



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

PUBLIC HEARING INTO THE CATHOLIC ARCHDIOCESE OF MELBOURNE

CASE STUDY 35

OPENING ADDRESS BY SENIOR COUNSEL ASSISTING

INTRODUCTION

1. This is the 35th case study. It considers the response of the Archdiocese of Melbourne from the mid to late 1980s until 1996, to complaints, concerns and the like about a number of its priests.
2. Earlier case studies including the recent Case Study 31, which heard from retired Bishop Geoffrey Robinson, have considered the various protocols developed during this time to respond to complaints of criminal behaviour including child sexual abuse. This case study will look, in part, at their implementation.

3. The Royal Commission has selected a number of clergy for consideration in this public hearing. The clergy included are among those against whom the greatest number of complaints have been made. In the case of most of the priests, aspects of their conduct and the response of the Archdiocese of Melbourne have been the subject of inquiry before. The evidence in this case study is expected to extend what is in the public domain in relation to the conduct of the priests and the knowledge and response of the Archdiocese of Melbourne.

4. There are eight priests whose conduct and management are the subject of this case study:
 - Nazareno Fasciale
 - Kevin O'Donnell
 - Ronald Pickering
 - Wilfred Baker
 - Peter Searson
 - David Daniel
 - Desmond Gannon and
 - Barry Robinson

5. This case study is also concerned with the structure of the Archdiocese at this time and the manner in which that structure facilitated or otherwise, first, the efficient and effective handling of these complaints and secondly the response to the complainants and to those accused. The role of the Archbishop as decision maker is expected to be a feature in the evidence given by Church witnesses. As Bishop Emeritus Connors is expected to say: *“There is no doubt that the culture of seniority and authority in the Church did not encourage questioning of the Archbishop.”*

6. If any party with leave is of the view that evidence from a particular witness or a document should be heard or tendered, the process set out in the Practice Guidelines should be followed. That is, I should be approached with a copy of the document or statement (unless for reasons stated, that is impractical), and unless completely irrelevant, it is likely the witness will be called or the document tendered. Any submission ultimately made about a particular witness or document not being in evidence will be considered in light of this Practice Guideline.

DATA

Data relating to child sexual abuse in the Archdiocese of Melbourne

7. The Royal Commission has conducted a comprehensive data survey of all Catholic Church authorities in Australia including the Archdiocese of Melbourne. As far as is known, data of this nature has never before been made public.

8. The data relates to claims and substantiated complaints that have been received by the Archdiocese of Melbourne and relate to a person subject to a claim and/or substantiated complaint operating within the Archdiocese at the time of the alleged child sexual abuse.

Data relating to priests, religious, employees and volunteers operating within the Archdiocese of Melbourne

9. Between January 1980 and 28 February 2015, 454 people made a claim or substantiated complaint of child sexual abuse about priests, religious, employees and volunteers operating within the Archdiocese of Melbourne.
10. Eighty-eight per cent related to incidents alleged to have occurred from 1950 to 1989.
11. The 1970s decade had the highest number: 142 claims or 34% of the total claims or substantiated complaints.
12. Three hundred and sixteen claims resulted in a monetary compensation payment either from a civil claim or the Melbourne Response.
13. \$12.8 million was paid by the Church with an average payment of almost \$40,000 in response to these claims and substantiated complaints. When taking into account treatment, legal and other costs, a total of \$16.8 million was paid to claimants at an average of around \$52,000 per claimant.

14. Those accused were overwhelmingly male, with only 8% being female.

Data relating to priests of the Archdiocese of Melbourne

15. In the same time period, of those 454, 335 people made either a claim or substantiated complaint of child sexual abuse against a priest in relation to the Archdiocese of Melbourne.

16. There were 14 civil claims relating to child sexual abuse by a priest, half of which resulted in monetary compensation. The Church has paid \$1.7 million for these claims with an average payment of almost \$238,000, per claim. After taking into account legal and other costs, the Church has paid \$1.9 million at an average payment of almost \$270,000 per claim.

