

Royal Commission Case Study 28

Ballarat Diocese

TJHC update



Monday 22 February 2016 – Day 18

The Royal Commission today recommenced its public hearing into allegations of child sex abuse by clergy and religious in Victoria's Ballarat Diocese. This is the third stage of this case study and follows earlier parts heard in Ballarat in May 2015 and Melbourne in December 2015.

During the hearing the Commission will examine the response of the Catholic Diocese of Ballarat and other Catholic Church authorities in Ballarat to allegations of child sexual abuse against clergy or religious.

This week, the Commission will focus on the response of the Christian Brothers in the former St Patrick's Province, Australia, to allegations of child sexual abuse made against Christian Brothers.

Later this week the Commission will also hear evidence from the former Bishop of Ballarat, Ronald Mulkearns.

Cardinal George Pell will give evidence next week from 29 February 2016 by video link from Rome. The Commission will sit in Sydney to hear this evidence.

At the start of today's hearing Justice McClellan advised that arrangements had been made in Rome for Cardinal Pell's evidence that should, following further technical testing, allow for survivors to hear Cardinal Pell give his evidence.

In her opening statement, Counsel Assisting the Commission, Gail Furness, outlined a range of allegations and claims against six Christian Brothers who all spent time working at schools in the Diocese of Ballarat - CCK, Edward Dowlan, Leo Fitzgerald, Stephen Farrell, CCJ and BWX.

Each of these brothers, apart from Brother BWX and Brother Fitzgerald, has been convicted of child sexual abuse offences. Brother Fitzgerald died in 1986.

During this hearing the Commission will hear from three survivor witnesses and representatives of the Christian Brothers including Brother Brian Brandon, former provincial/provincial council member of St Patrick's Province and Brother Paul Nangle, who was both the superior of the Ballarat community and headmaster of St Patrick's College from 1974 until 1979.

Counsel Assisting advised that Brother Nangle will be asked about complaints he received or rumours or allegations he became aware of while in his role. Brother Brandon will give evidence about his knowledge of offending by Christian Brothers in the St Patrick's province, and discussions at provincial leadership team meetings from 1984 to 1996 when appointments of brothers were considered.

The first witness to give evidence to the Commission this morning was Timothy Barlow, a boarding student at St Patrick's College Ballarat from 1973. Mr Barlow gave evidence that he had heard rumors about Brothers abusing boys in the dormitories within his first year at the college.

He told the Commission that as a member of the school's Student Representative Council in 1973, he had moved a motion requesting that then Headmaster, Brother Nangle, ask Brother Dowlan to stop abusing students. Mr Barlow told the Commission that after the motion was passed, he was beaten by Dowlan and another brother.

Martinus Claassen, a St Patrick's day student from 1974 to 1979, gave evidence that Br Dowlan was his first year house master.

Dowlan sexually and physically abused Mr Claassen as a first year student, after he failed to complete some homework. He told his mother of the abuse and later, he and his mother met with Brother Nangle to tell him about the abuse. Mr Claassen told the Commission no action was taken following the meeting.

Mr Claassen said it was only many years later he became aware that other boys had been abused by Dowlan. He told the Commission that from the time he was old enough to reflect on the incident with Dowlan, he had concluded Br Nangle had missed an opportunity to act.

The hearing continues tomorrow.

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