

Witness Statement

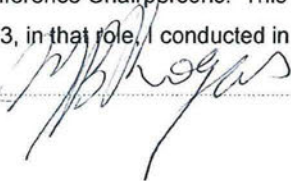
Name	Mary Bernadette Rogers
Address	Level 3, 143 Edward St Brisbane
Occupation	Director of Professional Standards, Queensland
Date	15 November 2013

- 1 This statement, made by me, accurately sets out the evidence that I am prepared to give to the Royal Commission into Institutional Responses to Child Sexual Abuse. The statement is true and correct to the best of my knowledge and recollection.
- 2 Exhibited to me at the time of making this statement is a folder of documents marked Exhibit "MBR1". Unless stated otherwise, a reference in this statement to a tab number is a reference to a corresponding tab number in Exhibit MBR1.
- 3 I provide this statement in connection with my involvement in the handling of a complaint by Joan Isaacs (**Mrs Isaacs**).
- 4 This statement has been prepared in response to and compliance with a Summons. It is produced to the Royal Commission on the basis that it will be tendered and received in evidence by the Royal Commission pursuant to that Summons and on the basis that the statement will be treated as evidence pursuant to section 6DD of the *Royal Commissions Act 1902* (Cth).

Background

- 5 My full name is Mary Bernadette Rogers. I am the current Director of Professional Standards for the Catholic Church in Queensland. I took up that position in April 2013. A copy of my curriculum vitae is at **Tab 1. 126**
- 6 I obtained my Bachelor of Laws from the Australian National University in 1978.
- 7 I was employed as a solicitor in private practice between 1981 and 1987.
- 8 I commenced working with the Legal Aid Office (Queensland) (now replaced by Legal Aid Queensland) in 1990. In 1990 the Legal Aid Office (Queensland) was given a Commonwealth Government grant to develop an ADR program which became known as Conferencing. I was appointed the Conference Co-ordinator responsible for training, appointing and supervising the Conference Chairpersons. This was the beginning of my involvement in ADR. Between 1990 and 1993, in that role, I conducted in excess of 300 such conferences.

Signature



Witness



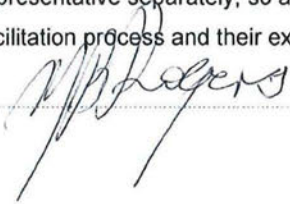
Page 1

- 9 Between 1994 and 1999 I was Director of ADR at the Queensland Law Society. In this position I was responsible for the promotion of mediation in Queensland. With the permission of the Society I also maintained a private mediation practice.
- 10 From 1999 to 2011 I was a Conference Registrar with the Administrative Appeals Tribunal responsible for conducting in excess of 700 ADR processes (conferences, conciliations or mediations) each year.
- 11 In 2011 I retired from full time employment. I was then appointed and remain a sessional legal member with the Queensland Civil and Administrative Tribunal.
- 12 Meanwhile, in about 1996 or 1997 I had completed training in the *Towards Healing* process conducted by Dr Ken Robertson, the first Director of Professional Standards Queensland.
- 13 In the course of that training I became familiar with the initial 1996 *Towards Healing* document itself. In later years when the document was successively amended following various reviews including by Professor Parkinson, I also received those amended editions and was generally aware of the changes that were made.
- 14 I was appointed as a facilitator for a number of *Towards Healing* complaints in the late 1990s and early 2000s. I estimate that I would have conducted between 10 and 20 facilitations between 1997 and 2003.
- 15 From around 2003 to 2009, whilst Howard Murray and then Rowena McNally were the Directors of Professional Standards in Queensland, I did not perform facilitations under *Towards Healing*. I commenced performing facilitations again in or around 2009 when Pat Mullins became Director of Professional Standards. I have not participated as facilitator in any facilitations since becoming the Director myself in April 2013.

My work as a Facilitator under *Towards Healing*

- 16 With respect to the facilitations which I conducted under *Towards Healing* between 1997 and 2003 and again between 2009 and 2013, the process that I followed varied depending on the circumstances and requirements of the individual case. However, I was conscious of and assisted by the provisions of *Towards Healing* itself with respect to the facilitation process. The current version of *Towards Healing* deals with this topic at paragraphs 41.3ff. The arrangements for a facilitation were usually made by the Director.
- 17 On the day, my usual practice was that I would first meet the victim and the Church Authority representative separately, so as to give them each an opportunity to get to know me and discuss the facilitation process and their expectations.

Signature



Witness



Page 2

- 18 My general approach to facilitations was to encourage the victim to speak and the Church Authority to listen. I would encourage the victim to tell his or her story and describe the impact of the abuse on him or her. I would encourage discussion around the victim's current needs.
- 19 Following the process I routinely provided a brief report to the Director of Professional Standards. A copy of my facilitation report in the Joan Isaacs case is referred to at paragraph 21 below.

Joan Isaacs

- 20 As an ADR practitioner involved in attending over 1,000 settlement conferences, mediations and like processes in my career, including a large number of facilitations under *Towards Healing*, I find it difficult to remember the specifics of individual cases and meetings.
- 21 I no longer have any actual independent recollection of the facilitation which I conducted in April 1999 in relation to Mrs Isaacs. I have seen my report of the facilitation, dated 27 April 1999, which is exhibit I to the statement of Joan Katherine Isaacs dated 23 October 2013 (**Mrs Isaacs' Statement**). I accept that I conducted the facilitation and wrote the facilitation report. However, reading the report now does not trigger any independent memory of that facilitation meeting.
- 22 I have read Mrs Isaacs' Statement. I do not now recall making the statements attributed to me at paragraph 27 of Mrs Isaacs' Statement. However, I do not dispute that I may have said those words. I also do not now recall whether the words attributed to other persons present at the facilitation were spoken.
- 23 To the best of my knowledge I had no further involvement in any aspect of Mrs Isaacs' case after April 1999.

Signature		Witness	
Name	Mary Bernadette Rogers	Name	STUART D'ADDONA
Date	15 November 2013	Date	15 November 2013

Signature

Witness

Page 3