

Witness Statement

Name	Julian Charles Porteous
Address	35 Tower Road, New Town
Occupation	Archbishop of Hobart
Date	6 October 2016

- 1 I am a Catholic bishop and currently the Archbishop of Hobart.
- 2 I refer to the letter from Mr Tony Giugni to Gilbert & Tobin dated 8 July 2016 requesting that I provide a statement to the Royal Commission. This statement has been prepared in response to that request and in compliance with a Summons or Notice issued by the Royal Commission in connection with what the letter refers to as a final hearing regarding the institutional response of the Catholic Church. The statement is produced to the Royal Commission on the basis that it will be tendered and treated as evidence pursuant to the Commonwealth or State legislation applicable to that hearing.
- 3 In preparing this statement, I have been shown a number of documents which have been produced to the Commission. In this statement, where I refer to a document ID number, I am referring to one or more of those documents.

Background

- 4 The Archdiocese of Hobart (hereafter referred to as 'the Archdiocese') is Australia's most southern Catholic Church diocese. The Archdiocese geographically corresponds with the coastal boundaries of Tasmania and includes King, Flinders and Bruny islands. The Archdiocese is divided into twenty five parishes.
- 5 I was installed as the Archbishop of the Archdiocese of Hobart on 17 September 2013.
- 6 The Archdiocese service structure is defined through a number of areas, including the Pastoral Offices, the Church Office (administration and corporate services), the Tasmanian Catholic Education Office, CatholicCare Tasmania (incorporating welfare, affordable housing and child care), BlueLine Laundry and Employment, the Tribunal of the Catholic Church and the Catholic Development Fund.
- 7 I am assisted in the administration of the Archdiocese by Vicar-General Fr Mark Freeman VG VF PP, Chancellor Fr Terry Rush RFD OAM VF PP and a group of senior priests who form a regular consulting group. Across the Church agencies, I meet regularly with senior managers and advisors as well as heading the governing councils of the major Catholic colleges across the State.
- 8 The Church and its associated agencies employ around 5,000 people of all faiths, cultures, religions and backgrounds delivering services in the areas of welfare, training, employment, aged care, education, health care, affordable housing, childcare, charitable works, disability employment, laundry services and retail centres to approximately 70,000 Tasmanians annually.
- 9 The Archdiocese trades as the Roman Catholic Church Trust Corporation of the Archdiocese of Hobart, a body corporate constituted under section 4 of the Roman Catholic Church Property Act 1932. The Trust is an incorporated entity and operates under the Corporations Act 2001.

10 Unincorporated agencies of the Roman Catholic Church Trust include:

- a) Parishes;
- b) Tasmanian Catholic Education Office;
- c) CatholicCare Tasmania; and
- d) Catholic Development Fund.

11 BlueLine Laundry Inc. is an incorporated entity.

QUESTION 1

Please indicate whether your Catholic Church authority has undertaken any reforms since the commencement of the Royal Commission. If so, please describe:

- a. the scope of these reforms
- b. why they were considered necessary
- c. how the reforms enhance the effectiveness of child protection policies and responses to claims, complaints or concerns of child sexual abuse
- d. how the reforms alleviate the impact of past, or will alleviate the impact of future, child sexual abuse
- e. any impediments to implementing reforms (if so, describe the impediments and how your Catholic Church authority proposes to overcome them).

Response context:

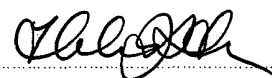
12 Prior to and since the commencement of the Royal Commission into Institutional Responses to Child Sexual Abuse in 2013, the Archdiocese has made a number of reforms. The latter have been developed under a continuous improvement programme around processes to ensure that children and vulnerable persons are protected from harm.

13 The Archdiocese and its related agencies/entities are required to be compliant with obligations decreed by federal and state legislation, funding agencies, industry standards and organisational policies as well as Canon Law. Stringent compliance mechanisms are in place to ensure that obligations are met. Appointed staff monitor and communicate legislative updates, train and educate staff and implement risk management strategies for identified risks to ensure controls are performed. Compliance registers and contract management systems identify and assign owners and delegates to associated obligations. Moreover, the Archdiocese also utilises Governance, Risk and Compliance (GRC) software to assist in tracking our compliance.

Tasmanian Legislation

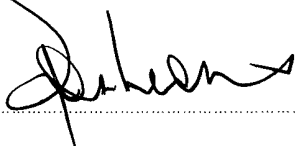
14 Tasmania's Registration to Work with Vulnerable People Act became law in 2013 and commenced the initial three-year implementation phase for child-related sectors in July 2014. The roll-out will shortly be expanded to include other vulnerable people.

