the order of
24 events, but I think I asked him, "Did he touch you?" He
25 said, "Yes." My presumption was the touch was sexual and
26 didn't explore that. I asked him was there any question he
27 wanted to ask and he made comment that Farrell had told him
28 he's not to tell anybody what happened because he would be
29 in serious trouble if he told anyone. He said, "Is that
30 true?" I said, "Yes." What he did, I was presuming the
31 sexual contact, was a criminal offence and the comment was
32 made, and it was directed more to his mother than the kid,
33 that he had a right to draw that to the attention of the
34 police at any time as long as Farrell lived, and if he
35 wished to pursue the matter around compensation, that was
36 also a possibility, if he wished to explore it, that he
37 could do it. Whether he'd get any or how much I had no
38 idea, but he had that right as long as Farrell lived, was
39 my understanding of the law.
40
41 Q. Anything else you remember about the discussion?
42 A. I don't think it went on very long and it concluded
43 with the usual pleasantries.
44
45 Q. Your role was that of a pastoral one in relation to
46 this family; is that right?
47 A. Correct.

1
2 Q. Did you do anything with the information that they
3 told you about what had happened to their son?
4 A. I did nothing.
5
6 Q. Did you tell Father Gleeson?
7 A. I told Father Gleeson that they'd come, briefed him on
8 the conversation. I did not take any notes or make any
9 reports further up.
10
11 Q. So you didn't tell Monsignor Ryan?
12 A. No.
13
14 Q. You didn't feel honour bound to tell the parish
15 priest?
16 A. No.
17
18 Q. Why was that?
19 A. Because Father Gleeson was managing it at a parish
20 level.
21
22 Q. You felt bound to tell Father Gleeson because he was
23 managing it?
24 A. He had asked me, I'd agreed, and I presumed that was
25 the reporting process back to him.
26
27 Q. Did you think of speaking with the Bishop?
28 A. No.
29
30 Q. That was not something you would ordinarily talk to
31 the Bishop about?
32 A. My presumption was that those whose responsibility it
33 was would have briefed the Bishop anyway.
34
35 Q. And you didn't consider it your responsibility?
36 A. Not on this occasion, no.
37
38 Q. On other occasions of a similar nature?
39 A. I contacted the Bishop, at the request of
40 Pat McGroder, to advise him that when [CPH] was coming
41 before the courts down the coast, his lawyers would be
42 arguing to the bench the reason for mitigation, the
43 punishment for his breach of court orders, that he had been
44 abused, he had been abused by Farrell and Mr McGroder told
45 me that [CPH]'s lawyers or family had approached them to
46 become part of a group action and that he wanted me to let
47 the Bishop, Henry Kennedy, know, (a) what was happening on

1 Monday, and (b) to tell Bishop Harry Kennedy that the
2 McGroders would not be part of that action. I rang
3 Bishop Harry Kennedy and gave him that information.
4

5 Q. What did he say?

6 A. He told me to mind my own business.
7

8 Q. What did you do after he told you to mind your own
9 business, Father?

10 A. I snapped and said, "You didn't hear what I said."
11 And I repeated, "I'm ringing you to tell you a message that
12 the father of one of the boys has asked me to give you."
13 He repeated his comment, "Mind your own business."
14 I repeated what I said and there were a couple of short
15 exchanges and we hung up.
16

17 Q. Was that indicative of the nature of your relationship
18 with Bishop Kennedy at the time?

19 A. It depended what the issue was. There were good days
20 and bad days.
21

22 Q. In relation to this issue?

23 A. In relation to this issue, yes.
24

25 Q. Had it come up before that you'd had a conversation
26 with him around child sexual abuse within the diocese?

27 A. No.
28

29 Q. So in terms of in relation to this issue, how else had
30 it arisen?

31 A. Sorry, I don't get the point of your question.
32

33 Q. I asked you whether it was indicative of your
34 relationship and you said it depended on the issue and you
35 said it was in relation to this issue. I asked you whether
36 it had come up on occasion other than the one that you've
37 mentioned in relation to this issue and Bishop Kennedy?

38 A. This is the only example around sexual matters and
39 diocesan response that I ever discussed with Bishop Harry
40 Kennedy.
41

42 Q. What did you think of his response to it?

43 A. I think that's a matter for the courts to decide.
44

45 Q. I am asking you for your opinion?

46 A. Whether I approve or disapprove of a Bishop's actions
47 doesn't alter anything. He takes the action and he stands

1 responsible for it before the church, before the civil
2 courts.
3
4 Q. What did you think of it?
5 A. I disagreed with what he did.
6
7 Q. What should he have done?
8 A. I would have sought, of course, legal advice. I've
9 never been in a position where I needed to make that
10 decision.
11
12 Q. I am sorry?
13 A. I've never been in a position where I needed to make
14 that decision.
15
16 Q. You were sympathetic to the families, obviously,
17 weren't you?
18 A. Yes.
19
20 Q. I take it then that the decision you would have made
21 would have been in keeping with your sympathy for the
22 families?
23 A. I'd hope so, but I can't guarantee that.
24
25 Q. His reaction was not in keeping with any sympathy for
26 the families, is that fair?
27 A. Not from my perspective.
28
29 Q. Just coming over to the next page of your police
30 statement, at paragraph 32, which is towards the bottom of
31 the page - could we go first to paragraph 31. You say that
32 you weren't sure when it was, but you became aware that he
33 had been charged with sexually abusing minors in Narrabri?
34 A. Mmm-hmm.
35
36 Q. At that stage he wasn't working in your parish,
37 was he?
38 A. Who are you referring to?
39
40 Q. John Farrell?
41 A. John Farrell was never part of a parish where I was
42 personally in charge.
43
44 Q. He was at Tamworth then, wasn't he?
45 A. From my memory, yes.
46
47 Q. Where were you?

1 A. I don't remember.
2
3 Q. You were in the USA, I think, between June 1987 and
4 June 1988?
5 A. Correct. New York.
6
7 Q. It was in about August 1987 that he was charged. Did
8 you become aware he was charged when you were overseas?
9 A. Correct.
10
11 Q. The clergy chitchat extended to you overseas?
12 A. Father Gleeson and I exchanged regular letters and,
13 from memory, he mentioned that in one of them, that charges
14 had been laid.
15
16 Q. You say, halfway through that paragraph, that you
17 remember there was anger in Tamworth. Were you in Tamworth
18 or nearby in order to know of such anger?
19 A. I don't recall precisely the date. There was a
20 charge --
21
22 Q. I am sorry, Father. The charges were dismissed in
23 February 1988 and you returned from the USA in July 1988
24 where you were in West Tamworth?
25 A. Correct.
26
27 Q. It is likely that it was after you returned some
28 months after the decision that the anger you referred to
29 became known to you?
30 A. I don't remember. When I say the anger became known,
31 from memory, I'm referring to the seriousness of the
32 objection to Magistrate Blissett's finding and the appeal
33 by some of the locals to the Attorney-General against that.
34
35 Q. Can you help us with whether the anger was with the
36 decision on the basis that there were those parishioners
37 who believed it was not consistent with their view of
38 Farrell's conduct?
39 A. I don't know.
40
41 Q. Now, just coming down the page, you refer to becoming
42 aware, through general knowledge and information, that
43 Bishop Kennedy had made, as you say, John go and see a
44 therapist?
45 A. Mmm-hmm.
46
47 Q. That therapist was Gary Boyle. Is that someone you

1 knew?
2 A. I do not know Gary Boyle. I'm not too sure he's the
3 therapist involved. I do know that Bishop Kennedy required
4 him to visit Gary Boyle who was frequently used by
5 St Patrick's Seminary at Manly with students to address
6 problems of a sexual nature, so he had a genuine reputation
7 of being good at his job and reliable.
8
9 Q. He had trained to be a priest at some stage,
10 hadn't he?
11 A. I've got no idea; I don't know his story.
12
13 Q. Just turning to the next page, you describe, at the
14 end of the first paragraph, that you believed that
15 Bishop Kennedy's plan, which was the church's approach at
16 the time, was to get John help, get a commitment from him
17 to change his ways and then give him a second chance; is
18 that right?
19 A. Correct.
20
21 Q. You referred to that as being the church's approach at
22 the time. How did you know that that was the church's
23 approach at the time?
24 A. I can't recall precisely, but at a general level the
25 church's approach is to seek people to change and to be
26 converted, to use church language.
27
28 Q. To be converted?
29 A. Converted.
30
31 Q. And in this case converted to what?
32 A. The Catholic principles.
33
34 Q. Which is not to abuse children?
35 A. Correct.
36
37 Q. Your reference to it being the church approach at the
38 time suggests that there was one, if not more, others, that
39 you knew the church had taken that approach to; is that
40 right?
41 A. Sorry, your question again, please?
42
43 Q. Your reference to the church approach at the time
44 suggests that there was one or more who you knew the church
45 had taken that approach with; is that right?
46 A. I don't remember.
47

1 Q. Does it read like that to you, that sentence?
2 A. No. It doesn't read that way to me; that's not the
3 way I meant it.
4
5 Q. How did you mean it?
6 A. The comment refers to what went on then. It's making
7 no observation about what goes on now or what should go on.
8
9 Q. I am not talking about what goes on now, Father.
10 A. Okay.
11
12 Q. You say it was the church's approach at that time?
13 A. Mmm.
14
15 Q. How did you know that that was the church's approach
16 at that time?
17 A. Seven years of training and focusing upon proclaiming
18 the Gospel and having the wayward change their ways, repent
19 and believe, in the church's language.
20
21 Q. It was based on the way that you believed the church
22 approached matters, that is, to help somebody who had
23 veered off the Catholic way, get them to say they'll not do
24 it again, and then give them a second chance; is that
25 right?
26 A. And have them committed to following that through. It
27 applies not only to sexual aberration but other problems,
28 such as alcoholism would be an example, addictive
29 behaviours, one way or another.
30
31 Q. And the commitment was essentially an oral commitment
32 to do the right thing?
33 A. As far as I knew the way it was done; there may have
34 been written commitments; I'm not aware of them.
35
36 Q. From your experience, indeed, your long experience in
37 the church, can you tell the Royal Commission when it was
38 that you think that that approach changed, if it did?
39 A. I'm not sure that it has changed; I can't answer your
40 question.
41
42 Q. That is an answer, you're not sure that it has
43 changed.
44 A. Yes. I would hope that the outcome of this inquiry
45 would be something that would bring it about, put it in
46 place.
47

1 Q. What would that change look like?
2 A. Closer supervision of clergy in their pastoral
3 relationships, I mean supervision at a professional level,
4 and also stronger support in families where the
5 father-figure perhaps isn't as strong as is needed, so the
6 child is less vulnerable to predators. I don't have
7 specific projects in mind.
8
9 Q. What is your current role?
10 A. Parish Administrator at St Michael's Parish, Dungowan,
11 Diocese of Armidale.
12
13 Q. Are you the most senior person in that parish?
14 A. Could you rephrase your question?
15
16 Q. Well, I'll ask it again. Are you the most senior
17 person in the parish?
18 A. I'm the only priest in the parish.
19
20 Q. Who is more senior to you in the parish as opposed to
21 the diocese?
22 A. I'm not the oldest person in the parish.
23
24 THE CHAIR: Q. You're the only priest. In terms of
25 ordained people, you're the senior one because you are the
26 only one?
27 A. I'm the only one, yes.
28
29 MS FURNESS: Q. You said earlier that you haven't been
30 made parish priest because the Bishop has decided not to
31 make you parish priest; is that right?
32 A. Correct.
33
34 Q. Do you have an understanding as to why that is the
35 case?
36 A. It's never been discussed formally with him, no.
37
38 Q. Do you have an understanding as to why that is the
39 case, Father?
40 A. I think it's because I'm too old.
41
42 Q. Have you done anything in your parish to put in place
43 something like you described before as being what's needed
44 with priests?
45 A. No.
46
47 Q. Has there been a need to?

