



SPEECH

Address to St Thomas More Forum

By Francis Sullivan, CEO Truth Justice and Healing Council

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1. Introduction

Not long after starting with the Truth Justice and Healing Council, which, as you know has been set up to provide a whole of Church response to the McClelland Royal Commission, I spent a day meeting a group of victims and survivors of clerical sexual abuse in Melbourne.

For more than four hours I sat and listened to their stories, the horror they endured, and the betrayal they felt – the years of guilt, of humiliation, of isolation.

It was harrowing and confronting. It also brought home to me how removed I was from their experiences.

After the final person finished their story I was asked what I had to say.

I look at the group and said I didn't know what to say – that I had no answers.

All I could eventually offer was what I thought would be dismissed by the group as yet another example of abandonment.

All I could say was that I would do my best.

After a long pause, a 50-year-old man looked at me and said "Don't you dare let us down again".

His comments haunt and motivate me.

So what does 'not being let down' mean?

First and foremost people who have been abused and damaged want to be believed, their experience understood and their word accepted.

Secondly they don't want to be isolated and ostracised.

So how do we go down the path of 'not letting people down'?

From my perspective the first thing is ensuring that victims and survivors are allowed to tell their stories, that they have the opportunity to stand up and be heard.

The need to be given the time to tell their stories no matter how long it takes for some to find the words, and the courage to speak them.

The second thing is the importance of the disposition of the Church towards people who have been abused and damaged.

People have an expectation about what our Church stands for and what it believes in, that actions speak louder than words. Apologies only mean something when people feel them and believe they are sincere.

It is crucial that the Church communicates and humbly projects a spirit of compassion and contrition that can enable an atmosphere and dynamic of healing and reconciliation.

This forms the basis on which people who are damaged can have their experience validated and addressed.

This means people need to feel comfortable coming to the Church.

Victims need to be believed. They have to be able to take their concerns to the Church and know that they are not going to be judged or treated harshly no matter how confronting it might be for the Church.

Even if they have been through a process that has led to some sort of settlement, in many cases their pain and anguish is still unresolved. Most likely, in some cases it can never be entirely resolved. For many nothing can restore the innocence of those who have had it taken away.

But as a Church, we need to walk with the survivors who want to be heard before the Royal Commission.

We need to put in place better systems, processes, redress and contrition that says, in one way or another – you are damaged, we believe you, we are sorry, we want to help you heal and we are working to try to make sure that what you went through never happens again.

And when we talk about the damage that has been done to people, it is important to understand what that means.

According to the advocacy group CLAN, many victims and survivors live with feelings of fear, guilt and shame.

Low self-esteem, self-hatred and depression are all common place.

Many survivors struggle with building trust having been betrayed as children by the very people they depended on: priests, brothers, teachers, family members – people who should have protected and cared for them but ultimately betrayed and damaged them.

Many grow up to have relationships that are dysfunctional and damaged, that are abusive and dangerous.

Many suffer alcohol and drug addiction.

Survivors often report re-living the abuse, flash backs that can be triggered by smells, events and actions.

Many suffer frustration and shame and are unable to build healthy sexual relationships as result of the abuse they suffered as children.

All this and more is often part of what the victims and survivors of child sexual abuse have to live with.

Historical context

So what is the back story that has brought us to where we are today?

Wherever in the world it has arisen, the Church's history of clerical sexual abuse and the way it has been handled has in the main not been good.

For many years we have seen and heard a litany of allegations levelled against some priests, brothers, Catholic lay workers and others within the Catholic Church.

Priests and members of religious orders have been jailed. More have died without facing a court or being brought to justice.

And at the same time there continues to be thousands of victims prepared to stand up and tell their stories. Stories of being dismissed, threatened, ignored and treated as the guilty by past Church authorities.

Before I go any further I want to make one thing very clear. The approach the Church takes to dealing with clerical sexual abuse now is dramatically different to its approach prior to 1996 and as it evolved over the course of a decade or so prior to that.

Many things have changed for the better – this needs to be acknowledged and I will come to this shortly. And that's a long way from saying there are not many more things that need to change – because there are.

But the fact is our history has not been good.

As it stands there are no reliable national figures available yet, on the incidence and handling of child sex abuse within the Catholic Church in Australia.

To understand the full extent we need the answers to these questions.