Scope of the reforms

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- 15 A number of child and vulnerable people policy reforms have been made within the Archdiocese since 2013 as part of regular policy review. At the Archdiocesan level the suite of policies related to child protection and vulnerable people, particularly in 2014, were updated to reflect the implementation of the Tasmanian Registration to Work with Vulnerable People Act.
- 16 The policies were developed in a cohesive manner in conjunction with supporting procedures to ensure best practice and in accord with legislative obligations. The policies' scope of application relates to all workers including volunteers and includes:
- [CTJH.190.90001.0265] [CTJH.190.90001.0268] [CTJH.190.90001.0270] [CTJH.190.90001.0271]
Pre-Engagement Screening; Professional Boundaries; Workplace Behaviour; Children and Young Persons; Working with Vulnerable People Procedures and Access and Equity¹.
 - [CTJH.190.90001.0273] [CTJH.190.90001.0276]
- 17 All policies are informed by the principles of Integrity in Ministry and Integrity in the Service of the Church, which establish values and behaviours for church workers.
- 18 All identified employees and volunteers must undergo a National Police Criminal History Check, possess and provide Working with Vulnerable People (WWVP) registration details, undergo employee screening through reference checks following interview and where necessary, provide information regarding rights to work in Australia. Statutory Declarations may also be requested for some services and activities as demanded by external requirements, legislative or other needs. Induction processes for all workers, including volunteers, ensure that general and more specific orientation occurs in regards to the expected standards of behaviour in the context of their particular roles.
- 19 Since 2013, ongoing reform has also occurred at an agency level. For example:
- a) Clergy and religious follow the protocols of the National Committee for Professional Standards in implementing the Australian Catholic Ministry Register (ACMR). The ACMR online register ensures that all Australian diocesan transfers or commencements whether within Australia or from overseas proceed only if declarations of good standing are given by respective Church Authorities. No transfers can occur unless information has been provided. My office coordinates all ACMR Tasmanian declarations.
 - b) Catholic Education Tasmania's *Child Safe Organisation Policy*. The *Child Safe Framework* has children at its centre and has four core elements: Open and Aware School Culture; Child Safe Conduct; Reporting Concerns and; People Management. [CTJH.190.90001.0121]
 - c) CatholicCare Tasmania is accredited to the Australian Childhood Foundation's *Safeguarding Children's Standard*, whereby it is regularly independently audited to retain its accreditation. Requirements of *Safeguarding Children* include a specific suite of policies and procedures, staff training and education and communications materials and activities.
 - d) CatholicCare Children's Services as a child care service provider is accredited to the National Quality Framework (NQF). Regular external auditing and compliance checks also occur.
- 20 In addition, CatholicCare Tasmania is accredited to ISO 9001:2008 Quality Management System. By definition, this helps to ensure there is continuous improvement in business processes and

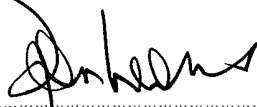
¹ All of these policies are available on the Archdiocesan website
[<http://hobart.catholic.org.au/content/archdiocesan-policies> accessed 19 July 2016 accessed 19 July 2016].




enhancement of service quality for clients and the communities served by the agency. Internal procedures and processes have also been established to ensure that workers adhere to the policies referred to above.

- 21 Services and activities such as CatholicCare's welfare / family services and support activities, including human resources and information, communications and technology, are audited externally and internally as part of their ongoing accreditation to AS / NZS ISO 9001:2008 Quality Management Systems.
- 22 Systems such as the online Pre-Employment Management (PRM) for Police Checks and the 'qualifications' alerts noted in the new Human Resources Information Management System (HRIS) with assigned personnel, assist the Archdiocese to ensure pre-employment and ongoing management of our screening requirements. These systems are also used to track volunteers such as those with CatholicCare's Multicultural Service Programmes and those who support local parishes.
- 23 The Archdiocese's varied services and activities create a degree of complexity and require stringent monitoring. For example, police checks for the most part are required to be re-submitted every three years, but anomalies do occur where external funding obligations dictate they be conducted every eighteen (18) months. Compliance registers assist in tracking external and internal obligations.
- 24 In 2015 the Archdiocese implemented an online training programme, Learning Manager, which includes amongst its suite a course on Protecting Children and Vulnerable Adults. This course, amongst others, is used as a platform to ensure that employees are cognizant of the organisation's policies and behaviour management in a variety of situations. Online training enables completion records to be centrally coordinated, monitored and reported upon. Training and education also occurs at a more 'local' level, tailored to the services and activities.
- 25 From the onset of the Royal Commission in 2013, the Archdiocese has been supportive of its function and role and endeavoured to meet its legal obligations in support of the Commission². Communications occur in print and may also be found online on our website, intranet and social media sites.
- 26 The work of the Truth Justice & Healing Council and indeed the Commission, is circulated widely throughout the Archdiocese. The monthly publication 'Catholic Standard' is printed and some six thousand (6000) copies distributed, in addition to being published online. Listed below are some recent, relevant articles:
 - a) *Francis Sullivan piece: Volume 2, Issue 1 2015*
 - b) *Francis Sullivan piece: Volume 1, Issue 4, 2014*
 - c) *Francis Sullivan piece: Volume 1, Issue 3, 2014*
 - d) *Archbishop's Editorial on sexual abuse: Volume 2, Issue 9 2015 & 29/6/2016*
 - e) *TJHC Appointment (Neville Owen): 14/6/15*
 - f) *Abuse survivor's story (Peter Kaufman): Volume 2, Issue 9 2015.*

