

MINUTES OF THE MEETING OF THE
BISHOPS' COMMITTEE FOR PROFESSIONAL STANDARDS
HELD AT ST MARY'S CATHEDRAL PRESBYTERY, SYDNEY, N.S.W.,
ON TUESDAY, 6TH JUNE, 1995, AT 10.00 A.M.

1. PRESENT: Most Reverend Kevin Manning, Chairman,
Most Reverend Peter Connors, Secretary,
Most Reverend Geoffrey Robinson,
Ms Myolene Carrick,
Sister Helen Clarke, R.S.C.,
Reverend Brian Lucas,
Father Brian Gallagher, M.S.C.,
Sister Angela Ryan, C.S.B.,
Reverend John Usher.

Sister Helen Clarke, R.S.C., attended the meeting from 12.30 p.m.
Mr. Laurie Rolls of Catholic Church Insurances Limited was also
present at the meeting.

Sister Evelyn Woodward, R.S.J., presented her apology for being
unable to attend the meeting because of ill health.

2. ACCEPTANCE OF THE REPORT ON MATTERS DISCUSSED AT THE MEETING
OF THE BISHOPS' COMMITTEE FOR PROFESSIONAL STANDARDS HELD
ON 26TH APRIL, 1995.

On the motion of Bishop Robinson, seconded Father Usher, the
Report of the matters discussed at the meeting of the Bishops'
Committee for Professional Standards held at St Paul's National
Seminary, Kensington, N.S.W., on Wednesday, 26th April, 1995, was
accepted as being an accurate record of the discussions.

3. MATTER RAISED BY C.C.I.

- 3.1 Advice to Bishops on the need to act in a professional and
responsible manner when receiving disclosures concerning
sexual assault and professional misconduct.

Bishop Connors expressed concern as to the manner of
communication between the Bishops' Committee for Professional
Standards and the Professional Standards Resource Groups in the
various States. The Bishops were given a Report from this
Committee at the April, 1995, Meeting of the Australian Catholic
Bishops' Conference. Moreover, a summary of the more important
items in the Report has been included in the Minutes of the
April, 1995, Meeting of the A.C.B.C.

It was agreed that a Compendium of relevant items from the
Reports of Meetings of the Bishops' Committee for Professional
Standards be forwarded to the Contact Persons for the
Professional Standards Resource Groups in the various States.
The same Compendium should be forwarded to the Secretariat of the
Australian Conference of Leaders of Religious Institutes.

Mr. Rolls reported that the funds which have been held by C.C.I. for the "Pool" have now been distributed back to the Dioceses from which the funds were obtained.

Father Usher raised a query as to whether C.C.I. is seeking details on cases from Business Managers in the various Dioceses. Mr. Rolls explained that Dioceses need to make provision for matters which will not be covered by C.C.I. Therefore, the Business Managers and the Contact Persons in the various Dioceses need to consult so that adequate provision can be made. However, there is no need for the Business Manager to be informed of the details of the case. Each case can be coded and this code can be used in discussions with Business Managers. All that the Business Manager needs to know is the extent of the problem for his or her Diocese.

3.2 Formation for Bishops and Religious Leaders to act in a uniform manner in dealing with the decision as to whether an offender should return to ministry.

Bishop Robinson reported that there seems to be no consensus among the Bishops as to whether priests who have been convicted, or who have made admissions of sexual assault against minors, should be allowed to return to ministry. This matter was discussed later on when the Committee reviewed another draft prepared by Bishop Robinson.

3.3 Discussion of Policy Matters relating to Out of Court Settlements.

It was agreed that there is commercial wisdom in making out of court settlements when the circumstances deem that such an approach is appropriate.

Mr. Rolls reported that C.C.I. is comfortable with the levels of the settlements which are being made at the present time. However, it does seem that some Religious Institutes are making settlements with alleged victims without any reference to C.C.I. There is danger in such a procedure if it is done without appropriate legal protection. Any settlement made without legal advice for both parties would be easily overturned by the Civil Courts.

C.C.I. would only settle a claim when the alleged victim has received adequate legal advice.

It was agreed that discreet enquiries should be made by this Committee as to which Dioceses and Religious Institutes are making settlements with alleged victims outside the Procedures which are contained in the Protocol. Such informal agreements might well have an affect on other Dioceses and Religious Institutes.

It was agreed that when a priest arrives to work in a Diocese an explicit assurance be given by the Religious Leader or the Bishop of the Diocese from which the priest has come that the priest is not subject to any likelihood of accusations of sexual assault or accusations of professional misconduct.

Arrangements are to be made for Religious Leaders to give advice whether they are prepared to adopt a uniform approach to -

- (a) out of court settlements,
- (b) return to ministry,
- (c) procedures when one of their members is to be presented for appointment to pastoral ministry in another Diocese.

4. REPORT ON THE ESTABLISHMENT OF A THERAPY CENTRE

Father John Usher reported that Brother Julian Liddiard, Sister Angela Ryan, Bishop Geoff Robinson and himself are the members of the Committee appointed to investigate the establishment of a Therapy Centre.

