

MANDATE
OF THE
NATIONAL COMMITTEE FOR PROFESSIONAL STANDARDS

May 2002

1. Continue to review and update the principles and procedures by which the Catholic Church in Australia responds to those who report abuse by church personnel (*Towards Healing*).
2. Compile a list of principles and procedures for offering support and assistance to victims of abuse, including ways of addressing the spiritual impact of abuse.
3. Compile a list of principles and suggestions for the support of other people (e.g. parents, family members) and communities (e.g. parish, school) affected by abuse.
4. Assist new Bishops and Leaders to respond to allegations of abuse.
5. Assist Women's Congregations concerning issues specific to them.
6. Assist Bishops and Leaders with their on-going responsibilities in relation to offenders and those considered an "unacceptable risk".
7. Liaise with the Professional Standards Resource Group in each State and ensure that it is part of a coordinated national approach.
8. Present information on preventive measures,
 - forming those involved in ministry in the church;
 - providing a climate where people can discuss issues openly;
 - insisting that the transfer of personnel between dioceses follows mandatory procedures (TH 44.6 ff.)
 - suggesting practical risk management measures, e.g. open interview areas.

9. Encourage opportunities for on-going education on issues of abuse,
 - recognising the signs of abuse;
 - appreciating the seriousness of abuse;
 - putting preventive measures in place;
 - helping victims to move towards healing.
10. Continue to review the Principles and Standards for Catholic Clergy and Religious in Australia (*Integrity in Ministry*), and sponsor the preparation of a Code of Conduct for all persons employed or appointed to voluntary positions in the Catholic Church in Australia.
11. Continue to provide a program to treat those clergy and religious
 - who suffer from psychosexual or other disorders;
 - who self-refer for assistance with psychosexual or other concerns;
 - who are in need of a vocational or other assessment.
12. Continue to work together with all relevant persons to improve
 - the selection of candidates;
 - the formation of candidates;
 - the on-going inservice of ministers.
13. Continue to study the implications for ministry of factors contributing to abuse, including
 - the pathology of all abuse;
 - specific factors within the church that could contribute to abuse;
 - the "red flags" of abuse;
 - the convergence of dysfunctional theological ideas, dysfunctional psychology and dysfunctional social environments.
14. Study issues related to the use of power in the church, including
 - the ways in which power is understood and exercised in the church;
 - the situations in which power can be abused;
 - issues of proper accountability to the community.
15. Continue to liaise with other bodies working in the areas of response to past abuse and prevention of future abuse, e.g. the police, child protection agencies, counselling agencies.

RECOMMENDATIONS MADE BY THE
DIRECTORS OF PROFESSIONAL STANDARDS
AND ENDORSED BY THE NATIONAL COMMITTEE

N.B. Neither of the following motions can become binding simply by being passed by the ACBC or ACLRI. In both cases it is the consent of each individual diocesan bishop and each individual religious leader that is required. However, since it is always difficult to obtain the individual consent of so many people, and since it would cause problems if some consented while others did not, both ACBC and ACLRI are asked to discuss the two motions and facilitate the response of the individual members.

1. **That, in accordance with nos.17-18 of *Towards Healing* and with the provisos mentioned there concerning not passing judgement on or prejudicing the rights of the accused, the Director of Professional Standards in each State be empowered to offer to the complainant, whenever it is judged appropriate, counselling or other necessary assistance, up to a value of \$1500.**

Reasons: *Towards Healing* says that "A compassionate response to the complainant must be the first priority in all cases of abuse" (no.17). It then says, "This attitude should be present even at a time when it is not yet certain that the allegations are accurate..... They (the complainants) should be offered whatever assistance is appropriate" (no.18). The Directors believe that their work would be greatly assisted and many problems avoided if they had the power to offer the modest sum of \$1500 at a very early stage, even a first interview, without having to first go to the Bishop/Leader.

The provisos expressed in no.18 are "These responses do not pass judgement on or prejudice the rights of the person accused, but they are part of the Christian response to the very possibility that the person present is a victim of abuse."

Towards Healing already provides that, when a case is first referred to the Church authority, "the Director may also make recommendations concerning the funding of counselling or other such assistance for the complainant pending the outcome of the investigation." (38.4) Despite this provision, the Directors feel that the proposed motion would be of significant assistance to them.

2. That each Diocesan Bishop/Leader of a Religious Institute delegate to some person within the Diocese/Religious Institute the on-going authority to respond to complaints of abuse made in accordance with the provisions of *Towards Healing*, , such that, in the absence of the Bishop/Leader, there will not be undue and harmful delays.

The Directors of Professional Standards report that this is a serious and on-going problem. In order to avoid major problems with the complainant, they need to respond promptly to the next stage of the process, but often the Bishop/Leader cannot be contacted.

Some of the occasions when a prompt response may be necessary are:

38.4 "On receiving the complaint of abuse, the Director shall forward it to the appropriate Church authority and may make a recommendation concerning any immediate action that needs to be taken in relation to the protection of vulnerable children and adults."

38.5 "As soon as possible after receiving notice of the complaint, the Church authority or its representative shall inform the accused of the nature of the complaint if it is possible to do so."

40.12 "The Church authority shall discuss the findings and recommendations of the report with the Director of Professional Standards as quickly as possible."

41.1 "In the event that the Church authority is satisfied of the truth of the complaint the Church authority shall respond to the needs of the victim in such ways as are demanded by justice and compassion."

A person who is constantly available should be delegated. If the idea of delegation is unacceptable, the Director of Professional Standards needs at least the name of a person who can at any time contact the Bishop/Leader.

All delegations should be in writing and signed by a notary, and a copy should be lodged with the Director of Professional Standards.

Similarly, if the Bishop/Leader authorises the offer to the complainant of up to \$1500, a written notice of this should be lodged with the Director of Professional Standards.

DRAFT LETTER

The Director of Professional Standards
(in the State of

Dear

I hereby authorise you, whenever you deem it appropriate, to offer to a person who makes a complaint of abuse against personnel of this diocese the opportunity for counselling or other appropriate assistance up to a value of \$1500. I guarantee that I shall pay this bill promptly when it is presented to me.

I do this in the spirit of nos.17 and 18 of *Towards Healing* as "part of the Christian response to the very possibility that the person present is a victim of abuse." I understand that the offer will be made at a time when I shall not even have heard of the complaint and you will not know whether the complaint is based on truth or not. I therefore make this authorisation under the proviso expressed in no.18 that "these responses do not pass judgement on or prejudice the rights of the person accused."

Whenever I am absent or for any reason cannot be contacted, I appoint to act with full delegated power as "the Church authority" in all matters relating to a process concerning personnel of this diocese being carried out in accordance with the provisions of *Towards Healing*.