

## Compensation Panel

A Compensation Panel is being established to provide ex gratia compensation to persons complaining of sexual abuse by priests, religious and lay people who are or were under the control of the Archbishop of Melbourne.

To the maximum extent possible, the Panel will operate independently of the Archbishop and the Archdiocese.

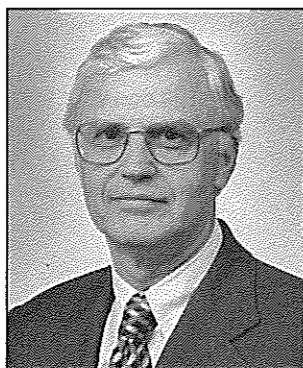
The Panel will be Chaired by Mr Alex Chernov QC and will include a psychiatrist and some lay persons.

The establishment of this Panel and the offer to pay compensation is not an admission of legal liability. The Archbishop, the Archdiocese and the Church do not accept that they have any legal obligation to make payments to people making complaints.

Rather, the Panel will provide people making complaints with an alternative to legal proceedings against the Archbishop or Archdiocese. It is hoped that it will provide an informal rather than legalistic approach and a forum for a fair, just and speedy settlement of claims.

To be eligible for an ex gratia payment, anyone making a complaint will need to establish the factual basis of the claim. In order to thoroughly examine every claim, the Panel will consult and liaise exhaustively with the Independent Commissioner.

Compensation payments, binding on the Archdiocese, will be recommended at the discretion of the Panel, up to a maximum of \$55,000 per person. If the person making a complaint accepts the recommended payment, the amount will be paid in full settlement of all legal claims against the Archbishop and



the Archdiocese. CARELINK services will, however, remain available.

If the recommended payment is not accepted, a person making a complaint remains free to use the normal court processes.

Compensation will not be paid for complaints relating to alleged offenders who are or were not priests of the Archdiocese, as they are outside the Archbishop's control.

Nor will it be paid in relation to complaints about religious or lay people unless they are or were working within the Archdiocese and are or were employed by, or subject to the control of, the Archbishop.

Mr Alex Chernov QC was admitted as a barrister and solicitor of the Supreme Court of Victoria in 1968.

He specialises in commercial and administrative law and has appeared in major cases throughout Australia and before courts, Royal Commissions and administrative tribunals.

Since 1971, he has been a member/chairman of various committees of the Victorian Bar and is a past President of the Law Council of Australia (1990-91).

## Parish Pastoral Response

In addition to the services outlined above, there will be an up-grading of the existing Pastoral Response Team, which operates at parish level.

Members of the Team will continue to offer spiritual support and counselling and to provide a forum for pastoral healing.

The parish pastoral response is an essential part of the healing process for the wider Church community.

## Counselling and Support for Priests

Counselling and support for priests and others accused of sexual assault will be provided by the Vicar-General's office.

Nothing within this Plan is intended to pre-judge the guilt or innocence of any particular priest, religious or lay person.

It should be remembered that these allegations concern only a tiny percentage of the priests, religious and lay people serving the community on behalf of the Archdiocese of Melbourne.

## How the Plan will Operate

The first point of call for people wishing to lodge complaints or seek assistance is the office of the Independent Commissioner.

He can be contacted by calling 03 9225 7979

The Offices of the Independent Commissioner are located at 1815, 205 William Street Melbourne 3000.

Callers can then be referred immediately to CARELINK for professional support services and they can be provided with information about compensation.

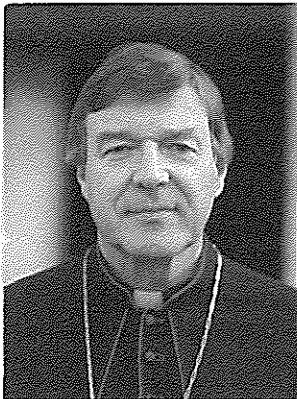
CARELINK is located at 163 Victoria Parade, Fitzroy 3065 Phone: 03 9419 9118

Archbishop Pell welcomes comments from anyone in the community about the initiatives covered in this Plan.

Sexual Abuse



The Melbourne Archdiocese  
Response



**S**exual abuse of minors and adults has emerged as one of the most horrific issues in recent memory.

It is an evil that has permeated all levels of society, including our ranks.

It is all the more serious when it involves priests and others

who have betrayed the trust placed in them by virtue of the privileged position they occupy in society.

It is now time for me, on behalf of the Catholic Church, to apologise sincerely and unreservedly, first of all to the victims, and then to the people of the Melbourne Archdiocese for this betrayal of trust. In the words of the Catholic Bishops of Australia, in a Pastoral Letter issued early in 1996:

**"We cannot change what has happened in the past, undo the wrongs that have been done, or banish the memories and the hurt. In seeking to do what is possible, our major goals must be: truth, humility, healing for the victims, assistance to other persons affected, an adequate response to those accused and to offenders, and prevention of any such offences in the future".**

Regrettably, the Catholic Church has taken a long time to come to grips successfully with the issue.