1 A. There hasn't been a need to that I'm aware of.
2
3 Q. So since you've been in that role, you haven't been in
4 a position where someone has come to you with a complaint
5 of the type we have been talking about?
6 A. There has been no such complaint come forward.
7
8 MS FURNESS: Is that a convenient time, your Honour?
9
10 THE CHAIR: Yes. We will take lunch.
11
12 **LUNCHEON ADJOURNMENT**
13
14 MS FURNESS: Q. Father, we were talking about your
15 statement, which we will bring back up on the screen.
16 A. Mmm-hmm.
17
18 Q. In paragraph 33 you are referring to when Farrell was
19 appointed to the Catholic Diocese of Parramatta?
20 A. Correct.
21
22 Q. You refer there to your presumption as to why he was
23 there and what you were doing at the time and that Farrell
24 came over to your presbytery and one day he was there, he
25 told you about a family he met in Parramatta where the
26 mother was having an affair with one of the Brothers at the
27 school. Stopping there, that would be one of an Order,
28 a male Order; is that right?
29 A. Yes, correct.
30
31 Q. You say that Farrell told you that he stepped in to
32 support the woman's young boy and "admitted to me that he
33 had abused the boy (implying it was sexual)"?
34 A. Mmm-hmm.
35
36 Q. What did you do with that information?
37 A. Listened.
38
39 Q. After you had heard it?
40 A. I just listened; I made no comment.
41
42 Q. I understand you listened to it, but then after you
43 had heard it, you had been listening and you heard it, what
44 did you do with it?
45 A. I am sorry, I don't understand your question.
46
47 Q. He said that to you and you listened to him while he

1 was saying it to you; is that right?
2 A. Correct, yes.
3
4 Q. After you had finished listening and you had heard the
5 information, what did you do with it?
6 A. I told him as long as he lived, that boy could make
7 complaint to the courts about his behaviour.
8
9 Q. Did you know the name of the boy?
10 A. I didn't know it then.
11
12 Q. You didn't know it then?
13 A. No.
14
15 Q. You have subsequently come to know who it was. Don't
16 tell us who it was, Father.
17 A. I think it was [CPK].
18
19 Q. When did you find out it was or may have been [CPK]?
20 A. I can't give a time. It was some time after.
21
22 Q. Did you tell anyone else what he had told you?
23 A. No.
24
25 Q. Who were you responsible to at that time when you were
26 the chaplain to the North Shore Hospital?
27 A. The then Bishop of Broken Bay.
28
29 Q. Who was that?
30 A. Bishop David Walker.
31
32 Q. Why do you think he told you that, that he admitted to
33 you that he had abused a boy?
34 A. I don't know. I presume it was because of the context
35 of the amount of blackmail, to explain why he wanted it
36 covered up and was prepared to pay that sum.
37
38 Q. At this stage, you were on reasonable terms with him,
39 I take it?
40 A. We were friendly, in the sense I wasn't hostile, yes.
41
42 Q. This was after the charges had been dismissed - that's
43 right - against him?
44 A. Which charges, please?
45
46 Q. The charges that he was arrested on in 1987 and were
47 dismissed in February 1988.

1 A. To my recall, yes.
2
3 Q. You have given evidence earlier about the anger in
4 Tamworth after those charges were dismissed - before
5 lunch - do you remember that?
6 A. I remember that. The context was the strength of the
7 reaction and the appeal to the Attorney General over
8 a magistrate's decision; I read that as anger.
9
10 Q. I understand. Did you share that anger?
11 A. No.
12
13 Q. What was your view of him after those charges were
14 dismissed?
15 A. No more than a court had acquitted him on that
16 particular charge.
17
18 Q. And the fact that he had been, as you say, acquitted
19 on that charge, did that mean to you that he hadn't done
20 what he had been accused of doing?
21 A. No. My perspective was that the court had found the
22 case not proven.
23
24 Q. And therefore, you accepted he hadn't done it?
25 A. I made no judgment. The court makes its decision;
26 I accept that.
27
28 Q. You accepted the decision, which is to dismiss the
29 charges against him?
30 A. I'm not sure whether the case was dismissed or
31 non constat, if I've got the correct terminology.
32
33 Q. Just assume it was dismissed?
34 A. The case was dismissed. Yes.
35
36 THE CHAIR: Q. But he wasn't acquitted; you understand
37 the difference?
38 A. May I explain my understanding, please? My
39 understanding is the court examines the matter. If, in the
40 court's decision, the evidence doesn't lead to
41 a conviction, it's a decision that it doesn't do that, it
42 makes no comment whether it happened or not. The focus is
43 a legal decision in regard to the evidence provided.
44
45 MS FURNESS: Q. But leaving aside the legal decision,
46 did you independently have a view whether or not
47 Father Farrell, as he then was, had sexually abused boys,

1 or a boy?
2 A. I didn't know.
3
4 Q. You didn't know but did you have that view?
5 A. Other than it was possible, I didn't know.
6
7 Q. When you went to see the parents and one of the boys,
8 who was one of the six or seven that Father Gleeson spoke
9 about, I take it you accepted what was told to you?
10 A. I believed that Father Gleeson's general description
11 was accurate and the general --
12
13 Q. No, no, Father, that's not what I'm asking you.
14 A. I'm explaining --
15
16 Q. No, no, no, I want you to attend to my question.
17 A. Sorry.
18
19 Q. I asked you that when you went to see the parents and
20 one of the boys, who was one of the six or seven that
21 Father Gleeson spoke to you about, I take it you accepted
22 what was told to you by the parent and/or the son; is that
23 right?
24 A. That's correct.
25
26 Q. Thank you. Having accepted that, did that affect your
27 view of your relationship with Farrell and how friendly or
28 otherwise you were --
29 A. It made no impact.
30
31 Q. One way or the other?
32 A. One way or the other.
33
34 Q. Is that because he was a priest and you were a priest?
35 A. No.
36
37 Q. Why was it then?
38 A. In a Catholic framework we welcome sinners and eat
39 with them, quoting from the Gospels. My judgment is to
40 seek their conversion and leave the judgment to others.
41
42 Q. Conversion from sinning to what, non sinning?
43 A. Not sinning, but the good, useful and productive life,
44 to not do harm to another.
45
46 Q. And the fact that he admitted to you some years later,
47 as you have set out in paragraph 33, did you have a view as

1 to how successful or otherwise the conversion might have
2 been?
3 A. I did not make a move in - a decision in that
4 direction.
5
6 Q. Could you --
7 A. I accepted what he said at face value.
8
9 Q. But if you accepted it at face value, it would have to
10 be the case, wouldn't it, that he hadn't converted from the
11 conduct that you were aware of in 1987, when you spoke to
12 one family?
13 A. Mmm-hmm.
14
15 Q. Isn't that right?
16 A. May I explain the Catholic context? We always believe
17 it for a person to fail, no matter how good their previous
18 record or how badly it was.
19
20 Q. Regardless of the nature of the failure, they were to
21 be forgiven from that failure; is that right?
22 A. I'm not too sure what you are asking me. Could you
23 repeat it, please, clearly?
24
25 Q. Certainly. You said that, "We always believe" - "We"
26 being the Catholics - "it for a person to fail, no matter
27 how good their previous record or how badly it was"?
28 A. Correct.
29
30 Q. And I said to you, so, regardless of the nature of the
31 failure, they are to be forgiven for that failure?
32 A. Forgiveness is from the Almighty and I'm not presuming
33 to say whether it has or has not been given. I don't know.
34
35 Q. But you, in your own way, forgave him?
36 A. I didn't forgive him. It wasn't my job to forgive
37 him. He had not offended me.
38
39 Q. I see. So your forgiveness is only if it's personal
40 to you?
41 A. I don't get your point, I'm sorry.
42
43 Q. You said that you didn't forgive him because it wasn't
44 your job to forgive him because he had not offended you.
45 I said to you your forgiveness is only if it is personal to
46 you?
47

1 THE CHAIR: I think, Ms Furness, you and Father Flood are
2 at cross-purposes to a degree. I think the concept of
3 forgiveness that he is embracing is one that is quite
4 different to the one that you are putting to him.
5
6 MS FURNESS: I understand that he has a different view of
7 it.
8
9 THE CHAIR: It is coming from a theological foundation.
10 I understand what he is saying.
11
12 MS FURNESS: Q. But in relation to Father Farrell, you
13 continued to have dealings with him; is that right?
14 A. Correct.
15
16 Q. And those dealings were unaffected by your view of
17 speaking to the family of a son against whom he had
18 offended and your believing what they said?
19 A. Correct. I was focused on our relationship, not what
20 he had done wrong in regard to others.
21
22 Q. Just coming back to your statement, in paragraph 35
23 you refer to Bishop Manning trying to get the appropriate
24 Vatican department to dismiss John from the priesthood?
25 A. Mmm-hmm.
26
27 Q. You say you do not like Bishop Manning and do not get
28 along with him. Then you say:
29
30 *I believe he did nothing to stop*
31 *John Farrell offending against boys ...*
32
33 What do you mean by that?
34 A. I have no evidence of Bishop Manning doing anything to
35 address misconduct in that direction in John Farrell's
36 life.
37
38 Q. What do you think he should have done?
39 A. Done more.
40
41 Q. I beg your pardon?
42 A. Done more.
43
44 Q. And what does "more" mean to you, Father?
45 A. More in terms of more immediate action that was ending
46 in dismissal from the priesthood; arranging interventions
47 to meet with victims and their families, to hear their

1 comment and perhaps help in whatever way may be deemed
2 appropriate or possible; and the statement goes on to say
3 I thought his major issue was protecting the financial
4 interests of the diocese. I still hold that view. I'm not
5 saying it's something that can be proven, but that's my
6 reading of the situation then and now.

7
8 Q. When you say his major issue was protecting the
9 financial interests of the diocese, are you saying that in
10 relation to how he dealt with Farrell or more generally?

11 A. More generally around the issue of child sexual abuse
12 by clergy.

13
14 Q. What did he do to protect the financial interests of
15 the diocese? What action did he take in order to do that,
16 that you think?

17 A. The action he eventually took was to ensure that he
18 was defrocked, in the technical sense, and secondly, he was
19 also part of the governing board of Catholic Church
20 Insurances and on their behalf travelled Europe trying to
21 get similar-type insurances against such events from other
22 firms; so he was acting in the financial interests of the
23 diocese in general and particularly the dioceses of
24 Australia.

25
26 Q. Can I show you a document behind tab 189. This is
27 a letter from you, Father, to Bishop Manning, 30 August
28 1993?

29 A. Mmm-hmm.

30
31 Q. Do you recognise the letter?

32 A. It is my letter.

33
34 Q. Have you read it --

35 A. I do not recall writing it. I do not recall the visit
36 with the person that is mentioned there.

37
38 Q. You have read the letter recently, I take it?

39 A. My legal counsel drew my attention to it as being
40 among the tender bundle - is that the correct term?

41
42 Q. Who is your legal counsel, Father?

43 A. Sorry?

44
45 Q. Who is your legal counsel?

46 A. Gilbert + Tobin, as part of the diocesan lot, and
47 a couple from Carroll & O'Dea, I think it is.

1
2 Q. And you understand they are acting for you in these
3 proceedings, I take it?
4 A. Yes.
5
6 Q. Coming back to your letter, you refer to [CPE]?
7 A. Correct.
8
9 Q. And the fact that [CPE] called you that morning, which
10 is August 1993?
11 A. Mmm-hmm.
12
13 Q. And raised the matter of the allegation of her son
14 being abused by Farrell.
15 A. Mmm-hmm.
16
17 Q. Stopping there, was [CPE] one of the families that
18 Father Gleeson told you about in 1984?
19 A. She was, and her son as well.
20
21 Q. Her son as well. And at that time, they didn't want
22 to speak with you?
23 A. That was my understanding, correct.
24
25 Q. What did she want you to do when she came to speak
26 with you on this morning in August 1993?
27 A. I do not remember the event and --
28
29 Q. Does the letter help you, Father?
30 A. I don't recall the event, I don't recall the letter,
31 but I expect that my response would have been something
32 like that. I can't recall actually writing that letter or
33 making that comment to her.
34
35 Q. From reading this letter, is it the case that your
36 response to her coming to you and telling you that she was
37 angry about the church having done nothing, was to write to
38 Bishop Manning and ask him to do what is set out in your
39 letter; is that likely to be the case?
40 A. Yes.
41
42 Q. If we go to the last paragraph, you suggest to him
43 that he write to the family asking her to speak with the
44 Bishop about the matter and offer a formal apology, perhaps
45 have to seek legal advice first?
46 A. As I said, I have no recollection of writing the
47 letter or of sending it and --

1
2 Q. I understand that, Father, but you did write it and it
3 is before you at the moment?
4 A. I'm not questioning that.
5
6 Q. Just attend to the letter, if you would?
7 A. Sure.
8
9 Q. The last paragraph - do you see what you have said
10 there to the Bishop? You have asked him to write to the
11 family; it would be helpful if there was a formal apology?
12 A. Yes.
13
14 Q. What happened after you wrote to the Bishop?
15 A. I have no recollection of reply from the Bishop.
16 I have no recollection of doing anything further.
17
18 Q. Was there anywhere else you could go to find that sort
19 of assistance that you have set out there?
20 A. Not that I was aware of or that I am aware of, no.
21
22 Q. You said earlier that you raised something with
23 Bishop Kennedy and he told you to mind your own business?
24 A. Correct.
25
26 Q. The fact that you don't recall any reply from that
27 suggests that his response to that letter might have been
28 the same?
29 A. I've got no idea.
30
31 Q. You've got no idea?
32 A. No idea.
33
34 Q. In 1993, what would you have expected as his response?
35 What would you have expected his response to be to this
36 letter?
37 A. I would hope that he would intervene, or at least tell
38 me what he intended doing, so appropriate parish support
39 could be there.
40
41 Q. He didn't do any of those things?
42 A. I don't recall him doing any of those things.
43
44 Q. Did you hear of any formal apology being given?
45 A. No.
46
47 Q. Did you hear of the family being written to?