How many people have come forward to the Church with allegations of sexual assault?

How many priests, brothers, nuns and lay workers were involved?

How many were reported to the police?

How often did police investigate?

How many charges were laid?

How many and who went to jail?

These questions are being addressed.

As part of the work we are doing to prepare for the start of public hearing we are collecting information that will go some-way to answering these and other questions.

It will be important that other organisations do similar work if the community and the Commission are going to be able to get a clear picture of the extent of child sexual abuse across all institutions.

2. Sexual abuse within the Catholic church

There are many views on why the scourge of sexual abuse has been a significant part of the Catholic Church's history in the 20th century.

In 2004 a major report into clerical sexual abuse in the US Catholic Church which was commissioned by the U.S. Conference of Catholic Bishops was released.

The John Jay report, as it is known, identified a number of factors contributing to the sexual abuse scandal in the US including:

- Failure by the hierarchy to grasp the seriousness of the problem.
- Overemphasis on the need to avoid a scandal.
- Use of unqualified treatment centers.
- Misguided willingness to forgive.
- Insufficient accountability.

At the same time there was a profound lack of understanding within Church leadership about what to do with offending clergy, and a shocking ignorance of the often serious lifetime effects of abuse on children and young people.

This lack of understanding of the psychology of paedophilia as is now understood and its impact on children wasn't of course just confined to the Catholic Church, it was wide-spread across many, many institutions at the time including government institutions.

The present understanding is that paedophilia is a condition that can't be 'cured' or 'treated'.

The church took advice from professionals who gave that advice in the context of the knowledge available at the time.

Prior to the mid-1990s there was a profound misunderstanding of the nature, causes and treatment of 'paedophilia'. It would appear the responses of church authorities were often based on the idea that successful treatment of the offender was possible - as was the psychological and psychiatric understanding for much of that time.

And while this goes to why there has been abuse, the other key issue is why the Church failed to respond at the time to the claims of victims.

The list of failings is extensive... and it reads the same in the USA, in Europe and in Ireland.

...the failure to report abuse to the Police, the failure to remove offending priests, the practice of moving offenders on to other places, misjudgements around the nature and response to paedophilia, failure to impose penalties, an over reliance on legal advice, and protecting the reputation of the Church often ahead of the needs of victims.

But it gets worse.

During his evidence to the Victorian Parliamentary Inquiry, Cardinal Pell said that when he became Archbishop of Melbourne in 1996, there were no records of sexual abuse allegations kept by his predecessor Archbishop Frank Little.

He also gave evidence that in the Victorian diocese of Ballarat, Ronald Mulkearns, Bishop of Ballarat between 1971 and 1997, destroyed files. At the time, Ballarat was home to some of the Australian Church's worst abusers.

While there has been very little good news to come out of the Victorian Parliamentary Inquiry which finished its public hearing earlier this month, one sign of hope that justice is possible, is that the Church leadership in Melbourne and Sydney have again acknowledged, very publicly, the mismanagement and the cover-ups of the past.

This can only be a good thing.

3. Current situation

It is important to acknowledge the Church is making a concerted effort to build a responsive and inclusive reconciliation process for victims of clerical sexual abuse.

With the Melbourne Response and Towards Healing, the Catholic Church put in place pastoral processes to allow victims, if they wish, to engage with the Church outside the legal process.

Both these approaches were ground breaking and well ahead of their time.

Their intent is to meet victims and survivors primarily in a pastoral relationship as opposed to an adversarial, legal approach.

The work of the Church's National Committee for Professional Standards has overhauled the professional standards within the Church and violations of boundaries in the workplace and parish.

The significance of these changes has been independently recognised by former Justice Anthony Whitlam in his inquiry into the 'Father F' matter that spanned the management processes in the Armidale and Parramatta dioceses relating to the sexual abuse perpetrated by Father F.

In short, Justice Whitlam indicated that sadly, had the current procedures for reporting child abuse laid down by the Church's Towards Healing protocols been in place back in the 1980s, then the tragedies perpetrated by 'Father F' could have been averted.

And interestingly, Father Frank Brennan writing in *Eureka Street* earlier this year said Armidale's Bishop Kennedy was not the only one out of his depth in the saga of Father F. Practitioners in law and psychology were also found wanting.

This stark reality is very hard for the families of the Father F's victims. It is damning of Church administration at the time. It also indicates that the Church has made significant progress in the professional handling of allegations, reporting to authorities and managing clerical movements.