² <http://hobart.catholic.org.au/archbishop/frontpage-message/royal-commission-institutional-responses-child-sexual-abuse> [accessed 19 July 2016]




- 27 In April 2016, I announced the Archdiocesan Safe Communities Project. This seeks to unite all the Trust agencies within the state and the Archdiocese, as well as the wider organisations of Catholics such as the St Vincent de Paul Society³. The newly appointed Safe Communities Officer is currently implementing the aims and objectives of the project. The latter are as follows:
- a) To help safeguard all children and vulnerable people;
 - b) To develop a shared culture of safety for all children and vulnerable people;
 - c) To document and provide assurance and help to communicate how Catholic organisations implement safe strategies and practices to protect children and vulnerable people from harm;
 - d) To investigate and document the implementation of a Tasmanian-wide Catholic organisations internal reporting system and its mechanisms and thresholds;
 - e) To establish and maintain a central communications repository for Safe Communities information on the Archdiocesan website; and
 - f) To establish continuous compliance checks and assurance processes within organisations.
- 28 A copy of the draft Safe Communities – Protecting Children and Vulnerable People Policy is at CTJH.190.90001.0001.
- 29 The Archdiocese is aiming to complete the implementation of this complex project by late 2016.

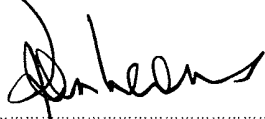
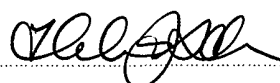
Why the reforms were considered necessary

- 30 The Archdiocese's reforms have been developed in the context of the Tasmanian Registration to *Work with Vulnerable People Act*. The state legislative reforms had been noted since 2010 when the Tasmanian Department of Justice commenced consultations with stakeholders.
- 31 Internal risk assessments within the Archdiocese on service and activity types by the relevant personnel have identified areas for change in policy and procedures. Evolving external requirements influenced by national legislation, funding agency requirements or standards' accreditations also continue to direct service and activity compliance requirements. In addition, we have been informed by the outcomes of the Royal Commission's activity and reports and the advice forthcoming, as a consequence, from the Truth, Justice & Healing Council.

How the reforms enhance the effectiveness of child protection policies and responses to claims, complaints or concerns of child sexual abuse

- 32 The *Safe Communities Project* will enhance the effectiveness of organisational policies and awareness raising, particularly through improved communications, tailored resources and co-joined education and training and compliance auditing. We are cognizant of evolving federal and state legislation and through centralised communications, it is hoped to assist all relevant stakeholders within the Archdiocese to understand and effectively implement the necessary changes.

³ <http://hobart.catholic.org.au/media/news/safe-communities-policy-announcement> [accessed 19 July 2016]

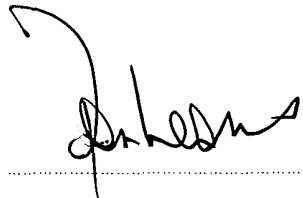
- 33 Strategies such as presenting materials in 'Plain English', seamless reporting mechanisms and auditing tools will aid agencies' response to any claims, complaints or concerns of child sexual abuse. Moreover, continuous improvement reviews will ensure that systems in place are kept up-to-date and effective.
- 34 One of the key objectives of the *Safe Communities Project* is to ensure that organisations maintain currency of Working with Vulnerable People (WWVP) checks to ensure employers register workers with their organisation, so that in the event of any claim or allegation, the Tasmanian Department of Justice can seamlessly alert the relevant employer or association.

How the reforms alleviate the impact of past, or will alleviate the impact of future, child sexual abuse

- 35 It is hoped the continuing reforms, particularly the *Safe Communities Project*, will help unite all Archdiocesan agencies and the wider Catholic fraternity of organisations, to enter a compliance programme in the first instance.
- 36 The intent of the reforms and the Project is to alleviate the impact of past and future child sexual abuse occurrences through more open, transparent practices and in particular, using the centralised information portal on the Archdiocesan website.

Any impediments to implementing reforms (if so, describe the impediments and how your Catholic Church authority proposes to overcome them)

- 37 Whilst the newly established *Safe Communities Project* has commenced, we are cognizant of the evolving external environment and especially the likely recommendations of the Royal Commission. Moreover, federal and state government policy also continues to be reformed in the service and activity areas of disabilities, out of home care, education, multicultural and aged care. We will be monitoring policy development and responding appropriately.
- 38 It is proposed to overcome any impediments that arise through close observation and utilising centralised mechanisms to communicate changes within Tasmania to all stakeholders.
- 39 Where required we will engage in external and internal consultation and prepare submissions as appropriate.
- 40 Our agencies are attuned to responding to changes in government policy. Our support services are proficient at implementing new and adapted processes as required e.g. in regards to software systems, staff and volunteer education and training.