1 A. No.
2
3 Q. Coming back to your statement, you refer in
4 paragraph 36 to John Farrell being moved to East Tamworth.
5 You say there that they didn't give a briefing to
6 Father Hanna who was the parish administrator. How do you
7 know that?
8 A. Father Hanna told me, as is stated in the statement.
9
10 Q. He told you at the time?
11 A. He mentioned at the time that he had been given no
12 briefing on what he needed to do or how to do it.
13
14 Q. You knew about the complaints, obviously, in Moree,
15 didn't you?
16 A. Knew of some of the complaints in Moree - I did.
17
18 Q. Did you tell Hanna what you knew - Father Hanna?
19 A. No.
20
21 Q. Then what was the context of the discussion with
22 Father Hanna?
23 A. Casual conversation when I visited the place.
24
25 Q. Well, to say that they didn't give a briefing to him
26 suggests that there was something about which he should
27 have been briefed, Father.
28 A. I accept that.
29
30 Q. Did you tell him about what you knew of what had
31 happened in Moree?
32 A. No, I didn't.
33
34 Q. It would make sense, wouldn't it, if you had told him
35 that, for him to say, "Well, I didn't know about it" - that
36 would make sense of that paragraph, Father?
37 A. I'm not questioning that; I'm just saying it didn't
38 happen.
39
40 Q. What didn't happen?
41 A. My briefing of Father Hanna of what I happened to
42 know.
43
44 Q. You then say that as soon as John arrived in Tamworth,
45 he began refereeing junior football?
46 A. Correct.
47

1 Q. What was the relevance of him refereeing junior
2 football?
3 A. His contact with minors.
4
5 Q. You didn't speak to Father Hanna about the fact that
6 you thought he shouldn't have had contact with minors?
7 A. No, I didn't.
8
9 Q. You didn't feel any obligation to the children to
10 share with the parish administrator what you had heard
11 about him?
12 A. Sorry, I'm not clear.
13
14 Q. You didn't feel any obligation to the children in this
15 parish to share with the parish administrator what you had
16 heard about him and accepted in respect of one family?
17 A. I did not feel such an obligation.
18
19 Q. Would you now?
20 A. Yes.
21
22 Q. What has changed, Father?
23 A. Better understanding of what the issues are; better
24 understanding of how people like Farrell tend to keep
25 abusing and therefore, the need for vigilance in any
26 setting and in all settings.
27
28 Q. When did you come upon that understanding or those
29 understandings?
30 A. An emerging understanding over media reports, comment
31 by informed people, comment by lawyers and things.
32
33 Q. From the evidence you gave earlier, Father - and I'm
34 sure someone will correct me if I'm wrong - I understood
35 that you were aware in the early 1980s of the need to be
36 vigilant in respect of those against whom misconduct
37 against children had been alleged; is that not right?
38 A. That's correct.
39
40 Q. And then, if that's the case, by 1984 or so, when he
41 was moved to East Tamworth, you had some understanding of
42 the need to keep these people from access to children,
43 didn't you?
44 A. Correct.
45
46 Q. Then why didn't you talk to Father Hanna about it?
47 A. The short issue is professional boundaries. I was not

1 and never have been the Bishop of his diocese, "his" being
2 Farrell.
3
4 Q. What professional boundaries?
5 A. Of being an open, honest and dutiful priest in the
6 diocese.
7
8 Q. But what was it about professional boundaries that
9 stopped you telling Father Hanna that a priest coming to
10 his area had allegations against them of child sexual
11 abuse, you had spoken to one family and you believed them?
12 A. I had spoken to one family, correct.
13
14 Q. No. What was it about professional boundaries that
15 stopped you telling him those things?
16 A. I didn't think it was appropriate to go repeating the
17 bits and other pieces that I knew, and I assumed that he
18 had been briefed of his background before agreeing to take
19 him as an assistant.
20
21 Q. And that assumption wasn't tested by you, I take it?
22 A. The assumption was not tested by me.
23
24 Q. You didn't ask him whether he knew about it?
25 A. I didn't ask.
26
27 Q. Can we turn to tab 37.
28 A. Mmm-hmm.
29
30 Q. It will come up on your screen. This is a letter you
31 wrote to Bishop Kennedy on 22 July 1984.
32 A. Correct.
33
34 Q. That is your handwriting, isn't it?
35 A. Correct.
36
37 Q. Do you remember writing the letter?
38 A. I don't remember writing the letter, but it is
39 definitely my letter.
40
41 Q. I beg your pardon?
42 A. I don't remember writing the letter, but it is
43 definitely my letter.
44
45 Q. But no doubt your legal representatives have shown it
46 to you in recent times?
47 A. They did.

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Q. Just scrolling down, you say in the first paragraph that you were writing to him to put before him your "deep and serious disquiet" at Farrell's appointment to the present staff of St Nicholas's Parish, Tamworth?

A. Correct.

Q. You then refer to the ground for the disquiet arising out of the sustained hostility of each of the present staff to John?

A. Mmm-hmm.

Q. And then you refer to Father Hanna being always very vocal and highly critical of John. Now, stopping there, you knew of that sustained hostility of each of the staff through discussions with them?

A. I knew from comments by each in different settings. I did not explore it in terms of a particular conversation around that matter.

Q. Did that hostility arise from the complaints in Moree?

A. I don't know.

Q. What did the hostility arise from?

A. I thought it was a longstanding difference of personality, which I first observed in all three parties during their time in the seminary, so that's before ordination, hence the phrase "longstanding".

Q. The three parties being Father Hanna, Father Farrell and who else?

A. Father Peter Kneipp, I think it is.

Q. I beg your pardon?

A. Father Peter Kneipp.

Q. They are the three you are referring to?

A. From memory, yes.

Q. Just coming down the page to the final paragraph, you say:

I am convinced from my close knowledge of John, and also of the recent events, that John must have a presbytery environment ...

that fits the criteria that you have set out.

1
2 A. Mmm-hmm.
3
4 Q. "Recent events", I take it, being the complaints in
5 Moree?
6 A. From memory, it was the trial held in Tamworth in
7 regard to offences alleged to have happened when he was in
8 Narrabri one weekend, in regard to [CPH].
9
10 Q. This letter is July 1984.
11 A. Mmm-hmm.
12
13 Q. And Farrell was arrested in August 1987 and the
14 charges were heard in February 1988. You can just accept
15 those dates from me, Father.
16 A. I'm not querying your dates.
17
18 Q. Well then, this letter predates the events you have
19 described by some years?
20 A. It seems that way; that's correct.
21
22 Q. So I ask you again, in relation to your reference to
23 "recent events", that's a reference to the complaints in
24 Moree, isn't it?
25 A. I don't recall.
26
27 Q. What else could it have been?
28 A. I thought it was in regard to that court case, but you
29 point out quite accurately that it can't be. I don't
30 remember what events were mentioned.
31
32 Q. It is likely to be the complaints, isn't it?
33 A. I've got no memory.
34
35 Q. But it's likely to be the complaints, isn't it,
36 Father?
37 A. I have no memory of what --
38
39 Q. I understand you have no memory. I'm not asking now
40 for your memory. I'm asking for the likelihood of it being
41 the complaints?
42 A. I don't know.
43
44 Q. Then, towards the bottom of that page, you say:
45
46 *In a hostile and non-supportive household*
47 *the earlier incidents are very likely to*

1 *re-occur.*
2
3 Do you see that?
4 A. I read that, yes.
5
6 Q. That's a reference to the complaints in Moree,
7 isn't it?
8 A. I don't recall.
9
10 Q. What else could those two phrases --
11 A. I don't know.
12
13 Q. No, no, no --
14 A. I don't recall, I don't know.
15
16 Q. Father Flood --
17 A. I'm taking seriously your comment. I'm saying I don't
18 recall; I don't know.
19
20 Q. Have you finished?
21 A. I have finished, thank you.
22
23 Q. This is your letter, in July 1984?
24 A. Correct.
25
26 Q. Prior to this letter, you had been involved with
27 Father Gleeson in visiting one family whose son had been
28 sexually abused by Farrell, hadn't you?
29 A. Whose son I presumed had been sexually abused.
30
31 Q. And you believed the account of the son and the
32 parent, didn't you?
33 A. I accepted that, yes.
34
35 Q. Some short months later, you were writing this letter
36 to the Bishop in relation to Farrell moving to Tamworth,
37 weren't you?
38 A. Correct.
39
40 Q. And you were referring to your deep and serious
41 disquiet at his appointment?
42 A. Correct.
43
44 Q. Weren't you?
45 A. Correct.
46
47 Q. Then you refer to recent events and earlier incidents,

1 don't you?
2 A. I refer to recent events --
3
4 Q. There is no doubt, is there, Father Flood, that they
5 are a reference to what had happened in Moree, that you
6 knew about?
7 A. I can understand your argument, but I repeat my
8 earlier comment: I have no recollection precisely what
9 event I was referring to then.
10
11 Q. I understand your evidence as to recollection. I am
12 saying to you that there is no doubt, is there, that that
13 is what it is about? There can be no reasonable doubt,
14 Father, can there?
15 A. I'm making my previous comment yet again: I have
16 reasonable doubt about that. I cannot recall and I am not
17 prepared to say anything contrary to that evidence that
18 I have given.
19
20 Q. When you say you have reasonable doubt, what doubt do
21 you have?
22 A. I have no doubt - I am sorry, I will rephrase that.
23 I have no awareness of precisely what was meant back then.
24
25 Q. What else had happened before July 1984 in relation to
26 Farrell?
27 A. I don't understand your question, I'm sorry.
28
29 Q. Had there been any events in relation to Farrell
30 shortly before July 1984?
31 A. I cannot recall any specific events that referred to
32 Farrell shortly before.
33
34 Q. Were there any earlier incidents in relation to
35 Farrell before July 1984?
36 A. I have no memories of such incidents.
37
38 Q. Coming back to your statement, in paragraph 38 there
39 is reference there to a meeting with Bishop Kennedy. Do
40 you see that in paragraph 38?
41 A. Bishop Michael Kennedy, correct.
42
43 Q. Yes. Can I show you a document which is behind
44 tab 127. Do you recognise that handwriting?
45 A. I don't.
46
47 Q. You don't?

