

## ANALYSIS OF CLAIMS OF CHILD SEXUAL ABUSE MADE WITH RESPECT TO CATHOLIC CHURCH INSTITUTIONS

1. At the commencement of this hearing I provided some of the results from the analysis of Catholic Church authorities' data about claims made to them in relation to child sexual abuse. I will shortly tender the entire report.
2. As I set out last week, the claims survey was carried out with the assistance of the Truth, Justice and Healing Council and the Catholic Church authorities who provided their data about claims of child sexual abuse.
3. This survey gathered information about the extent of claims of child sexual abuse made against Catholic Church personnel, including any current or former priest, religious brother or sister, or any other person employed in or appointed to a voluntary position by a Catholic Church authority.

### **Claims of child sexual abuse**

4. The data collected included all claims of child sexual abuse, including those that were ongoing, settled, discontinued, concluded without redress or not accepted.
5. The data provided in the report does not record the total number of allegations of child sexual abuse made to Catholic Church authorities in Australia. The survey was confined to seeking information about claims where the claimant had sought redress or complaints that were accepted by Catholic Church authorities although redress had not been sought.
6. The Royal Commission's experience is that many survivors face barriers which deter them from reporting abuse to authorities and to the institution in which the abuse occurred. Accordingly, the total number of incidences

of child sexual abuse in Catholic Church institutions in Australia is likely to be greater than the claims made.

#### **Number of people who made a claim of child sexual abuse**

7. I indicated last week that the Council engaged a statistician to ensure the accuracy of the analysis conducted by the independent data analysts.
8. Discussions between the Council's statistician and the data experts engaged by the Royal Commission have been ongoing since late 2016. Those discussions have resulted in one more claimant being identified, taking the number of people who have made such a claim to 4,445.

#### **Timeframe of alleged incidents of child sexual abuse**

9. The claims data survey sought information about claims received in the period 1980 – 2015. For a claim to be included in the survey, the claimant must have approached the relevant Catholic Church authority in this time period.
10. However, there was no time limitation in relation to the date of the alleged incidents of abuse. The earliest incident of alleged abuse reported in a claim to a Catholic Church authority was in the 1920s and the latest was after 2010.
11. Between January 1980 and February 2015, 4,445 people alleged incidents of child sexual abuse in 4,765 claims.
12. The vast majority of claims involved alleged child sexual abuse that started in the period from 1950 to 1989 inclusive.
13. The largest proportion of first alleged incidents of child sexual abuse, that is 29%, occurred in the 1970s.

14. As I indicated earlier, the average time between the alleged abuse and the date a claim was made was 33 years.

### **Catholic Church authorities that received claims**

15. The Christian Brothers, the De La Salle Brothers, the Marist Brothers, the Patrician Brothers and the St John of God Brothers, each of which has only religious brother members, made up only 5% of all of the Catholic Church authorities which received any claims.
16. However, of all the claims which were made to authorities, 41% were received by these five male orders.
17. Archdioceses and dioceses made up 33% of all the Catholic Church authorities which received any claims. Of all the claims which were made to authorities, Archdioceses and dioceses received 37%.
18. Female religious institutes with religious sister members made up 28% of the Catholic Church authorities that received any claims of child sexual abuse. And yet of all the claims which were made to authorities, they received only 9%.

### **Institutions identified in claims**

19. The claims of child sexual abuse identified 1,049 separate Catholic Church institutions.
20. The most common institution type identified in claims was schools. They were identified in 46% of all claims. Children's orphanages or residential facilities were identified in 29% of all claims.
21. The highest number of claims of child sexual abuse concerned a residential care facility operated by the De La Salle Brothers in Beaudesert,

Queensland. There were 219 claims related to alleged child sexual abuse at this institution.

### **Outcomes provided in response to claims**

22. The claims survey sought information about the outcomes provided to people who made claims, including the number of people who received monetary compensation and the amount of monetary compensation paid.
23. Overall 3,066 claims of child sexual abuse resulted in a payment being made following a claim for redress. 2,854 of these claims resulted in monetary compensation. A significant number of claims were ongoing at the time of the survey.
24. Overall, Catholic Church authorities paid \$276.1 million in response to claims of child sexual abuse received between 1 January 1980 and 28 February 2015. That sum includes amounts for compensation, treatment, legal and other costs. Of the total amount, \$258.8 million was monetary compensation, at an average of about \$91,000 per claim.
25. The Christian Brothers, who at the relevant time operated a number of residential facilities, reported the highest number of payments. This order of brothers made 763 payments, amounting to \$48.5 million, with an average payment of about \$64,000.
26. Of those Catholic Church authorities that made at least 10 payments, the Jesuits reported the highest average payment, at about \$257,000 per payment.
27. The most commonly used redress process was Towards Healing, with 40% of claims going through this scheme. Of all redress processes, the

Melbourne Response had the highest proportion of claims resulting in monetary compensation. 324 claims or 84% of all Melbourne Response claims resulted in monetary compensation.

