

ACBC MEETING - 7 MAY 1990

SPECIAL ISSUES COMMITTEE

REPORT

1. Protocol

In accordance with notice given at the last meeting of Conference, the Committee moves for the acceptance in principle of the strategy outlined in the protocol distributed at that meeting, so that the protocol be accepted on a trial basis for a period of twelve months. It may then be revised in the light of experience and of any observations on it which may be made in writing to the Committee.

Only one Bishop has commented on the protocol so far. Two Religious Major Superiors have made comments and the New South Wales Province of the Christian Brothers has submitted to the Committee a set of case studies against which the protocol can be tested.

2. The Discretion of the Bishop

The most substantial of the observations made on the protocol so far refers to the need for a Bishop to be free to exercise his discretion about removing an accused person from his/her office (cf. item 6.8). The protocol is not intended to be absolute in its application, nor can it be forced on any Bishop. However, the Committee argues against Bishops going to the other extreme and not taking the protocol very seriously. The excessive exercise of individual discretion obviously defeats the object of having a protocol. Should a bishop exercise his discretion and make a mistake, the matter becomes a problem for every bishop.

3. Proposed Clinic

The Brothers of St. John of God are planning to establish a Clinic for the treatment of sexual offenders. This Clinic is to be established at Burwood NSW. A Dr. Alex Bresinski will be associated with it. Referrals to this Clinic could be made through the Special Issues Committee and the Clinic in turn is willing to advise the Committee of referrals made to it (without names) so that the Committee can monitor what is happening.

4. Importance of this issue

The attached press item may have been noticed by Bishops. In New South Wales alone there are 40 known cases of accusations having been made - 3 against teachers, the rest against priests and religious. It is presumed that there are proportionate numerous cases in other States and Territories. The issue is therefore of great importance. Bishops are invited to make use of the services of their Committee. Fathers Lucas or Usher could be contacted in the northern States and Father Torpy or Bishop Mulkearns by those in the southern and western States.

5. Insurance

The Committee is continuing to dialogue with Mr. Chris O'Malley of Catholic Church Insurance regarding insurance against action against Dioceses or Religious Congregations. Mr. O'Malley is awaiting information from the United States on this issue.