1 A. I don't.
2
3 Q. You don't recognise it as Bishop Manning's writing?
4 A. I do not recognise who wrote those notes. It may be
5 Bishop Manning's writing. I don't recognise it.
6
7 Q. You don't recognise his writing?
8 A. No, whenever he wrote to me it was typed.
9
10 Q. What about from his signature; is it similar to his
11 signature?
12 A. I don't recall.
13
14 Q. You read this recently, I take it?
15 A. I have read it, yes.
16
17 Q. You see the heading is "Conversation with Rev Father B
18 Flood", which is very likely to be you, isn't it?
19 A. I have no recollection of any such conversation with
20 Bishop Manning and other than prior to my legal counsel
21 showing me the document, I didn't know it existed.
22
23 Q. Was there any other Father B Flood in the diocese?
24 A. No.
25
26 Q. Thank you. If we can move down that document, there
27 is reference, firstly, to Father Pat Ryan, mention of
28 starkers parties and naked run while at Manly College; do
29 you see that?
30 A. I see that.
31
32 Q. You had been told about that at some stage, hadn't
33 you?
34 A. I knew of that comment, yes.
35
36 Q. And from Father Ryan, wasn't it?
37 A. No.
38
39 Q. Somebody else told you?
40 A. It was part of the clergy chitchat on why he was sent
41 down from Manly.
42
43 Q. Coming down to "B Flood", about a third of the way
44 down the page, now, you were fellow assistant to Farrell at
45 Moree, weren't you?
46 A. Correct. We were appointed at the same time.
47

1 Q. And the reference to "odd behaviour - bouncing
2 10-year-old on his knee" - that's something you saw?
3 A. Reference was made earlier to his bringing kids back
4 into the presbytery common room and their crawling all over
5 him. I'm not too sure whether I had ever described it as
6 bouncing a 10-year-old on his knee.
7
8 Q. Father Gleeson called you in to counsel parents; isn't
9 that right?
10 A. He approached me and asked me if I would do it.
11
12 Q. You didn't get to everyone, did you?
13 A. I met with [CPF] and [CPG].
14
15 Q. Having read this document recently, Father, do you
16 doubt that what is recorded in this document against your
17 name is what you told to whoever recorded it?
18 A. I've no recollection of any such conversation being
19 made to Bishop Manning.
20
21 Q. Leave aside Bishop Manning for the moment. Do you
22 doubt that what is recorded in here reflects what you have
23 said?
24 A. Said to whom?
25
26 Q. Said to whoever was recording it?
27 A. I have no recollection of any such conversation with
28 anyone.
29
30 Q. I understand you don't recall it, but having now read
31 it, do you doubt that it reflects what you have said?
32 A. I don't recall what I said, therefore, I cannot make
33 comment to your question, I'm sorry.
34
35 Q. Well, you have read it and you have said what it
36 recounts as you having told the person, you have read that,
37 haven't you?
38 A. I have read that.
39
40 Q. And each of the matters that it records against your
41 name are matters that were within your knowledge?
42 A. Some of them, yes; some of them, no.
43
44 THE CHAIR: Q. Father, it's reasonable to assume, isn't
45 it, that the note will reflect what you said at that
46 meeting? It is a reasonable proposition, isn't it?
47 A. It's a reasonable proposition. My comment to the

1 Bench is, with due respect, it's not what I recall.
2
3 Q. That's somewhat at odds with what you just said, but
4 we maybe can move on.
5 A. I am sorry, your Honour, again, please?
6
7 THE CHAIR: We will move on.
8
9 MS FURNESS: Q. Now, just coming to the last page, there
10 is reference about halfway down - I am sorry, the
11 second-last page, I beg your pardon. There is an
12 underlined word that looks like "McCoke"; do you see that?
13 "McCape"?
14 A. I can't find it, I'm sorry.
15
16 Q. It is about a third of the way down the page that is
17 on the screen, on the left-hand side, underlined. Do you
18 see what I'm referring to?
19 A. Is it "McCabe"?
20
21 Q. Do you know anyone by a name that looks like that?
22 A. McCabe?
23
24 Q. Mmm.
25 A. There is a priest, Paul McCabe, who is currently
26 parish priest of Moree.
27
28 Q. Was he in Moree before 1991?
29 A. I don't recall.
30
31 Q. There is reference there to McCabe having wanted
32 Farrell to go to Melbourne for treatment. Do you remember
33 anything about that?
34 A. I have no knowledge of any such suggestion.
35
36 MS FURNESS: That document can be taken down.
37
38 Q. In paragraph 44, back to your statement --
39 A. Could I have it on the screen, please?
40
41 Q. If you just wait, Father, it will come up.
42 A. Yes, sure. 44, yes.
43
44 Q. In the last paragraph, you say:
45
46 *During one earlier conversation, John told*
47 *me that he was prepared to admit to some*

1 *offences against the boys but that others*
2 *did not happen.*
3
4 A. Mmm-hmm.
5
6 Q. Now, can you help us as to when, by reference to year,
7 if that is the best you can do, that happened?
8 A. I can't give any particular dating, I'm sorry.
9
10 Q. Well, is it likely to have been in the 1980s?
11 A. I don't recall, I'm sorry.
12
13 Q. What about the 1990s?
14 A. I've got no recollection, so I can't give a date.
15
16 Q. If you look at paragraph 43, you refer to him having
17 recently sent you a letter, and you remembered at the time
18 of this statement that that was in 2015. Do you see that?
19 Then you refer to what he sought from you?
20 A. Yes.
21
22 Q. You say then in the next paragraph "During one earlier
23 conversation". Do we take it that that conversation was
24 earlier than 2015; is that right?
25 A. Correct. Correct.
26
27 Q. And there is reference to him being prepared to admit
28 to some offences. Is it likely that it was before 1987?
29 Does that help you?
30 A. My memory of the conversation was it generally didn't
31 specify when or where, just general comment, that he was
32 prepared to admit to some offences against boys, but others
33 did not happen.
34
35 Q. You have got that memory of the conversation. Can you
36 help us with when it happened?
37 A. I can't, I'm sorry. I don't remember when.
38
39 Q. By decade?
40 A. Not even by decade.
41
42 Q. Going over to paragraph 45, you then refer to a much
43 earlier phone conversation. That's earlier than the
44 conversation referred to in paragraph 44, I take it?
45 A. I presume so, yes, yes.
46
47 Q. You say that he wanted to tell you how it happened, by

1 which you took him to be talking about sexually abusing
2 young boys?
3 A. That's how I understood it, yes.
4
5 Q. And you told him that you didn't want to know what he
6 had done?
7 A. Correct. Because - and I state the reason why.
8
9 Q. Certainly.
10 A. And he accepted that comment - nothing further was
11 added.
12
13 THE CHAIR: Q. Why would you have preferred to say that
14 you didn't know?
15 A. To sustain his past relationship in the hope that
16 eventually he would get back on track. It is a priest
17 thing, I suppose. I'm not saying everybody would agree
18 with it, but that's a professional stance.
19
20 Q. You mean "a priest thing" is to prefer not to know
21 rather than face up to the truth of the situation that is
22 being recounted to you? Is that what you are saying?
23 A. I prefer to leave the courts to do their court work.
24
25 Q. No, could you please deal with my question?
26 A. I thought I was answering it, your Honour, I'm sorry.
27
28 Q. No, you are not.
29 A. Could you rephrase it for me, please?
30
31 Q. I won't rephrase it, I will ask it again.
32 A. Okay.
33
34 Q. You mean "a priest thing" is to prefer not to know,
35 rather than face up to the truth of the situation that is
36 being recounted to you; is that what you are saying?
37 A. The short answer is no.
38
39 Q. Well, what are you saying, then?
40 A. I'm suggesting that my area of competence, expertise
41 and interest does not square 110 per cent with the issues
42 that are addressed by a court and the issues the court is
43 seeking to address.
44
45 Q. Explain that to me, if you would?
46 A. My perception is that the legal perspective and the
47 pastoral care perspective don't necessarily coincide.

1 I would hope there wouldn't be conflict, but I would give
2 priority, if I had a choice, to the pastoral care, because
3 that's the work I'm involved in.
4

5 Q. Father, I'm sorry to say this to you, but --

6 A. That's okay.
7

8 Q. -- paragraph 45 looks very much like you are saying,
9 "I don't want to know the truth, because I might have to
10 tell someone." Is that what you are saying in that
11 paragraph?

12 A. I thought I was telling him that if I knew and was in
13 court and under oath, that I would have to tell it as I
14 knew it. I would prefer to be in a position where I didn't
15 know it and be able to answer honestly to the court that
16 I didn't know. Have I answered your question, please?
17

18 Q. Yes.

19 A. Thank you.
20

21 MS FURNESS: Q. You have answered the question,
22 Father --

23 A. Sure.
24

25 Q. -- but what it doesn't explain is why you would want
26 to deliberately put yourself in a position where you
27 couldn't assist a court with knowledge that you could have
28 easily acquired.

29 A. Could you rephrase your question? I'm not too sure
30 what you are really asking, I'm sorry.
31

32 Q. You have answered his Honour's question, but your
33 answer does not explain why you would want to put yourself
34 deliberately in a position where you could not assist
35 a court with knowledge that you could have easily acquired.

36 A. I was working under the assumption - and I can be
37 corrected for this - that my task is not to gather evidence
38 for a court hearing.
39

40 THE CHAIR: Q. No, Father, that's not what is being put
41 to you at all. You see, it's plain from the paragraph that
42 you understood that he was about to tell you the detail of
43 his criminal acts against young children; correct?

44 A. Correct.
45

46 Q. You took the stance that you didn't want to know
47 anything about them because you might have to tell what you

1 know to a court subsequently in relation to those criminal
2 acts; correct?

3 A. No.

4

5 Q. Well, that's the way it reads, I'm sorry to tell you.

6 A. I'm not arguing your perception. My intention was,
7 rather, that if I was required to answer a question in the
8 court, I would be under oath and obliged to tell it as I
9 knew it.

10

11 Q. Yes.

12 A. But in terms of my pastoral relationship with him,
13 I preferred to be in a position where those matters were
14 not within my knowledge, and if the court required that
15 information, I could answer truthfully and honestly on
16 oath, "I do not know."

17

18 Q. Did the pastoral care that you held towards those who
19 might have been offended against cross your mind?

20 A. It didn't. I was not involved with any of those
21 people and their family at that time, and I was speaking
22 with an individual in a particular setting.

23

24 Q. Whether or not they were your parishioners, as an
25 ordained member of the church, did you accept
26 a responsibility when one of your colleagues was about to
27 tell you about their criminal activities offending against
28 children - did you not accept responsibility to do what you
29 could to make sure that these events were dealt with
30 appropriately and other children were not in danger?

31 A. I would have hoped that that was happening and had
32 been happening, and I did not see it as my major task as to
33 do it. If the court finds me guilty, then I'm guilty, but
34 that's the way I saw it at the time.

35

36 Q. But it's not a question of guilt or otherwise; it is
37 a question of, leaving aside the church, ordinary human
38 responsibility to care for children. You were in a
39 position to influence what happened. Did you not see that?

40 A. With due respect, your Honour, what had happened had
41 happened. This is a conversation much later. I can't
42 change, undo what was wrong, what was criminal. I can
43 regret it, I can deplore it, but I can't change it.

44

45 MS FURNESS: Q. You say in your statement that you had
46 been interviewed by Justice Whitlam, as he then was?

47 A. Correct.

1
2 Q. And that you were shown a transcript of the interview
3 and you agreed that it was a true and correct record of the
4 interview?
5
6 THE CHAIR: I don't think he was Justice Whitlam.
7
8 MS FURNESS: I am sorry. By "then" I meant when he was
9 actually Justice Whitlam. He is referred to in the
10 statement as Justice Whitlam, but you know who I mean?
11
12 THE CHAIR: He wasn't a judge at the time.
13
14 MS FURNESS: No, he wasn't.
15
16 Q. You understand who I mean?
17 A. I understood he was a judge of a court.
18
19 THE CHAIR: Q. He had been a judge of a court but he had
20 retired?
21 A. The language may be inappropriate. That's the man
22 I am referring to, yes.
23
24 MS FURNESS: Q. You were shown a copy of the transcript,
25 and you agreed that it was a true and correct copy of the
26 interview?
27 A. Correct.
28
29 Q. Did you obtain legal advice before you were
30 interviewed by Mr Whitlam?
31 A. No.
32
33 Q. Did you have a lawyer with you?
34 A. From memory, there was a solicitor and a lawyer
35 present during the conversation. The conversation began
36 with saying they were there to help.
37
38 Q. So it was --
39 A. I have no recollection of particularly what they were
40 going to help about.
41
42 Q. But it wasn't your lawyer who was present?
43 A. No.
44
45 Q. Did you get advice from the church before you went for
46 the interview?
47 A. No.

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47

Q. I beg your pardon?
A. No.

Q. Perhaps if we can have that on the screen. It is in the volume which hasn't been tendered, but I will tender this particular document, which is W2 in the volume. Do your Honours have access to that?

THE CHAIR: Yes.

MS FURNESS: I tender the interview, which is W2, for current purposes.

THE CHAIR: I am sorry, you are talking about the interview that is in this volume?

MS FURNESS: I am, your Honour.