17. The Church paid \$9.7 million in relation to 277 claims or substantiated complaints relating to child sexual abuse by a priest through the Melbourne Response. The average payment was almost \$35,000.

18. Again, after taking into account treatment, legal and other costs, the Church paid \$12.9 million at an average of around \$46,000.

19. The alleged sexual abuse by priests mainly took place at parishes and schools. Seven accused priests were the subject of more than 10 claims or substantiated complaints of child sexual abuse – accounting for 54% of all claims.

20. Kevin O'Donnell, who was the parish priest at Sacred Heart Parish in Oakleigh was the subject of the highest number of complaints or substantiated complaints, at 56. Most of the abuse the subject of complaint or claim happened at Sacred Heart Primary School.

THE PRIESTS RELEVANT TO THIS CASE STUDY

Nazareno Fasciale

21. Father Nazareno Fasciale was ordained in July 1952 at St Patrick's Cathedral in Melbourne. He was an assistant priest at various parishes including Geelong and North Fitzroy. There is expected to be evidence that a complaint was made by a parent to Father O'Regan in 1954 that his two daughters had been molested by Fasciale.
22. Another complaint was made by a parent to Father Tom Little and subsequently to Monsignor Moran in early 1960. The evidence is expected to be that the complaint was that Fasciale had indecently assaulted her daughter. Following this complaint Fasciale went on an extended period of leave to Italy. There will also be evidence that Auxiliary Bishop Fox requested Fasciale to attend a 'retreat' in the early 1960s. In 1962, having completed the retreat, Fasciale told Auxiliary Bishop Fox that he had 'great confidence in being more prudent in the future'.

23. Fasciale was ultimately appointed parish priest at Yarraville in 1973, a position he held until he retired in December 1993. There were concerns about his conduct with boys in the mid-1970s. Archbishop James Knox sent Fasciale to Father Daniel Winters for treatment between 1972 and 1976.
24. In 1979, Archbishop Frank Little sent Fasciale for treatment with Father Augustine Watson. There will be evidence that Archbishop Little at that time was 'confident' that with regular visits, Fasciale could continue as parish priest at Yarraville.
25. Complaints were made in 1992 and 1993 to the Vicar General of sexual assaults by Fasciale in the 1950s and 1960s. The evidence will be that some of these assaults had been earlier reported to Father O'Regan, Father Tom Little and Monsignor Moran at the time they occurred.
26. Fasciale was interviewed by the then Vicar General, Monsignor Cudmore in December 1993 and admitted to criminal actions. He sought and was permitted to resign for health reasons. His faculties were removed a few months later.
27. Fasciale was charged in September 1994. Further victims came forward, and further charges were laid in October 1995. There will be evidence that the then Vicar General, Monsignor Cudmore knew of the charges.

28. Fasciale died in March 1996 without the charges having been heard. The reasons for the delay in the criminal investigation and prosecution will be the subject of evidence.
29. A requiem mass was presided over by Auxiliary Bishop Connors and Father Denis Hart. The homily by Auxiliary Bishop Connors spoke of Fasciale in positive terms.

Data relating to Fasciale

30. The data produced to the Royal Commission revealed that 20 people made a claim of child sexual abuse in relation to Fasciale.
31. The alleged incidents occurred in the period from 1953 to 1985 (inclusive) at 13 different places, generally at parishes and schools.
32. Of the 20 claims, all went through the Melbourne Response, and 19 resulted in monetary compensation. Just over \$603,000 was paid by the Church at an average of almost \$32,000 per claimant. After taking into account treatment, legal and other costs, just over \$753,000 was paid to claimants at an average of around \$40,000 per claimant.

33. The data also showed that:

- the first alleged incident of child sexual abuse occurred one year after his ordination (he was 27 years old)
- of the 20 claims of child sexual abuse, three were made before his death
- Fasciale was not the subject of a canonical application.

