

Circular C1 1/95 - D18/95  
May 1995

# AUSTRALIAN CATHOLIC BISHOPS CONFERENCE

APRIL 1995

# AUSTRALIAN CATHOLIC BISHOPS CONFERENCE

MINUTES OF THE MEETING HELD AT ST PAUL'S NATIONAL  
SEMINARY, KENSINGTON, NSW FROM SATURDAY 29 APRIL TO  
THURSDAY 4 MAY 1995

ATTENDANCE The following were present:

- + Edward Cardinal Clancy, Archbishop of Sydney, *President*
- + Thomas Francis Little, Archbishop of Melbourne, *Vice President*
- + Francis Carroll, Archbishop of Canberra and  
Goulburn + Leonard Faulkner, Archbishop of Adelaide
- + Joseph Eric D'Arcy, Archbishop of Hobart + Barry  
Hickey, Archbishop of Perth + John Bathersby,  
Archbishop of Brisbane
- + John Jobst, Bishop of Broome
- + Ronald Mulkearns, Bishop of Ballarat
- + John Satterthwaite, Bishop of Lismore
- + Peter Quinn, Bishop of Bunbury
- + David Cremin, Auxiliary, Sydney
- + William Murray, Bishop of Wollongong
- + John Gerry, Auxiliary, Brisbane
- + Robert Healy, Auxiliary, Perth
- + Leo Clarke, Bishop of Maitland
- + Patrick Dougherty, Bishop of Bathurst
- + Patrick Murphy, Bishop of Broken Bay
- + Noel Daly, Bishop of Sandhurst
- + Bede Heather, Bishop of Parramatta
- + Francis Peter De Campo, Bishop of Port Pine
- + Eugene James Cuskelly, Auxiliary, Brisbane
- + William Brennan, Bishop of Wagga Wagga
- + Geoffrey Robinson, Auxiliary, Sydney
- + Raymond Benjamin, Bishop of Townsville
- + Geoffrey Mayne, Military Ordinary, Australia
- + Patrick Power, Auxiliary, Canberra and Goulburn
- + Edmund Collins, Bishop of Darwin
- + Peter Connors, Auxiliary, Melbourne
- + George Pell, Auxiliary, Melbourne
- + Jeremiah Coffey, Bishop of Sale
- + Kevin Manning, Bishop of Armidale
- + Brian Heenan, Bishop of Rockhampton
- + Justin Bianchini, Bishop of Geraldton
- + James Foley, Bishop of Cairns
- + William Morris, Bishop of Toowoomba
- + Hilton Deakin, Auxiliary, Melbourne
- + Peter Stasiuk, Eparch or St Peter and Paul, Melbourne
- + Peter Ingham, Auxiliary, Sydney
- + Barry Collins, Bishop of Wilcannia-Forbes
- + Michael Malone, Co-Adjutor Bishop of Maitland

## APOLOGIES

Apologies were received from:

Bishop O'Connell, Auxiliary, Melbourne and, for part of meeting, Cardinal Clancy, Archbishop Hickey and Bishops Jobst, Mulkearns, Quinn, Connors and Stasiuk.

## OPENING MASS

The Mass of the Holy Spirit was concelebrated in the Chapel of the Sacred Heart Monastery, Kensington, at 7 am on Saturday 29 April 1995.

Archbishop Carroll was the principal celebrant and preached the homily.

The meeting began after recitation of Prayer During The Day at 9.15 am on Saturday 29 April 1995.

The Vice-President, Archbishop Little, welcomed the Apostolic Pro-Nuncio, Archbishop Franco Brambilla; the Observers from the Australian Conference of Leaders of Religious Institutes, Brother R. Julian McDonald cfc and Sister Helen Clarke rsc; and the Media Officer, Miss Mary Newport.

## 5 MESSAGE TO THE HOLY FATHER

The Conference sent the following message:

THE AUSTRALIAN CATHOLIC BISHOPS, GATHERED IN CONFERENCE IN SYDNEY IN THE THIRD WEEK OF EASTER, SEND GREETINGS TO THE HOLY FATHER.

HIS HOLINESS<sup>1</sup> VISIT IS STILL FRESH IN OUR MINDS. THE BEATIFICATION OF MARY MACKILLOP ENCOURAGES US TO BRING THE TRANSFORMING POWER OF THE GOSPEL TO THE CULTURE OF MODERN AUSTRALIA AS SHE DID TO THE PEOPLE OF HER TIME.

