

REPORT OF MATTERS DISCUSSED AT THE MEETING OF THE
BISHOPS' COMMITTEE FOR PROFESSIONAL STANDARDS
HELD AT ST MARY'S CATHEDRAL PRESBYTERY, SYDNEY, N.S.W.,
ON THURSDAY, 18TH AUGUST, 1994, AT 9.30 A.M.

1. PRESENT: Most Reverend Kevin Manning, Chairman,
 Most Reverend Peter Connors, Secretary,
 Sister Helen Clarke, R.S.C.,
 Reverend Brian Lucas,
 Brother Paul Noonan, C.F.C.,
 Sister Angela Ryan, C.S.B.,
 Reverend John Usher.

APOLOGY: Most Reverend Geoffrey Robinson.

2. ACCEPTANCE OF THE REPORT OF THE MATTERS DISCUSSED AT THE
MEETING OF THE SPECIAL ISSUES COMMITTEE HELD ON 13TH
APRIL, 1994.

The Report on matters discussed at the meeting held on 13th April, 1994, did not require any correction or addition.

3. MATTERS ARISING FROM THE REPORT

- 3.1 Question of Discovery of Documents and the Procedures for
Record Keeping.

Legal advice is that all written records should be kept in a safe place and that they should be of good quality.

Discussion then took place concerning the operations of "Broken Rites", which seems to be under the control of Ms Chris Wilding, who recently has admitted that she is receiving some funding from solicitors who are willing to act on behalf of litigants.

Bishop Manning reported that Insurance Companies, which have been contacted by C.C.I. have indicated a willingness to fund counter-actions for defamation.

The determination of negligence on the part of Bishops and Congregational Leaders may call for a decision given by the Civil Courts.

Bishop Manning reported that he had received correspondence from Ms Liz Moriarty, who is a research student at Monash University in Melbourne. She wishes Bishop Manning to respond to a questionnaire which she is preparing for him. It was agreed that Bishop Manning should co-operate with Ms Moriarty, but that he should seek assistance from other members of the Committee. It was also agreed that Bishop Manning would be the only member of the Committee who would reply to similar requests from Ms Moriarty. Meanwhile, Father Usher will consult with Father David Cappo and Mr. Dale West.

3.2 Protocol for Church Workers

Discussion took place concerning the Procedures which have been drawn up by various State Resource Groups and which have received the approval of the relevant Church authorities. C.C.I. stresses that it is important that all Bishops and Congregational Leaders carry out the Procedures as approved by the Australian Catholic Bishops' Conference and the Australian Conference of Leaders of Religious Institutes.

Father Usher and Father Lucas will examine the draft Procedures which have been approved for the Province of Brisbane. It may well be that this document, which deals with all Church personnel, may be a suitable revision of the Procedures which were last approved in April, 1992.

3.3 Report on the Establishment of a Therapy Centre

The Committee was in receipt of a letter from Mr. Graham Wright, dated 25th July, 1994, written on behalf of the Board of St John of God Hospitals. They were also in receipt of a Report of a meeting held on 29th July, 1994, concerning the Treatment Programme.

It was stressed that there is the need for the Right Programme for the Right Offender at the Right Time.

There also needs to be a facility where clients could live-in for a period of time. Later on they would be able to continue the Programme on an "outpatient" basis.

The involvement of the Bishop and Congregational Leader is essential throughout the Programme for the individual client.

It was decided that a workable proposal is needed as soon as possible.

Father John Usher will convene a Task Force, which will comprise Mr. Tim Burns, Brother Julian Liddiard, O.H., Sister Angela Ryan, and Bishop Geoff Robinson.

3.4 Report on the Preparation of the Draft Document "The Catholic Church's Principles in relation to Sexual Abuse and Professional Misconduct".