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QUESTION 2

Please indicate whether your Catholic Church authority has reassessed any finalised claims for redress (including where complaints or claims have been denied) in relation to child sexual abuse since the commencement of the Royal Commission, and if so, what policy, procedure or principle guided that reassessment.

- 41 The Archdiocese has reassessed two claims for redress in relation to child sexual abuse since the commencement of the Royal Commission.
- 42 The Truth, Justice Healing Council Guidelines guided the reassessment.
- 43 The Archdiocese is awaiting clarification of the form of redress which will be introduced.
- 44 I am committed to co-operate with any national scheme or any other redress structure.

QUESTION 3

Please indicate whether your Catholic Church authority applies *Towards Healing* in whole or in part. If your Catholic Church authority does not apply *Towards Healing* in whole, please indicate which clauses it does not apply and why. Please do not provide a copy of *Towards Healing*.

- 45 The Archdiocese of Hobart applies *Towards Healing* in whole.
- 46 As a personal priority I make myself available to meet with victims as part of the *Towards Healing* process. I have met with a number of victims and listened to their accounts of suffering from sexual abuse. I have sought to offer an openness to victims and have expressed my deep sorrow at what they have experienced. I have also offered apologies on behalf of the Church.

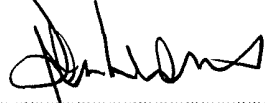
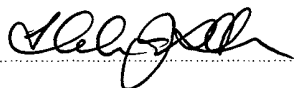
QUESTION 4

What policies and procedures your Catholic Church authority applies in relation to the response to complaints of child sexual abuse received by it.

- 47 The Archdiocese applies *Towards Healing* in responding to complaints of child sexual abuse. The Archdiocese has implemented the *Towards Healing* protocols since they were first introduced in 1996 and works closely with the Professional Standards Office to ensure consistent and thorough response procedures.
- 48 Complaints are responded to as a matter of priority. A dedicated 1800 phone number for *Towards Healing* is displayed on our website.
- 49 The Archdiocese has developed a suite of policies which include parishes in the scope of their application. Priests have received ongoing familiarisation with policies and procedures and policies are attached to our centralised online training programme via *Learning Manager*⁴. My response to question one gives more information on our policies and *Learning Manager*.

[CTJH.190.90001.0265], [CTJH.190.90001.0268], [CTJH.190.90001.0270], [CTJH.190.90001.0271], [CTJH.190.90001.0273], [CTJH.190.90001.0278], [CTJH.190.90001.0280], [CTJH.190.90001.0284], [CTJH.190.90001.0287], [CTJH.190.90001.0301], [CTJH.190.90001.0304], [CTJH.190.90001.0324], [CTJH.190.90001.0329], [CTJH.190.90001.0331], [CTJH.190.90001.0333], [CTJH.190.90001.0335], [CTJH.190.90001.0336]

⁴ Learning Manager overview – Catholic Church Insurance website <http://risksupport.org.au/services/learning-manager/> [accessed 10 August 2016]

- 50 Respective agencies have in place stakeholder, complaint and feedback policies.
- 51 The Tasmanian Catholic Education Office (TCEO), *Child Safe Framework* has children at its centre, representing the primacy of their safety. The framework has the four intersecting Child Safety elements, namely Child Safe Conduct, Open and Aware School Culture, Reporting Concerns and People Management, set within a broader environmental context.
- 52 TCEO is the operational arm of the Tasmanian Catholic Education Commission (TCEC) and has implemented a number of the Child Safe Framework policies and procedures. These polices include:
- *Employee Code of Conduct, Strategic Code of Conduct; Child Safe Organisation; Mandatory Reporting Policy; Mandatory Reporting Procedure; Pastoral Care and School Grievance Policy*⁵.
[CTJH.190.90001.0170] [CTJH.190.90001.0197] [CTJH.190.90001.0260] [CTJH.190.90001.0238]
- 53 Individual schools and colleges have tailored grievance procedures in place, which are communicated through their respective intranets, websites, newsletters and other medium. The TCEO website provides comprehensive instructions to schools' staff in regards to Working with Vulnerable People (WWVP) checks, as teachers are in the transitional phase from previous registration requirements⁶.
- 54 A comprehensive induction programme for Catholic school staff is delivered centrally by TCEO personnel. The *Child Safe Framework* is included in this induction, amongst other policies such as *School Grievance and Work Health and Safety*. Each school also implements a localised induction in regards to their respective policies and procedures. The induction programme is embedded in the *Tasmanian Catholic Education Single Enterprise Agreement*⁷ alongside professional development opportunities and continuing compliance education and training.
- 55 CatholicCare Family Services (welfare) programmes follow Archdiocesan and CatholicCare policies in regards to any allegations received. The *Client Compliance Brochure* outlines the principles, communication thereof and procedures to be followed. Mandatory reporting to Child Protection Services is managed as required by workers with allied agencies. As an accredited agency to Australian Childhood Foundation's *Safeguarding Children* programme, CatholicCare ensures that regular training and legislative updates are provided to staff.