28. Of all redress processes, the highest amount of monetary compensation paid was through civil proceedings at \$96.6 million. Other redress processes, which might include a direct approach by a claimant or their solicitor to a Church authority, resulted in monetary compensation payments of \$93.1 million. The highest average monetary compensation paid was about \$151,000 per claimant and was through civil proceedings.

#### **Proportion of alleged perpetrators – weighted average approach**

29. Last week I tendered a document that set out the proportion of priest and religious members of these Catholic Church authorities who ministered in the period from 1950 to 2010 and were alleged perpetrators of child sexual abuse. That statistical analysis adopts the weighted average methodology.
30. When they were engaged to carry out the analysis, the data experts advised the Royal Commission that the weighted average methodology should be used as it properly takes into account the risk to children and is the statistically appropriate methodology for calculating proportions over a period of six decades.
31. The Royal Commission has received a number of enquiries regarding the weighted average methodology.
32. The methodology takes into account how long alleged perpetrators were in ministry in the period 1950 to 2010, compared with how long all members of the relevant Catholic Church authority were in ministry over the 60 year period.

33. Those who ministered for less time are likely to have come into contact with fewer children, and over time posed less potential risk to children, than those who ministered for a longer period of time. The weighted average approach ensures that each person is weighted according to their duration of ministry.
34. The Truth Justice and Healing Council was provided with the methodology, analysis and results in November and December last year. The Royal Commission has received no objection to the use of this methodology.
35. The Royal Commission calculated the proportion of priest and religious members of these Catholic Church authorities who ministered in the period from 1950 to 2010 who were alleged perpetrators of child sexual abuse, relative to the total number of priest and religious members who ministered during the same period, taking into account the duration of ministry of each member over the 60 year period.
36. These proportions were calculated using the weighted average methodology. This methodology ensures that a statistically consistent approach is taken to individuals who were in ministry for only a few years, and individuals who were in ministry for decades.
37. For example, if a weighted average approach was not used, a priest who ministered for only five years in the period 1950-2010 would be counted in exactly the same way, that is, given the same weight as a priest who ministered for 50 years in this period. As I said, those who ministered for less time are likely to have come into contact with fewer children, and over time posed less potential risk to children, than those who ministered for a

longer period of time. The weighted average approach ensures that each person is weighted according to their duration of ministry.

38. The weighted average methodology also permits an appropriate comparison between priests and religious who ministered recently with those who ministered many decades ago because it accounts for the tendency for priests and religious who ministered recently to have a shorter duration of ministry than priests and religious who ministered many decades ago.
39. The weighted average methodology further permits an appropriate comparison between different Catholic Church authorities, where there are different average periods of ministry for all members of each Catholic Church authority.
40. The weighted average methodology results in a lower proportion of alleged perpetrators when the average duration of ministry for alleged perpetrators is shorter than the average duration of ministry of all priests or religious in a given Catholic Church authority, compared with a calculation that does not account for differing durations of ministry.
41. For example, for the Archdiocese of Adelaide, using the weighted average methodology, the proportion of priests who ministered in the period from 1950 to 2010 who were alleged perpetrators is 2.4 per cent. This proportion is obtained by weighing the service of the 229 priests who served in the Archdiocese of Adelaide and that of the 10 alleged perpetrators. Without weighing duration of ministry, the proportion of alleged perpetrators is 4.1 per cent.

42. The weighted average methodology results in a higher proportion of alleged perpetrators when the average duration of ministry for alleged perpetrators is longer than the average duration of ministry of all priests or religious in a given Catholic Church authority, compared with a calculation that does not account for differing durations of ministry.
43. For example, for the Archdiocese of Melbourne, using the weighted average methodology, the proportion of priests who ministered in the period from 1950 to 2010 who were alleged perpetrators is 8.1 per cent. This proportion is obtained by weighing the service of the 842 priests who served in the Archdiocese of Melbourne and that of the 58 alleged perpetrators. Without weighing duration of ministry, the proportion of alleged perpetrators is 6.9 per cent.
44. In the case of the St John of God Brothers, using the weighted average methodology, the proportion of brothers who ministered in the period from 1950 to 2010 who were alleged perpetrators is 40.4% per cent. This proportion is obtained by weighting the service of the 113 brothers who served in the St John of God Brothers and that of the 34 alleged perpetrators. Without weighing duration of ministry, the proportion of alleged perpetrators is 30.4% per cent.
45. In summary, the weighted average approach was used because it is the most appropriate method for calculating the proportion of priest and religious members of these Catholic Church authorities who ministered in the period from 1950 to 2010 and who were alleged perpetrators of child sexual abuse, relative to the total number of priests and religious members who ministered during the same period for the following reasons:

- a. takes into account the relative risk to children of individuals who have ministered for different periods of time
  - b. ensures a statistically consistent approach is taken to individuals who have ministered for different periods of time
  - c. takes into account differing average durations of ministry over a period of six decades
  - d. enables the comparison of Catholic Church authorities which have different average periods of ministry.
46. I tender the report: *Analysis of claims of child sexual abuse made with respect to Catholic Church institutions in Australia.*