

CHARTER

NATIONAL COMMITTEE FOR PROFESSIONAL STANDARDS

APPROVED BY THE AUSTRALIAN CATHOLIC BISHOPS CONFERENCE
AND CATHOLIC RELIGIOUS AUSTRALIA (formerly THE AUSTRALIAN
CONFERENCE OF LEADERS OF RELIGIOUS INSTITUTES)

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1. Preamble

- 1.1 The Australian Catholic Bishops Conference (ACBC) and the Catholic Religious Australia (CRA) formerly Australian Conference of Leaders of Religious Institutes (ACLRI) have established the National Committee for Professional Standards (NCPS), entrusted with responsibility to assist their respective members in their efforts to respond to and prevent violations of professional standards. Included are issues related to sexual and physical abuse, sexual harassment, areas of adult boundary violations in the context of pastoral relationships and issues of professional misconduct, of clergy, religious, employees and volunteers of Church entities.
- 1.2 This Charter is designed to serve as a reference for ACBC and CRA, specifying matters pertaining to the governance, composition and activity of NCPS.
- 1.3 Other Church entities, e.g. St. Vincent de Paul, may from time to time request approval from ACBC and CRA to align themselves with the NCPS for certain agreed protocols.

2. Establishment

- 2.1 NCPS is a joint Committee of ACBC and CRA.
- 2.2 Assets of NCPS, whether real or personal and including intellectual property, shall be jointly owned by ACBC and CRA in equal shares, which shall jointly in equal shares, but not severally, be responsible for all liabilities.
- 2.3 NCPS does not constitute a legal partnership between ACBC and CRA.
- 2.4 Any matters of dispute that may arise between ACBC and CRA concerning the NCPS or its activities shall be resolved by negotiation and failing such resolution by arbitration before an agreed arbitrator or one nominated by the President for the time being of the Law Society of New South Wales.

- 2.5 All agreements between ACBC and CRA and all directions to or policies established for NCPS shall be in writing under the hand of the President of ACBC and the President of CRA.

3. **Membership**

- 3.1 NCPS shall comprise ten members who shall have equal status on the Committee whether they be clergy, religious or lay.
- 3.2 ACBC shall nominate two Bishops to NCPS and CRA shall nominate two religious, at least one of whom is a Congregational Leader. One Bishop and one religious Leader shall assume the roles of co-chairpersons of NCPS and shall rotate the exercise of this office in such manner as they agree.
- 3.3 The Co-Chairs of NCPS shall, after wide consultation, including with the Presidents of the Conferences, appoint such other members as are necessary from time to time to make up the full membership of NCPS.
- 3.4 These members shall be men and women who have proven expertise in an area related to issues of the committee's concern and will be appointed for their skills and qualities and not as representatives of any particular group. One of these persons shall however be a representative of Catholic Church Insurances. The Committee has the opportunity to use consultants where additional and/or specific expertise is needed.
- 3.5 Members nominated by ACBC and CRA shall be appointed for terms determined by ACBC and CRA respectively, other members shall be nominated for terms not exceeding three years and not for a fourth consecutive term.
- 3.6 Members shall be appointed on the understanding that this is a contribution they make in service of the Church and without expectation of remuneration other than reimbursement of agreed expenses.

4. **Mandate**

The NCPS shall undertake the following tasks:

- Provide advice to ACBC and CRA and their respective members and other Church entities on all aspects of the formulation of policy regarding Professional Standards and the implementation of such policies.

- Revise as necessary *Towards Healing* and present for consideration to ACBC and CRA other policy documents from time to time. For changes in policy, particulars of and the reasons for the changes must be presented to the ACBC and the CRA for their approval. For administrative changes the approval of NCPS shall be sufficient provided the matter is reported to the conferences. If there is any doubt about the nature of the changes they would be presented to the Conferences.
- Implement *Towards Healing* and have oversight as to its operation working with the State Directors to promote national consistency.
- Authorise, and/or conduct research, where appropriate, on aspects of professional standards relevant to the Catholic Church.
- Participate in consultations with similar committees in other denominations and in the broader Catholic Church..
- Be responsible for a national treatment programme as outlined in the Pastoral Letter of April 1996 to treat those clergy and religious who suffer from psycho-sexual disorders.
- Provide on-going in-service training and support to members of Professional Standards Resource Groups (as noted in 3.8 of *Towards Healing*).
- Undertake such specific tasks as may be assigned to it from time to time by ACBC and CRA.