Kevin O'Donnell

34. Kevin O'Donnell was ordained in July 1942 at St Patrick's Cathedral in Melbourne. He was an assistant priest at various parishes and parish priest at Dandenong from September 1956 until October 1969. From 1979 until his retirement in 1991 he was parish priest at Sacred Heart Parish in Oakleigh.

35. His conduct as a priest was dealt with in respect of the Fosters' dealings with the Melbourne Response in Case Study 16. In that case study, it was clear that in 1958 there was a report made to Monsignor Moran, then Chief Administrator for the Archdiocese of Melbourne, about O'Donnell interfering with a young boy at Dandenong.

36. Daniel Mannix was the Archbishop at the time. That knowledge was not used to take any action that was protective of the children O'Donnell would come into contact with in his priestly role.

37. In this case study there is expected to be evidence from Sister Rose Wood RSJ who in 1986 was a pastoral worker at St John's Parish, Koo Wee Rup. Sister Wood is expected to say that in 1986, she was told by a man she knew, that he was sexually molested by O'Donnell when as a boy he attended the Catholic School in Hastings. Sister Wood then wrote to Archbishop Little explaining what the man had told her. She did not receive a reply to her letter.
38. That evidence suggests that, while the 1958 knowledge may not have been passed on, including to later Archbishops, in 1986, Archbishop Little knew of an allegation against O'Donnell of child sexual abuse. Nothing was done to protect children to whom he had access as a priest.
39. O'Donnell was granted the title Pastor Emeritus in 1992. This title provided not only status, it made him eligible for remuneration and allowances. A consequence of bestowing that title was that those in the community were entitled to believe that he was a priest in good standing.

Data relating to O'Donnell

40. The data produced to the Royal Commission revealed that 56 people made either a claim or substantiated complaint of child sexual abuse in relation to O'Donnell.
41. The alleged incidents occurred in the period from 1944 to 1990 (inclusive).

42. The claims and substantiated complaints against O'Donnell were in relation to 25 institutions. Most of the abuse alleged occurred in Dandenong in the 1950s and 1960s and Oakleigh in the 1970s and 1980s.
43. \$1.12 million was paid by the Church in relation to three civil claims, at an average of about \$373,000 per civil claimant. After taking into account treatment, legal and other costs, almost \$1.29 million was paid by the Church to civil claimants at an average of around \$429,000 per claimant.
44. Of the 56 claims or substantiated complaints of child sexual abuse in relation to O'Donnell, 53 went through the Melbourne Response.
45. Forty nine of those claims resulted in paid compensation. The Church paid almost \$1.51 million at an average of almost \$31,000 per claimant. After taking into account treatment, legal and other costs, almost \$1.94 million was paid by the Church to claimants at an average of around \$40,000 per claimant.
46. The data showed that:
 - the first alleged incident of child sexual abuse occurred two years after his ordination (he was 28 years old)
 - all claims or substantiated complaints were made before his death
 - O'Donnell was placed on administrative leave in 1993
 - O'Donnell was not the subject of a canonical application.

Ronald Pickering

47. Father Ronald Pickering was ordained in 1957 in the United Kingdom and arrived in Melbourne shortly afterwards. He was an assistant priest at various parishes including, between 1966 and 1969, at St Mary's Parish, East St Kilda, where he was also chaplain of St Mary's Boys School.

48. [BTU] is expected to give evidence that while at St Kilda, Pickering sexually abused him. He reported it at the time to the parish priest at the neighbouring parish. This priest was Father Wilfred Baker, who was himself by this time an abuser. Baker told Pickering that the boy had complained. Pickering later asked the boy why he had told Baker. Not surprisingly, the complaint went no further.

49. During the 1970s there was talk among boys and parents about Pickering liking boys. Later complaints would emerge about his abuse of boys at this time.

50. There will be evidence that in 1986 a complaint was made by Dr Barker to a Monsignor. The complaint was that Pickering had sexually abused a young boy at St James Parish, Gardenvale in 1982. Archbishop Little informed Pickering of the complaint and Pickering promptly went on extended leave to England. Pickering ultimately returned to Gardenvale later in 1986. Nothing was done following this complaint. The evidence will be that he continued to offend.

