



Royal Commission into Institutional Responses to Child Sexual Abuse and the Catholic Church in Australia

November 2014

About the Royal Commission

- On 11 January 2013 the Federal Government announced the Royal Commission
- It is inquiring into how institutions managed and responded to allegations of child sexual abuse
- The Commissioners will
 - investigate where systems have failed to protect children,
 - recommend how to improve laws, policies and practices to prevent and better respond to child sexual abuse in institutions
- Can look at any private, public or non-government organisations including government agencies, schools, sporting clubs, orphanages, foster care, and religious organisations

About the Royal Commission

- Initially appointed for three years until the end of 2015. Extended by two years in September 2014 to the end of 2017
- The Commission is an opportunity for the Church to explain the way it has treated victims and survivors, to acknowledge past wrongs and failings and to find ways in which to work towards justice and healing for all
- Importantly, it is an opportunity for victims and survivors of sexual abuse to come forward and be heard in an environment of support and safety

Truth Justice and Healing Council

- Shortly after the Commission was announced, the Australian Catholic Bishops Conference and Catholic Religious Australia established the Truth, Justice and Healing Council.
- ACBC and CRA represent more than 200 separate Catholic Church organisations in Australia including dioceses, archdioceses and religious congregations
- The Council established in recognition of the importance of the Royal Commission and the imperative for the Church to address the past openly and honestly, the good with the bad.
- Council allows the Church to speak with one voice before the Royal Commission

Who is on the TJHC

- The 12 members: expertise in child sexual abuse, paedophilia, trauma, mental illness, suicide, education, public administration and governance
- Three representatives from Church bodies
- Half men half women
- Three people who have been abused or have family members who have been abused within Church organisations
- Chaired by former judge of the Supreme Court of Western Australia and HIH Royal Commissioner, the Hon Neville Owen
- Reports to and makes recommendations to a specially established Church leadership group made up of representatives from ACBC and CRA

What the TJHC is doing

- Speaking for the Church in matters related to the Commission and child sexual abuse
- Coordinating the Church's legal representation at the Commission
- Identifying systematic institutional failures that have impeded the protection of children
- Indicating to the Commission the procedures that have been put in place over the past 20 years to protect children and deal with victims and perpetrators.

What the TJHC is doing

The Council is also:

- Initiating research into best practice procedures, policies and structures to protect children in the future
- Making submissions to the Commission about the procedures, policies and structures in place today and the improvements that should be made
- Promoting lasting healing for the victims and survivors of previous abuse
- Managing all public relations and communications for the Church in relation to the Royal Commission
- Providing a focal point for other stakeholders associated with the Royal Commission.

Royal Commission so far

20 public hearings so far - 8 involving Catholic Church

Towards Healing: Sydney

Catholic Education Office Toowoomba: Brisbane

John Ellis: Sydney

Archdiocese of Adelaide and SA Police: Adelaide

Christian Brothers: Perth

Marist Brothers: Canberra

Diocese of Wollongong: Sydney

The Melbourne Response: Melbourne

Royal Commission so far

7 Issues Papers

Working With Children Checks

Towards Healing

Child Safe Institutions

Preventing Sexual Abuse of Children in Out of Home Care

Civil Litigation

Redress Schemes

Statutory Victims of Crime Compensation Schemes

Roundtable Discussions

Preventing Sexual Abuse of Children in Out of Home Care

Working With Children Checks

Redress Schemes (2 September 2014, 7 October 2014)

Royal Commission Interim Report

The Royal Commission released an interim report on 30 June 2014:

- Up to that date the Commission had heard more than 3,500 individual stories of abuse
 - They involve 1,719 different institutions
 - 78.4 percent of the abuse took place in the four decades from 1950
 - More than 60 per cent (1,033) of the institutions are faith based
 - Nearly 70 per cent of the faith based institutions (681) are Catholic
- The Catholic Church represents 40.9 per cent of the 1,719 institutions in which abuse has been identified

Pope Francis in *Evangelii Gaudium*

“Sometimes we are tempted to be that kind of Christian who keeps the Lord’s wounds at arm’s length. Yet Jesus wants us to touch human misery, to touch the suffering flesh of others.

He hopes that we will stop looking for those personal or communal niches which shelter us from the maelstrom of human misfortune and instead enter into the reality of other people’s lives and know the power of tenderness.

Whenever we do so, our lives become wonderfully complicated and we experience intensely what it is to be a people, to be part of a people.”

Issues and public perceptions facing the Church

- Historical denial and minimisation of child sexual abuse claims, crime, cover-up and incompetency
- Greater concern for protecting the church's reputation rather than concern for victims
- The Church's apparent lack of compassion
- The Church's failure to report allegations to legal authorities for investigation and prosecution
- The Church's self-interested approach to compensation: confidentiality clauses, adversarial and aggressive, protecting assets
- The perceived lack of credibility and trust in Church authorities

2011 National Church Life Survey

2,500 regular mass goers surveyed on issues including Clerical sexual abuse and the Church leadership's response.

