News



In this Feb. 26, 2019, file photo, Cardinal George Pell arrives at the County Court in Melbourne, Australia. Pell, the most senior Catholic to be found guilty of sexually abusing children, will learn whether Australia's highest court will hear his appeal against convictions for molesting two choirboys in a Melbourne cathedral two decades ago. (AP/Andy Brownbill)

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The most senior Catholic to be found guilty of sexually abusing children will learn this week whether Australia's highest court will hear his appeal against convictions for molesting two choirboys in a Melbourne cathedral two decades ago.

The High Court of Australia confirmed on Monday that two judges will announce their decision Wednesday morning on whether all seven judges will hear Cardinal George Pell's appeal next year. The names of the two judges who will make the decision won't be announced until Wednesday.

A unanimous Victoria state County Court jury in December found Pope Francis' former finance minister guilty of molesting two 13-year-old choirboys in Melbourne's St. Patrick's Cathedral in the late 1990s shortly after Pell became archbishop of Australia's second-largest city.

The Victoria Court of Appeal in August rejected his appeal in a 2-1 ruling.

Pell, 78, was sentenced to six years in prison in March and is no longer a member of Francis' Council of Cardinals or a Vatican official.

He is currently in the Melbourne Assessment Prison, where the Herald Sun newspaper reported last month he had been given a gardening job. He will not attend the High Court in Canberra to hear the decision on Wednesday.

If the court agrees to hear his appeal, a trial cannot take place before the judges return from their summer break in early February. The court rejects around 90% of applications for appeal hearings.

Pell's lawyers argued in their 12-page application for a High Court appeal that two state appeals court judges made two errors in dismissing his appeal in August.

The judges made a mistake by requiring Pell to prove the offending was impossible, rather than putting the onus of proof on prosecutors, the lawyers said.

They also said the two judges made a mistake in finding the jury's guilty verdicts were reasonable. Pell's lawyers argue there was reasonable doubt about whether opportunity existed for the crimes to have occurred.

Pell's lawyers also argue that changes in law over the years since the crimes were alleged have increased the difficulty in testing sexual assault allegations.

They argue Pell should be acquitted of all charges for several reasons, including inconsistencies in the complainant's version of events.

But prosecutors argue there is no basis for the appeal, and that the Victorian courts made no errors.

In their written submission to the High Court, prosecutors wrote Pell's legal team was asking High Court judges to apply established principles to the facts of the case, which were already carefully and thoroughly explored by the state appeals court.

Pell was largely convicted on the testimony of one victim. The second victim died of an accidental heroin overdose in 2014 when he was 31 years old without complaining that he had been abused.

The surviving victim said after Pell lost his appeal in August, "I just hope that it's all over now."

Clerical sexual abuse and the Catholic Church's handling of such cases worldwide have thrown Francis' papacy into turmoil.

In a little more than a year, the pope has acknowledged he made "grave errors" in Chile's worst cover-up, Pell was convicted of abuse, a French cardinal was convicted of failing to report a pedophile, and a third cardinal, former U.S. church leader Theodore McCarrick, was defrocked after a Vatican investigation determined he molested children and adults.

Pell must serve at least three years and eight months behind bars before he becomes eligible for parole. As a convicted pedophile, he is provided with extra protection from other inmates and spends 23 hours a day in solitary confinement.

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