

# UPDATE 19

## Royal Commission John Ellis Hearing



11 March 2014

The Royal Commission into Institutional Responses to Child Sexual Abuse has commenced its 8<sup>th</sup> public hearing in Sydney, examining the John Ellis case.

The Commission is looking at both the way in which Mr Ellis was treated by the Archdiocese of Sydney when he sought pastoral care and reparation through *Towards Healing* and the civil litigation against Cardinal Pell and Trustees of the Archdiocese which followed in 2004.

Mr Ellis spent the first day and a half giving evidence.

The first day of evidence, for the most part, examined the abuse Mr Ellis suffered at the hands of Father Aiden Duggan, a parish priest in Bass Hill, Sydney in the 1970s. At the time Mr Ellis was a 13 year old altar boy, the abuse continued through to Mr Ellis' early adult years.

The Commission heard in detail about the abuse and the way in which the *Towards Healing* process unfolded over more than two years following his initial approach to the Church in 2002.

Mr Ellis gave evidence of the impact of the abuse on his personal and professional life including the breakdown of his first marriage and the adverse impact on his career as a salaried partner in a leading business consulting firm in 2003 which left him in financial difficulties.

He talked about the delays and failures of Church officials to follow the *Towards Healing* process. Mr Ellis initiated civil action in 2004 after the failure of *Towards Healing* to deliver a satisfactory outcome.

Mr Ellis gave evidence that during the court case, he was subject to more than three days of cross examination about the abuse he suffered, despite an earlier Church investigation which found the abuse more than likely occurred.

The case ultimately concluded in 2007 when the High Court refused his application to appeal the decision of the NSW Court of Appeal, which found the then-Archbishop Pell and the church's trustees could not be sued as neither was responsible for past abuse committed by an individual priest.

The second day of evidence focused on the civil litigation against the Archdiocese of Sydney and the subsequent change that took place in the way the Archdiocese dealt with Mr Ellis following a meeting in 2008 with Monsignor John Usher and his decision to personally take charge of the Church's response. This meeting followed a personal approach from Mr Ellis' wife.

Mr Ellis also gave evidence about the \$568,000 he had received from the Archdiocese to help renovate his house, cover counselling costs and other expenses.

Mr Ellis spoke about the pastoral and spiritual support which he is currently receiving from Mon Usher and the possibility of needing more into the future. He said he feels his relationship with the Church had been irreconcilably damaged over the past 14 years.

Following a meeting with Cardinal Pell and John Usher in 2009 Mr Ellis wrote to the Cardinal thanking him for his 'generosity and openness' in meeting with him and his wife. Mr Ellis said he took heart from the Cardinal's acknowledgment of the mistakes of the past.

During her opening statement to the Commission, Counsel Assisting, Gail Furness read from Cardinal Pell's witness statement to the Commission in which he says: 'Whatever position was taken by the lawyers during the litigation, or by lawyers or individuals within the Archdiocese following the litigation, my own view is that the Church in Australia should be able to be sued in cases of this kind'.

Cardinal Pell is expected to give evidence in person to the commission early next week.

John Davoren, NSW ACT Director of Professional Standards in 2002 when the complaint was made, gave evidence in the afternoon and will continue giving evidence tomorrow.

For more information on the Truth Justice and Healing Council go to: [www.tjhcouncil.org.au](http://www.tjhcouncil.org.au)  
For information on the Royal Commission go to: <http://www.childabuseroyalcommission.gov.au/>

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