51. In March 1993, Pickering resigned and asked Archbishop Little for an appointment as Pastor Emeritus. He said he planned to retire to Hobart. His resignation as parish priest of Gardenvale was accepted on 26 March 1993 and, at his request, he was appointed Administrator of the parish until 30 June 1993.
52. He then suddenly left Australia and on 14 May 1993 arrived in London. He later described his departure as embarrassing and unexpected.
53. A solicitor's letter was received by the Archdiocese of Melbourne in December 1993 seeking compensation for sexual assaults alleged to have been committed by Pickering in 1966.
54. By this time, Pickering had left Australia.
55. There will be evidence about investigations undertaken by the Victoria Police into Pickering's conduct, the timing of those investigations and whether Pickering is likely to have known about any police investigation before he went to England.
56. Pickering's faculties as a priest were removed in January 1994.

Data relating to Pickering

57. The data produced to the Royal Commission revealed that 19 people made a claim of child sexual abuse in relation to Pickering.

58. The alleged incidents occurred in the period from 1960 to 1989 (inclusive).
59. Fourteen institutions, generally parishes and schools were subject to claims.
60. All claims went through the Melbourne Response, 16 resulting in paid compensation. A total payment of just over \$593,000 at an average of just over \$37,000 per claimant was made. After taking into account treatment, legal and other costs just over \$881,000 was paid to claimants at an average of around \$55,000 per claimant.
61. The data also showed that:
- the first alleged incident of child sexual abuse occurred three years after Pickering's ordination (he was 33 years old)
 - of the 19 claims 12 were made before his death
 - Pickering was not the subject of a canonical application.

Wilfred Baker

62. Father Wilfred Baker was ordained in July 1961 and worked as an assistant priest in a number of parishes in the 1960s. He was appointed parish priest at Gladstone Park in January 1975.

63. There will be evidence that in or around January 1978 a complaint was made about Baker and his relationship with a teenage boy. Two parishioners then went to Archbishop Little's residence to report their concerns and subsequently met with both Archbishop Little and the then Vicar General, Monsignor Connors. In June 1978 Baker was appointed parish priest of Eltham. Nothing more was done.

64. There will be evidence that in the early 1990's complaints were made to both Archbishop Little and the Catholic Education Office about the behaviour of Baker. The complaints included that he was unprofessional, rude and that he had a serious drinking problem.

65. In June 1992, Baker was moved to St James Parish, North Richmond. The then Principal of St James Primary School, Patricia Taylor, is expected to give evidence that she was approached by officers of the Catholic Education Office who warned her never to send children to the presbytery by themselves with Baker. She went to the then Regional Bishop for her area, Monsignor Connors who said 'research tells us once a pedophile always a pedophile'.

66. There will be evidence that in September 1993 the then Vicar General, Monsignor Cudmore received a letter from a person known to him, who enquired whether Baker was still a priest and hoped that he had 'received counselling and hasn't continued to deal with altar boys like he did with me 30 years ago'. Monsignor Cudmore received another letter in August 1995 from the parents of a boy which referred to a very serious problem concerning Baker and their son.

67. In May 1997, Baker was placed on administrative leave by then Archbishop Pell on the recommendation of the Independent Commissioner Peter O'Callaghan QC. No action had been taken against Baker between August 1995 and May 1997.

68. In June 1999, Baker was sentenced having pleaded guilty to 16 counts of indecent assault and one count of gross indecency with a male person which occurred between 1960 and 1979.

Data relating to Baker

69. The data produced to the Royal Commission revealed that 21 people made either a claim or substantiated complaint of child sexual abuse in relation to Baker.