Father Usher reported that he has been making investigations as to which organisations may be able to supervise the Research Project which was approved at the recent meeting of the A.C.B.C.

On the motion of Father Brian Lucas, seconded Bishop Connors, it was agreed that the Committee be given the authority to decide who will conduct the Research Project.

It was noted that a contribution of \$30,000.00 has been approved by the A.C.B.C. for the funding of the Research Project.

Later in the meeting Sister Helen Clarke reported that the Executive of the A.C.L.R.I. has agreed that a similar contribution be made by the Religious Leaders.

5. REPORT ON THE PREPARATION OF THE DRAFT PRINCIPLES IN RELATION TO SEXUAL ABUSE AND PROFESSIONAL MISCONDUCT

Bishop Robinson tabled another draft of the Principles in relation to sexual abuse and professional misconduct, which incorporates some of the advice which he received from the Bishops at the April, 1995, Meeting of the A.C.B.C.

He also provided a list of questions concerning professional standards which had been given to the Bishops to assist them in their deliberations. The questions might well be put to the Religious Leaders at the forthcoming Conference of the A.C.L.R.I.

The Committee then discussed the draft and gave several recommendations to Bishop Robinson, which he intends to incorporate into another draft of the "Principles".

It was agreed that this revised draft be made available to the Religious Leaders at their forthcoming Conference. Meanwhile, the draft will be discussed with representatives of the "Friends of Susanna".

Bishop Robinson, Bishop Connors, Sister Angela Ryan and Father John Usher will attend the meeting with the "Friends of Susanna".

6. PREPARATION OF A JOB DESCRIPTION FOR THE APPOINTMENT OF A CHIEF EXECUTIVE OFFICER

It was agreed that the procedures for the appointment of a Chief Executive Officer for the Bishops' Committee for Professional Standards should be put on hold until the Research Project concerning the Therapy Centre has been completed.

7. MEETING OF BISHOPS AND STAFF OF ENGLISH-SPEAKING EPISCOPAL CONFERENCES ON SEXUAL ABUSE

Bishop Connors is to investigate whether a letter signed by the President of the A.C.B.C. has been forwarded to Cardinal Keeler accepting his invitation for representatives of the Bishops' Committee for Professional Standards to attend a meeting of English-speaking representatives of Bishops' Conferences to be held in the U.S.A. later this year concerning professional standards.

It was also agreed that either Bishop Robinson or Bishop Connors should attend the meeting, along with Father Brian Lucas.

8. MANDATE FOR BISHOPS' COMMITTEE FOR PROFESSIONAL STANDARDS

Bishop Connors is to attend to the drafting of a Mandate which will then be presented for approval by the A.C.B.C.

9. POLICY AND PRACTICE RE SEXUAL MISCONDUCT OF CLERGY

It was agreed that some attention now be given to drawing up Procedures for dealing with allegations of sexual misconduct by clergy. Other Christian Churches have Procedures which might well be of use to this Committee. It seems that there is a need for one Protocol containing Procedures to deal with allegations of sexual misconduct by priests and religious and another Protocol to deal with allegations of sexual assault made against lay persons who are employed by the Catholic Church.

Mention was made of the Code of Ethics which has been drafted by the Archdiocese of Melbourne. A copy of the Code is to be enclosed with the Minutes of this meeting. The Code of Ethics might also be a means of introducing the Procedures for dealing with allegations of professional misconduct by priests and religious.

Bishop Connors is to consult with Father Rodger Austin as to whether he would be prepared to draft these two Protocols.

10. REQUEST FOR MEETING WITH "FRIENDS OF SUSANNA"

It was agreed that this meeting should now proceed and that Bishop Connors is to make arrangements for the meeting, which will be attended by Bishop Robinson, Bishop Connors, Sister Angela Ryan and Father John Usher.

11. FIRST AUSTRALIAN AND NEW ZEALAND CONFERENCE ON SEXUAL EXPLOITATION BY HEALTH PROFESSIONALS, PSYCHOTHERAPISTS AND CLERGY

Father Usher reported that the Professional Standards Resource Group for New South Wales has already given attention to the Conference, which is to take place in Sydney from 12th to 14th April, 1996.

It was agreed that this is a good opportunity for the Bishops' Committee for Professional Standards to become pro-active. Therefore, a suggestion should be made to the organisers of the Conference that a Workshop, along the lines of the paper being drafted by Bishop Robinson, should be offered at the Conference. The Bishops and representatives of the Committee should be in attendance.

Bishop Kevin Manning is to write to the organisers of the Conference and seek further information as to how this Workshop can be presented.

12. DATE OF NEXT MEETING

The next meeting is to be held at St Mary's Cathedral Presbytery, Sydney, N.S.W., on Tuesday, 15th August, 1995, from 10.00 a.m. to 4.00 p.m.

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