OUR PASTORAL DISCUSSION TODAY WILL BE DEVOTED TO THE ADMINISTRATION OF THE SACRAMENT OF CONFIRMATION. OTHER DISCUSSIONS WILL TAKE UP THE THEME OF *THE GOSPEL OF LIFE*, ESPECIALLY IN THE LIGHT OF CHALLENGES TO LIFE IN OUR NATION, NOT LEAST THOSE POSED BY CALLS FOR LEGALISATION OF EUTHANASIA.

CONFIDENT OF THE HOLY FATHER'S AFFECTION FOR THIS LAND AND ITS PEOPLE, WHICH WE HAVE EXPERIENCED AGAIN SO

RECENTLY, WE ASK HIS APOSTOLIC  
BLESSING ON THIS MEETING.

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His Excellency, Archbishop Re, replied on behalf of the Secretary of State:

THE HOLY FATHER WAS PLEASED TO READ THE MESSAGE WHICH YOU SENT TO HIM ON BEHALF OF THE AUSTRALIAN CATHOLIC BISHOPS CONFERENCE GATHERED FOR THE PLENARY MEETING AT SAINT PAUL'S SEMINARY DURING THE THIRD WEEK OF EASTER. ONCE AGAIN HE RECALLS WITH PROFOUND JOY HIS PASTORAL VISIT TO AUSTRALIA FOR THE BEATIFICATION OF MOTHER MARY MACKHJLOP, A MODEL OF FAITH AND COURAGE FOR ALL YOUR FELLOW CITIZENS.

HIS HOLINESS PRAYS THAT THE HOLY SPIRIT WILL INSPIRE YOUR PASTORAL INITIATIVES, THAT YOU MAY BE STRENGTHENED TO LEAD YOUR PEOPLE TO AN EVEN DEEPER LOVE OF GOD AND THE CHURCH. HE IS CONFIDENT THAT HIS ENCYCLICAL LETTER *EVANGELIUM VITAE* WILL ASSIST YOU IN FOSTERING A NEW CULTURE OF LIFE. THROUGH YOUR PREACHING OF THE GOSPEL OF LIFE, THE PEOPLE OF GOD IN AUSTRALIA WILL BE CONFIRMED IN THEIR COMMITMENT TO PROCLAIM BOLDLY, CELEBRATE PRAYERFULLY AND SERVE GENEROUSLY THE CAUSE OF LIFE.

ENTRUSTING YOU AND YOUR BROTHERS IN THE EPISCOPATE, AND ALL THE PRIESTS, RELIGIOUS AND LAITY IN YOUR PASTORAL CARE TO MARY, MOTHER OF THE CHURCH, THE HOLY FATHER WILLINGLY IMPARTS HIS APOSTOLIC BLESSING.

## 6 CORRESPONDENCE

Greetings from Archbishop Gleeson were gratefully received.

## 7 *REQUIESCAT IN PACE*

+ J P Carroll, Titular Archbishop of Amasea, Former Auxiliary, Sydney (14 January 1995).

## 8 MESSAGE TO SICK AND RETIRED BISHOPS

Conference agreed to send greetings to:

- + J W Gleeson, Former Archbishop of Adelaide
- + A F Fox, Former Bishop of Sale
- + J Cullinane, Former Auxiliary, Melbourne
- + M McKeon, Former Bishop of Bunbury
- + H Kennedy, Former Bishop of Armidale
- + J Torpie, Former Bishop of Cairns
- + J A Morgan, Former Military Vicar
- + A Khalife, Former Bishop of St Maroun, Sydney

+ E Perkins, Former Auxiliary, Melbourne  
+ F Rush, Former Archbishop of Brisbane

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- + J Heaps, Former Auxiliary, Sydney
- + I Prasko, Former Eparch of St Peter and Paul, Melbourne
- + D Warren, Former Bishop of Wilcannia-Forbes
- + J O'Connell, Auxiliary Bishop, Melbourne

**9 VISIT OF THE APOSTOLIC PRO-NUNCIO**

His Excellency addressed the Plenary during its opening session.

