



# Issues Paper 11

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Released 5 May 2016

## Catholic Church Final Hearing

### ISSUE

The Royal Commission will hold a final hearing regarding the institutional response of the Catholic Church to child sexual abuse in February 2017.

This hearing is expected to include consideration of the following:

1. Data regarding the extent of child sexual abuse within Catholic institutions.
2. Factors that may have contributed to the occurrence of child sexual abuse in Catholic institutions, particularly by clergy and religious.
3. Factors that may have affected the institutional response of the Catholic Church to child sexual abuse.
4. The response of Catholic Church authorities to the findings and observations made in relevant Royal Commission case study reports.
5. Current and future approaches of Catholic Church authorities to:
  - responding to child and adult victims and survivors of child sexual abuse, including secondary victims
  - responding to individuals subject to allegations of child sexual abuse
  - the protection of children and the prevention of child sexual abuse.

### SUBMISSIONS

The Royal Commission invites submissions from interested individuals and organisations about any factors which may have contributed to the occurrence of child sexual abuse in Catholic institutions or may have affected the institutional response of the Catholic Church to child sexual abuse.

The Royal Commission particularly welcomes submissions from survivors of child sexual abuse that occurred in Catholic institutions; advocacy groups; academics or other professionals; past or present clergy; past or present religious; any other Catholic Church personnel; and individual Catholics.

Submissions are invited regarding the following issues:

1. To what extent have any of the following issues contributed to the occurrence of child sexual abuse in Catholic institutions or affected the institutional response to this abuse? The Royal Commission has identified these issues through case studies, submissions, private sessions, and a review of literature regarding child sexual abuse in Catholic institutions.
  - a. Catholic theology and doctrine insofar as it is relevant to the institutional response to child sexual abuse
  - b. the Catholic Church's structure and governance, including the role of the Vatican
  - c. issues related to the individual leadership of Catholic institutions
  - d. canon law
  - e. clericalism
  - f. mandatory celibacy
  - g. selection, screening, training and ongoing formation of candidates for the priesthood and religious life
  - h. support for and supervision of working priests and religious
  - i. the operation of the sacrament of confession
  - j. the use of secrecy, including the practice of mental reservation
  - k. individual psycho-sexual factors
  - l. factors operating in society as a whole.
2. To what extent has the occurrence of child sexual abuse in Catholic institutions been a result of the failings of the individuals who committed the abuse? To what extent have systemic institutional factors including structure, governance and culture contributed to the occurrence of child sexual abuse in Catholic institutions?
3. To what extent have any inadequacies in the institutional response to child sexual abuse in Catholic institutions been a result of the failings of responsible individuals? To what extent have systemic institutional factors including structure, governance and culture affected the institutional response to child sexual abuse by Catholic Church authorities?
4. To what extent are any factors that have contributed to the occurrence of child sexual abuse in Catholic institutions, or affected the institutional response to this abuse, unique to the Catholic Church? To what extent are any such factors common to other faith-based institutions or organisations providing services to children more broadly?
5. To what extent are there factors specific to particular dioceses or religious congregations which have contributed to the occurrence of child sexual abuse or affected the institutional response to this abuse by those dioceses or congregations?
6. The current and future proposed approaches of Catholic Church authorities to:
  - a. responding to child and adult victims and survivors of child sexual abuse, including secondary victims
  - b. responding to individuals subject to allegations of child sexual abuse

- c. the protection of children and the prevention of child sexual abuse.
7. To what extent has any Catholic Church authority in Australia taken action in response to the published reports of Royal Commission case studies? These include:
- a. Report of Case Study No.4, *The experiences of four survivors with the Towards Healing process*
  - b. Report of Case Study No.6, *The response of a primary school and the Toowoomba Catholic Education Office to the conduct of Gerard Byrnes*
  - c. Report of Case Study No.8, *Mr John Ellis's experience of the Towards Healing process and civil litigation*
  - d. Report of Case Study No.9, *The responses of the Catholic Archdiocese of Adelaide, and the South Australian Police, to allegations of child sexual abuse at St Ann's Special School*
  - e. Report of Case Study No.11, *Congregation of Christian Brothers in Western Australia response to child sexual abuse at Castledare Junior Orphanage, St Vincent's Orphanage Clontarf, St Mary's Agricultural School Tardun and Bindoon Farm School*
  - f. Report of Case Study No.13, *The response of the Marist Brothers to allegations of child sexual abuse against Brothers Kostka Chute and Gregory Sutton*
  - g. Report of Case Study No.14, *The response of the Catholic Diocese of Wollongong to allegations of child sexual abuse, and related criminal proceedings, against John Gerard Nestor, a priest of the Diocese*
  - h. Report of Case Study No.16, *The Melbourne Response*
  - i. Report of Case Study No. 26, *The responses of the Sisters of Mercy, the Catholic Archdiocese of Rockhampton and the Queensland Government to allegations of child sexual abuse at St Joseph's Orphanage, Neerkol*

These case study reports are available on the Royal Commission website, at:  
<http://www.childabuseroyalcommission.gov.au/public-hearings/findings>

If you wish to make a submission in response to this issues paper, you do not need to address every issue outlined above. The Royal Commission encourages you to address issues relevant to your expertise, interests and experiences.

Submissions will be made public unless the person making the submission requests that it not be made public or the Royal Commission considers it should not be made public. That will usually only occur for reasons associated with fairness. Submissions may also be made public with redactions as the Royal Commission considers appropriate.

Submissions should be made by **1 July 2016**, either

- electronically to [catholic@childabuseroyalcommission.gov.au](mailto:catholic@childabuseroyalcommission.gov.au)
- in writing to GPO Box 5283, Sydney, NSW, 2001.

Submissions can be anonymous.

If you have participated in a private session and would like your session to be recognised as a formal, confidential submission to this Issues Paper, please contact the Commission at [catholic@childabuseroyalcommission.gov.au](mailto:catholic@childabuseroyalcommission.gov.au).