QUESTION 5

What policies and procedures your Catholic Church authority applies in response to:

- a. claims in relation to child sexual abuse made under an established redress process
- b. civil litigation in relation to child sexual abuse.

- 56 The Archdiocese applies the processes under *Towards Healing* . Most matters have been resolved satisfactorily for survivors under those processes.

⁵ Tasmanian Catholic Education Commission Policies may be found on the Tasmanian Catholic Education Office website <http://catholic.tas.edu.au/key-documents/policies> [accessed 19 July 2016]

⁶ <http://catholic.tas.edu.au/employment/working-with-vulnerable-people> [accessed 19 July 2016]

⁷ <http://catholic.tas.edu.au/employment/TasmanianCatholicEducationSingleEnterpriseAgreement2015.pdf> [accessed 26 July 2016]

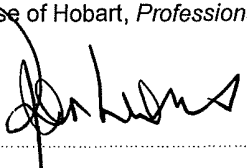
- 57 The Archdiocese accepts and is guided by the TJHC Guidelines in Responding to Claims for Child Sexual Abuse as endorsed by Church Authorities in November 2015. In recent matters, no cases have proceeded to litigation.
- 58 Most matters have been resolved satisfactorily for the victims through the *Towards Healing* process.

QUESTION 6

What policies and procedures your Catholic Church authority applies in relation to the prevention of child sexual abuse, including in relation to the supervision of or access to children by Catholic Church personnel.

- 59 The Archdiocese conducts a wide range of services and activities. Policies and procedures are tailored to cater to these specific activities.
- 60 *Integrity in Ministry* establishes the guiding principles and behavioural standards for clergy and religious. Priests, religious and seminarians are all required to sign-off on this and are required to hold a current Working with Vulnerable People card.
- 61 *Integrity in the Service of the Church* establishes broad guiding principles and behavioural standards for employees and volunteers which are given sharper focus in the documentation specific to the various agencies.
- 62 All workers, including volunteers, are screened prior to their engagement. Pre-engagement screening includes: interviews; reference checks; police checks; working with vulnerable persons checks; statutory declarations and affirmation of rights to work in Australia.
- 63 The Archdiocesan-wide *Professional Boundaries Policy* establishes the 'limits of behaviour' of a worker when engaging with clients and communities. For example, the policy, amongst other guidelines, sets out that, in maintaining professional boundaries, workers should not:
 - a) Seek out a personal relationship with a client, or with their family, friends, or support network. A worker should have a balanced work and home life so their personal needs are met outside of work.
 - b) Develop an intimate relationship with a client, their family, friends or anybody in their support network, even after the client has exited the program.
 - c) Introduce clients to the worker's own family, friends, or support network. Work and home should be kept separate.
 - d) Socialise with clients, their family, or friends outside of work hours. A worker should not meet clients outside of working hours for recreational activities or accept such invitations from them⁸.
- 64 Services and activities must comply with external regulations and internal policies and procedures and where appropriate conduct risk assessments on specific situations. Agency examples are provided as follows:

⁸ Archdiocese of Hobart, *Professional Boundaries Policy*, 2014

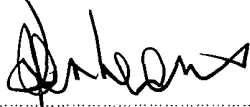
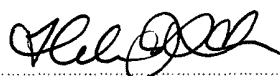
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- a) Child Care is a service subject to stringent regulated supervision obligations. CatholicCare Tasmania's Children's Services deliver services under the National Quality Framework (NQF), which commenced in 2012 under an applied law system. The system comprises the *Education and Care Services National Law* and the *Education and Care Services National Regulations*. The corresponding Tasmanian law was passed in 2012. One of the key improvements of the corresponding framework standards was the increased educator to child ratios that provide for increased individual care and attention.
- b) Children's Services are externally audited by the Tasmanian regulatory authority on a regular basis to ensure compliance, assessment and rating occurs for each site, under seven key quality areas. Information on the assessment of all Child Care sites is publicly available on the Australian Children's Education and Care Quality Authority website⁹.
- c) In schools and colleges, all staff must abide by the *Strategic Code of Conduct* and the Teachers Registration Board, Tasmania *Code of Professional Ethics for the Teaching Profession in Tasmania*.
- d) The Tasmanian Catholic Education Commission's *Strategic Code of Conduct*¹⁰ outlines the set of ethical principles guiding the standards of conduct employees are to uphold in their interactions with students, each other and the wider community. The Code details standards of behaviours for employees and covers topics such as: duty of care; psychological harm; physical contact with children; prohibiting attempts to sexualise relationships with students; discrimination and harassment.
- e) The Code also sets out the various sanctions that may be applied in the event of a breach such as: appropriate warnings; counselling; demotion; suspension; laying of criminal charges or civil action.
- f) Catholic Education Tasmania's *Risk and Adventure in Outdoor Learning Policy* guides schools and colleges to conduct risk assessments in regards to activities. Adequate and qualified supervision must be maintained at all time and is subject to educational regulations and standards. [CTJH.190.90001.0336]
- g) A recent demonstration of our commitment to implementation of child safe processes is the July 2016 Catholic World Youth Day event. The trip to Europe by a group of Tasmanian Catholics was extensively planned and consulted upon to ensure that best practice occurred. The local Polish organising committee closely liaised with all country contingents and in turn their workers, parents / carers and participants. Archdiocesan staff and volunteers accompanying the youth also underwent training and education in regards to suitability of activities and behaviours.
- h) Risk assessments are conducted throughout the Archdiocese to assess and implement controls in delivering our services and activities. For example, in a church many priests hear confessions in view of the parishioners seated in the pews instead of in a traditional confessional box. Some churches, including St. Mary's Cathedral, Hobart, have re-configured confessional boxes by installing exterior glass doors.