And while there has been progress there is still a very real perception in the broader community, and in a significant part of the Catholic Church itself, that little has changed.

The days after the appearance of Church leaders at the Victorian Inquiry there were two markedly different editorials in the main stream media.

The first, which appeared in the Australian on May 28, '*Cardinal's evidence puts abuse crisis in perspective*' provides a potted history of the past and measure that have been put in place by the Catholic Church to address the problem. It concludes by saying:

The Royal Commission must recommend effective safeguards. But it must not allow itself to degenerate into a kangaroo court...

...He [Cardinal Pell] and Archbishop Hart are in the forefront of dealing with the abuse and mismanagement that has undermined the church's credibility. They are part of the solution, not the problem.

On the same day the Fairfax press ran an editorial that was particularly harsh on the Church's response over the years:

From the outset, the Catholic Church should have dealt openly, honestly, generously and promptly with complaints of sexual abuse. Yet even now it struggles to get its words out clearly; its apology does not penetrate even the first layer of hurt - and that only undermines whatever good it is trying to do.

What is clear is that there are strongly polarised views within the community about how the Church has responded. It is also clear that formal apologies from the Church have not been received in the spirit they have been given. The current Church leadership in Australia polarises people's view of the Church and what it has done.

Some may say that this is the result of a media agenda designed to undermine Church authority. This may have some validity but my personal view is that this may be too simplistic. The way the Church and other institutions have historically dealt with child sexual abuse is an important news story that no self-respecting news outlet would ignore.

And while there are many that say much of the reporting is biased, interestingly this isn't how at least the bulk of Mass goers see it.

The 2011 Church Life survey of some 2,500 regular Mass attendees across 217 parishes found that 63 per cent either had no view or believed the media has been fair in its coverage of sexual offences by priests and religious.

It would be a mistake for the Catholic Church to believe that the Royal Commission exists just because of a media campaign that is out of proportion with the concern of the community. That said, the coverage of sexual abuse and the intense focus on the Catholic Church has had a huge

impact on the people in the pews, the local parish priests and the workers in our Catholic health, education and welfare organisations.

There was a very interesting gathering in a Sydney parish a couple of months ago. It was organised by the parish leadership group with the direct involvement of the local priest.

Around 25 parishioners met to talk about how the issues of child sexual assault had impacted on them and their faith. It was part of an overarching parish program that also included special prayers for the victims.

Words like angry, saddened, shocked were common place. Many could not understand what clerical sexual abuse was even about, having never been in direct contact with it.

There was a real sense at the meeting of the need for clear and strong leadership that puts victims first and demonstrates real compassion, concern, sympathy, understanding and contrition.

While this was only a small group of regular Church goers it is clear that as a Church we need to get better, clearer information to the Catholic community if they are going to understand what the Church has done since the introduction of Towards Healing and the Melbourne Response. It is not the role of the media to explain the fundamental change in approach that were heralded by Towards Healing and the Melbourne Response. That is our job.

We've got a long way to go to improve these processes and compliance to them, collecting better data, opening ourselves to working more closely with the authorities, making sure all we do in this area is best current practice, and as open and transparent as possible, while of course protecting the privacy of victims and survivors.

The fact is there will always be supporters of the Church just as there will always be people who turn their back, whether out of disillusionment or an erosion of the place of institutions, particularly religious institutions, in modern society.

There is, and must be, a middle ground and a genuine attempt to restore trust in the Church.

The question must be asked, if the Church has responded as well as it claims, why is there still so much hostility, almost 20 years after it put in place the Melbourne Response and Towards Healing.

Are the attacks on what has been set up or are the attacks on something else?

After two decades of hard work and the efforts of hundreds of people of exceptional good will and talent.....people who have spent years dedicated to addressing the issues of clerical sexual abuse..... what is it, that the Church has to say or do for the community – victims in particular – to restore trust?

Well I have some thoughts on this.

We as a Church need to be talking about how people who have been damaged might find their way back to the Church.

We have to examine a culture which has allowed secrecy and silence, intimidation, legalism and obfuscation to let sexual abuse happen.

We have to look at clericalism and power.

These issues go to the heart of the fact that the Catholic Church's role as a lived expression of the Gospel has been diminished in the eyes of Catholics and non-Catholics alike.

