

*Christian Brothers National Committee*

*Professional Standards Sub-committee*

*Minutes of Meeting No. 5 4*

*Christian Brothers Administration Centre, Balmain*

*Monday 22 February 1999*

*Present:* B. Brandon (Chair), T. Kruger, K. Ryan, T. Shanahan,  
J. McDonald, J. Maher, M. Godfrey

1. Welcome.  
Brian Brandon welcomed all present.
2. Minutes of Meeting No. 4.  
Approved as an accurate record.
3. Issues arising.  
The meeting agreed not to proceed with any special meeting on physical abuse issues.
4. Update on Legal Issues.
  - (i) *St Patrick's Province*
    - \* (a) REDACTED was convicted and sentenced to 5 years gaol in September 1999.
    - hand. (b) REDACTE - facing a trial within the next few days.
    - \* (c) An elderly brother could face charges in 1999, related to sexual assault.
    - (d) Another brother is to face a charge on a doubtful allegation.
    - (e) Seven civil cases have been settled since our last meeting.
  - (ii) *Holy Spirit*
    - (a) Laurie Murphy given a stay in proceedings because of poor health.
    - (b) 3 civil claims settled.
    - (c) 2 unsettled civil cases causing some concern.
  - (iii) *St Francis Xavier*
    - (a) REDACTE - following criminal case, some civil action is proceeding.
    - (b) REDACTED - case going nowhere at the moment.
    - (c) REDACTED - charges dismissed at committal hearing.
    - (d) REDACTED - committed to trial but because of other circumstances the case is not proceeding at the moment.
    - (e) Another case - not likely to proceed, doubtful circumstances.
  - (iv) *St Mary's*
    - (a) REDACTE charged with indecent assault, pleaded guilty.
    - (b) Allegation against a brother - likely to have been fabricated - could continue for some time without resolution.
    - (c) Sexual harassment claims in a school.
    - (d) 2 civil settlements and others in process.
    - (e) Some other settlements through PSRG.
5. Legal costs.  
Document 'Categorisation of Legal Costs in Matters of Abuse' approved.
6. Encompass Program.  
Spoken of in a positive light by all who have had experience of it.

7. **Faulkner Report.**  
It was noted that there are risks in circulating the report but it is a question about whether the advantages outweigh the disadvantages. It was agreed that the document could be made available to those who work with us in professional standards' areas. It was recommended that the report be loaned to those who wish to read it but that the reports themselves be retained centrally.
8. **Ministry Options post trial/investigation.**  
Questions were raised about the criteria used to determine whether a Brother or lay person should continue or return to ministry following allegations or trial processes.
9. **WA Institutions Reconciliation Trust.**
  - (i) Agreed that the Trust distribute a further \$105,000 among seven men who previously had received \$10,000 each and who were recommended by the Trust to have their allocation increased.
  - (ii) Agreed that \$85,000 be set aside in a new Trust for continuing long term treatment for specified beneficiaries.
  - (iii) Agreed to ask legal advisers about points (i) & (ii) above and about our preferred position of consulting with current beneficiaries re the disposal of the rest of the fund.

Meeting closed 12.30pm