⁹ <http://acecqa.gov.au/NQAITS/SearchServices.aspx?vm=1&keywords=CatholicCare> [accessed 28 July 2016]

¹⁰ <http://catholic.tas.edu.au/key-documents/code-of-conduct> [accessed 28 July 2016]

- i) The Archdiocesan Safety Officer also conducts regular parish visits to review environments and risk assess activities and provide advice as required.

QUESTION 7

What policies and procedures your Catholic Church authority applies in relation to the management of its members or personnel who are the subject of a complaint of child sexual abuse, including:

- (a) referral to the police
- (b) referral to counselling or therapy
- (c) supervised or restricted ministry
- (d) the provision of information about any complaints or allegations of child sexual abuse to any institution to which the member is transferring
- (e) the approach to or management of any member:
 - (i) who has been convicted of child sexual abuse
 - (ii) against whom an allegation of child sexual abuse has been otherwise substantiated
 - (iii) who has admitted to a complaint of child sexual abuse
- (f) any action taken under canon law, including:
 - (i) to remove or restrict the ministry of any member
 - (ii) referral or application by a local ordinary to the Vatican to remove or restrict the ministry of any member

65 As a matter of standard practice all complaints or allegations of child sexual abuse are referred to a nominated senior police officer by the Director of Professional Standards.

66 Referral to counselling and / or therapy is required. The Archdiocese meets the costs associated with such counselling.

67 As a matter of standard procedure persons who are the subject of a complaint are stood down from ministry during an initial investigation. They are removed from ministry if the claim is substantiated. The Archdiocese follows procedures now required by Canon Law whereby a report is made to the CDF In Rome.

68 The Archdiocese follows Church law procedures where application for laicization of serious offenders is enacted. A priest who is convicted of child sexual abuse offence is asked to voluntarily seek laicization. If the convicted priest refuses, then, pursuant to Canon Law, I petition the CDF for his laicization.

69 No transfers are agreed for any persons who are the subject of a complaint. The Archdiocese will respond frankly and honestly in relation to any enquiry about the suitability of someone transferring where there is substantiated evidence of guilt for sexual abuse.

70 The Archdiocese participates in the National Committee for Professional Standards' Australian Catholic Ministry Register (ACMR). Clergy cannot transfer between, or visit dioceses, unless the protocols are adhered to. These rules include the declaration by the respective Church Authority that

the person belongs to the diocese in which they are working, they are 'fit and proper' and that the applicant is not the subject of allegations of child abuse in Australia or overseas.

71 The approach to or management of any member who has been convicted of child sexual abuse or against whom a complaint is substantiated is:

- a) A person is removed from ministry if convicted of child sexual abuse. As well as meeting obligations under civil legislation, the Archdiocese complies with all procedures outlined in Canon Law.
- b) A person against whom an allegation of child sexual abuse has been otherwise substantiated is removed from ministry. Once again canonical procedures are also adhered to.
- c) A person who has admitted to a complaint of child sexual abuse is removed from ministry. Correct canonical procedures are also adhered to in this case.

72 Action taken under canon law:

- a) The Vatican is informed of the actions taken according to requirements outlined in the canonical document Sacramentorum Sanctitatis Tutela (2001 and 2010). This document modified Canon law in a number of ways so as to strengthen the penal remedies for sexual abuse of children and which required that all cases be remanded to the CDF after a brief preliminary process.
- b) In the event of restrictions being imposed, then CDF is informed.

QUESTION 8

Please identify which of the above policies and procedures are in writing, and where those documents can be accessed (including whether they are publicly available). For any policies and procedures not in writing, please explain how those policies and procedures are identified and applied.

73 The Archdiocese adheres to the canonical document Sacramentorum Sanctitatis Tutela (2001 and 2010) and subsequent changes to Canon law.

74 Management procedures, as indicated above, have been a custom and practice.

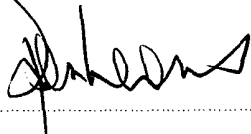

75 The Archdiocese constantly monitors developments in both Church and civil legislation to ensure that our policies and procedures are up to date.

QUESTION 9

Please explain the current process for the selection of candidates for your Catholic Church authority, including recruitment, screening and evaluation to decide whether candidates are appropriate for formation. Please also identify the role of working with children checks in this process.