Sister Angela Ryan is awaiting further responses from the members of the A.C.L.R.I., which have indicated their approval of the draft Principles. Father Usher and Sister Angela will now review the draft Principles in the light of comments which have been received from some Bishops and from the Congregational Leaders. This revised document is then to be forwarded to the Bishops for their immediate approval and publication. It was considered inappropriate to wait until the December, 1994, Assembly of the A.C.B.C. for such approval to be obtained.

4. MATTERS TO BE RAISED BY C.C.I. (Mr. C. O'Malley and Mr. G. Ripon attended the Meeting at 11.30 a.m.).

Mr. O'Malley made comments on the Policy which is now in operation and which operates on a more commercial basis now that it has been decided that the "Pool" will no longer be sponsored by the Bishops and the Congregational Leaders. Mr. O'Malley considers that the Policy provides a good deal for Bishops, but that its cover is rather limited.

The Policy does not deal with any allegations of offences which took place prior to 1st January, 1976. After that date the records of C.C.I. for Public Liability Cover are in place for Dioceses and Religious Congregations.

There is a \$25,000 excess for every claim which is to be met by a Diocese or a Religious Congregation, but not for every perpetrator.

There is one Policy in place for the whole Church for 1994 to 1995 for \$25,000,000.

However, there is no guarantee that a similar Policy will be available for Bishops and Congregational Leaders after the 30th June, 1995.

4.1 Balance of Funds in the Pool

At the present time there is \$424,000 in the Pool. Legal advice obtained by C.C.I. is that the money must be repaid to Dioceses and Religious Congregations because of the decision not to proceed with the Pool.

It was noted that the Bishops will make a decision on the use of the monies in the Pool at their meeting which is to be held in December, 1994.

The Secretariat of A.C.L.R.I. will contact individual Religious Congregations when a decision has been made as to what suggestions might be made to Congregational Leaders for the use of the monies in the Pool.

C.C.I. will now act within an insurance framework. Hence, the relationship with the Bishops' Committee for Professional Standards has now changed.

Any revision of the Procedures used by Bishops and Congregational Leaders in dealing with allegations will be a matter for negotiation with C.C.I.

It was noted that there are serious technical problems in deciding who are the defendants for claims for civil damages.

4.2 Report on Claims which are being processed by C.C.I.

Mr. George Ripon gave a brief summary of the claims which are being processed by C.C.I. at the present time.

5. APPOINTMENT OF "NATIONAL PROJECT OFFICER FOR CHILD PROTECTION".

It was agreed that there is urgent need for the appointment of a "National Project Officer for Child Protection".

C.C.I. will be pleased to assist Father John Usher and Sister Angela Ryan in drawing up a job description for the National Project Officer. Material from the U.S.A. will also help in the drafting of the job description.

6. REVISION OF THE NATIONAL PROCEDURES FOR DEALING WITH ALLEGATIONS OF CRIMINAL BEHAVIOUR

This item was discussed under item 3.2.

7. REVIEW OF MEMBERSHIP OF THE BISHOPS' COMMITTEE FOR PROFESSIONAL STANDARDS

It was decided that approval be sought for the appointment of Ms Myolene Carrick of the Archdiocese of Brisbane and Sister Evelyn Woodward, R.S.J., for membership on the Bishops' Committee for Professional Standards.

8. OFFER OF AUSTRALIAN CATHOLIC COMMISSION FOR SOCIAL WELFARE TO CONDUCT A RESEARCH PROJECT INTO THE SEXUAL ABUSE OF WOMEN BY CATHOLIC CLERGY

It was decided that no action be taken to seek assistance from the Australian Catholic Commission for Social Welfare in carrying out research into sexual abuse of women by Catholic clergy.

9. GENERAL BUSINESS

It was agreed that Father Brian Lucas should discuss with Sister Evelyn Woodward the drawing up of Guidelines which might be of assistance in dealing with allegations of professional misconduct made by women against Catholic clergy.

10. DATE OF NEXT MEETING

The next meeting will be held on Monday, 14th November, 1994, at St Mary's Cathedral Presbytery, Sydney, at 9.30 a.m.

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