

## **Criticism of Catholic support for national redress ludicrous**

Since the Turnbull Government announced its plans to set up a national redress scheme for the survivors of institutional child sex abuse some, not many, lawyers and commentators, came out saying it is effectively a Catholic driven scheme designed to protect the bottom line.

It is certainly true that the Catholic Church backed the Royal Commission's redress proposal for an independent, federal government-run scheme to investigate and determine redress payments 100 percent.

But to suggest we were able to bend the will of both the Commission and the Federal government to design a scheme that financially benefits the Church is, to put it kindly, ludicrous.

Here is how the development of the redress scheme played out.

From September to November 2014 the Royal Commission held a series of roundtables to discuss redress and civil litigation reforms.

In January 2015 the Royal Commission released a consultation paper calling for submissions. It received more than 250.

In September 2015 the Commission released its final report in which it outlined as its preferred option an independent, federal government-run redress scheme to investigate and determine redress payments.

Of the submissions to its initial consultation paper only a handful, if that, indicated they did not support what turned out to be the Commission's preferred option.

Among those organisations which, in one way or another, supported the Commission's redress proposal were support and advocacy groups including Adults Surviving Child Sexual Abuse, CLAN, and Bravehearts.

Significantly among the legal fraternity which supported the plan were, The Law Council of NSW, Knowmore, Shine Lawyers, Slater and Gordon Lawyers and others.

The idea that the Catholic Church has had any influence over these groups beggars belief and for some lawyers, arguably with a vested interest in not seeing a redress scheme introduced, flies in the face of logic.

One lawyer who probably knows more about child sexual abuse and compensation than most is John Ellis, who was the subject of a Commission case study in March 2014 which examined the response of the Catholic Church to the complaint he made through *Towards Healing*.

And while Mr Ellis has represented many survivors in claims against the Church he is recently reported as saying the new scheme could save victims from being re-traumatised by protracted legal action.

"I see it as something that creates additional rights for people and doesn't in any way impinge on whatever rights they already have to bring proceedings through the courts," he said.

We, along with many others, share this view and will not for one minute back away from supporting a national independent redress scheme.

Nor will we back away from fully supporting any survivor who wants to take their claim to court.

In fact, Church leaders have accepted a major policy reform which makes it clear that in civil cases church authorities must provide an entity that a survivor can make a claim against – this is a major reform and puts rest to the often made claim the ‘the church can’t be sued’.

Despite what some might say there is no ‘backdoor’ financial benefit for the Church supporting national redress which does what so many for so long have been calling for: putting an end to the Church investigating itself and then determining payment.

All right-minded people should look at the Government’s proposal and support it for what it is or criticise it for what it lacks but making up ridiculous, unsupported and ill-informed allegations about the Church’s manipulation of the scheme doesn’t do anyone any good.

Francis Sullivan  
CEO Catholic Church’s Truth Justice and Healing Council  
11 November 2016