

Recommendations to the National Review Panel
In the Review of the complaint of Mr John Ellis.

I have identified that there were failures to observe the required processes in the above review. In accordance with S 43.7 of *Towards Healing*, I submit my recommendations for consideration.

The failures to observe the required processes that I have identified are :-

- S 36.1 provides that a complainant who wishes to invoke the procedures outline in *Towards Healing*, “the Church personnel shall refer the matter to a Contact Person as soon as possible.”

The function of the Contact Person is fully set out in S 36.4 - “ The Contact Person shall listen fully, honestly and Compassionately to the person laying the complaint, both concerning the facts of the situation and its emotional, psychological and spiritual effects. The Contact Person shall explain the procedures for addressing the complaint and ensure that the complainant gives his or her consent to proceeding on the basis laid down in this document”.

I am doubtful if a Contact Person was ever engaged. That is not to say that the Complainant was deprived of access to information, but information was never given to him in any structured manner as envisaged by the Document. There was also a failure to supply the *Towards Healing* document until far too late (if at all). The result of these simple failures was a departure from the structured process and resulted in damage to the process and possibly the outcome.

The above constitutes the only departures from *Towards Healing* that I observed. Other observations concerning delay indicate to me a failure to “manage” the processing of this complaint. I can see no reason why this complaint should take 25 months to reach a conclusion.

My recommendation arising therefore relates to “Management of process”.

Although the document does not lay down strict time guidelines, it is clear that timeliness is an important factor in successfully processing complaints. Delay that is avoidable is also contrary to the principles of dealing with the victim as espoused in part one of *Towards Healing*. It appeared in this case that the Complainant might have contributed to some of the delay; however, the Church Authority has the carriage of the process, and has the obligation to investigate a complaint in the very best way possible. By demonstrating professionalism, the Church Authority will be seen to be open, accountable and transparent.

I therefore recommend that a workable “case management” system be considered to ensure that the authority applies reasonable periods for each aspect of its process.

Ought the outcome to be called into question?

The Facilitation failed to achieve an outcome on the issue of the financial gesture. I cannot determine if the failures of process that I have outlined caused the Facilitation to fail. Clearly they contributed, creating in the Complainant a mistrust of the process.

Mr Ellis has indicated that he seeks resolution of his issues at law. Any future negotiations cannot be under the provisions of *Towards Healing*. In these circumstances, I can find no constructive virtue in questioning the outcome other than in the context of the failures of process outlined.



David Landa
Reviewer

10th of January 2005