

# Towards Healing

## Summary of Process for those wishing to bring a Complaint of Abuse

National Committee for Professional Standards (Catholic Church) (February 2011)

### Introduction

“Victims of abuse can experience fear, shame, confusion and the violation of their person. They can feel guilty, blame themselves and take responsibility for what has happened...” (TH 6) Professor Patrick Parkinson writes “The destructive effects of sexual abuse on a person’s faith are likely to be considerable where the perpetrator is a priest or minister, because the sense of betrayal is so great” .

### Choices available to a Person who wishes to bring a complaint

Choices are available for a person who wishes to bring a complaint of abuse against clergy, religious or other people – employees or volunteers – from an official agency of the Catholic Church. Such persons always have the right to pursue a grievance through criminal and/or civil actions. For those persons who choose neither a criminal nor civil action, the Church has established the *Towards Healing* process as a way of addressing their allegations. However, when a complaint of criminal abuse is brought to the notice of a Church Authority the person will be encouraged to refer the matter to the police and will be offered assistance to do so.

### The *Towards Healing* process

The *Towards Healing* process has been established to address allegations of sexual abuse or of physical or emotional abuse of a child, young person or vulnerable adult by clergy, religious or other people employed or acting as volunteers in an official agency of the Catholic Church. The process has three basic phases viz. hearing the story, assessing the facts and addressing the needs of the complainant. Initial contact may be made by a phone call to one of the numbers listed at the end of this brochure or in person to anyone with responsibility for a church ministry.

### The role of the Contact Person

For each person who brings a complaint against church personnel a Contact Person is appointed to provide support and assistance. The Contact Person arranges to meet the complainant at a mutually convenient time and place. This provides an opportunity for the *Towards Healing* process to be explained, to answer any questions and to begin the preparation of the Contact Report.

### Hearing the story - Taking a Contact Report

A Contact Report is a written account of the details of the complaint as told in the words of the complainant. In preparing the Contact Report the Contact Person listens to the person who wishes to bring a complaint of abuse and may assist by providing a few pointers such as ‘What happened then?’ or ‘Could you say a little more about that ...?’ Usually the Contact Person will take some notes, prepare a first draft which is then presented to the complainant for any desired amendment. People who bring complaints of abuse, of course, may choose to write the Contact Report themselves. In such cases it is advisable to discuss the report with the Contact Person to ensure that

the report contains sufficient detail. A person who wishes to bring a complaint of abuse may require several meetings with the Contact Person to prepare a report with which they are fully satisfied.

The *Towards Healing* process is formally initiated when a signed Contact Report is received by the Director of Professional Standards.

## **Role of the Support Person**

At each stage of the *Towards Healing* process a person who brings a complaint of abuse is encouraged to have a support person of his/her own choice. A good support person will offer support, encouragement and opportunity to debrief in circumstances that may be stressful because memories of abuse are sometimes very painful. The Contact Person may be able to provide a different level of support by explaining each step as the *Towards Healing* process unfolds.

## **What happens when the Contact Report is received?**

When the signed Contact Report is completed the Director of Professional Standards takes it to the appropriate Church Authority - the Bishop or Leader of the Religious Congregation under whose jurisdiction the accused was ministering at the time of the alleged offence. The accused is informed of the nature of the complaint and given sufficient detail to be able to make a response. If the accused admits the basic substance of the complaint the matter then proceeds to the Facilitation stage. However when there is a significant dispute about the facts or where there is a need for further information concerning the complaint, the Director of Professional Standards will proceed to the Assessment phase.

## **The Assessment phase of *Towards Healing***

The Assessor(s) receive a copy of the Contact Report and proceed according to section 40 of *Towards Healing* to interview the complainant, the accused and other persons, as appropriate, to determine the facts of the matter. At the interview with the Assessor(s), the person who brings a complaint of abuse is encouraged to be accompanied by his/her support person. Assessors may request to tape the interview, however this will be done only with the person's consent. When the evidence has been gathered, it is examined by the Assessor(s) and conclusions reached based on the 'balance of probabilities'. The Assessor(s) prepare a report setting out conclusions and the rationale on which they are based, taking care to indicate whether or not the complaint has been substantiated. A copy of the Assessment Report is generally provided to both parties unless it contains names and/or other confidential information. In that case, the findings of the assessment, and the reasons for them, are conveyed to both parties by the Director of Professional Standards.

## **The Facilitation stage of *Towards Healing***

To conclude the *Towards Healing* process a facilitated meeting between the complainant and the Church Authority (or delegate) takes place. The facilitator speaks with both parties about their expectations prior to the facilitation. A facilitated meeting provides an opportunity for the victim to tell the story, for the church authority to respond pastorally and for consideration to be given to the needs of the victim and ways to assist the victim to move forward.

If a Deed of Release is to be agreed upon at the facilitation, the person is urged to seek independent legal advice before signing. The cost of that legal advice is covered by the Church Authority. The person bringing the complaint and the Church Authority may be accompanied by their respective support persons at the facilitation.

Facilitation is essential to the process even in those cases where a complaint cannot be substantiated. Its aim is to assist the person bringing the complaint to reach some level of healing.

### **Prevention of future abuse**

For many persons bringing a complaint of abuse against church personnel one of the major concerns is that it will not happen to anyone else. Awareness of the seriousness of abuse and the development, implementation and monitoring of preventative strategies is an important part of the Church response.

### **Contact details for the State Offices:**

New South Wales	1300 369 977
Tasmania	1800 356 613
Northern Territory	07 4724 0869
Victoria	1800 816 030
South Australia	1800 139 020
Queensland	1800 337 928
Western Australia	1800 072 390