70. The alleged incidents occurred in the period from 1960 to 1985 (inclusive).

71. The data identified 15 institutions, generally parishes and schools that were subject to claims or substantiated complaints of child sexual abuse against Baker.
72. Of the 21 claims or substantiated complaints three resulted in a civil claim. Each resulted in paid monetary compensation with a total payment of just over \$475,000 and an average of almost \$158,000 per claimant. After taking into account treatment, legal and other costs, just over \$501,000 was paid to claimants at an average of around \$167,000 per claimant.
73. Eighteen complainants went through the Melbourne Response. Of these, 16 received a monetary compensation payment with a total payment of just over \$492,000 and an average of almost \$31,000 per claimant.
74. After taking into account treatment, legal and other costs, a total of just over \$555,000 was paid to claimants by the Church at an average of around \$35,000 per claimant.

75. The data also showed that:

- the first alleged incident of child sexual abuse in relation to claims or substantiated complaints occurred one year before his ordination (he was 24 years old)
- 18 out of the 21 claims or substantiated complaints were made before his death
- Baker was placed on administrative leave in 1997
- Baker was the subject of a canonical application in 2010
- Baker was laicised in 2012.

Peter Searson

76. From his time as a parish priest at Our Lady of Mount Carmel Parish, in Sunbury in 1977, to the decade or so he was parish priest at Holy Family Parish, Doveton, there were complaints about Father Peter Searson's behaviour.

77. During his time in Sunbury, complaints were made to Archbishop Little about Searson's strange behaviour, mistreatment of staff and parishioners and misappropriation of parish funds. [BVD], a former altar boy at Sunbury, is expected to give evidence that during 1978, Searson invited him to the presbytery and sexually abused him. This abuse was not the subject of any complaint or notification at the time.

78. Searson was transferred to the Holy Family Parish, Doveton in 1984. There were complaints about Searson's conduct as parish priest at this parish. Most concerned the Holy Family Primary School and related to conduct that had, at least, the potential to harm children. They included having a hand gun at school, animal cruelty, showing a body in a coffin to children and unnecessary physical and sexualized conduct with children. The sexualized conduct included having children sit on his knee in confession, having them kneel between his knees during confession, tape recording 'hot' confessions, cuddling girls and having girls do handstands in front of him in their dresses. There were also complaints that he frequented the boys' toilets. There were other concerns about misuse of finances and generally being rude, unstable and manipulative.
79. The evidence will be that these complaints were communicated to the Catholic Education Office and, that often the Vicar General at the time and then Archbishop, Frank Little were aware of them. On occasion, Searson was interviewed and he usually admitted the fact of the allegation but disavowed any untoward purpose. Those admissions were not always recognised as such by Church officials.
80. In 1985, there was a complaint by a parent about what they saw as a sexual advance to their daughter by Searson during reconciliation.

81. Julie Stewart is expected to give evidence that Searson indecently assaulted her in the confessional in 1984 and 1985. Ms Stewart was approached by the police in 1990 and signed a statement in which she alleged being pulled onto Searson's lap and held against his erect penis in the confessional in 1985. Ms Stewart is expected to give evidence that the police officer said there was 'not enough to go by'.
82. The manner in which the police handled the investigation will be the subject of evidence.
83. In 1988, there was an allegation that Searson had struck a student. This came to the attention of the Catholic Education Office. Father Doyle, director of the Catholic Education Office is expected to say he is confident he referred the complaint to Archbishop Little.
84. It appears nothing further was done.
85. In 1989, four representatives from the parish school met with then Auxiliary Bishop George Pell. The delegation was intended to tell the Bishop, who was responsible for the region, what it was about Searson's conduct that concerned them. The most reliable evidence of what was said is likely to be found in a list of grievances they prepared for the purpose of the meeting. That included reference to harassment of children, staff and parents, health and safety issues, the incidents concerning the coffin and cruelty to animals and the unnecessary use of the children's toilets.