76 In the selection of candidates for the priesthood there is a comprehensive check of the suitability of the candidate, including a number of references, a psychological assessment, and the fulfillment of civil requirements like Police checks.

77 The Archdiocese entrusts its seminarians to receive their formation at Corpus Christi College, Melbourne.

Signature  | Witness 

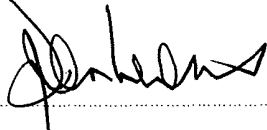

- 78 Throughout the seminarian's formation at Corpus Christi, Professional Standards as a subject is studied and considered, alongside legislative obligations. Documents used in the study of professional standards include:
- a) *Integrity in Ministry* (2004 rev 2015);
 - b) *Integrity in the Service of the Church* (2011);
 - c) *Towards Healing* (2010 rev. 2016);
 - d) *The Melbourne Response* (1996);
 - e) *May our Children Flourish: Code of Conduct for Caring for Children* (Melbourne); and
 - f) Policies of the Catholic Archdiocese of Melbourne [in addition to the Archdiocese of Hobart policies which seminarians must also adhere to]¹¹.
- 79 The Archdiocesan Vocations Director supports and assists seminarians and those considering the priesthood, prior to and throughout their formation. The Director meets regularly with seminarians, liaises with the college and provides an annual report to my office.
- 80 Prospective seminarians must be committed Catholics, in good health, both physically and psychologically and be able to relate to people of all backgrounds and capable of undertaking tertiary studies. I personally meet with and assess all prospective seminarians.
- 81 All Archdiocese seminarians are required to hold the Tasmanian Working with Vulnerable People (WWVP) check and to have up-to-date National Police Criminal History Checks.

QUESTION 10

Please explain the current process for the selection and screening of seminarians, clergy or religious from overseas to serve in local dioceses or religious orders. Please indicate whether any information is sought from overseas authorities about whether those seminarians, clergy or religious have been the subject of complaints of child sexual abuse.

- 82 Overseas priests, seminarians and religious undergo extensive recruitment and pre-engagement processes including:
- a) interviews;
 - b) character reference checks, both written and oral*;
 - c) review of educational records;
 - d) overseas police checks;
 - e) Australian National Police History checks;
 - f) Working with Vulnerable People (WWVP) checks;

¹¹ Also refer to question 11 in regards to seminarian Archdiocesan training.

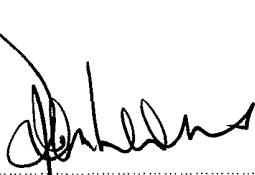
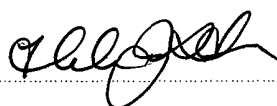



- g) Right to Work in Australia check (if not sponsored); and
- h) Statutory Declarations as required.
- 83 References provided by local overseas Bishops include assurances that clergy have not been convicted, nor the subjects of, child sexual abuse.
- 84 Moreover, where overseas persons are sponsored by the Archdiocese, Australian immigration processes necessitate character, security, work history, financial and other information.

QUESTION 11

Whether, and if so how, the formation and training programs (both initial and ongoing) that operate in your Catholic Church authority include education or training relating to:

- a. child protection and child sexual abuse
- b. matters of sexuality including the vow of celibacy and formation for a celibate life.
- 85 The Archdiocese provides regular briefings and ongoing formation on occasions like its regular Pastoral Conference.
- 86 Priests new to the Archdiocese are given a comprehensive induction to *Integrity in Ministry*. The induction is delivered by the Director of Professional Standards. Priests are then presented with a *Certificate of Attendance* of the course.
- 87 In addition to the above, priests go through an induction programme at the Archdiocese in regards to the support services available and how these can be accessed. They also meet the Director of Professional Standards. Information on Tasmanian laws, particularly in regards to child and vulnerable people protection, is also conveyed. The Archdiocese's Human Resources and Compliance department assist priests and all staff to process and register their Working with Vulnerable People (WWVP) checks.
- 88 Training is delivered through our Archdiocesan online learning programme, *Learning Manager*, which includes the course, *Protecting Children and Vulnerable Adults*. Seminarians are also registered users of *Learning Manager*.
- 89 Relevant Archdiocesan policies and procedures accompany the *Protecting Children and Vulnerable Adults* course including, child protection policies, Tasmanian legislation and information on elder abuse. Courses are not deemed complete until learners have signed-off on policies. Hard copies of all courses and policies are also posted to all parishes. Completions records are monitored, accessible by supervisors and reported appropriately.
- 90 Legislative requirements are communicated to priests via the Archbishop's monthly *Ad Clerum* bulletin, pastoral conferences and the Financial Administrator's newsletter. Regular visits by pastoral support also convey any change to legal obligations for religious and lay staff and volunteers.