4. The Royal Commission

So here we are, a few months into the private hearings at the Royal Commission into Institutional Responses to Child Sexual Abuse and just three months away from the start of public hearings in September.

As has been well reported, the Commissioners will investigate where systems have failed to protect children, and they will make recommendations on how to improve laws, policies and practices to prevent and better respond to child sexual abuse in institutions.

The Commissioners can look at any private, public or non-government organisation that is, or was, involved with children, including government agencies, schools, sporting clubs, orphanages, foster care, and religious organisations.

As most know The Honourable Justice Peter McClellan AM has been appointed Chair of the Commission.

He has been appointed for three years and will release an interim report by no later than 30 June next year.

Given its size and the apparent extent of the abuse, in so many quarters, governmental and other, there is little doubt the Catholic Church will be a significant focus of the Commission.

Catholic Church leaders have been emphatic in their support of the Commission.

The Church's two peak organisations, the Australian Catholic Bishops Conference, which represents Australia's 33 dioceses; and Catholic Religious Australia, which represents some 180 congregations of brothers, nuns, priests and other religious, have thrown their weight behind the Commission.

In a joint statement with the leader of CRA, Sr Annette Cunliffe, Archbishop Hart said:

I am confident that the Royal Commission will enable an examination of the issues associated with child abuse nationally and the identification of measures for better preventing and responding to child abuse in all those institutions that work with children.

The Catholic Church leadership has fully embraced the Royal Commission and has acknowledged the failings of the past.

Cardinal Pell: "I will continue my efforts to offer practical help and support, respectfully and compassionately, to those who are suffering because of these crimes."

Archbishop Coleridge: "We can never forget that the deepest hurt has been suffered by those abused and their families. As a Church, we commit ourselves to do all that we can not only to bring the truth to light but also to bring justice and healing to those who have suffered."

Bishop Fisher: “I know I speak for our entire Catholic community when I say that our hearts go out to the victims of child sexual abuse, the ‘little ones’ whom Christ most loves, and to their families. We are ashamed of past failures and determined to do better.”

Bishop Ingham: “The protection of children is of prime importance, not the protection of any organisation. Victims and their families must receive respect, justice and compassion.”

Archbishop Hart: “Sexual abuse in any form, and any attempt to conceal it, is a grave evil and is totally unacceptable. As Christ’s Church we must face up to the truth of these revelations and not attempt to disguise, diminish or avoid in any way the actions of priests and religious who have betrayed their sacred trust.”

The Church has already lifted confidentiality clauses to remove any barriers for those who wish to provide information to the Commission.

This is just one action but it demonstrates the Church’s intention to fully co-operate with the Commission.

It is incumbent on the Church to be open and honest about this history and to match words with actions. This is the only way that the community can trust that the Church will fully embrace the Royal Commission, fairly and justly.

5. The Truth Justice and Healing Council

In order to provide the Commission with unqualified co-operation the Catholic Church leadership committed to establish the Truth Justice and Healing Council to deal with the Royal Commission on the basis of a single, by which I mean one Church, approach.

It appointed the Hon Barry O’Keefe AM QC – a former Commissioner of the NSW Independent Commission Against Corruption, and former Chief Judge of the Commercial Division of the Supreme Court NSW as its Chair, together with 10 other eminently qualified and committed people and 3 Clerics and religious as Council members. Five of the 10 are women.

Their expertise ranges across child sexual abuse, mental health, suicide, public policy and the law. And it reflects the very clear desire of the Church to ensure a fully professional response to the Commission.

Four of the Councillors have either been a victim of abuse themselves or have family members who have been abused.

The Council will act as a collective advisory group to the Church leadership through a supervisory group made up of Bishops and congregation leaders.

We are presently developing the shape of submissions and reviews of the Towards Healing and the Melbourne Response in light of what’s considered best practice these days.

We are looking at a range of other issues: working with children checks; reporting abuse to police, the possible liability of Bishops and other Church leaders and questions as to limitations on compensation.

That is the policy side of our work.

The other arm, and the bulk of the Council's day to day activities at the moment, is collecting and collating documents for the Royal Commission in response to notices to produce documents that have been issued by the Commission.

To date more than 24 notices have been issued to Bishops, congregation leaders, catholic education offices and other church entities.