Recognising the facts now before us, I wish to address the issue in a professional, caring and appropriate manner.

Accordingly, I would like to announce the following initiatives:

- **Independent Commissioner**  
The appointment of an Independent Commissioner, Mr Peter O'Callaghan QC, to enquire into allegations of sexual abuse by priests, lay people and religious under the control of the Archbishop of Melbourne.
- **CARELINK**  
The establishment of a free counselling and professional support service for victims, under the

expert direction of Professor Richard Ball, former Director of the Department of Psychiatry at St Vincent's Hospital.

- **Compensation Panel**  
The formation of a Compensation Panel, under the Chairmanship of [Name] QC, to provide ex gratia compensation to victims of sexual abuse by priests, lay and religious who are or were under the control of the Archbishop of Melbourne.
- **Parish Pastoral Response**  
An upgrade of the existing Pastoral Response Team service which provides spiritual support and counselling at a parish level.
- **Priest Counselling**  
A service providing counselling and support for priests and others accused of sexual assault.

The Church has procedures in place already aimed at preventing any recurrence of sexual abuse and to guard against the re-employment of offending clergy. If convicted of any serious offence, a priest is withdrawn immediately from all public and pastoral duties.

For some years, there has also been extensive screening of all people who aspire to the priesthood. The Church has an explicit Code of Conduct for priests, which is impressed upon all seminarians.

Nothing can completely set right the wrongs of the past, but we are confident that these initiatives will go a long way towards addressing this issue, which has so shocked our community.

We can't pretend to have all of the answers yet but I am hopeful that this plan will work and, with further improvements over time, will begin to have a significant impact, in both a preventative and a healing sense.

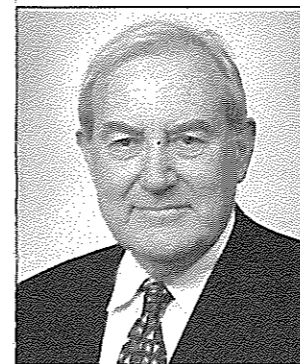
*+ George Pell*

Catholic Archbishop of Melbourne

### *Independent Commissioner*

Mr Peter O'Callaghan QC has been appointed to enquire into allegations of sexual abuse by priests, religious and lay people who are, or were, under the control of the Archbishop of Melbourne.

In much the same way as a royal commissioner appointed by a government the commissioner will operate independently of the Church. He will be subject to the rules of natural justice and the relevant provisions of Canon Law.



The Commissioner will be empowered by the Archbishop to require the attendance before him of priests and religious the subject of complaints, and the Commissioner may conduct hearings at which there may be present the complainant, the accused and relevant witnesses.

The Commissioner will interview the complainants, the accused and relevant witnesses, and

provide the Archbishop with both interim and final recommendations for appropriate action.

The Commissioner's office will be the first point of contact for people wishing to make allegations or complaints, or to seek counselling services, or to obtain information about compensation.

The police and the Government have been informed of the appointment of the Commissioner and the terms and conditions of his appointment.

The Commissioner is eminently qualified. He has practised as a barrister for the past thirty-five years. He has appeared in numerous leading cases.

He has a wide general practice (civil, criminal, administrative and planning) and has appeared in many Royal Commissions including the Tricontinental Royal Commission (1990) and the Royal Commission into the Builders Labourers Federation (1982).

### *CARELINK*

Professor Richard Ball, former Director of the Department of Psychiatry at St Vincent's Hospital, has been appointed to head up CARELINK, a new counselling and professional support service for the victims of accused priests, lay and religious who are or were under the control of the Archbishop of Melbourne.

CARELINK services will be provided free of charge.

CARELINK will be staffed by a broad range of professionals with appropriate qualifications and experience who will provide direct support services and, in some instances, will refer patients to external counselling and support providers.

A panel, under the chairmanship of Professor Ball, will oversee the program. Members of the panel may also provide professional support services.

CARELINK will strictly observe usual patient confidentiality and legal reporting requirements. But it may also disclose information to the Independent Commissioner, with the consent of the patient.

Patients will be encouraged to refer allegations of sexual abuse to the Independent Commissioner for investigation, although there is no obligation for them to do so.

The role of CARELINK will not be investigatory.

Professor Richard Ball is a founding member of the Australian and New Zealand College of Psychiatrists.

He held the Chair of Psychiatry at St. Vincent's Hospital from 1978 to 1992 and his major research interests have included psychosexual matters, gender dysphoria and its management and forms of psychiatric treatment.