THE CHAIR: Do we need to break it down or do you want the whole volume?

MS FURNESS: I just want to tender W2, which is this witness's interview.

THE CHAIR: You don't want to tender the others?

MS FURNESS: No, not at this stage, your Honour.

THE CHAIR: That document will become exhibit 44-006.

EXHIBIT #44-006 INTERVIEW WITH FATHER FLOOD

MS FURNESS: Q. If you want a hard copy, we can provide you with one, Father, otherwise, it will be on the screen.
A. I will work with what is on the screen, thanks.

Q. On page 12, about midway down the page you refer to 1989?
A. Roughly, yes.

Q. Where were you in 1989 - do you remember? According to my records, you were parish priest of West Tamworth. Does that fit with your recollection? Father?
A. I am trying to think.

Q. My records show that you were parish priest at

1 West Tamworth from December 1988 to March 1993.
2 A. I think that is right.
3
4 Q. Let's assume for the moment that that is right,
5 Father.
6 A. Thank you.
7
8 Q. Over the next page, there is reference to the years
9 before 1987/1988. You will recall from earlier questions
10 that Farrell was arrested in 1987 and in February 1988 the
11 charges were dismissed?
12 A. Mmm-hmm.
13
14 Q. Then the question is:
15
16 *... it was during that time that Farrell*
17 *had his travails here in Tamworth.*
18
19 You agree to that and then you were asked:
20
21 *Did you know anything of that at the time?*
22
23 And then you say you would get occasional letters from
24 clergy to say that it's cropped up again. Do you see that?
25 A. I don't see; it's not on the screen I've got, sorry.
26
27 Q. It is page 13.
28 A. What line, please?
29
30 Q. It needs to go a bit higher on the screen.
31 A. My screen starts at line 27. Now it has changed.
32 What line are you referring to, please?
33
34 Q. I was referring, firstly, to line 2, that is, the
35 period of time that you refer to?
36 A. Okay, thank you. I've got it now.
37
38 Q. And then the statement from Mr Whitlam at 9 and the
39 question at 14, and this is about the travails of Farrell
40 in Tamworth, and then your response at line 16 was that you
41 got occasional letters from clergy to say, "It's cropped up
42 again".
43 A. Mmm-hmm.
44
45 Q. What letters did you receive?
46 A. I remember getting a letter from Father Richard
47 Gleeson referring to charges against Farrell and I presume

1 "It's cropped up again" is referring to fresh charges.

2

3 Q. This is the period of time, according to your
4 statement at the top of the page, between - it's likely
5 between when he was arrested and the charges were
6 dismissed. Do you see that?

7 A. I see that, yes.

8

9 Q. And your reference to "occasional letters from clergy"
10 is in response to what Farrell had been up to in Tamworth.
11 Do you see that? That's the statement at line 9.

12 A. I see that, yes.

13

14 Q. The reference that you have made to "occasional
15 letters from clergy to say 'it's cropped up again'" is
16 likely, isn't it, to be something other than a charge?

17 A. I don't recall. I was in New York at the time and
18 these were occasional letters.

19

20 Q. And you received occasional letters which told you in
21 New York that, in respect of Farrell, "It's cropped up
22 again".

23 A. Put as general as that, yes.

24

25 Q. And "it" has to have meant his sexual misconduct with
26 children, doesn't it?

27 A. My presumption would have been yes.

28

29 Q. Over the page, on page 14, there's reference, about
30 halfway down the page, firstly, to a letter that
31 Mr Whitlam's referring to in 2002 and then down, the next
32 answer of yours is:

33

34

35 *I think following that there was an*
36 *out-of-court financial settlement. That's*
37 *depending, again, on gossip. We're not*
38 *told anything.*

39

40 A. Correct.

41

42 Q. Stopping there, so your knowledge about the matters
43 that Mr Whitlam put to you were based on gossip, I take it?

44 A. At that stage, yes.

45

46 Q. And then further down the page, at line 41, you were
47 asked in the previous question:

1
2 *... I'm trying to put it in context in*
3 *terms of what you, a parish priest, would*
4 *have known at the time or been informed ...*
5
6 A. Sure.
7
8 Q. And then you say:
9
10 *Nothing official. ... you're depending*
11 *upon what you can gather from the network.*
12
13 A. Mmm-hmm.
14
15 Q. That's a network of priests who speak among
16 themselves - chitchat and the like?
17 A. It refers to chitchat and sites like the Broken Rites
18 site, which looks at instances of alleged sexual misconduct
19 of clergy with minors, among other things.
20
21 Q. And so the "it" that you refer to, as in "if it crops
22 up a number of times", that's reference to complaints of
23 sexual misconduct, isn't it?
24 A. Correct.
25
26 Q. If we can turn over to page 23, at about line 22, if
27 we can start there, you were asked a question about
28 Monsignor Ryan, whether he said anything to you
29 individually about the circumstances of Farrell's
30 departure, and you say, "Nothing." Then you refer to an
31 incident while you were a curate in Moree, a complaint by
32 some Aborigines alleging sexual abuse by a priest in
33 Walgett against Aboriginal lads?
34 A. Correct.
35
36 Q. Do you see that?
37 A. I can see that.
38
39 Q. Can we scroll down so that we can see that full
40 paragraph.
41 A. It starts at line 29?
42
43 Q. I beg your pardon?
44 A. It starts at line 29?
45
46 Q. Yes, that answer does?
47 A. Yes.

1
2 Q. You have read this recently, I take it?
3 A. Yes.
4
5 Q. You refer then to having told the Monsignor and that
6 he said there was nothing to be concerned about, and your
7 confidence in his professionalism fell even lower. Do you
8 see that?
9 A. I see that statement, yes.
10
11 Q. And that the guy had been before the courts within
12 a year?
13 A. Correct.
14
15 Q. Now, who was that?
16 A. David Joseph Perrett.
17
18 Q. David Joseph?
19 A. Perrett.
20
21 Q. What happened to him after he had been before the
22 courts and he got a suspended sentence?
23 A. By that stage he was defrocked. He is currently
24 living in Wollangarra growing onions, I think. That's
25 where he is and that's what he does.
26
27 Q. Do you have contact with him?
28 A. I met him once in the last two years, accidentally, in
29 Armidale; we just happened to run into each other.
30
31 Q. I take it you had forgiven him in the sense that
32 you've spoken earlier of forgiveness?
33 A. It's not my job to forgive him.
34
35 Q. But did you?
36 A. I think it's sad what was done, most regrettable, but
37 I can't undo it.
38
39 Q. Just coming over to page 32, at the top of the page,
40 you refer to a memory that there was an allegation against
41 Farrell that Farrell propositioned this fellow and he
42 wasn't particularly interested.
43 A. Correct.
44
45 Q. You say:
46
47 *Again, I wasn't interested in pursuing the*

1 *truth or falsity of that.*
2
3 A. Correct.
4
5 Q. Your last sentence is a reference to --
6 A. Which line, please?
7
8 Q. The last sentence of the first answer, "Again,
9 I wasn't interested in pursuing the truth or falsity of
10 that"?
11 A. Sure.
12
13 Q. Is that along similar lines of the evidence that you
14 gave earlier, that it was in your interest not to know
15 these things?
16 A. It's consistent with it, yes.
17
18 Q. Then further down the page, starting at line 16, you
19 refer to being a priest chaplain at North Shore?
20 A. Correct.
21
22 Q. And that John Farrell was a priest in the Diocese of
23 Parramatta?
24 A. Correct.
25
26 Q. And you refer there to the event that you referred to
27 in your police statement which I took you to earlier?
28 A. Correct.
29
30 Q. If we can just scroll down, you say there:
31
32 *Some time after that he returned to*
33 *Armidale ...*
34
35 And you say:
36
37 *... and again, it's gossip, but there's*
38 *allegation of sexual abuse against ...*
39
40 A person whose name is redacted?
41 A. Mmm-hmm.
42
43 Q. Again, your source of information was gossip among
44 priests; is that right?
45 A. Not only clergy.
46
47 Q. And parishioners in the community?

1 A. Community members in Armidale, yes.
2
3 Q. And it is the case, isn't it, that when there were
4 allegations of this type, it was something that would go
5 quickly throughout the community, the Catholic community,
6 including clergy and parishioners?
7 A. I presume so, yes.
8
9 Q. You then, at the top of the next page, also refer to
10 having heard it repeated by other people as well. Do you
11 see that we have redacted the people, but it was something
12 that was heard around the traps, I take it?
13 A. Correct.
14
15 Q. If we can just go over to page 35, it starts on the
16 bottom of page 34. You talk about other incidents bubbling
17 in the background, and that the current parish priest at
18 West Tamworth was convicted of trying to grope
19 a hitchhiker. Now, stopping there, this was in 2012, you
20 are referring to the current parish priest?
21 A. You mean parish priest there in 2012? Yes.
22
23 Q. He is still there, I take it?
24 A. No, he isn't. He is retired.
25
26 Q. As at 2012, was he still there?
27 A. From memory, yes.
28
29 Q. He retired of his own volition, did he?
30 A. As far as I'm aware, yes. He was 80 and retired a
31 little after his 80th birthday.
32
33 Q. Can I take you to a statement of Mr McGroder which was
34 made this morning. Were you here this morning to hear the
35 evidence?
36 A. I was not present.
37
38 Q. I beg your pardon?
39 A. I was not present.
40
41 Q. You were not present?
42 A. In this room, no, I wasn't.
43
44 Q. Did you hear the evidence, notwithstanding?
45 A. I didn't hear it.
46
47 Q. I beg your pardon?

1 A. I did not hear that lady give her evidence.
2
3 Q. Did you hear the other two people give their evidence?
4 A. No, I didn't hear anyone.
5
6 Q. Was that a deliberate decision you made, Father, not
7 to hear their evidence?
8 A. I was reading a transcript which I was told they were
9 going to read to the court. In that setting, deliberate,
10 yes.
11
12 Q. Was it a deliberate decision you made not to hear
13 their evidence? It was?
14 A. Yes.
15
16 Q. Why?
17 A. I was seeking to get focused for my time before the
18 court.
19
20 Q. You were seeking to get focused on your time, and
21 therefore, you didn't want to be distracted by their
22 accounts of their abuse or their son's abuse?
23 A. I was told they were likely to be reading this
24 transcript to the court as their evidence, so I could read
25 it myself, which I do quicker than a person speaking, so
26 that gives me more time. I'm suggesting it's not because
27 I didn't think what they were going to say was important
28 and needed to be attended to. Have I explained myself?
29
30 Q. Well, you have answered my question. I don't think
31 you have explained yourself, Father, but you have certainly
32 answered the question.
33 A. Could you repeat the question, then, please?
34
35 Q. No, you have answered the question.
36 A. Okay, thank you.
37
38 Q. Do you understand the term "bearing witness"?
39 A. Could you rephrase your question, please?
40
41 Q. No, I will repeat it, however: do you understand the
42 term "bearing witness"?
43 A. That the evidence I shall give to this
44 Royal Commission shall be the truth, the whole truth and
45 nothing but the truth.
46
47 Q. That's what you think I mean by "bearing witness", is

1 it, Father?
2 A. I didn't hear you, I'm sorry.
3
4 Q. That's what you think I mean by "bearing witness"?
5 A. I'm presuming that's what you mean in this context -
6 bearing witness, telling the truth as I know it.
7
8 Q. Have you heard of the concept of listening to those
9 who have suffered, in this case at the hands of the church,
10 and by listening to them, bearing witness to what they are
11 saying? Is that concept familiar to you, Father?
12 A. I'm familiar with the concept of listening from the
13 context of counselling in the broader sense.
14
15 Q. This is a statement of Mr McGroder --
16
17 THE CHAIR: Q. Father, I don't know whether you have
18 listened to any evidence in other case studies which we
19 have conducted - have you done that?
20 A. No, I haven't.
21
22 Q. One of the complaints that is often made to us about
23 people in the church is that they didn't listen and didn't
24 want to listen to those who came to report abuse, be they
25 adults or children. Do you understand that complaint?
26 A. I can understand the complaint, its nature and the
27 anger involved in it, yes.
28
29 Q. Do you accept that what is required from people in a
30 position such as yours, when someone who has been offended
31 against comes to the church, there is an obligation for the
32 church to listen?
33 A. Yes.
34
35 Q. Do you understand that there is a significance for
36 people to be able to actually physically tell their story
37 to a member of the church?
38 A. Yes.
39
40 MS FURNESS: Q. We can take that statement down and
41 perhaps if we can have the statement of Ms Graham on the
42 screen.
43 A. Mmm-hmm.
44
45 Q. If we can turn to paragraph 29 - do you remember the
46 McGroder family?
47 A. I remember Pat McGroder. I do not have any recall of

1 his wife or any of his children.
2
3 Q. But you knew Pat McGroder was married with children,
4 didn't you?
5 A. I was aware of that, yes.
6
7 Q. Just coming down to paragraph 29 - I take it, even
8 though you haven't heard Ms Graham give evidence, you have
9 read this statement?
10 A. I have read it, yes.
11
12 Q. Recently?
13 A. This morning.
14
15 Q. That was the first time you'd read it?
16 A. I think, yes.
17
18 Q. Coming to paragraph 29, there is reference there from
19 the woman who was then Patrick McGroder's wife --
20 A. Yes.
21
22 Q. -- that you went to see Patrick and his wife at their
23 home?
24 A. I've no recollection of any such visit.
25
26 Q. Did Bishop Kennedy ask you to investigate what Farrell
27 had done?
28 A. Bishop Kennedy never raised the matter of the
29 allegations against John Farrell with me.
30
31 Q. Do you recall Mr and Mrs McGroder, as they then were,
32 asking you to speak to Father Farrell and ask him what he
33 had done to Michael?
34 A. I've no recollection of any such request or any such
35 conversation with the McGroders at any time.
36
37 Q. Did you speak to Father Farrell and ask him what he
38 had done to Michael?
39 A. I did not.
40
41 Q. Then you will see there is reference to Patrick having
42 told Karolyn that you had told him that you had spoken to
43 Father Farrell?
44 A. I have no recollection of any such conversation with
45 Patrick McGroder.
46
47 Q. Did you speak to Father Farrell?