86. The evidence is expected to be that whatever was said was passed by then Bishop Pell to the then Vicar General, Monsignor Deakin.
87. Complaints of a general nature against Searson continued in the early 1990s. In April 1993, Searson produced a large knife and held it to the chest of a child. He admitted the conduct, although sought to minimise it.
88. The next month, the Catholic Education Office sought legal advice about all the incidents recorded in the files including the knife incident. The advice concluded that the material suggested something untoward about Searson's behavior with children which warranted investigation. No investigation was undertaken. Indeed there was no serious investigation of any complaint made during the 80s and early 90s.
89. However, a formal warning was issued to Searson by the then Vicar General, Monsignor Cudmore in June 1993 in relation to 'improper and intimidatory conduct against children'.
90. A complaint of Searson hitting an altar boy was made in November 1996 and the whole matter of Searson's conduct over the years was referred to Peter O'Callaghan QC in his role as Independent Commissioner with the Melbourne Response. His recommendation that Searson be put on administrative leave was adopted and acted upon on 14 March 1997.

91. In December 1997, Searson was charged with unlawful assault of the altar boy. He pleaded guilty and was released without conviction on a good behavior bond.
92. In July 1998, Searson's faculties as a priest were removed. Searson, it appears, unsuccessfully petitioned the Vatican to change the decision.
93. As Archbishop Hart is expected to say, there was a 'complete failure of process' in the handling of complaints in Doveton by the Archdiocese.

Data relating to Searson

94. The data produced to the Royal Commission revealed that four people made either a claim or substantiated complaint of child sexual abuse in relation to Searson.
95. The alleged incidents occurred in the period from 1974 to 1985 (inclusive).
96. The parishes or schools that were subject to claims or substantiated complaints of child sexual abuse in relation to Searson were Kew, Sunbury, the Holy Family Primary School and Holy Family Parish in Doveton.

97. Of the four claims or substantiated complaints, three went through the Melbourne Response. They resulted in a payment of just over \$162,000 and an average of just over \$54,000 per claimant. After taking into account treatment, legal and other costs just over \$291,000 was paid to claimants at an average of around \$97,000 per claimant.

98. The data also showed that:

- the first alleged incident of child sexual abuse against Searson occurred 12 years after his ordination (he was 51 years old)
- of the four claims or substantiated complaints of child sexual abuse, three were made before his death
- Searson was not the subject of a canonical application.

David Daniel

99. Father David Daniel was ordained in May 1975 and worked as an assistant priest, administrator or chaplain until appointed as parish priest of St Brigid's Healesville in August 1989.

100. A number of complaints were made about Daniel between 1991 and 1994, concerning sexual activity with children whom he knew other than in his capacity as a priest and with adult males. Daniel was interviewed at various stages and generally denied the conduct alleged.

101. In February 1994, Father Ernie Smith told Monsignor Cudmore, the Vicar General of a complaint of child sexual abuse by Daniel.

102. After the last complaint about him in January 1995, Daniel was permitted to retire on grounds of ill health. His faculties as a priest were not removed, however he was told that he could not carry out priestly duties.
103. He was charged in 1998 with 16 counts including indecent assault, gross indecency and sexual penetration. He was convicted of all offences in 2000 and sentenced to 6 years imprisonment. One indecent assault occurred in November 1994 in relation to a 14 year old boy who was a member of the Church congregation. This was over six months after Monsignor Cudmore, as Vicar General knew of the complaint conveyed by Father Smith. No action had been taken to remove Daniel from access to children in his priestly role.
104. His faculties as a priest were removed in 2000.
105. Auxiliary Bishop Deakin gave character evidence at his sentencing hearing.

Data relating to Daniel

106. The data produced to the Royal Commission revealed that seven people made a claim of child sexual abuse in relation to Daniel.
107. The alleged incidents occurred in the period from 1972 to 1994 (inclusive).
108. Four institutions were subject to claims or substantiated complaints, with most claims arising out of Healesville.

