

NEW SOUTH WALES PROFESSIONAL STANDARDS REFERENCE GROUP

Minutes of the Meeting of 25th October, 1996.

This meeting was held at St Mary's Cathedral Presbytery, Sydney, Friday 25th October, 1996.

The Meeting opened at 10.15am

Fr Bill Burston was elected the Chairperson and Fr Bob McGuckin as the Minutes Secretary.

Present at the meeting: Fr Bill Burston, Fr Brian Lucas, Fr Robert McGuckin, Mrs Elaine Rickard, Mr Jim Grainger, Mr Ray Reid, Mrs Cath McCormack, and Mr Neil Harrigan.

An apology was received from Fr John Usher who will be at the meeting but will be late.

Apologies: Professor Alex Blaszczyński and Sr Carmel Curtin.

5. CONFIRMATION OF THE PROPOSED AGENDA

The proposed Agenda was accepted.

6. CONFIRMATION OF THE MINUTES for the meeting held on Friday 12th July, 1996.

A question was asked concerning the minute of 6.1 as to the meaning of the word *punitive* in the context there. Brian Lucas said the idea was that justice also be seen to be done.

The Minutes were confirmed.

7. MATTERS ARISING FROM THE MINUTES

7.1 Reassignment After Allegations Accepted by Church or Conviction and Treatment: There was some discussion by a number of people on this matter. The question was also raised about persons who may have been at overseas treatment centres. How valid was the recommendation that came from there. Could there be a possibility of a panel to evaluate the recommendation from overseas treatment centres.

The question of reassignment was raised at the National Reference Group, and the Principles' document was saying that serious offenders certainly wouldn't get back the trust that they had abused. If a priest returned to his former position, would this give a message that the Church either condoned his offence or else was naive about the rehabilitation of offenders. The

question was also asked whether someone could be a reformed boundary violator.

The matter of contracts was discussed: Contracts between whom? Bishop and therapist? or Bishop and offender? or Bishop and supervisor?

At times it seems reports are now available. It would seem essential that were there had been an assessment a report be available. Also when someone went into therapy, at times therapists are not prepared to give reports.

In dealing with victims there was a question also of how to communicate what has happened, what action had been taken by the church authorities.

There was discussion on matters as to how to handle the situation of priests who had offended, the question of removing faculties, perhaps also some canonical process. There is the problem there of canonical time limits which have often expired.

In assessing matters it was felt that people need to stand back from clergy that they knew, perhaps if the offender was someone from one's own ordination class then they should not be involved in the matter.

Ray Reid discussed as to why a person couldn't return, one could be an internal problem, a danger to children. It could also be an external difficulty, the person may not be a danger to children but the community may well not allow it. Sometimes there is a mixture of the internal and external. Sometimes the reservation about the danger to children, sometimes reservations about the community.

An offender who is told "You can't go back because we think you are a risk to children" receive a different message to an offender who is told "We think you are an acceptable risk but the community will not accept you". The question of the Church's responsibility to the children of the wider community needs to be considered if an offender leaves the priesthood.

- 7.2 Resolution from the Australian Bishops' Conference: Report of the progress from Fr David Cappel.** Mr Neil Harrigan spoke about the Interim Board of the National Treatment Program. Neil is the Interim Chairperson of that. This Board received a charter from the Bishops' Conference, the document is a review document of the Australian Catholic Bishops' Conference and the Australian Conference of Leaders of Religious Institutes. The Board has twelve months to put something on the ground. They are drawing up a draft constitution. There is the question of the linkage of the Board with the Church.

A number of people have been asked to join the group, Professor Gary Pemberton from Queensland; Professor Alex Blaszczyński; Dr Michael Passfield from St John of God, Psychiatrist; Professor Ball from Melbourne; Psychologist Susan Jenkins; Sr Angela Ryan from the ACLRI;

CCI Representative; Bishop Manning, Bishops Conference; Fr David Cappelletti from the National Professional Standards Group.

A couple of meetings are taking place and there will be something prepared for the Bishops' Conference for early 1997.

The question of the National Treatment Program will also look at the situation of the rehabilitation of persons and will be of assistance in this matter of the question of reassignment of persons.

There was a coffee break and then at 11.30 the meeting reconvened.

Mr Ray Wyre, who has been in Australia in Melbourne, is presently in Sydney, and other places. Ray Wyre is an international expert in sexual offender treatment, the founder of the Gracewell Institute and Director of the Lucy Faithful Foundation in England. Ray had conducted a Seminar at Hunters Hill on Thursday, 24th October, 1996, at which a number of members of this Professional Standards Group were present.

Ray, who is not a Catholic, indicated that a quarter of his current clients are priests. That he is involved with sexual crimes and works with the police. His background is a Social Worker and Probation Worker.

He raised the question of the priest sex offenders tendency to place his rehabilitation solely in a religious frame-work, a conversion experience while he is in prison. That God had loved him and has forgiven him. No need to work on the human dark side of himself.

Ray commented that other churches in England, Church of England, Church of Scotland, Free Church, did not have structures for the processing of complaints like the Catholic Church does.

In the matters which often come up before the police, sometimes there will be a question of diversion from the criminal penal system to therapy. The therapy program is intensive and very professionally run.

In our situation we must be certain that therapists are competent to deal with sexual offenders and are willing to provide a Report to the Group and Bishop or Major Superiors to assist them to make decisions about the offenders. The question of the need for liaison with the police and other departments was discussed.

Fr Usher joined the Group and there was valuable discussion about the case examples from Ray Wyre which had some similarities to matters which had been handled by this Group.

The question of contact with the police was raised and Fr Lucas mentioned that there was some liaison taking place there and he would report back on that.

After the luncheon break there was some discussion on case management and the necessity for therapists to see themselves in a criminal justice model rather than a mental health model. The therapist is primarily responsible to the Bishop, and through the Bishop to the community. The question is what is the expectation, what are the structures.

The goals of therapy need specification in individual cases. Just saying "therapy" is not enough. There are control issues and management structures necessary. There also needs to be the setting up of signed contracts. With whom?

It seemed that in the question of case management there seemed a lack of case management procedures. Ray mentioned that a handbook of the best practices to follow would be the way to work.

There was the question of the long term follow-up of cases which brought us back to a discussion of the State Reference Group having a convenor who would then have a core group on the Professional Standards Group, possibly then a wider group that could be drawn in.

- 7.3 Further appointments to the NSW Professional Standards Reference Group.** In this question of further appointments to the NSW Professional Standards Group once again the National Group was making recommendations, there was a question of in-house membership of the State group, if there was a convenor this person could see that there was always a long term follow-up of cases and this person could be responsible to see that cases didn't slip through the net.

There was the discussion about independence and of assessing the assessors.

- 7.4 Proposal to set up a pool of funds re counselling costs for victims:**
Question 7.4 was held over.

8. CORRESPONDENCE:

In the question of correspondence Fr McGuckin raised the issue that when we had written to the NSW Provincial Bishops that the comment back to us was that we ourselves don't have a postal address. This would appear to be overcome if there was a convenor for this group.

- 9. REPORTS FROM COMMITTEE MEMBERS REGARDING CURRENT ISSUES.** There were no reports.

10. OTHER SPECIAL BUSINESS:

Fr Brian Lucas thanked Ray Wyre for his valuable and very practical contribution to our Group Meeting today and for his very sensible advice

11. DATE AND VENUE OF NEXT MEETING:

The next meeting will be held on Thursday, 5th December, 1996, 10.00am-2.00pm, at St Mary's Cathedral.

12. THE MEETING CLOSED AT 2.30PM.