

Background

Name	Heather Bell
Publish/Keep Confidential	
Address	c/-Lewis Holdway Lawyers 20 Queen Street Melbourne 3000 Ph 96299629
Responsible Church Authority	The Sisters of Mercy -Towards Healing
Time of Assaults (Approximate year)	1957 - 1965 Numerous physical assaults and emotional abuse by various Sisters of Mercy when I was a Ward of the State. I was aged 10 when the assaults began, and lived at St Catherine's. I was 17 when the assaults ceased.
Time of Report to Church Authority	April 2011
Time Taken to Resolve Complaint	As yet unresolved
Outcome	Remains Unresolved

Practices/Policies/Protocols in handling Allegations of Abuse

Initial Contact:

I was asked to put my complaint in writing before any action could be taken this was in the form of a Contact Report.

I was not offered psychological support or counselling

I had a meeting with Shane Wall of Towards Healing and I thought he worked for the church.

I was not offered independent legal advice.

No support was offered to my family.

Period of Investigation:

I felt pressured to attend the Towards Healing meetings. The first meeting went very badly, the second with a different Contact Person was better.

My matter remains unresolved. I have made many phone calls and sent many emails and still I have received no response.

[REDACTED]

Systemic practices that discourage reporting of criminal behaviours to State authorities

[REDACTED]

I was informed of my right to report to the police but not at the outset.

I was told my complaint was not a crime.

I was required to prove my complaint beyond reasonable doubt rather than on the balance of probabilities.

Required changes required to law/practices/policies/protocols

I believe the following will improve the church authority's complaints process:

- The church authority's response organisations should be locally based and have a public profile such that they are approachable to the public and professionals
- The church authority's organisations should include complainant representatives to ensure that their services appropriately target the needs of complainants.
- There should be recognition and inclusion of spiritual damage as a critical element in the harm caused
- Recognition and practical response and support to family members of the complainant – the secondary victims
- The relationship between Canon Law and civil and criminal law should be transparent and Canon Law should be subject to the law of the State.
- There should be psychiatric screening of all current church personnel including those currently in training for religious life to minimise risk to children.
- Funding for complainants who seek a holistic casework approach, (spiritual/medical/legal/ psychological)
- An acknowledgement that the required pastoral care in this field is specialised and should be provided to victims by appropriately qualified professionals at no cost to the complainants

I believe the following changes to the law will improve access to justice for victims:

- The Statute of Limitations – amend to allow historical abuse claims
- Amend corporations law so that the church authority is legally a corporation and capable of being sued over time
- Amend property trust legislation in each state to prevent the church authority from protecting its assets from civil suits
- Amend the law on vicarious liability so that priests and religious are treated as employees and therefore church authorities can be held responsible for breaches committed by church personnel

Witness:

Heather Bell

I would welcome the opportunity to speak in person to the Committee and if so, I would like to bring at least two support people with me.

Signed



20/Sept/2012.

