

DEALING WITH ALLEGATIONS OF SEXUAL ABUSE – DIOCESE OF
BRISBANE – 2002-2003.

This issue has dominated my first twelve months. In the middle of 2002 when the Diocesan Synod met I spent a considerable part of my address to the Synod dealing with it. I tried to sum up what I regarded as important aspects of the matter and of our response. I said:

Many have become burdened and worn down by this experience. Some have judged the media treatment of the matter to have been excessive, even obsessive, and at times unfair. Most of us want to be able to put this difficult and demoralising period behind us and get on with the mission of God in the world.

But let us not jump too quickly to conclusions that may be mistaken and in the long term unhelpful. First of all we should not project all our distress and discomfort onto the media as if they were responsible for it. The media have an important role to play in our society not least in assisting to hold our institutions accountable to the whole community. Of course this role is undermined if sensationalism is allowed to override truth and fairness. But all social institutions, including the churches, must expect to be called to account when they have done the wrong thing. We cannot attack the messenger simply because we do not like the message. Equally we may expect the messenger to take care and be responsible and socially constructive in communicating the message.

Secondly, we should not jump too quickly to the conclusion that dealing with this issue in the life of the church is a distraction from the mission of God in the world, an irritating hindrance to the real work. The church is called to make known the love of God in Christ for all people. This love is good news for the poor, freedom to those who are oppressed, liberty to those held captive. God's special concern to protect the vulnerable and the defenceless is to shine through the life of the church. So if it ever comes about that the weak or vulnerable are harmed by the actions of the church it is a fundamental betrayal of justice of God and the gospel of Christ. Dealing with this matter in the life of the church, justly and with care for the most vulnerable, goes to the heart of God's mission. It is not a distraction from it.

And thirdly, if the events of recent months teach us anything it is to reinforce the fact that the damage caused by sexual abuse never just goes away. It may be pushed down and hidden for a time but it festers away and eventually resurfaces often with the damage multiplied and the agony intensified. We've seen this in the lives of victims of abuse where the damage goes on wreaking havoc for decades, destroying the life of the individual concerned and distorting close relationships. The damage can even have impacts in successive generations. Many abusers have themselves been subjected to abuse. And what's true in the lives of individual victims is also true in the lives of institutions. In the church, abuse alleged to have occurred forty and

2.

fifty years ago is now resurfacing. We cannot simply say, 'Leave it behind. It's all in the past. It happened a long time ago. Move on.' The only way we can move on is if we face the hurtful reality of what has happened, extend care and support to those harmed and take steps to ensure as far as possible that it never happens again.

Let me then address each of these aspects.

At the end of 2001 a court case concerning sexual abuse by a teacher in one of our schools ten years earlier resulted in an award of some \$400,000 in compensatory damages and a further \$400,000 in exemplary damages. As I understand it, exemplary damages were awarded because the court found that the church consciously, and in an insulting way, disregarded the complainant's rights. The church's failures seem to have included the following:

1. The church failed to pick up the early signs of offensive conduct and failed to take appropriate immediate action. Apparently there were some concerns raised about this teacher by a number of pupils and by a nursing sister but there was also a reluctance to accept that the culprit could possibly behave in the wrong way.
2. The church failed to care properly for victims after the offensive conduct was known to have occurred. It seemed to place insurance, legal and financial concerns ahead of caring for victims. The church should have known that acknowledging wrong-doing is important in the healing process for victims.
3. The church failed publicly to acknowledge offensive conduct, that is the church tried to keep the matter quiet, to cover it up. In one interview a parent gained the impression that the matter should be kept quiet so that the good name of the school would not be tarnished in any way.
4. The church failed to communicate with parents of other children who may also have been at risk.

The outcome of this court case pulled us up short and has led to significant changes in the way we now deal with complaints of sexual abuse or misconduct. These principles are now guiding how we respond ...:

1. All complaints are taken very seriously. Though they must be investigated carefully before any conclusion may be reached, complaints are not to be dismissed out of hand as unbelievable.

3.

2. We offer pastoral care and support to anyone who makes a complaint including professional counselling where that is appropriate. We do all we can to lessen harm by providing the best care possible.
3. We are as open, transparent and accountable as possible while respecting the rights of complainants and victims to privacy. We will use confidentiality clauses in agreements settling claims only where there is clear justification for doing so with respect to the rights of individuals to privacy.
4. Where allegations of abuse involve children we report those matters to the police.
5. Systems for detecting abuse throughout the church are to be rigorously maintained and continually improved. We invite any person who has been abused, no matter when, to come forward and make the matter known so that it can be addressed.
6. The rights of a person accused of wrong-doing are also protected and the presumption of innocence is retained.
7. Any person found to have abused children or to have engaged in serious sexual misconduct will not be permitted to continue to exercise a ministry which exposes vulnerable people to further harm.

On this foundation we've worked on a number of fronts.

1. We have taken very seriously, as we must, the blue card requirements. We have put in place a thorough auditing procedure to sight physically each clergy person's blue card. We require all members of parish councils and all lay liturgical assistants to hold a blue card. We would like to implement a policy of requiring all volunteers working with children to have a blue card. Unfortunately that goes beyond the provisions of the Act. As it stands the Act exempts parents involved in the same activity as their own children from needing a blue card, and so the Commission for Children and Young people will not process applications from such parents. Several other churches have been keen to implement a similar policy and so together we have approached the government seeking changes to the Act that would allow us to do so. The response has been that the Act is to be reviewed after two years' operation and we should submit our request to that review. That should be this year I think.