**10 CONFIRMATION OF MINUTES**

The Minutes of the November/December 1994 Meeting had been distributed to all members of the Conference.

**MOTION**                      That the Minutes of the  
November/December 1994 Plenary  
Meeting of the Australian Catholic  
Bishops' Conference be taken as read and  
be confirmed.

**CARRIED**

**11**

REDACTED  
Relevance

**12**

**13**

REDACTED  
Relevance

## CONFIDENTIAL MINUTES

### PROFESSIONAL STANDARDS

#### 106 ADVICE TO BISHOPS ON THE NEED TO ACT IN A PROFESSIONAL AND RESPONSIBLE MANNER WHEN RECEIVING DISCLOSURES CONCERNING SEXUAL ASSAULT AND PROFESSIONAL MISCONDUCT

The Committee offered the following advice:

*At recent meetings of the Bishops' Committee for Professional Standards, considerable attention has been given as to the appropriate manner for Bishops and Religious Leaders to act when they are asked to receive disclosures concerning sexual assault and professional misconduct.*

*As is the case with Psychologists, Counsellors and other experts, Bishops need to be circumspect when writing Reports about individuals. Catholic Church Insurances Ltd. have provided legal advice to Bishops concerning this matter. Such written reports do not enjoy privilege in the civil courts.*

*There may well be the need for a "Pro Forma" to be used by Bishops to ensure that they act in an appropriate manner when dealing with allegations made against their personnel. Such written documentation should be made available to their successors in office.*

*There is a duty for the Church to provide pastoral care for both the victim and the perpetrator.*

*Catholic Church Insurances Ltd once again stress the importance of adhering to the approved procedures contained in the Protocol approved by the ACBC in April 1992, when dealing with allegations of sexual assault of minors. Otherwise the insurance cover provided by CCI will lapse.*

*It may be argued that a disclosure made to a Parish Priest or to a School Principal concerning sexual assault was made known to the Church, even though the Parish Priest or the Principal did not refer the disclosure to the State Professional Standards Resource Group or the Bishop.*

*Bishops should therefore draw attention of the clergy and School Principals to article 6.4.1 of the procedures contained in the Protocol. CCI will assist with this matter by providing material for the information of the clergy.*



*It is the recommendation of the Committee that contact be made with the Police Authorities in each State concerning the manner in which the Church deals with disclosures concerning sexual assault of minors. Such liaison may clear up any misunderstandings and avoid accusations of concealment of crimes. It may even be argued that all disclosures of sexual assault of minors be brought to the attention of the Police.*

**107 FORMATION OF BISHOPS AND RELIGIOUS LEADERS TO ACT IN A UNIFORM MANNER IN DEALING WITH A DECISION AS TO WHETHER A OFFENDER SHOULD RETURN TO MINISTRY**

The Committee offered the following advice:

*The decision as to whether a priest or a religious is to return to ministry rests with the Bishop and the Religious Leader. However, there is need for formation for Bishops and Religious Leaders to act in a uniform manner in dealing with the decision as to whether an offender who has been convicted or who has made admissions should return to ministry.*

*The Committee is of the view that convicted or admitted Paedophiles are never to be reappointed to pastoral ministry. The convictions or admissions are often only the tip of the ice-berg. The reappointment of such persons will lend credence to the accusation that the Church does not take this problem seriously.*

**108 THE DISTRIBUTION OF THE FUNDS FROM DIOCESES RETAINED IN THE "POOL"**

Catholic Church Insurances will write to each diocesan bishop for instructions on what is to be done with the funds held by CCI on his behalf.

**109 THE ESTABLISHMENT OF A THERAPY CENTRE OR PROGRAMME (cf these minutes n.59)**

The Committee reported that, after due consideration, Religious Institutes have indicated that they are not able to assume responsibility for the establishment of a therapy centre or programme for the treatment of psycho-sexual disorders. However, some of them are willing to be involved in the operations of such a centre or programme.

There are also logistical problems with the establishment of a centre with this specific purpose. Moreover, at the present time, the move towards the deinstitutionalising of residential centres supports the view that the establishment of a therapy centre for psycho-sexual disorders will be most difficult to achieve.