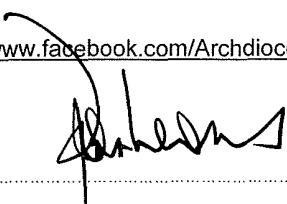
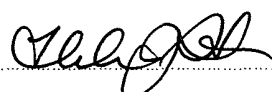
QUESTION 12

Please describe how clergy or religious are supported and supervised in your Catholic Church authority including:

- a. assistance for clergy or religious with psycho sexual or substance abuse problems
- b. assistance in coping with loneliness and isolation
- c. regular performance review
- d. day-to-day supervision and oversight.

- 91 Clergy or religious with psycho sexual or substance abuse problems are referred to counselling / therapy as required. As Archbishop I take a personal interest in the wellbeing of every priest. Being a smaller diocese it is possible for me to know each priest quite well. I readily make myself available for any priest who is experiencing personal difficulties.
- 92 Comprehensive support in coping with loneliness and isolation is provided to clergy and religious in a myriad of forms through both official and unofficial programmes and events.
- 93 The Diocesan Director for Clergy Life and Ministry coordinates an annual schedule of events for all priests. These events include the biannual Pastoral Conferences, Days of Reflection, the Annual Retreat and other occasions. The Archbishop's formal, annual visitation programme to all parishes occurs alongside informal calls and support and provides opportunities for priests to discuss any issues.
- 94 There are many celebratory events held at the Archdiocese for priests such as: significant birthdays; years since ordination; ordinations; fundraising dinners for seminarians and other Archdiocesan anniversaries. Our social media Facebook page provides some insight to life at the Archdiocese¹².
- 95 Mondays traditionally see informal gatherings of priests. Tasmania's smaller geographical size compared to other larger, more isolating regions makes it easier for priests to gather on a regular basis.
- 96 Secular pastoral support is provided to priests through corporate shared services and parishes are regularly visited by staff from the various service units. The Business Manager (Financial Administrator), Manager of Corporate Services and the Executive Manager of CatholicCare, make an annual visit to each parish to discuss any issues and to maintain good communications. The objective is to support priests and parishioners in their work. Other service staff visit to assist with health and safety risk assessments, finance, property, information technology and other requirements.
- 97 Priests also visit the Diocesan Centre on a regular basis to seek support and guidance and to access the various services. In addition, they often meet with other priests and religious at various forums and events. Most parishes are also closely connected with local Catholic schools and colleges and actively partake in activities as required.
- 98 Priests do not undergo a regular performance review per se, however, in my role as Archbishop along with the Consultors and Council of Priests and the leadership team, I meet regularly with all priests to discuss liturgical, safety, finance, administration and other matters.
- 99 According to the requirements of Canon Law every parish in the Archdiocese receives a formal Visitation over several days at least once every five years. As Archbishop I would normally visit every

¹² <https://www.facebook.com/ArchdioceseofHobart/> [accessed 19 July 2016]

Signature  | Witness 

parish at least once a year to celebrate the Sacrament of Confirmation or participate in events of significance in the parish or school. This enables me to have ongoing connection with each of the priests.

100 Priest day-to-day supervision and oversight occurs through my office and the Chancellor. I make myself readily available to any priest who wishes to discuss personal concerns with me. Administrative matters such as the approval of annual leave are delegated to the Chancellor and approved by me.

QUESTION 13

Please indicate, and where appropriate explain whether your Catholic Church authority has conducted any independent or internal inquiries or reviews relating to the response to child sexual abuse or the causes of child sexual abuse, and the outcome of such inquiry or review.

101 The Archdiocese was a participant in the *Towards Healing* review which led to the 2016 revision.

102 As Archbishop I have taken part in many discussions at the Bishops Conference in regards to Professional Standards matters.

103 Many developments have taken place since the commencement of the Royal Commission and I have kept abreast of developments to ensure that the Archdiocese maintains best practice in this area. I have also read up on various initiatives taken in other parts of the Church.

QUESTION 14

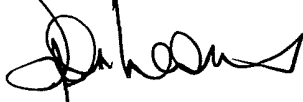
Please indicate, and where appropriate explain whether and to what extent your Catholic Church authority reports to international Catholic Church bodies or authorities on your authority's response to child sexual abuse. Please provide copies of any Quinquennial reports or any other reports of this nature.


104 My appointment commenced in September 2013. As yet I have not submitted a Quinquennial report.

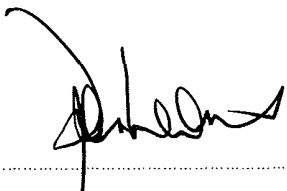
QUESTION 15

Please indicate, and where appropriate explain where applicable, whether the international body of your Catholic Church authority has conducted any research relating to child sexual abuse that has been provided to the Catholic Church authority in Australia.

105 We are aware that the Pontifical Commission for the Protection of Minors is carrying out research. The Director of Professional Standards met with members of the Commission during an Anglophone conference on Child Protection held in Rome 2016.

Signature 
 Name Julian Charles Porteous
 Date 6 October 2016

Witness 
 Name HELEN JOAN SMITH
 Date 6 OCTOBER 2016

Signature  | Witness 