109. One civil claim resulted in paid civil compensation with a payment of \$70,000 by the Church. After taking into account treatment, legal and other costs, the payment was \$100,000.
110. Six claims resulted in paid compensation through the Melbourne Response with a total payment of just over \$223,000 and an average of just over \$37,000 per claimant. After taking into account treatment, legal and other costs, almost \$250,000 was paid to claimants by the Church at an average of around \$42,000 per claimant.
111. The data also showed that:
- the first alleged incident occurred three years after Daniel's ordination (he was 30 years old)
 - all seven claims were made before Daniel's death
 - David Daniel was placed on administrative leave in 1997
 - Daniel was the subject of a canonical application in 2001 and was laicised in 2011.

Desmond Gannon

112. Father Desmond Gannon was ordained in July 1956 at St Patrick's Cathedral in Melbourne. He was an assistant priest at various parishes and parish priest at Braybrook from 1971 to 1980.

113. The first complaint about him was received in April 1993 by the then Vicar General, Monsignor Cudmore. An interview was held with the victim, who said the abuse occurred around 1956 while he was a student at the school in St Anthony's Parish, Glenthuntly. The abuse took place in the presbytery.
114. Gannon was interviewed later that month and he essentially admitted the complaint and told of an additional five or six children he had offended against in different parishes. He was permitted to resign on health grounds on 7 May and on the same day was granted the title Pastor Emeritus in 1993. As indicated earlier, this title provided not only status it made him eligible for remuneration and allowances. A consequence of bestowing that title was that those in the community were entitled to believe that he was a priest in good standing.
115. In May 1993, Archbishop Little wrote a positive letter to him about his contribution to the parishes where he worked.
116. Gannon's faculties were removed on 23 July 1993. His title as Pastor Emeritus was removed by September 1993. There will be evidence that he received continuing financial support from the Church, in such a way that that support would not be likely to become public.

Data relating to Gannon

117. The data produced to the Royal Commission revealed that 25 people made either a claim or substantiated complaint of child sexual abuse in relation to Gannon.
118. The alleged incidents occurred in the period from 1954 to 1984 (inclusive).
119. Fourteen institutions, generally parishes and schools were subject to claims of child sexual abuse against Gannon.
120. All 25 claims went through the Melbourne Response. Of these, 22 resulted in paid compensation with a payment of almost \$730,000 at an average of just over \$33,000 per claimant made by the Church. After taking into account treatment, legal and other costs, just over \$848,000 was paid to claimants by the Church at an average of around \$39,000 per claimant.
121. The data also showed:
 - the first alleged incident of child sexual abuse occurred two years before his ordination (he was 25 years old)
 - out of the 25 claims or substantiated complaints of child sexual abuse in relation to Gannon, 24 were made before his death
 - Gannon was the subject of a canonical application in 2011 and a penal precept was applied to Gannon in 2011.

Barry Robinson

122. Father Barry Robinson was ordained in 1970 and was an assistant priest in several parishes, before being transferred to work in Chile. In 1983 he received psychological treatment in the United Kingdom before returning to Australia in 1985. In 1992 Robinson again travelled overseas, to study in Boston. While in Boston, in March 1994, he admitted to the therapist that he had molested a boy and said that he had done so before but was not caught. The therapist told the Boston church authorities. On the same day he told the therapist , Robinson told Archbishop Little that he had molested a boy. His faculties were promptly withdrawn by Archbishop Little.

123. Robinson returned to Australia in April 1994 and was sent for treatment by Archbishop Little, this time in Canada, for six months.

124. In mid 1995 Archbishop Little obtained legal advice regarding the possibility of returning Robinson to ministry. Following that advice he sought two psychiatric reports, and in October 1995, Archbishop Little returned Robinson to ministry under certain conditions. In March 1997, Robinson was appointed assistant priest of the Parish of Williamstown.

125. Apart from a period on administrative leave for about twelve months, he continued carrying out priestly duties although not as a parish priest until his death last year. That period of administrative leave was when a criminal investigation of the 1994 allegations made in Boston was taking place. He resumed work when that investigation did not result in charges.

Gail B Furness SC

Stephen Free

24 November 2015