

*Archbishop of Melbourne, Denis Hart*

Thank you for the opportunity to speak with you today.

On behalf of the Catholic Church in Victoria I welcomed the announcement of this Inquiry, and I welcome the opportunity now to make a statement to the Committee.

It is clear from the submissions and evidence provided to this Inquiry that religious and other non-government organisations, as well as the community generally, came too late to an understanding of the extent, dynamics and impact of child sexual abuse. As a consequence, we were not alert to the signs of abuse occurring, we failed to hear, accept and act on complaints when made by victims of abuse, and our initial responses were far too inadequate.

My life's work as a priest, bishop and archbishop has been committed to this archdiocese, this city and the state of Victoria. While I cannot fully understand, either as a victim or as the parent of a victim, the terrible impact of abuse perpetrated by priests and others in positions of trust, as a priest and as a bishop I have met with victims and their families and I heard their suffering. I have also met with priests and religious who have been the perpetrators of abuse, whom I have confronted and removed from public ministry.

I travel a lot around our Archdiocese. I regularly visit parishes and am constantly meeting people – so many good people. In visiting our schools, hospitals, welfare services, tertiary institutions and parish communities – in talking to so many Catholics here in Melbourne – there is one common denominator in such conversations these days.

Hearts are heavy with a deep sense of shame and dismay about the crimes of sexual abuse committed by those who were supposed to represent Christ to them.

Disappointment mixes with anger and disgust at the very thought that some who were consecrated to serve could ever molest a child.

Anger at the appalling harm that was done to children; anger at the grief and pain inflicted on parents who still live today with feelings of guilt,

bewilderment and betrayal; and anger at the fact that the Church failed its most vulnerable by letting this happen.

I acknowledge that our own incapacity to see and react to this situation in a timely way has given rise to the need for this Inquiry.

I understand that the community is looking for someone to take responsibility for the terrible acts that occurred.

I take responsibility.

- I renew my apology behalf of the Church.
- I apologise to the children who were the victims.
- I apologise to their families.
- I apologise to the community.

I apologise unreservedly for one of the darkest periods in our Church's history.

We failed to recognise that abuse was occurring. We failed to recognise that we had pedophiles in our midst. We failed to really listen to people when they came forward to complain. We failed to do what is right.

For these failings, and the hurt and suffering that followed, I apologise.

Today, Melbourne Catholics are committed to the challenge of facing the truth that innocent lives have been damaged, and people are still left with their nightmares and their fears.

For many victims, this Inquiry has been an opportunity to be heard publicly, and I truly believe that being heard, and believed, are critical to helping those who have been abused along the road to healing. I too have listened and read the harrowing stories which have been told during this Inquiry.

The Inquiry has also given the community the opportunity to come to a greater understanding of how the blight of child sexual abuse happened in so many organisations, particularly in my Church, and to make recommendations to help prevent such abuse from happening again.

In our submission, we have faced the truth that there was an abhorrent blight of sexual abuse of children by priests, religious and other Church people. All the evidence we have matches the best international data, and

shows that this abuse peaked between 1960 and 1985, and has decreased dramatically since then.

At the time, we were too slow to recognise what was happening. We found it impossible to believe that a priest, brother or sister could so betray their vocation. We were slow to believe victims, and too often favoured a legalistic over a pastoral response.

We believed offenders that they would not reoffend and could be cured, and we wrongly believed the denials of predators. And, tragically, we underestimated the long-term, often devastating, harm and effect on victims, the enduring trauma so many experience on a daily basis which has shattered dreams, dimmed hope and ruptured their faith.

These were terrible failings.

By 1990, our changes to how potential priests are screened and trained were starting to have an impact. The psychological testing, assessment and discernment of candidates for the priesthood is a serious priority. As psychological testing instruments have developed, we have incorporated them into our pre-entry assessment of all candidates seeking to enter religious life. The formation of priests and religious focuses on human, intellectual, pastoral and spiritual development. These four pillars will continue to be shaped by best practice. The review of formation of student priests and religious and the development of protocols assist in the prevention of future violations and abuse of children by Church personnel.

In the late 1990s we introduced the *Melbourne Response* and *Towards Healing*. We have introduced clear codes of conduct and other policies into our schools and parishes to prevent abuse and protect children. The improved formation of priests and religious is now one of the central elements in the prevention of future abuse of children by Church personnel.

