

**REPORT OF WORKING PARTY TO THE AUSTRALIAN CATHOLIC
BISHOPS' CONFERENCE - 19th AUGUST 2002**

1. The Working Party has been asked to consider and report on the idea of a Committee of Review to examine the responses by Church bodies to revelations of abuse.
2. We share the serious concerns of many people about the damage done to the credibility of the Church and Church agencies by these revelations. We are aware of the concerns of the laity and the wider community and the need to give them assurance that the issue is being handled with seriousness and expedition.
3. The Working Party has noted the actions taken by the Church in Canada, the U.K Nolan Report, the recent Dallas Conference in the United States and the recent decision in Ireland to conduct a comprehensive inquiry.
4. We recognise the principles, procedures and structures adopted in "*Towards Healing*" and "*Integrity in Ministry*" and those adopted by the Melbourne Archdiocesan procedures and we acknowledge the subsequent actions by dioceses and religious institutes to implement those policies. We are aware of the efforts that have been made to provide for each of the areas mentioned in the revised and wide-ranging Mandate of the National Committee for Professional Standards. In other words, we appreciate the serious work that has already been done.
5. We recommend an external review that would be required to complete its report within one year. We believe that it is important that the Church be seen to be willing to submit to an independent and authoritative review. The evidence would show that in England and Wales the Nolan Commission did much to restore faith in the Church's response among both Catholics and the wider community. We would hope for the same result in Australia. Without such an external review, it is not easy to see how confidence could be restored.
6. The external review would have two specific objectives – first to assess the adequacy of the Church's responses, and secondly, to report and make recommendations on measures to improve the effectiveness of such responses. The particular matters to be reported upon are set out in the proposed Terms of Reference. (Appendix 1).
7. The Working Party acknowledges the significant achievements to date but the attention of individual members has been drawn to many issues about which an independent report could be both helpful and constructive. These issues include:
 - i) The lack of consistency of responses to complaints by Bishops and Provincial Leaders of religious institutes.
 - ii) The lack of consistency of responses to the needs of victims.
 - iii) The diversity of actions after offenders have admitted or been proven guilty.
 - iv) The variety of understandings of what constitutes a 'serious' offence.
 - v) The desirability of a single national set of procedures for handling complaints.

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- vi) The demands on the National Committee Office to act as a 'de facto' court of appeal.
 - vii) The selection and formation policies and practices for entrants to the priesthood and religious life.
 - viii) The needs of the families of offenders.
8. The Working Party has noted the report of the independent committee under the Chairmanship of Lord Nolan that was appointed by the Archbishop of Westminster to carry out a review on child protection in the Catholic Church in England and Wales. The Nolan Committee had no role to investigate or comment on individual cases. The Working Party considers that any External Review should follow that practice and report on policies, procedures and structures.
 9. We further consider that the review should take the publication "*Towards Healing*" in December 1996 as the base line for its report and assess and make recommendations concerning Church responses since that time.
 10. The success of the Committee will depend largely on the appointment of an eminent chairperson. We consider the Committee should comprise a maximum of seven persons including a representative of both the Bishops and Religious Leaders. Gender balance should be ensured.
 11. We further believe that the appointment of the Committee should be announced publicly. While submissions would be invited from the public there would be no public hearings and all the interviews would be in private. The Committee should be given a timeframe of twelve months under a sunset arrangement.
 12. We were informed that the Office of the National Committee was to be strengthened. In order to raise both the stature and the public perceptions of this Committee consideration should be given to re-naming both the Committee and the Office and reviewing the membership of the Committee. Its capacity to make public statements should be strengthened.
 13. The external review will need to be adequately staffed and financed. It will require a full time executive secretary plus secretarial assistance. It may also need to commission consultants' reports on some issues. Therefore a significant budget will be required.
 14. The Working Party has noted the decision of the United States Bishops to establish a Review Board (Keating as Chairman) to report annually on how Church Authorities are complying with the new Charter. The purpose is to both improve and ensure accountability which the laity is seeking. There is merit in adopting such a proposal and the question of its desirability is included in the Terms of Reference for the External Review. We note that the US Board is advisory only.

15. Recommendations

The Working Party therefore recommends:

1. The appointment of an External Review with Terms of Reference set out in Appendix 1.
2. The operations of the Committee as set out in Appendix 2.
3. An Executive Secretary be appointed and be required to submit a budget for approval of the Bishops' Conference.

Signed on behalf of the Committee


Gerald Gleeson

APPENDIX 1

TERMS OF REFERENCE

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1. To assess the adequacy of responses by Bishops and Religious Leaders of the Catholic Church in Australia to revelations of sexual, psychological and physical abuse.
 2. To report and make recommendations where deemed necessary on measures to improve the effectiveness of responses, particularly in relation to the following:-
 - i) The ongoing implementation of the principles and procedures outlined in "*Towards Healing*" and "*Integrity in Ministry*" and those adopted by the Melbourne Archdiocese.
 - ii) The current practices for offering support and assistance to victims of abuse, family parish and school communities affected by abuse, and families of offenders.
 - iii) The current liaison arrangements with such bodies as the Police and child protection agencies.
 - iv) The circumstances in which offenders should lose the right to return to any form of ministry.
 - v) The ongoing responsibilities of Bishops and Leaders in relation to offenders after admission or proof of guilt.
 - vi) The ongoing responsibilities of Bishops and Leaders in relation to cases of unacceptable risk.
 - vii) The desirability, and in the light of established different procedures in the Melbourne Archdiocese, the feasibility of a single set of procedures for handling complaints throughout Australia.
 - viii) The implementation of preventative measures.
 - ix) The provision of programs for treating clergy, religious and other offenders in need of assistance.
 - x) The policies and practices regarding the selection, recruitment and formation of candidates for the priesthood and Religious life.
 - xi) The desirability of appointing a permanent National Review Board (such as the Keating Board in the United States) which would review on an annual basis the extent to which Bishops and Religious Leaders have complied with the agreed arrangements.

APPENDIX 2

OPERATIONS OF THE EXTERNAL REVIEW

1. The External Review should comprise a maximum of seven persons including an eminent chairperson and a representative of both the Bishops and Religious Leaders.
2. There should be a gender balance on the Review with a minimum of three male or female.
3. The appointment of the External Review to be announced and submissions invited from the public. There would be no public hearings. All interviews would be in private.
4. The External Review will examine policies, procedures and structures rather than investigate or report on individual cases.
5. The External Review should take the publication of "*Towards Healing*" in December 1996 as the base line and its primary task is to assess and make recommendations concerning Church responses since that time.
6. The External Review should be given a timeframe of twelve months under a sunset arrangement.

APPENDIX 3**MEMBERS OF THE WORKING COMMITTEE**

Mr Gerald Gleeson AC - Chairman

Ms Myolene Carrick

Ms Maureen Jewell

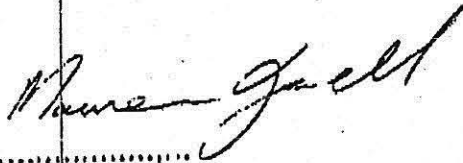
Mr Peter O'Callaghan Q.C.

Bishop Geoffrey Robinson

Sr Angela Ryan

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I concur with the Report of 19th August, 2002.



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Maureen Jewell

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Sr Angela Ryan