

# **Statement from the Truth Justice and Healing Council**

**Royal Commission into Institutional Responses to Child Sexual Abuse  
Case Study 50 | Catholic Church authorities in Australia**

**6 February 2017**

**Statement from the Truth Justice and Healing Council  
to the Royal Commission as part of  
Case Study 50: Catholic Church authorities  
in Australia**

**Statement read by Francis Sullivan, CEO, Truth Justice and Healing Council**

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**Introduction**

Commissioners I make this statement on behalf of the Truth Justice and Healing Council.

When the Truth Justice and Healing Council made its first major submission to this Royal Commission in 2013 it included a nine-point Commitment Statement by the Catholic Church leadership.

This in part said the leaders of the Church in Australia committed themselves to repairing the wrongs of the past, to listening to and hearing survivors, to putting their needs first and to doing everything the Church can to ensure a safer future for children.

Over the past four years, as the Church has been through what many would say has been the most intense and unforgiving examination of almost all aspects of its operations in Australia, the Council has worked hard to hold the Church leadership accountable to these words.

But more than that – to put these words into action.

And having been involved with this Commission from the word go I have seen the Church leadership rise to this challenge.

From the outset we have positively wanted the Commission process to help to free people to tell their stories, and we will always encourage them to do so.

We too have also engaged with survivors individually and in support groups to gain a closer and more personal appreciation of their experiences with the Church.

The general feedback from these many, many survivors ranges across a spectrum from those who found Church personnel wary and distrustful to others who expressed gratitude for the pastoral and caring response they received.

For too many the processes to gain redress and support have been protracted and stressful. Some have given up. Some remain in limbo. Others have said that they have found a more welcoming attitude from Church Authorities in recent times and a readiness to address the particular circumstances victims faced.

We want to acknowledge that it is never an even playing field when a survivor confronts the size and magnitude of an institution like the Catholic Church. Neither is it easy in the first instance to come forward and to reveal what has happened.

We admire and are grateful for the courage of those who have told their stories to us and to the Commission and on which much of the Commission's work has been based.

We acknowledge that around 40 percent of the Commission's private sessions reveal claims of abuse within a Catholic institution.

It is a history that must be told and reckoned with.

Regardless of the histories of other institutions, how the Catholic Church dealt with child sexual abuse is very much the concern and responsibility of today's leadership.

Painful though it may be, these next three weeks is the chance we all have to explore why the abuse occurred and what has been done to prevent it happening again.

Let us not forget that every person who has come forward carries with them the suffering, damage and loss, which child sexual abuse inevitably causes.

They have borne the risk of further traumatising in order to share their experiences.

The fact that child sexual abuse has been perpetrated by those holding privileged positions of trust within the Church and the fact that many Church leaders then compounded the damage in various ways including in some cases covering up the truth, is a tragedy in itself.

The Royal Commission case studies have caused our Church to look deeply at its past, and confront the truth of what happened.

The stark reality is that the Catholic Church should never have put itself in a position to be at the very centre and major focus of an inquiry such as this.

The Church's teaching about the sacred place of children, and about the severity with which any offending against that teaching should be met, is both famous and fundamental.

So for even one child to have been sexually abused by a Catholic priest or religious is as appalling to all faithful Catholics, as it is to all within our community.

The hypocrisy involved in these historic failures is grossly unbecoming a church which seeks to be, and should be, held to its own high standard.

## **Data**

As we heard outlined in Senior Counsel Assisting's opening today, the extent of abuse within the Church spans decades and has occurred in its institutions both small and large.

We are advised that the data does not distinguish those claims that were substantiated from those that were accepted without investigation.

In an ideal world, the data would distinguish between the number of allegations where offenders made admissions, or were convicted, and those where an investigation substantiated the complaint.

Nevertheless, there can be no doubt that the proportion of priests since 1950 against whom even claims of abuse have been made undermines the image and credibility of the priesthood.

Likewise the very high proportions of religious brothers with claims of abuse only further corrodes the community's trust.

The data tells us that over the six decades from 1950 to 2010 some 1,265 Catholic priests and religious were the subject of a child sexual abuse claim.

These numbers are shocking, they are tragic and they are indefensible.

And each entry in this data, for the most part represents a child who suffered at the hands of someone who should have cared for and protected them.

And let's not forget the ripples of the abuse also felt by their family, friends and carers. These secondary victims need not only to be acknowledged but to be tangibly supported and compensated for the impact on their lives.

The data is an indictment on the priests and religious who abused these children.

It also reflects on the Church leaders who at the times failed to take steps to deal with the abusers, failed to call them to order and failed to deal with them in accordance with the law.

Or worse, took steps which had the effect, if not the intent, of enabling them to abuse again.

The data provides, as best it can, a public accounting of what has occurred; a public record of the number of people coming forward to say they were abused. We recognise that many have not come forward and never will.

In the interests of a broader understanding of the extent of child sexual abuse across the community it would also be helpful if this data could be seen alongside similar data from other institutions, particularly government institutions, where abuse also took place at disturbing levels.

That said, the data and the number of claims it details can only be seen as indicative of the scale of the child sexual abuse which has occurred in the Catholic Church.

This data, along with all we have heard over the past four years, can only be interpreted for what it is: a massive failure on the part the Catholic Church in Australia to protect children from abusers and predators, a misguided determination by leaders at the time to put the interests of the Church ahead of the most vulnerable and, a corruption of the Gospel the Church seeks to profess.