1 A. I did not speak to Farrell.
2
3 Q. At any time, did Farrell say to you, "I don't know
4 what the McGroders are on about. I only made a pass at
5 Michael"?

6 A. I have no recollection of any such comment.
7
8 Q. I accept you have no recollection, Father, but you
9 don't say, do you, that it couldn't have happened as set
10 out in this statement?

11 A. It's possible but I have no recollection of any such
12 comment.
13
14 Q. It's possible that those conversations as set out in
15 the statement with you occurred, isn't it?

16 A. It's possible and I have no recollection of any such
17 conversations.
18
19 Q. It's likely, isn't it, that it happened the way
20 Mrs Graham said it did?

21 A. I make no comment on the evidence that she submitted
22 to the Royal Commission. I have no recollection of the
23 comments she attributes to me as ever being made.
24
25 Q. There is nothing you want to say to the
26 Royal Commission that in your mind suggests that she hasn't
27 been truthful in what she has said?

28 A. I have no desire to make any such implication against
29 the good lady. I don't recall ever meeting her and
30 I presume she's a person that is honest and truthful and
31 made her submission to the Commission under oath.
32

33 MS FURNESS: I have nothing further, your Honour.
34

35 THE CHAIR: Does anyone else have any questions?
36

37 MR ELLIS: I have some.
38

39 THE CHAIR: Does anyone else have any questions?
40

41 MR GRAY: Yes.
42

43 THE CHAIR: Mr Ellis should probably go first.
44

45 **<EXAMINATION BY ELLIS:**
46

47 MR ELLIS: Q. My name is Ellis. I represent the

1 interests of Michael McGroder and Karolyn Graham.
2 A. Mmm-hmm.
3
4 Q. I just want to ask you a couple of questions.
5 A. Sure.
6
7 Q. You gave evidence to my learned friend that you had an
8 incident when you were working in the schools office with
9 a male teacher?
10 A. I made mention, yes.
11
12 Q. Were those allegations investigated by anybody?
13 A. I don't know.
14
15 Q. Was it your responsibility to determine what action
16 should be taken in relation to that teacher?
17 A. My job was to take action against allegations made
18 about professional conduct of a teacher that rendered him
19 unsuitable.
20
21 Q. Can I take it that it was your responsibility to deal
22 with the teacher from a disciplinary point of view?
23 A. Correct.
24
25 Q. But you can't recall whether, before taking any
26 disciplinary action, you undertook or commissioned any
27 investigation of the allegations against that teacher?
28 A. I did none of that. I sought legal advice from a top
29 barrister in industrial law in Sydney and followed it
30 through to the letter.
31
32 Q. Can I take it from the evidence that you gave earlier
33 that it was no part of that advice that those allegations
34 should be reported to the police?
35 A. That was not part of the advice.
36
37 Q. And as a consequence, you didn't report those
38 allegations to the police?
39 A. I did not report the allegations to the police.
40
41 Q. Can I move on now to a different time, when you spoke
42 to a boy who had alleged that he had been sexually
43 assaulted by Father Farrell?
44 A. This is [CPF]?
45
46 Q. Yes. You spoke to [CPF] in the presence of his
47 parents?

1 A. In the presence of his mother.
2
3 Q. His mother, [CPE]; is that correct?
4 A. [CPG].
5
6 Q. Yes, [CPG]; that's correct?
7 A. Yes, in her presence, yes.
8
9 Q. In that conversation, [CPF] gave evidence or made
10 a statement to you, that you accepted, that he had been
11 sexually assaulted by John Farrell?
12 A. I asked him had he been touched by John. He said yes.
13 I presumed, given the reason for the initial conversation,
14 that it had been sexual, rather than just patting on the
15 back or something like that.
16
17 Q. And you accepted the truth of what he said. In
18 fairness, I think that was your evidence earlier to --
19 A. I presumed what he was reporting had happened.
20
21 Q. And you gave evidence earlier that you had
22 a conversation directed primarily to his mother, [CPG] --
23 A. Mmm-hmm.
24
25 Q. -- that they, if I can put it that way, would be
26 perfectly within their rights to go to the police with
27 those matters?
28 A. Yes.
29
30 Q. And that --
31 A. As long as the perpetrator lived - that was my
32 understanding of the law.
33
34 Q. And that was on the basis that you understood that the
35 conduct complained of could be criminal conduct?
36 A. Correct.
37
38 Q. Did you consider at that time that you may also have
39 had an obligation to bring those matters to the attention
40 of the police?
41 A. I was not aware of that obligation at that time.
42
43 Q. Can I just move on to a different topic. Do you
44 remember giving evidence at the start of your attendance
45 today that you considered that - and I think the word you
46 used was "unhelpful" - the conduct of John Farrell towards
47 the altar boys concerned would have been unhelpful to them?

1 A. I don't recall that precise comment. Could you
2 elaborate a bit, please?

3
4 Q. I might be able to approach it in a different way,
5 Father?

6 A. Sure.

7
8 Q. Do you remember giving evidence that you don't know
9 whether that conduct would have been damaging to the boys?

10 A. Damaging to whom, please?

11
12 Q. The boys who were offended against?

13 A. I understand that one of the victims took his own
14 life. Was the outcome of that sexual abuse? I don't know,
15 but he did die, and the Whitlam Report presumes the
16 parents' view, that it was the outcome, at least in part,
17 of that sexual abuse. I don't query that. I'm not in a
18 position to.

19
20
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30

31 Q. You will understand, Father Flood, that I'm not asking
32 you to compare the impact on different victims. You didn't
33 understand that to be my question, did you?

34 A. Could you ask again so I can answer it, please?

35
36 THE CHAIR: Q. Are you saying, Father, that when boys
37 have been abused you don't make the assumption that all of
38 them will be damaged in some way?

39 A. My presumption is it needs to be shown, how the damage
40 occurred. It's possible, yes, but it's not automatic.
41 That's all I'm saying.

42
43 Q. You are an intelligent and well-read man, as
44 I understand.

45 A. I thank you for the compliment, but what's your point?

46
47 Q. The point is have you not read about what does happen

1 to everyone who is abused?
2 A. I've read some of the material but I haven't read --
3
4 Q. Then you would know that everyone is damaged in some
5 way, wouldn't you?
6 A. I don't know that. I don't --
7
8 Q. Perhaps you should read a little more.
9 A. I accept your advice and thank you.
10
11 MR ELLIS: Q. Father Flood, I'm not sure that I even
12 really need to ask you this question, but I think, for the
13 record, I will.
14 A. Sure.
15
16 Q. Is it your evidence that you don't accept that the
17 sexual abuse of children is necessarily damaging?
18 A. What is your comment, please? I'm not a trained
19 psychologist. I'm not a trained lawyer.
20
21 Q. But, Father Flood, you will understand I'm not asking
22 about your qualifications or training?
23 A. I'm saying why I can't answer a question that is
24 totally outside of my experience and my competence.
25
26 Q. I'm simply asking you a question about your own
27 opinion and your own understanding, with whatever
28 experience or qualifications you have. Is it your evidence
29 that you do not accept that the sexual abuse of children is
30 necessarily damaging?
31 A. I repeat my earlier comment: the experience of the
32 lads I knew around that time, there were exceptions.
33 Therefore, I withhold judgment waiting upon the advice of
34 those learned in the particular areas - psychology, law -
35 and I accept that.
36
37 Q. Father Flood, I may ask you a question about the basis
38 of --
39
40 THE CHAIR: I think, Mr Ellis, we have probably exhausted
41 this subject.
42
43 THE WITNESS: I'm sorry, your Honour, I didn't hear you.
44
45 THE CHAIR: I said to Mr Ellis I think we have exhausted
46 the subject.
47

1 THE WITNESS: Okay, thank you.
2
3 MR ELLIS: Yes, I think we will move on, too.
4
5 Q. I have just one further issue to take you to.
6 A. Sure.
7
8 Q. You were aware that after disclosures had been made to
9 you by Father Farrell, he was moved to another parish
10 placement?
11 A. Can you be more exact in your question, please?
12
13 Q. After [CPF] had made allegations to you about having
14 been abused by Father Farrell --
15 A. Mmm-hmm.
16
17 Q. -- that you accepted --
18 A. Yes.
19
20 Q. -- Father Farrell was then moved to another parish
21 placement as an assistant priest. If I can jog your
22 memory, that was to Tamworth with Father Hanna?
23 A. I can't recall when that interview occurred in his
24 placements. I don't think he was in Moree at that stage,
25 so I presume he had been in East Tamworth.
26
27 Q. So I understand that you are not clear on the timing
28 of that, so perhaps --
29 A. I'm not clear on the timing; that's correct.
30
31 Q. I will phrase the question in a different way.
32 A. Sure.
33
34 Q. After those allegations were made to you by [CPF],
35 Father Farrell was working as an assistant priest?
36 A. Correct.
37
38 Q. In Tamworth?
39 A. Correct.
40
41 Q. And you were aware that, subsequent to that, he was
42 working as a priest in other parishes, both within Armidale
43 Diocese and in Parramatta Diocese?
44 A. From memory, I don't think he had a further
45 appointment in the Diocese of Armidale. He certainly was
46 working in the Parramatta Diocese, yes.
47

1 Q. Did you, with the knowledge that you had - and
2 I understand the evidence you have given before about
3 protecting yourself from further knowledge, but with the
4 knowledge that you had - did you consider that you had any
5 responsibility to the children in those parishes to ensure
6 that some proper action was taken in relation to
7 Father Farrell?

8 A. I make two observations: at an ordinary human level,
9 those are the obligations, yes, but it was not my job
10 within the diocesan structures of Armidale, so I left it to
11 those whose task it was to deal with those issues. I was
12 unimportant, a nobody.

13
14 Q. Does that constitute both of the two comments?

15 A. Sorry?

16
17 Q. Does that constitute both of the two comments or do
18 you have a further one?

19 A. Yes, both comments - two separate issues.

20
21 MR ELLIS: No further questions, your Honour.

22
23 **<EXAMINATION BY MR GRAY:**

24
25 MR GRAY: Q. Father Flood, as you know, my name is Gray
26 and I appear for the Truth, Justice and Healing Council and
27 for the two dioceses, both Armidale and Parramatta. I have
28 a couple of questions about the statement that you gave to
29 the police last year. You were asked questions about that.
30 Was that statement compiled by way of the police asking you
31 questions and you answering whatever they asked in whatever
32 order they chose?

33 A. Yes.

34
35 Q. And so is this right, that the composition of the
36 statement in its typed form, the structure of it, was
37 determined by whichever policeman was typing it?

