News



Australian Cardinal George Pell is surrounded by police as he leaves the Melbourne Magistrates Court in Australia, Oct. 6, 2017. His lawyers will present an appeal of his conviction for sexually abusing two 13-year-old choirboys to the High Court of Australia March 11-12. (CNS photo/Reuters/Mark Dadswell)

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Australian Cardinal George Pell is surrounded by police as he leaves the Melbourne Magistrates Court in Australia, Oct. 6, 2017. His lawyers will present an appeal of his conviction for sexually abusing two 13-year-old choirboys to the High Court of Australia March 11-12. (CNS photo/Reuters/Mark Dadswell)

Australia's highest court on March 12 said it will deliver a verdict at a later date on whether to overturn the convictions of the most senior Catholic to be found guilty of child sex abuse.

Cardinal George Pell's lawyer, Bret Walker, told the High Court that if it found a lower court had made a mistake in upholding Pell's convictions, he should be acquitted.

Prosecutor Kerri Judd told the seven judges that if there were a mistake, they should send the case back to the Victoria state Court of Appeal to hear it again.

Otherwise, the High Court should hear more evidence and decide itself whether the convictions against Pope Francis' former finance minister should stand, Judd said.

Pell is one year into a six-year sentence after being convicted of molesting two 13-year-old choirboys in Melbourne's St. Patrick's Cathedral while he was the city's archbishop in the late 1990s.

The 78-year-old cleric's two-day hearing that ended on March 12 could be his last chance of clearing his name.

Pell was largely convicted on the testimony of one of the choirboys, now in his 30s with a young family.

He first went to police in 2015 after the second victim died of a heroin overdose at the age of 31. Neither can be identified under state law.

Judd told the court on March 12 that the surviving victim's detailed knowledge of the layout of the priests' sacristy supported his accusation that the boys were molested there.

"Something has happened when he's in that room. It's indelibly marked on him," Judd said. "Something significant happened in that room."

Much of the two-day hearing focused on whether the jury should have had a reasonable doubt about Pell's guilt and whether he could have time to molest the boys in five or six minutes immediately after a Mass.

The appeals court found in a 2-1 majority in August that Pell had had enough time to abuse the boys and that the unanimous guilty verdicts were sound.

Judd said the "two big points" raised against the prosecution case were evidence that Pell had been chatting with members of the congregation on the steps of the cathedral after the Masses when the abuses could have occurred and that he only had windows of five or six minutes to commit the abuses undetected.

Other evidence included that Pell was almost always attended by another cleric while dressed in his archbishop's robes.

Walker said all that the prosecution had to do at his trial and appeals court hearing was to prove that Pell being left alone while robed or not talking with congregants after Mass was "possible" to prove guilt beyond reasonable doubt.

"That ... is a grotesque version of the reversal of onus of proof, if all the Crown has to do is to prove the possibility of something," Walker said.

Judd argued that the charges were proved beyond reasonable doubt.

Melbourne Law School Prof. Jeremy Gans, who attended the High Court hearing, said later, "It's been a very good day for Pell."

"What stood out is that the questions seemed to be mostly directed at arguments that support Pell's argument for acquittal and were not particularly sympathetic to the prosecution, with the caveat that it's always difficult to know why they ask these questions," he said.

Pell is in a maximum-security Melbourne prison and was not allowed to travel to Canberra for the court hearing.

A small group of pro-Pell demonstrators prayed outside the court on March 12 and carried signs including, "Wrongful conviction is worse than coronavirus."

Police on March 11 charged a Melbourne man with making threats against Pell. He was released on bail to appear at Melbourne Magistrates Court on July 9 on charges of making a bomb threat against Pell and three counts of threatening to kill Pell.

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