As Catholics we hang our heads in shame.

### **The present and the future**

Part of the Council's role has been to meet and talk with the Catholic Community in its many different settings.

Broadly speaking Catholics identify with the church not as an institution but as a community based on a shared set of beliefs and values.

What we have seen and heard over the past four years is that Catholics have been profoundly shaken, to the point of disgust, by the revelations they have heard during Commission hearings.

However it is important to understand that today's Church is significantly different from the one that has been the focus of most of the Commission's case studies over the past four years.

Once the role of priests and religious was dominant in the life of the Church.

In the modern era, at both governance and operational levels, the organisations that run the education, health and social services of the Church are predominantly lay led.

This has brought a broader and more sophisticated and professional approach to management.

Today, due to the declining and ageing numbers in religious and priestly life, the culture and participation of lay people in key roles has changed the face of the Church.

The fact that the Church leadership chose to rely on the Truth Justice and Healing Council – a lay led advisory body – and that it has accepted all its policy recommendations is, in itself, a reflection of that change.

This Commission is not only about the past. More importantly it is about today and the future, about ensuring institutions are as safe as they possibly can be for children.

Later in this hearing the Commissioners will hear from and speak with many leaders of the Church including archbishops, bishops and leaders of religious institutes to gain a picture of what is in place today to safeguard children.

It is appropriate now to mention a few of the key changes that have been made over the past four years to address the issue of abuse and to respond to abuse survivors.

### **Catholic Professional Standards**

The most significant and far reaching change is the establishment in November last year of a new independent body to set standards within the Church for child safety.

This company, Catholic Professional Standards Limited, will audit and report on the compliance by bishops and religious leaders with the standards.

It is a not-for-profit public company, with its own governance structure, and with a board made up of lay professionals.

Professional standards will apply across all aspects of Catholic Church activities and will cover not only children but anyone who comes into contact with the Church.

The Company will audit the performance of bishops and religious leaders on how their services comply with the standards. The audit reports will be made public. In this way the leaders will be held accountable.

This is a dramatic change to the accountability of bishops and congregational leaders.

The significance of this change will have ramifications for many years to come.

### **Revisiting Claims**

Over the past four years many dioceses and religious orders have also committed to revisiting past claims, making adjustments to payments and other compensation provided to abuse survivors.

In November 2014 the TJHC released guidelines for revisiting payments that had been settled under *Towards Healing* or at common law, regardless of whether or not a deed of release was entered into.

Claims and payments have now been revisited extensively by many dioceses and religious orders across Australia.

### **National Redress**

From the early days of the Royal Commission, the Church, through the Council, has been one of the most consistent voices calling for the adoption of a national, independent child sexual abuse redress scheme, similar to the one recommended by the Royal Commission in late 2015.

The Church has called for a scheme that would independently determine fair and compassionate compensation for abuse survivors regardless of where, when or in which institution they were abused.

We have said many times that the days of the Church investigating itself must be over.

A national redress scheme, organised and operated by the Commonwealth but funded by the institutions in which the abuse took place, if established, will be a lasting legacy of this Commission.

### **New professional standards officers, policies and procedures**

Over the past four years religious orders and dioceses across Australia have introduced many new child protection policies and procedures.

They have improved their processes, taken on new staff, adopted better practices and principles, and built new child safeguarding systems, in an effort to embed a culture of child protection at all levels.

Significant changes and reviews have been made by many dioceses and religious orders across Australia.

### **Conclusion**

Much has changed in the Church across Australia over the past 20 years and particularly over the past four years.

Many church leaders will appear before the Commission over the coming weeks.

They will do so out of a heartfelt commitment to contribute to a reasoned discussion about better treatment of those who have been damaged in church institutions and about a better future for those who are entrusted to the care of the Church.

They will give evidence about the work they have done as a direct result of this Commission, and the initiatives they have implemented to ensure children are as safe as possible in our parishes, schools, hospitals, social services and welfare organisations.

As I mentioned earlier the Church leadership and the TJHC published at the start of this Commission in 2013 what has become known as the Catholic Church's Commitment Statement.

In it, for the first time anywhere in the world, bishops and religious leaders, as one, made a comprehensive acknowledgement of the crimes and cover-ups of the past.

Together they offered an unqualified apology to survivors of sexual abuse.

This apology included accepting that too often victims had not been believed, that the interests of the church had been put ahead of young children and that the might of the Church had in many cases been used to silence and oppress them for many years.

Over the past four years, as the Royal Commission has gone about its work, not one religious leader has backed away from this statement.

And more significantly all of these bishops and religious leaders have actively worked to address the many issues highlighted as part of the statement.

While this is admirable still more needs to be done.

It is vital that the culture of the Church that enabled the abuse of privilege and power that led to the crimes and cover-up be confronted head on, not only by those in positions of authority but also by the Catholic Community as a whole.

Words are important, but the measure of commitment can only ever be gauged by actions.

The wrongs of the past must be repaired, survivors of abuse must be shown the compassion and justice they have been calling for, child safety must be embedded in the culture of the Church.

One measure of our success in achieving those goals will be the confinement to history of devastating abuse statistics of the kind we have heard this morning from Senior Counsel assisting the Commission.

Thank you.

February 6, 2017

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