38 A. I think that's correct, yes.

39
40 MR GRAY: I wonder if that statement could go up on the
41 screen, please. It is tender bundle 328.

42
43 Q. I want to ask you just a few questions, first of all
44 about paragraph 8, if we could scroll to that.

45 A. Mmm-hmm.

46
47 Q. Do you see there what is stated is:

1
2 *I am not exactly sure when, possibly in the*
3 *early 1970s, I was appointed to the role of*
4 *Assistant in the Parish of Moree.*

5
6 Do you see that?

7 A. I see that.

8
9 Q. In fact, you were appointed to Moree in November 1981,
10 I think; is that right?

11 A. That's correct.

12
13 Q. Did you leave the Parish of Moree in about November
14 1982?

15 A. I'm not sure whether it was '82 or '83. I wasn't
16 there long.

17
18 Q. We know that Farrell was removed from the Parish of
19 Moree in about April 1984?

20 A. Mmm-hmm.

21
22 Q. So is it right that you were no longer at the Parish
23 of Moree when that happened?

24 A. I think I was still at Moree Parish.

25
26 Q. Well, if you left there in November 1982 or early
27 1983, then, clearly, you were gone; is that right?

28 A. My memory around the dates, '82/'83, is clearly
29 incorrect.

30
31 Q. As I have seen your priestly record of appointments,
32 you left Moree in February 1982 and went to Bingara as
33 administrator; do you know if that's right?

34 A. That's correct.

35
36 Q. Could we look at paragraph 26, please, of the
37 statement. Do you see what appears there is:

38
39 *I don't know how long it was after John --*

40
41 *that is Farrell --*

42
43 *left, but I left Moree and went to Bingara*
44 *as an administrator.*

45
46 Do you see that?

47 A. I see that.

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Q. What I'm suggesting to you is that you actually left Moree and went to Bingara well before Farrell was removed from Moree; is that your understanding?

A. I don't recall the date.

Q. And in the same paragraph, paragraph 26, do you see in the third line --

A. Can I have the next page, please? Okay, I've got it, thank you.

Q. In the third line, which I think is the top line on the page, you say:

I think that John had left Moree at this point.

"this point" was a point when Father Gleeson was there as assistant priest?

A. Correct.

Q. And you say:

I am good friends with Father Gleeson and he contacted [me] some time later.

Do you have a recollection of how much later - that is, how much later after Farrell had left Moree - it was that Father Gleeson contacted you to say what you refer to there?

A. I have no such memory, I'm sorry.

Q. Are you able to assist the Commission as to whether it was weeks or months or some other period?

A. I cannot be specific, I'm sorry, other than some time later.

Q. In the same sentence, do you see, going on, it says that Father Gleeson told you that he was aware that a number of children had been sexually assaulted by John Farrell - do you see that?

A. I see that.

Q. Is it your recollection that Father Gleeson used the words "sexually assaulted", or that he used some other words from which you drew that inference?

A. I don't remember the conversation. I wonder whether

1 it was generally as "interfered with", which I took as
2 sexual abuse.
3
4 Q. Do you think he may have said that Farrell had
5 interfered with children?
6 A. I don't recall.
7
8 Q. The words "sexually assaulted" there - are they words
9 that you said to the police or that the police wrote down
10 as reflecting whatever you had said to them?
11 A. The police typed it there. I don't recall that
12 particular part of the conversation.
13
14 THE CHAIR: Q. But you accepted that to be a true
15 statement, didn't you, in accepting the statement?
16 A. I signed it as a true record, yes, on each page.
17
18 MR GRAY: Q. Accepting that, but looking at it now, what
19 is your recollection as to whether Father Gleeson used the
20 words "sexually assaulted" or "sexual assault"?
21 A. I have no clear memory, sorry.
22
23 Q. I think probably the last matter I want to ask you
24 about in the statement is at paragraph 29.
25 A. Mmm-hmm.
26
27 Q. Do you have paragraph 29?
28 A. Yes, I have that.
29
30 Q. Father Gleeson told you that Pat McGroder had declined
31 the offer for you to speak to his son, et cetera?
32 A. Mmm-hmm.
33
34 Q. You say in the police statement:
35
36 *I did not speak to Pat at the time ...*
37
38 Do you see that?
39 A. I see that.
40
41 Q. And I think you have already given evidence today that
42 your recollection is that you did not speak to Pat McGroder
43 or to his wife, Karolyn Graham, or to Michael McGroder; is
44 that right?
45 A. That's correct.
46
47 Q. But then you go on in that same sentence, "He", that's

1 Pat McGroder, "did call me years later when I was in West
2 Tamworth"; is that right?
3 A. That's correct.
4
5 Q. And that's still correct?
6 A. That's correct.
7
8 Q. And that's when he, Pat McGroder, referred to a court
9 case, as you describe in the balance of that paragraph?
10 A. Correct.
11
12 Q. In that conversation, Pat McGroder told you that his
13 son had been abused by Farrell but did not give you
14 any details of what the abuse had been; is that right?
15 A. Correct.
16
17 Q. There was one aspect of Mrs Karolyn Graham's statement
18 that I wanted to ask you about.
19 A. Mmm-hmm.
20
21 Q. You were asked about a couple of aspects of it, but
22 there was one that I think wasn't mentioned. It's part of
23 her statement where Mrs Graham says that a few weeks after
24 Farrell had left the parish --
25 A. What's the number, please?
26
27 Q. It's paragraph 32 in her statement.
28 A. Mmm-hmm. Can we scroll it up, please?
29
30 Q. I will let you read it to yourself, privately, now.
31 A. What paragraph again, please?
32
33 Q. Paragraph 32?
34 A. Paragraph 32? Yes.
35
36 Q. I will then ask you if you have a recollection of such
37 an occasion as she there describes.
38 A. I was not present at any such conversation and
39 I wasn't in Moree at that time.
40
41 Q. Finally, did Pat McGroder or any of the McGroder
42 family ever say to you anything as to the detail of what
43 they understood Farrell to have done to Michael?
44 A. There was a phone call from Pat McGroder around [REDACTED]
45 [REDACTED]
46 [REDACTED]
47 [REDACTED]

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██████████.

Q. Yes. And my question was whether any of the McGroder family ever told you anything as to what Farrell was said to have done to their son, Michael?

A. Nothing was said, other than that they weren't going to be part of that complaint, which I presumed was sexual abuse of their son.

MR GRAY: I have no further questions, your Honour.

THE CHAIR: Yes, Ms Furness?

MS FURNESS: Nothing further, your Honour.

THE CHAIR: Thank you, Father, that concludes your evidence. You are excused.

<THE WITNESS WITHDREW

MS FURNESS: I call Richard Gordon Gleeson.

<RICHARD GORDON GLEESON, sworn: [3.40pm]

<EXAMINATION BY MS FURNESS:

MS FURNESS: Q. Would you tell the Royal Commission your full name?

A. My full name is Richard Gordon Gleeson.

Q. What do you do now?

A. I'm the administrator at the Cathedral in Armidale.

Q. At the?

A. The Cathedral in Armidale; Cathedral Parish.

Q. You prepared a statement for the police on 9 September last year?

A. Mmm-hmm.

Q. That's right?

A. I did.

MS FURNESS: It is at tab 327, your Honour.

Q. We can either give you a copy or you can look at the screen, whatever you prefer?

1 A. This is okay.
2
3 Q. You set out in this statement your history as a priest
4 in the church?
5 A. Mmm-hmm.
6
7 Q. If we can just scroll down, you went to the seminary
8 in Kensington in the mid-1970s; is that right?
9 A. That's correct.
10
11 Q. And your first role as a priest was assistant priest
12 in Gunnedah, January 1979?
13 A. That's right.
14
15 Q. Then you were transferred to Tamworth as an assistant
16 priest in May 1980?
17 A. That's right.
18
19 Q. So you were at Tamworth for two years?
20 A. Yes, two and a half, I think.
21
22 Q. Who was with you at Tamworth? Who was the parish
23 priest?
24 A. The parish priest was Dr John Carey, Father Carey. He
25 wasn't the parish priest; he was the administrator, because
26 Tamworth was a mensal parish. Technically, it was a parish
27 owned by the Bishop - Armidale and Tamworth, historically.
28 Father Gerry Hanna was the first, in real time, to become
29 a parish priest, and then I followed him. So Dr Carey was
30 administrator, and Father John Willis was the assistant and
31 hospital chaplain at the time, and I went there as the
32 junior.
33
34 Q. So there were the three of you there?
35 A. Yes.
36
37 Q. You were there until the end of 1982?
38 A. That's right.
39
40 Q. When you left?
41 A. That's right.
42
43 Q. Then in early 1983, if we can just scroll down to
44 paragraph 5, Monsignor Ryan gave you the role of assistant
45 priest at St Francis Xavier's Parish in Moree?
46 A. Not quite. The Bishop appointed me to Moree as his
47 assistant.

1
2 Q. How different is that from what you have put in
3 paragraph 5? Perhaps if we can have the beginning of
4 paragraph 5 and the end of page 1 on the screen, first.
5 A. Yes, I was assigned by the Bishop, not by Frank Ryan.
6
7 Q. Thank you. What was Monsignor Ryan's role at that
8 time?
9 A. He was parish priest of Moree and he was also the
10 Vicar General of the diocese.
11
12 Q. Just coming over to the next page, you were assistant
13 priest at Moree until 1989?
14 A. That's right.
15
16 Q. That's a long time to be an assistant priest, Father?
17 A. Well, yes, I have that complaint.
18
19 Q. Father Farrell was at Moree from about 1981, I think,
20 wasn't he?
21 A. He was there when I arrived.
22
23 Q. Had you known him before?
24 A. Oh, yes, in various ways. When I was at seminary we
25 had a bit to do with the Manly students, St Patrick's,
26 Manly - played football, believe it or not, at our age; and
27 then he was around. And whenever I was in Armidale, he was
28 around there, too, visiting his family or what-have-you.
29 It was sort of casual, but in the clerical circles he was
30 mixing in. I was, for a short time, at Armidale as
31 a deacon in 1977.
32
33 Q. Before you began as assistant priest at Moree, where
34 he was, did you have any particular opinion of him?
35 A. We weren't simpatico, I would say. He's not my sort
36 of bloke. I just found him unusual and - I just found him
37 unusual.
38
39 Q. Nothing had come to your attention in relation to
40 children and the way he dealt with children?
41 A. Well, the way he dealt with children? I just thought,
42 you know, he certainly - that was his area of work in the
43 parish, which I'd noticed. I thought he was indiscreet on
44 a lot of occasions, yes.
45
46 Q. What do you mean by that?
47 A. It is my statement there. One particular occasion we

1 will probably get to later, but he - I just thought it -
2 well, it would worry you when the priest seems to be
3 surrounded by kids all the time, you know.
4

5 Q. So that was when you were working there with him.
6 What about before you came to the parish?

7 A. No, no. I just knew him as being what we would have
8 called - in my time, we would have called him as very
9 clerical; he was very into the trappings of the church,
10 really.
11

12 Q. Coming back to your statement, you say in paragraph 7
13 that when you arrived, Monsignor Ryan was the parish
14 priest, and, as you said, Father Farrell was the assistant
15 priest?

16 A. Mmm.
17

18 Q. And you spoke of knowing him, and then throughout the
19 next couple of pages of your statement you deal with the
20 living arrangements and the working arrangements between
21 you.

22 A. Mmm.
23

24 Q. Did you have any choice as to what sort of work you
25 did when you got to Moree?

26 A. Oh, not really. If you violently objected to doing
27 something, I guess, you know, it wouldn't have - but
28 generally I would have taken what was coming my way.
29 I wasn't all that well. But my strength would have been in
30 the area of what we called catechetics in those days, which
31 is special religious education in State schools; and also
32 I followed on from a priest who had been chaplain to
33 St Pius X Aboriginal Mission, so that was given to be my
34 area, which was particularly really good, and I spent a lot
35 of time working with alcoholics in recovery, both in the
36 Aboriginal community and also in the wider community, so
37 suffered from the same thing. We did a lot of wonderful
38 work in that area.
39

40 Q. Just coming over to paragraph 19 of your statement --

41 A. Did you say 19?
42

43 Q. I did. It will come up on your screen shortly,
44 Father. You refer there to kids from the school coming to
45 the presbytery to visit him?