**MOTION**

**THE AUSTRALIAN CATHOLIC BISHOPS CONFERENCE AND THE AUSTRALIAN CONFERENCE OF LEADERS OF RELIGIOUS INSTITUTES ENGAGE A RESEARCHER TO ACT IN ACCORDANCE WITH THE ATTACHED RESEARCH BRIEF (attachment 1).**

**CARRIED**

**[APPENDIX V]**

The ACLRI will probably provide 50% of the budget for the project. It is also intended that the project be put out to tender and that the more accurate cost of the project will be \$60,000.

**110 PRINCIPLES IN RELATION TO SEXUAL ASSAULT AND PROFESSIONAL MISCONDUCT**

Conference engaged in a full discussion of the content and wording of such a document. The bishops had before them a draft document and a list of questions highlighting issues on which the Committee would need to know the mind of Conference before proceeding to another draft. The Committee listened to the comments of the bishops and undertook to put forward an amended draft to the November 1995 Plenary.

**III MEETING OF BISHOPS AND STAFF OF ENGLISH-SPEAKING EPISCOPAL CONFERENCES ON SEXUAL ABUSE**

**MOTION**

**A BISHOP WHO IS A MEMBER OF THE BISHOPS' COMMITTEE FOR PROFESSIONAL STANDARDS, AND FATHER BRIAN LUCAS ATTEND THE MEETING OF BISHOPS AND STAFF OF ENGLISH SPEAKING EPISCOPAL CONFERENCES IN THE UNITED STATES IN 1995.**

**CARRIED**

It is anticipated that Sister Angela Ryan (ACLRI) and Mr Laurie Rolls (CCI) would also attend the meeting.

## APPENDIX V

## Attachment I

**Research Brief**

The Professional Standards Committee under the auspices of the Australian Catholic Bishops' Conference and the Australian Conference of Leaders of Religious Institutes engages a researcher to consider the following questions and to prepare a report.

To examine the advantages and disadvantages of setting up a treatment programme for Priests or Religious with psychosexual disorders

If no such treatment programme is to be recommended, to Investigate what other therapeutic options are available (eg In the wider community) to examine the issue of psychosexual disorders of Priests and Religious.

If a treatment programme were to be recommended, to examine:-

- (I) the options realistically available - consideration to be given to residential or non-residential treatment or a combination of both
- (li) the order of priority to be given to these options
- (ill) the advantages and disadvantages of each option in relation to therapeutic outcomes, security/safe place, access to other professional staff for related problems, public perception, budgetary requirements for establishment and recurrent costs

To examine the possible staff establishments related to residential/ non-residential programmes In the areas of:-

- professional
- pastoral
- ancillary

To determine the most appropriate Individual or group to sponsor and be accountable for the programme with a view to Its most effective operation, taking Into account both canon and civil law.

To determine the process for Bishops/Congregational Leaders to accompany the client throughout the programme

To advise on the appropriate educational forum or programmes that would be necessary to Inform the Bishops/Congregational Leaders and all Priests and Religious about the process

To examine other specific matters relating to the professional and therapeutic operation of such a programme e.g. Whether there are persons who would not be able to be accommodated in such a programme such as people with certain types of psychiatric disorders

## **Time Line**

Research brief to be presented to April 1995 meetings of ACBC and ACLRI.

Research proposal discussed with potential researchers during May 1995,

Researcher appointed by June 1995.

Report to be presented to the Professional Standards Committee prior to the Bishops' Conference, December 1995 Meeting.

## **Proposed Budget**

Appropriate people will be contacted and asked to tender. It is believed that the cost would be in the vicinity of \$60,000,00 to be shared equally between the Bishops and Congregational Leaders. The Bishops' share could come from the money in the pool.

## **Appointment**

The Professional Standards Committee is currently undertaking the task of speaking to a number of suitable persons with a view to proposing a specific researcher. The Professional Standards Committee shall set up mechanisms to recruit the most appropriate researcher.

Bishops Manning, Connors and Robinson and Sr Helen Clarke would propose the nominated researcher to the ACBC and to the ACLRI.

## **Researcher to Work In Consultation**

With the Professional Standards Committee - Special Therapy Interventions Group viz. Bishop Geoffrey Robinson, Fr. John Usher, Br. Julian Liddiard, Sr Angela Ryan.

The following pages have been  
intentionally excluded:

**2131-2184, 2188-2200, 2203-2210  
inclusive**