- Less than one in three say they still have confidence in leadership
- Only one in five think the response of church authorities has been adequate and shows any acceptance of responsibility
- Almost three quarters have little or no idea of what the Church has put in place to provide justice for victims
- Only three percent say they have a detailed understanding of initiatives such as *Towards Healing* and the *Melbourne Response*

Nine point Commitment

- The leaders of the Catholic Church in Australia recognise and acknowledge the devastating harm caused to people by the crime of child sexual abuse. We take this opportunity to state:
- Sexual abuse of a child by a priest or religious is a crime under Australian law and under canon law.
- Sexual abuse of a child by any Church personnel, whenever it occurred, was then and is now indefensible.
- That such abuse has occurred at all, and the extent to which it has occurred, are facts of which the whole Church in Australia is deeply ashamed.
- The Church fully and unreservedly acknowledges the devastating, deep and ongoing impact of sexual abuse on the lives of the victims and their families.
- The Church acknowledges that many victims were not believed when they should have been

Nine point Commitment

- The Church is also ashamed to acknowledge that, in some cases, those in positions of authority concealed or covered up what they knew of the facts, moved perpetrators to another place, thereby enabling them to offend again, or failed to report matters to the police when they should have. That behaviour too is indefensible
- Too often in the past it is clear some Church leaders gave too high a priority to protecting the reputation of the Church, its priests, religious and other personnel, over the protection of children and their families, and over compassion and concern for those who suffered at the hands of Church personnel. That too was and is inexcusable
- In such ways, Church leaders betrayed the trust of their own people and the expectations of the wider community.

For all these things the Church is deeply sorry. It apologises to all those who have been harmed and betrayed. It humbly asks for forgiveness.

Criticisms of *Towards Healing*:

- Inconsistent implementation across dioceses and congregations
- Some Church Authorities more readily accept the veracity of a complaint
- Different pastoral and financial responses
- Lack of independence and transparency, too 'in-house', no public reports of numbers, outcomes, financial assistance
- Inadequate enforcement with no mechanism for supervision
- Personnel involved sometimes insufficiently skilled or trained
- Designed to avoid criminal prosecutions and civil litigation
- Dominated by CCI to keep payments low
- Too many lawyers, too legalistic, causing victims to feel intimidated or overwhelmed

Cultural crisis in the Church

- Why does it seem that many church institutions over many decades turned a blind eye, either instinctively or deliberately, to the abuse happening within their walls?
- What role has a culture fed by clericalism, blind obedience, played in the prevalence of abuse within some religious orders?
- What reforms need to be made to the way in which young men are selected for entry into the priesthood or orders? What about their training and ongoing development, including a grounding in psycho-sexual development?
- Where is the professional development of priests and others?
- Where is the assessment and response to the assertion that the clerical, corporate culture, was for so many years about protecting the reputation of the institution and its assets rather than protecting children?

Perpetrators of abuse

Approximately 4000 calls to the Adult Survivors of Child Abuse support line between April 2013 and September 2014.

Of these 1,700 indicated the relationship they had with the perpetrator of the abuse:

- 64% immediate family
- 16.3% extended family
- 9.5% family friend
- 9% religious

Four point plan for reform

One: Zero tolerance:

- Pope Francis has made it plain that the Church must adopt zero tolerance culture. Bishops and religious leaders must get with this program;

Two: A new approach

- Reengineering of practices, procedures and accountabilities to reflect transparently a victim's first approach;

Three: Greater oversight and transparency

- Establish an entity with broad organisational authority over all dioceses and religious orders when dealing with sexual abuse issues;

Four: Commitment to change

- The capacity and the resolve to implement change regardless of impact on careers and loyalties and consistent with an approach that provides compassion and justice for victims.

Reform proposals recommended by TJHC to Church leaders

Church related only recommendations include:

- Church authority facing a civil claim to provide a responsible entity against which proceedings may be brought
- An independent national corporate Church backed entity to develop and administer national child protection standards. It would monitor adherence to these standards and publicly report on compliance
- More lay and independent experts to strengthen the Church's National Committee of Professional Standards

Reform proposals recommended by TJHC to Church leaders

Broader recommendations include:

- A national statutory redress framework: independent authority to investigate and determine redress payments paid by the institution responsible
- A national watchdog to ensure governments, churches and other institutions are following child-safe practices
- Mandatory accreditation and data collection by an independent national body, to cover all institutions working with children
- A national approach to screening people who work with children: better protection, increase transparency, consistency across jurisdictions and help close loopholes

In conclusion

- The Council is working on developing new policies and procedures to protect young people in the future and to help the Church respond to any future complaints appropriately and justly, putting the needs of victims and survivors first
- The Council is coordinating the Catholic Church's response to the Royal Commission with a commitment to cooperation, openness, full disclosure and justice for victims and survivors
- The Council is telling the full story of child abuse in the Catholic Church in Australia including what has been done to protect children, particularly since the 1990s and the introduction of the reconciliation schemes, Towards Healing and the Melbourne Response

If you are the victim of sexual abuse in the Catholic Church

- Reported the abuse to the police
- If requested, the Church will provide assistance to anyone in taking their allegation to the police and will fully cooperate with the police in any investigation
- To contact the police in New South Wales, Queensland, South Australia, Western Australian, Tasmania, Northern Territory, the Australian Capital Territory call: 131 444
- To contact the Police in Victoria call: 1800 333 000
- You can report abuse to the Catholic Church by contacting the Church's National Committee for Professional Standards by email: consultant@ncps.org.au or by calling: (02) 9669 6218

Contact the TJHC

Call the Council

on 02 6234 0900 between 9am and 5pm AEST Monday to Friday

Email the Council

You can email the Council at info@tjhcouncil.org.au

Write to the Council

PO Box 4593

Kingston ACT 2604

or send a fax to: 02 6234 0999

Website

You can also go to our website to subscribe to receive our newsletters, media releases, blogs and other information www.tjhcouncil.org.au

Contact the Royal Commission

Contact Royal Commission through its website -

www.childabuseroyalcommission.gov.au –

or by calling the Commission's national call centre on: 1800 099 340.

To register your interest in being contacted to tell the Commission your story, please email

registerinterest@childabuseroyalcommission.gov.au