

Professional Standards Cover — CCI and the Marist Brothers

The following reflections relate to the current consideration of the long standing relationship between CCI and the Marist Brothers.

A thorough search of the Provincial Council minutes over the period 1970-1994 do not reveal one example of concern regarding behaviour of KC with regard to young people in his care. Nor do they reveal any example of a complaint regarding his behaviour from students, parents or teachers.

I personally had no knowledge or suspicion of inappropriate behaviour by KC even though I was on the Provincial Council from 1978-1995. The Provincial Council had an advisory role to the Provincial who had the final authority in such matters. When a formal complaint was received by myself regarding KC in 1993 he was stood down.

It is very problematic to apply the standards and protocols of today to situations of years past. Church and societal culture have changed. Psychological understanding of sexual abuse and its treatments have advanced dramatically.

The alleged incidents involving KC were at the lower end of the scale. He was very tactile. In my own experience as Provincial the two cases initially presented were such as to be in need of assessment as to whether in fact they were sexual abuse. In one case the police considered that they were not sexual abuse and the other specialist consultants considered that they were not of a sexual nature. At that time and with the benefit of advice then available I moved him out of school. In the case of a Provincial who may receive such a report it is understandable that if there is no other report then the person who is under discussion would not be seen as a serial offender or at risk of further offence.

I believe that a common response in earlier days to a complaint of low level non repetitive abuse was reference to a good doctor or spiritual director and an undertaking from the accused that the matter would be addressed. It was regarded very much as a personal, spiritual and confidential issue. This was usually acceptable provided there was no evidence of reoccurrence. This acceptance extended to the parents where they would be involved in a report. In my own experience where a report would come in it would be my normal practice to check with previous provincials to see if there was any earlier reporting regarding an individual. The only exceptions to this situation were former provincials Kieran Geaney who had suffered a stroke and was unable to communicate by the time I had responsibility in this area and also Br Charles Howard who was then resident in Rome and Superior General of the Order.

In the case of KC, he was a man who liked to be in control and saw himself as being a person of influence and a friend of notable people. In common parlance a 'name dropper'. It is entirely understandable that he would describe superiors as knowing all about him as he was on good terms with them. In his mind he extended this to them understanding his deep seated problems which in fact were only fully revealed at the time of his assessment at Encompass and in the hindsight of the reports of multiple victims in more recent times. There is no better way to exonerate one self from further responsibility than to claim that those in authority knew everything there was to know. What more could one do. This same pattern is still evident in the custody situation of KC.

The question arises as to courses that Marist Brothers might do during their life in particular those that KC underwent. These were normal part of Marist developmental life. They were not a sign of special treatment or therapy. The usual pattern for Marist spiritual, psychological and academic development was:

- a) Novitiate. A novitiate program which was the beginning of formal religious training for a Marist Brother. This took place over 18 months to 2 years and usually around the age of 20.
- b) Academic. The Brother's formation continued when he would be appointed for a teaching post but encouraged to undertake part-time tertiary study. In later years this part-time study was replaced by a period of full-time tertiary study immediately after the novitiate.
- c) Second Novitiate. Marist Brothers were usually given an opportunity around mid-life for spiritual renewal and this occurred around the ages of 35 to 50 years. The program was usually one conducted by the Marist Brothers themselves at an overseas destination and often included additional period of study at some overseas tertiary institution.
- d) Troisieme Age. It was normal in the Brother's life to be given a third opportunity for review and renewal and it was in fact referred to as a Third Age program. This usually occurred again overseas around the age of 55 to 65.

These periods of study and review are not seen as therapeutic or rehabilitation processes but the traditional patterns of human and spiritual growth supported by periodic time out for study. Individual Brothers often did other specialist courses in preparation for particular roles.

Where a Brother may be identified as troubled or having difficulty in some way the process of spiritual direction was engaged in leading to a focused overseas program for example, the houses of affirmation in the USA. Br F M would be an example of someone who was seen to address his offending issues in this way successfully.

I am not aware of a situation where offending behaviour was recognised and then ignored in the Marist Order. Even where a Superior received a report as in the case of KC which was not seen as serious it was acted on in the manner of the time, according to the gravity of the offence. Even as late as 1993 the case of KC was referred to Father John Usher, a therapist and Father Brian Lucas a lawyer whose initial recommendation was that the matter need not be followed up. Nevertheless KC was stood down. Subsequent complaints validated this decision.

Overall the Superiors of the past showed serious concern for the well being of students as well as responding to alleged offenders behaviour. No Superior can be held accountable for what they did not know. Those in authority responded with the knowledge and the protocols of their time. Like modern day leaders they made assessments on the basis of knowledge and advice from people with a track record of wisdom and experience. For example Br Charles Howard and Br Mark May. It is noted that Br Charles Howard is presently hospitalised and has been diagnosed as having experienced a minor stroke in recent months. His short-term memory is significantly affected but long-term seems sound.

The Marist Brothers have been satisfied and long term clients of CCI. The relationship has been characterised by cooperation and professional integrity. I see this present situation with regard to the professional behaviour cover in the same way. I would expect the cover to continue acknowledging that accountability required by reinsurers.

Alexis