46 A. Mmm.
47

1 Q. I understand that you were a relatively junior priest
2 at the time, but was that something that was common or less
3 common in your experience then?
4 A. Well, it is totally different from today. The
5 presbytery back then was really open, all the time. People
6 were coming and going all the time. I mean, Mons Ryan
7 would probably start breakfast at 10 o'clock in the morning
8 and there would be a group of people that would be there
9 just talking. It was very open. It wasn't unusual after,
10 say, an altar server practice, for the kids to come over
11 and get a drink and something to eat or something, an ice
12 cream, or whatever, and that wouldn't have been unusual.
13 I think I'm thinking of a particular occasion there,
14 though.
15
16 Q. Well, you refer in the next paragraph to John sitting
17 in his room --
18 A. Oh, that's --
19
20 Q. -- at his desk --
21 A. That's later.
22
23 Q. Later than what?
24 A. Well, I can remember, you know, the kids coming over
25 from - after school, altar server practice, into the
26 presbytery, and this is a particular occasion when [CPH]
27 actually spoke to me. You will have to recall that I'm
28 being asked questions here by the police; that's the nature
29 of this statement. And that I was also asked about [CPD],
30 and that's what I remember - one day I was walking out.
31 They are not the same day or the same occasions.
32
33 Q. Well, tell us what --
34 A. Both of those are singular incidents.
35
36 Q. So one of the incidents is set out in paragraph 20?
37 A. Yes.
38
39 Q. And what is the other --
40 A. Sorry, in paragraph 19.
41
42 Q. So paragraph 19, in relation to the pamphlets?
43 A. Yes, that's right.
44
45 Q. That's one incident?
46 A. Yes.
47

1 Q. And is the other incident in paragraph 20?
2 A. Yes, another occasion.
3
4 Q. Is there any other occasion that is memorable to you?
5 A. In what regard, sorry?
6
7 Q. In regard to what you have said in paragraph 20?
8 A. About being strange? No, they are the two ones that
9 really stand out.
10
11 Q. In paragraph 20 you refer to John sitting in his room
12 with [CPD] on his lap, and you say you didn't approach him
13 because he had the door open and you didn't think there
14 would be anything untoward if the door was open. Does it
15 follow that you turned your mind to whether or not what was
16 happening was proper or not?
17 A. Well, it was not proper.
18
19 Q. What wasn't proper about it?
20 A. Well, priests don't sit at their thing with
21 a 10-year-old on their lap. You know, it's improper and
22 it's - it's wrong. The degree of naivety that I - that was
23 me at that time, of course, is very different from today.
24 But even back then I just thought it's off, you know? The
25 fact that the door's open and - I've got to be careful -
26 [CPD] was just looking at me as I walked past and glanced
27 like that (indicating), as I kept going, then I'm thinking
28 to myself, "Off" - you know? But --
29
30 Q. "Off" because of the potential for misconduct with
31 a child?
32 A. Well, today I would say absolutely. Back then, I'm
33 not too sure I thought people conducted misconduct with
34 children, you know?
35
36 Q. Was it a boundary issue in your mind back then?
37 A. Well, even the word "boundaries" - but it was, yes,
38 definitely.
39
40 Q. You didn't say anything to Farrell?
41 A. No, not on that occasion.
42
43 Q. You didn't say anything to Monsignor Ryan?
44 A. No. We often talked about the oddities of John.
45 I may have mentioned it, but it's not significant in my
46 recall.
47

1 Q. And then you speak in the next paragraph of Farrell
2 taking children away with him.
3 A. Mmm.
4
5 Q. It wasn't unusual, because other people also took
6 children away with them?
7 A. Yes, they did. I'm not sure that makes it advisable,
8 you know, even though - the fact that he took - I would
9 have been very disturbed to have been one child going with
10 him, you know, but to take kids away for a trip - I mean,
11 that was part of life in the bush in those days. My
12 happiest memories are going away with my uncle with a group
13 of kids, you know?
14
15 Q. The problem with taking one boy is what?
16 A. It is not only unwise; it's not done.
17
18 Q. Unwise --
19 A. This is before Professional Standards, but even then,
20 we would not have done that, I'm sure.
21
22 Q. Why was it unwise?
23 A. Well, I suppose - well, the obvious thing is things
24 might have happened.
25
26 Q. Is that what you thought at the time?
27 A. Not clearly; it wasn't in our mind.
28
29 Q. No, but there must have been something --
30 A. It is in our mind all the time, now.
31
32 Q. There must have been some basis for thinking it was
33 unwise, Father?
34 A. Yes, you just didn't single kids out. I don't think
35 we singled anyone out, really. Priests mixed with the
36 people of their own age, hopefully, you know?
37
38 Q. You refer in paragraph 22 to what I call animal
39 cruelty. You don't need to go into the details of it,
40 Father, but those occasions you obviously thought were odd?
41 A. Oh, eccentric.
42
43 Q. Incendiary?
44 A. Eccentric.
45
46 Q. Eccentric.
47 A. Yes.

1
2 Q. Not more than eccentric? He killed animals.
3 A. He killed an animal.
4
5 Q. Well, what about the --
6 A. I come from a town where they would have been, every
7 morning, driving down the street with - you know, slaying
8 swine on their way to Germany. I mean, you live in the
9 country, that sort of thing. If he'd done more than one
10 and it had been cruelty, as such --
11
12 Q. Well, he shot a dog.
13 A. Yes.
14
15 Q. He set fire to vines --
16 A. That was reported.
17
18 Q. -- where there were frogs in it?
19 A. Yes. Country people were slightly less sensitive in
20 many ways, in those days.
21
22 Q. In paragraph 23 you talk about some time in 1984, when
23 Monsignor Ryan called you into the parlour room at the
24 presbytery?
25 A. That's right.
26
27 Q. You say that the parlour room was where you met people
28 from outside?
29 A. Yes.
30
31 Q. So it was unusual for him to want to talk to you in
32 that area?
33 A. Yes, yes, it was.
34
35 Q. Was there anywhere else you could have spoken?
36 A. Possibly in his office, but there was no room there,
37 it was such a mess. The other place would be either in the
38 lounge room, where we sat to watch television, or the
39 dining room.
40
41 Q. You couldn't shut the door in the lounge room, but you
42 could in the presbytery?
43 A. Yes, we could have shut it in the lounge room. The
44 parlour is also opposite his office, so that might have had
45 some bearing.
46
47 Q. Thank you. Now, tell us what happened?

1 A. Well, he just asked us to go in. My recall
2 again is --

3
4 Q. Sorry, when you say "us"?

5 A. That's what I'm saying. My recall is it was myself
6 and Sister Carmel - I'm pretty sure that was her name. She
7 was an aspirant for the Sisters of Mercy and was working as
8 a pastoral associate. I may have that mixed up with the
9 first occasion we were in the parlour with Frank Ryan when
10 she came to the parish. On that occasion, there was me and
11 Farrell and this pastoral associate and Frank Ryan, who was
12 formally sort of telling us that she was joining staff and
13 was going to be part of the parish, and what-have-you.
14 This was all very innovative back in whenever. We had
15 never heard of them before, so this was new. Certainly, I
16 remember John Farrell's reaction to it was far from
17 welcoming.

18
19 On this occasion, we were taken in to the parlour room
20 and Frank had told us that John - that, yes, John was in
21 trouble, and he said - and I don't recall the exact words,
22 but the words would have been around, "He's been mucking
23 around with kids".

24
25 Q. So when you made the statement in 2015, I take it that
26 that was your recollection at the time of what was said?

27 A. Yes, still is.

28
29 Q. What did you think "mucking around with some boys"
30 meant?

31 A. Oh, well, I would imagine feeling each other, maybe;
32 touching each other. Yes.

33
34 Q. Was that something that you had heard of before around
35 the traps?

36 A. No, not really. It was the sort of thing we
37 experienced in Scouts as initiation rites, and in Cadets
38 and so on; it was all just part of growing up in the 1950s
39 and 1960s, so I presumed it was that sort of thing.

40
41 Q. So you didn't think it was between boys; you thought
42 it was Farrell and boys?

43 A. Yes.

44
45 Q. And that was the sort of thing that was part of
46 initiation?

47 A. No, when you were asking me what I thought he had

1 done, I was thinking in terms of that, you know, that in my
2 experience, growing up, kids might, you know, pull each
3 other's trousers down and muck around with each other;
4 boot-polishing was something that was done back in those
5 days.

6

7 Q. But you understood this wasn't kids?

8 A. Absolutely. Absolutely

9

10 Q. This was Farrell doing that conduct you have described
11 as "initiation", with kids?

12 A. Yes. It's not of the same order, but if you are
13 asking about what was in my mind as to activity, it would
14 have been that.

15

16 Q. So you say that Monsignor Ryan didn't go into
17 specifics?

18 A. We never went into specifics with anything, really,
19 no, absolutely not.

20

21 Q. But you had the understanding you have described as to
22 what he said?

23 A. I am making it up in my mind, yes.

24

25 Q. At the time?

26 A. Mmm.

27

28 THE CHAIR: Q. Did you understand that what he was
29 talking about was criminal acts?

30 A. No, it wouldn't have crossed my mind, your Honour.

31

32 Q. What did you think, then?

33 A. Like touching and that sort of thing --

34

35 Q. No, no, how did you think you would characterise that
36 behaviour?

37 A. Well, it was highly sinful, utterly immoral and
38 totally inappropriate for a priest and had to be dealt
39 with. That's what I would have reacted to.

40

41 Q. It didn't cross your mind it was criminal?

42 A. Not as criminal, no. If you had told me it was rape,
43 absolutely, but I wouldn't have beforehand.

44

45 Q. What about if you were told that someone, adult, had
46 touched a girl on the vagina, would you see that as
47 criminal?

1 A. Probably wouldn't have thought in terms of criminal;
2 I would have thought immoral, bad - really bad, you know?
3 Probably would have thought it was worse than a crime.
4
5 Q. Worse than a crime?
6 A. But it's not in my head. I'm not legally - you know?
7
8 Q. I'm not really asking you as a lawyer; I'm just asking
9 you as an ordinary member of the public?
10 A. I would know it was wrong and had to stop.
11
12 Q. An adult touching a girl on the vagina you wouldn't
13 have seen as a crime?
14 A. It wouldn't have been in my head, but if you had said
15 to me like you are saying to me now, I would say it is
16 a crime.
17
18 Q. Is it any different if an adult touches a boy on the
19 penis?
20 A. Worse.
21
22 Q. Worse?
23 A. Yes.
24
25 Q. Why do you say that?
26 A. Well, he's violating a child, their innocence, their
27 trust. Much worse.
28
29 Q. Isn't that true of the girl, too?
30 A. Absolutely.
31
32 MS FURNESS: Q. Still on paragraph 24, you say it didn't
33 surprise you. Tell us why it didn't surprise you?
34 A. Well, I suppose I just put two and two together and:
35 one, his behaviour is odd; secondly, he is eccentric;
36 thirdly, you never knew where he was or what he was doing,
37 anyway; and the fact that he was surrounded by kids and
38 then the other, you know, just comes to mind, that - it
39 didn't surprise me.
40
41 Q. And you had seen recently, I gather, [CPD] in his
42 room, as you described before?
43 A. No, it was after that I'm pretty sure. No, hang on.
44 We had the - this is the questions they are asking me. We
45 had this when [CPH] spoke to me about pamphlets and things,
46 and that group was in there on that day; they were in the
47 lounge room for a while and then they moved somewhere else.

1 I was going somewhere, in the opposite direction, and [CPH]
2 pulled me up and asked me that question. Then, following
3 that, on another occasion - I don't know the sequence, the
4 timing or the dates or anything - when I saw [CPD], with --

5

6 Q. Just let me stop you there for a moment, if I can,
7 Father, you refer in paragraph 20 to having seen [CPD] in
8 the room with Farrell, and then over at 24, when you say
9 you weren't surprised, you said, "Because he was the type
10 of person," and that you had seen [CPD]?

11 A. Oh, right.

12

13 Q. So it seems to suggest that the meeting with
14 Monsignor Ryan followed?

15 A. It would seem to be.

16

17 MS FURNESS: Thank you, your Honour. I note the time.

18

19 THE CHAIR: Very well. We will adjourn until 10 o'clock
20 in the morning.

21

22 **AT 4PM THE COMMISSION WAS ADJOURNED TO WEDNESDAY,**
23 **14 SEPTEMBER 2016 AT 10AM**

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