As at the end of May some 150,000 documents have been uploaded to something called the Ringtail document management system. Tens of thousands of documents remain to be identified and uploaded.

Once uploaded, the documents need to be reviewed before being submitted to the Royal Commission. About 24,000 have already been reviewed and provided to the Commission.

This is time consuming, intense work. It is also expensive. It brings together everything the Commission is after: every file, every policy, every incident report that touches on child sexual abuse.

When complete, the documentation will provide a comprehensive picture of the Catholic Church's response to incidents of child sexual abuse within its institutions over time - from about 1960 to date.

For us to be able to gather this material, all the religious congregations and all the dioceses have had to formally authorise us to act for them, which they are currently doing.

We will not be trying to defend the indefensible. We will be open, we will be transparent and we will cooperate.

We will not be countenancing any practices that in the past have generated so much anger and pain among victims, and that have undermined the moral authority of the Church.

For victims to hear the truth, this needs to be part of how all institutions approach the Royal Commission, anything less will be another slap in the face for those innocents across Australia who have suffered.

6. What to expect

So where do we think the Commission might head and what sort of changes can we expect to see in the Church's approach to dealing with sexual abuse?

We need to understand that words are just words. Even when Church leaders give heartfelt apologies, many people remain damaged.

The process of healing is not kick-started merely by words; rather it commences with a mutual spirit to connect with each other, to journey the difficult path of reconciliation together. As I have said, actions speak louder than words.

The challenge for us, as a Church, is to continually send genuine, positive signals to the people who have been damaged; that we believe their stories; that we respect the fact they are justifiably angry and disillusioned with the Church; that we genuinely want them to be living lives of dignity and purpose, not merely existing, bedevilled by pain and isolation.

But we must also put actions behind these words. Action is imperative if victims and the broader community are to accept the Church will continue to build on what it has already put in place.

There must be no doubt in the mind of Church authorities and leaders that every measure is taken to ensure only suitable people work with children within the Church.

We should even go beyond the bare statutory requirements and put in place the most stringent working-with-children checks available.

We need to be able to identify when a child might be at risk. Teachers, priests, religious, community leaders need to be able pick up on the signals. They need to be trained to recognise and respond to a child who is showing signs of abuse.

We need to build processes and practises that help victims heal, that enable them, if they wish, to return to the church, that enable them to live their lives in the best way possible - this process must include a fair and just compensation.

We need to build a process that can determine if a person is fit to continue working with children when a complainant has not gone to the police, or the complaint, for whatever reason, has not gone to Court.

Justice is a two-way street – so those accused must also be afforded natural justice. While there must be natural justice for people accused, in the appropriate cases allegations must be dealt with by the Church, even if they have been dismissed by civil authorities.

Importantly any reforms the Royal Commission recommends must be effective across all of Australia.

State Governments must do their part in supporting the Commission and making whatever changes are necessary to ensure the nation is in lock step when it comes to stronger more effective child protection laws.

7. Conclusion

I believe the Royal Commission into Institutional Responses to Child Sexual Abuse is a crucial exercise for our future as a Church in Australia.

People who have fallen prey to offenders have the right to tell their stories and to expect justice.

The Australian community has been kept in the dark for too long. We all need to hear how our Church and others, including other churches, institutions and State and Federal Governments, handled or mishandled child sex abuse cases.

This is a dark period in our Church's history and only when the truth comes out can sustainable healing begin.

Our embrace of the Royal Commission must be, and will require, a frank and open approach.

We need to be prepared to face the inadequacies of the past – the times when decision makers did not exercise judgements that accorded with the standards of today, judgments that were all too often inappropriate even by the standards of their times.

The way we approach the Royal Commission could well determine the very shape of the Catholic Church in Australia in the future.

This approach cannot be about a muscular Church, a defiant Church, a Church dragged reluctantly to the Commission such that we are left with little more than a rump of faithful when the dust settles some five years from now.

The spiritual disposition of the Gospels and the teachings of Jesus must shape how we go about this important and defining work.

In conclusion, I would like to say I know many well-intentioned people have grappled with doing the right thing and being there for victims, often to fall short in the eyes of those who have been damaged.

Maybe in the commercial world some will shrug their shoulders and say, 'sorry, this is as good as it gets'.

But for the Church we have to go the extra mile, ours must be 'how good can it get'.

ENDS

4,827 WORDS