

NATIONAL COMMITTEE FOR PROFESSIONAL STANDARDS

A Committee of the Australian Catholic Bishops & the
Australian Leaders of Religious Institutes

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REVISION
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THE QUALITY

TO: MEMBERS OF THE NATIONAL PROFESSIONAL STANDARDS COMMITTEE

FROM: FR. DAVID CAPPO EXECUTIVE OFFICER

RE: THE DEVELOPMENT OF THE PROTOCOL DOCUMENT

DATE: 30 JULY 1996

I have been asked to prepare two papers for your discussion and consideration regarding the ongoing development of the protocol documents.

Issues Paper number 1 provides the basis for discussion regarding a fundamental principle of operation that the protocol presently in use could acknowledge far more adequately. This situation has caused difficulty and confusion for many Church personnel and most importantly for many victims as they approach the Church to present and discuss a complaint.

I request advice from the national professional standards committee regarding the implementation of this principle in future versions of the protocol document.

Issue paper number 2 details comments on each paragraph of the version of the protocol under discussion implementing the principle of operation that responsibility must only be held where legitimate action can be taken.

I request your further advise in this matter.

- ROLE OF RESOURCE COMMITTEE - ADVISORY ✓
- PUBLIC AND - SCENARIO / PROBABLY DESCRIBATIVE
- CRIMINAL INDICATORS / ASSESSMENT / NOT ONSUAGE ✓
- MEANS WITH POLICE / ROMA COMMISSION
- OPERATIONS 'VULNERABLE ADULT'
- NON-INTERFERE LOOK AT AN IDEAL
- SKILLS OF PEOPLE
- RESOURCE GROUP ADVISORY / RECOMMENDATIONS / MONITORING / ASSESSING / PRACTICE ✓

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ISSUES PAPER NO.1 PRINCIPLE OF OPERATION.

DATE: 30 JULY 1996

The protocol currently being used, and the proposed version under discussion, fail to acknowledge a fundamental principle, that responsibility must only be held where legitimate action can be taken.

Failure to construct procedures around this principle has led to a confusion of roles in some dioceses and institutes, the need for some victims to repeat their story and their complaint over and over again to various people who have little or no power to act on the allegation, and to circumstances whereby members of resource groups are held responsible for the inaction of religious institutes or dioceses.

In order that complaints of sexual abuse are taken seriously by Church authorities and acted upon quickly by Church personnel with the authority to take action, the responsibility for action must always rest with the diocese or religious institute that 'holds' the alleged perpetrator. Responsibility cannot rest with an external committee (eg State resource group) because such a group does not have any authority in relation to an action or non action that a religious institute or diocese may take in the matter.

Therefore the role of the resource group, as distinct from the role of delegated person ('delegate') in a religious institute or diocese, must be clearly defined. At this stage the role of the resource group and in particular the role of the contact person and the investigator within the resource group are confused.

The resource group can only be advisory to the proper authority in a religious institute or diocese. It is important that every religious institute and diocese appoint a 'delegate' who has authority to act on behalf of a leader or bishop. The 'delegate' must be the person to take disclosures of abuse by a priest or religious who belongs to the particular institute or diocese. The 'contact person' within a resource group can only be a gate keeper or point of referral for victims who wish to speak with a proper authority. Similarly, the 'investigator' within a resource group cannot act authoritatively and can only offer advice to a proper authority ('delegate'). If the action taken by the 'delegate' following a disclosure is perceived to be inappropriate (ie. not in accord with the protocol) the resource group can advise the bishop or leader directly in order for action to be taken.

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interdependent. The resource group must maintain an objective and interdependent stance so that it can also advocate on behalf of complainants, victims and offenders or alleged offenders. This objective and interdependent stance will also enable all negotiations with state or territory police and other civil authorities to be without undue prejudice.