

## CATHOLIC ARCHDIOCESE OF SYDNEY



### File note

Date: 6 June 2012  
 Author: **Mgr John Usher**  
 Re: **4 Corners Interview with Cardinal Pell**

#### Background to "Towards Healing"

In Australia, in the late 1980's, the Australian Catholic bishops became aware, as did the Leaders (Provincials) of Catholic Religious Institutes, that complaints of Child Sexual Assault perpetrated by some Priests, Brothers and Religious Sisters were beginning to be made.

It seems, at the time, that these complaints arose in the wake of legislative changes that were being made in New South Wales relating to the "mandatory reporting" of child abuse to the "NSW Child Protection Council". Complaints were also increasing because of media coverage of sexual abuse in overseas Dioceses of the Catholic church.

Hence, in the early 1990's the Catholic bishops and Religious Leaders sought extensive advice from social scientists, psychologists and other professionals (both local and overseas experts) on the issue of paedophilia.

Not unlike leaders in other child related institutions, the Bishops and Leaders, with the help of expert advisors, came to a more profound understanding about the psychosocial profile of people who commit offences against children and young people.

The particular learning related to matters such as:

- Perpetrators of child sexual assault were likely to be serial offenders and that therapeutic counselling of such people was no guarantee that they would not reoffend.
- Such offenders should not be trusted when they showed contrition or promised not to reoffend. Because of the psychological rationalisation of their behaviour, they were generally people who had convinced themselves that they "had done no harm".
- Paedophilia was not related to homosexual orientation.
- It was alarming for the Church Leaders to learn that religious personnel, who had made commitments to celibacy and chastity, would be perpetrators of child sexual assault. This highlighted for the Church Leaders the grave betrayal of trust that offenders commit - More so than other citizens who commit such offences.

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- There was also an awareness that Church Leaders in the past had, because of a lack of understanding or because of a misplaced commitment to "forgiveness", had not dealt with perpetrators properly; nor had they properly understood the devastating effect of such abuse on victims.

In the past, not just in the Church but in other institutions involving children and young people, there were three significant problems:

- i. A lack of knowledge about the pathology of a perpetrator of child sexual assault.
- ii. An over-conscientious need to avoid scandal.
- iii. And, most importantly, a minimal understanding of the long-term psycho-social impact on the life of a victim.

An understanding of these issues in the late 1980's and early 1990's, in the Australian Catholic church, led to the development of the "Towards Healing" protocol which placed the special needs of victims as a first priority. The avoidance of scandal was much less important and the rationalisation of a perpetrator's actions was no longer to be accepted.

Further, it became essential to improve the psychological assessment of candidates for priestly and religious life and to "stand down" any priest or religious who had perpetrated an offence against children in the past.

#### Operations of the "Towards Healing" Protocol

The "Towards Healing" protocol works from a principle that victims generally are believed; bearing in mind the right of an alleged perpetrator to justice. Nevertheless, a disclosure of a child sexual abuse is rarely fabricated. On the balance of probabilities, when an allegation is made, an assault of some description did occur.

In the "towards Healing" protocol allegations are independently assessed by a "non-church" professional. Of course, such assessments are not necessary when the accused person is known to be an offender in the past.

The "towards Healing" protocol gives each Church Leader an opportunity to assist a victim in a way that is specifically helpful to them. Nothing can really "compensate" a victim for the abuse. Nevertheless, a response that is helpful and relevant to the victim's current situation may bring some closure for that person. This assistance generally takes the form of therapy/counselling as well as a monetary contribution that may be immediately helpful (e.g help with rent or mortgage payments; travel, medical expenses, school fees etc.). If a victim would prefer to receive payment of a designated sum of money, rather than specific financial support, this too is provided.

### Reporting to the Police

The "Towards Healing" protocol, as it is implemented in NSW, ensures that all complaints are reported to the NSW Police (i.e. the name of alleged offender is reported). If the victim is prepared to speak to the police, their contact details are also provided, but only with their permission.

Once an allegation is made, the alleged offender (i.e. priest, religious or lay person) is stood down from all duties pending the investigation/assessment. If the NSW Police are involved an internal investigation must not commence prior to the completion of the police enquiries.

Irrespective of the fact that an alleged perpetrator may be arrested or not arrested, convicted or acquitted, a church investigation must still proceed. A person who is not arrested by the police, or not convicted by a court, must still be assessed regarding his or her suitability as an active priest, religious or church worker.

### Legal Costs

In cases where a diocesan priest is arrested, in the Archdiocese of Sydney for example, the Church does not contribute to the legal costs of priests - neither directly or by way of a loan.

### Case Numbers

In relation to the total number of cases across Australia referred to Church authorities, such data is obtainable from the National Professional Standards Office of the Church. In the Archdiocese of Sydney, for example, there have been allegations against 23 priests. Fourteen of those priests are deceased and the nine remaining priests have all been removed from active ministry.

### Contacting Victims

The Church has constantly sought more effective ways of getting victims to come forward. The Archdiocesan Website provides people with contact details and there is a toll-free number that persons can ring.

### Suicide

In relation to suicides linked to child sexual assault by priests, it is very difficult to ascertain, with any accuracy, the exact numbers. There are two known cases of suicide which seem to be linked to sexual assault by priests in Sydney.

### Farrell Case

There was an important case involving a priest from the Diocese of Armidale (Fr John Farrell). He was arrested and appeared before the court. He was acquitted. The new Bishop of Armidale, then Bishop Kevin Manning, asked Frs

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Peters, Lucas and Usher to interview Fr Farrell to assess whether he should be allowed to continue as an Armidale Priest, even though the court had acquitted him of charges. The three priests who interviewed Farrell, aware that he had been acquitted by the court, and aware that he could not be tried again in relation to the same matter, made an assessment, after interviewing him, that he was not a fit person to continue as an active priest. Although he made no admissions, he was judged to be a person who, on the balance of probabilities, could become too closely involved with children and young people. The interviewing priests advised Bishop Manning accordingly and Farrell was stood down from active ministry.

#### Issues involving Religious Orders

The Archdiocese of Sydney holds no formal data relating to offending priests, brothers or nuns, who are or were members of Religious Congregations. Nevertheless, all Dioceses (other than the Archdiocese of Melbourne which has its own protocol) and Religious Orders have agreed to abide by the Towards Healing Protocol.

**Mgr John Usher**

Chancellor