5. Executive Officer(s)

- 5.1 NCPS shall employ one or more executive officers.
- 5.2 The employment of executive officers shall be on such terms and conditions as is necessary for the proper fulfilment of assigned tasks.
- 5.3 The executive officer shall fulfil the duties set out in the contract of employment which shall include effective co-ordination of the activities of NCPS and its members and consultants; the maintenance of all documentation necessary for the effective operation of NCPS; the formulation of an agreed budget and the management of funds; preparation of annual audited accounts; liaison between ACBC, CRA, other Church entities and NCPS.

- 5.4 The initial appointment of an executive officer shall be for a term not exceeding five years. A biennial appraisal shall be conducted. An executive officer may be re-appointed for further terms.
- 5.5 In accordance with any directives of NCPS the executive officer shall be the usual public contact and media spokesperson for NCPS.

6. Accountability

- 6.1 NCPS shall provide a report to each plenary meeting of ACBC and CRA through their respective representatives and such other specific reports as may be required by ACBC or CRA from time to time.
- 6.2 NCPS shall propose an annual budget to ACBC and CRA which shall indicate all known and likely expenditure for the coming year. No commitments shall be entered into by NCPS that are likely to give rise to any significant deviation from the budget without prior specific authorisation from ACBC and CRA.
- 6.3 Any revenue received by NCPS shall be disclosed and taken into account in the annual budget.
- 6.4 At least every four years ACBC and CRA shall commission an independent review of the operations of NCPS.

GUIDELINES/PROCEDURES

In pursuance of its Charter accepts the following responsibilities in the period beginning November 2008.

1. Continue to review and update the principles and procedures by which the Catholic Church in Australia responds to those who report abuse by church personnel (*Towards Healing*).
2. Continue to build up a list of principles and procedures for offering support and assistance to victims of abuse, including ways of addressing the spiritual impact of abuse.
3. Continue to build up a list of principles and suggestions for the support of other people (e.g. parents, family members) and communities (e.g. parish, school) affected by abuse.
4. Provide opportunities for on-going Professional development for leaders.

- Assist new Bishops and Leaders to respond to allegations of abuse according to the principles of *Towards Healing*.
 - Support Bishops and Leaders with their on-going responsibilities in relation to offenders and those considered an “unacceptable risk”.
5. Support and liaise with the Professional Standards Resource Group in each State and work to ensure national consistency.
 6. Investigate procedures to simplify the transfer of personnel between dioceses follows mandatory procedures. (TH 44.6 and TH 44.7)
 7. Develop programmes to promote a positive and pro-active approach to Protection and Prevention,
 - preparing a Programme for Child Protection Sunday
 - introducing a risk management programme for Parishes in States where the Government has not mandated a course of action
 8. Provide opportunities for on-going education on issues of abuse,
 - recognising the signs of abuse;
 - appreciating the seriousness of abuse;
 - putting preventive measures in place;
 - helping victims to move towards healing.
 9. Continue to review the Principles and Standards for Catholic Clergy and Religious in Australia (*Integrity in Ministry*), and facilitate the preparation of Codes of Conduct for all persons employed, or appointed to voluntary positions, in the Catholic Church in Australia.
 10. Ensure that the ‘best practice’ programs are available to Church authorities to treat those clergy and religious
 - who suffer from psychosexual or other disorders;
 - who self-refer for assistance with psychosexual or other concerns;
 - who are in need of a vocational or other assessment.
 11. Be available, in consultation with Church authorities, to assist in maintaining effective practice in
 - the selection and formation of candidates for priesthood, religious life and church ministry
 - the on-going formation and inservicing of those of pastoral ministry in the church..
 12. Continue to study the implications for ministry of factors contributing to abuse, including
 - the pathology of all abuse;

- the specific factors within the church, including the misuse of power, that could contribute to abuse;
- the indicators of abuse;
- the convergence of dysfunctional theological ideas, dysfunctional psychology and dysfunctional social environments.

13. Continue to liaise with other bodies working in the areas of response to abuse and prevention of future abuse, e.g. the police, child protection agencies, counselling agencies.