The *Melbourne Response*, which I helped set up with Cardinal Pell when he was Archbishop of Melbourne, and in consultation with Victoria Police, is a process that helps victims in a non-legalistic manner. It does not replace the legal system, but it has helped many victims who have not wanted to take legal action.

I am pleased that you have had the opportunity to hear at length from the Independent Commissioners, Mr O'Callaghan and Mr Gleeson, and also from the Chair of the Compensation Panel, Mr Curtain, about their roles and how they each discharge their very important responsibilities under the *Melbourne Response*. I trust that you share my conviction they are individuals of widely-recognised expertise and integrity, and that in dealing

with victims of sexual abuse and those against whom allegations are made, they discharge their responsibilities professionally, independently, fairly and with great empathy for the victims.

In both the *Melbourne Response* and *Towards Healing*, victims are strongly encouraged to go to the police, victims and their families are supported, and abusers are dealt with decisively, while still being afforded natural justice.

We have made five recommendations that I hope the Inquiry will consider.

1. The Church supports the extension of mandatory reporting to ministers of religion in addition to the existing categories of doctors, nurses and teachers with an exemption for information received during the rite of confession.
2. And we call for a new way of reporting offenders to police that protects the privacy of victims who want to remain anonymous. It is our strong preference that the police investigate all criminal activity, while respecting victims' right to privacy.
3. We also recommend that the *Working with Children Act* be amended so that the Church can report to the Department of Justice all relevant adverse findings by the *Melbourne Response* or *Towards Healing*. The Department of Justice could then remove a Working with Children Check held by a Church person, or refuse an application for a Working with Children Check by such a person.
4. Another reform we propose is to clarify the limitation period for legal claims against the Church. We recommend that the *Limitation of Actions Act* be amended so that the significantly longer period available to children injured by their parents and guardians also applies to those who were in a special position of trust towards children. This would mean that Church victims abused as children would have the maximum possible period to take civil action.
5. Finally, we recommend that the Inquiry consider the introduction of statutory oversight of Church processes, similar to that undertaken by the New South Wales Ombudsman.

I have provided the Committee with details of these reform proposals to aid your deliberations.

I hope it is clear to the Committee that we know the appalling abuse in the Catholic Church is a horrific episode in our history, the effects of which are still keenly felt today. All Catholics are deeply ashamed of the terrible betrayal of trust that caused such suffering in the lives of victims, their families, and their communities.

You have heard, in our submission and directly from me and my fellow Church leaders, of the changes we have made to our structures and processes over many years now, to ensure that we put the child foremost in all our considerations.

The codes of conduct in *Integrity in Ministry*, *Integrity in the Service of the Church* and our own archdiocesan protocol *May Our Children Flourish* along with the child protection policies that apply in our schools and parishes clearly articulate the expectation of behaviour of Church personnel. It is these which are our measure.

The Church has received very few complaints of abuse that occurred after 1990. The changes the Church has made, together with changes in the community such as the introduction of mandatory reporting of child abuse and Working with Children Checks, minimise the risk of abuse occurring and make it very difficult for a potential offender today not to be discovered.

All these measures, together with increased community and media awareness, mean that there is good reason to be confident that we are being effective in our efforts to prevent the terrible crime of child abuse in the Church.

We believe that our systems are much improved but we are aware that there may be even further changes to be made. We therefore look forward to hearing the outcome and recommendations of this Inquiry.

The Church is now moving beyond its own shock and anguish, and is engaged, with the assistance of this Inquiry and the Royal Commission, in a search for answers.

In concluding, I want to emphasize to you how determined I have been in my 12 years as Archbishop, and how determined I remain, to ensure that we listen and respond compassionately to the victims of abuse, and that we do not repeat the failures of our past.

I am a bishop, who with my people, wishes to face the truth about how silence, ignorance, the abuse of power and resistance failed so many innocent young people entrusted to our care.

I pledge my commitment to continue to minister so that light may be glimpsed in the darkness of pain; where the gestures of compassion may bring some healing; and where facing the truth will have the power to set people free. Speaking on behalf of the Catholic Bishops and the leaders of the Religious Congregations in Victoria we commit ourselves and the Church in Victoria to this ongoing critical task.