

Submission to **“Inquiry Into the Handling Of Child Abuse By Religious And other Organisations”**

I have made this submission due to my concern as to the management of abuse allegations by the Roman Catholic Church. I realise the inquiry has a broader range of focus with regard religious and non government organisations. I was particularly disturbed by reports emerging last year of the high rate of suicide amongst men who had been sexually abused by priests/religious in certain areas of Victoria. I hope this inquiry will provide a just response to those impacted by this abuse and provide guidance as to more constructive processes in the future. As a catholic I believe many Catholics are disturbed by the abuse. Yet we seem to have little ability to find out what is happening or to influence how the church hierarchy manages these matters.

It would seem that from recent media coverage that the Church was at best naive as to how to manage allegations of abuse and what to do with the alleged culprits. I fear at worst there has been cover up and as much a concern for the reputation of the church as for the well being of the children abused and their families.

From what I can see in the documentation of the Melbourne Response there does seem to be an attempt to engage victims in a thoughtful way. However media reports suggest dissatisfaction amongst some victims. Furthermore The Cummins Report seems to express concern about the lack of independent scrutiny as to the process of this Response. ***I wonder if one response of this inquiry would be to seek a different process whereby any complaints are not managed by the church but that it can be compelled to cooperate with any inquiry reading allegations of abuse.*** I realise that many people consider such matters are best dealt with by the police. However I am uneasy with Cummin’s emphasis upon the public interest in reports being made to police outweighing any statements to the church by victims who prefer not to involve the police. I have sympathy for the Church in this circumstance. ***Maybe an independent body can be charged with managing allegations of abuse against church staff in circumstances where the victim does not wish to involve the police.***

Perhaps a process can occur in which the police are informed an allegation has been made but the victim does not want a criminal investigation. One potential advantage maybe that police will have intelligence to identify if a pattern is emerging in a location or concerning particular individuals that may lead to further police investigation.

It seems appropriate that any deliberate covering up of sexual abuse should be deemed a criminal offence.

I have also given thought to the privilege that relates to admission of offences within the Catholic sacrament of confession. I appreciate the delicate nature of this matter and the benefits it can provide to people. However ***I feel if a priest were to be told in confession of abuse, that they knew the identity of the person admitting the abuse and their victim(s) then I think it should be reported to police.*** It is likely to be a rare occurrence. But I think the principle is important and it would send a clear message of the church’s position on this matter. It seems to me the law of the land should in such a matter outweigh religious practice. Jesus said “pay unto Caesar what is Caesars and to God what is God’s.” The church may see it’s role to guide the spiritual welfare of people but the law of the country should not be undermined.

It seems sensible that priests should have access to training on the issue of responding to child abuse. There are voluntary agencies that provide this training while I imagine senior staff within the DHS Child protection System could also advise on this matter.

In the last few decades many western countries have seen a significant drop in religious vocations. This has led some bishops to recruit priests and religious from countries that are not experiencing this problem. I wonder how well these men and woman have been vetted as to their character. The influences upon their formation may well be very different to those for example here in Australia. I also wonder if we are yet to see the recognition of this problem of abuse by religious in all countries as opposed to those who are facing up to this issue. ***I therefore suggest the inquiry seek clarification from church authorities about their vetting process.***

While the abuse of children must be the responsibility of the abuser, such behaviour could also be better understood within the context of the culture from which it emerged. In the USA as a response to the sexual abuse crisis with the Catholic Church, its Bishops Conference commissioned an independent report from a respected academic institution that specialised in criminal behaviour (John Jay College of Criminal Studies). ***I wonder if the inquiry could propose to the Catholic Church in Australia/Victoria that it undertake a similar process into influences upon the emergence of sexual abuse within its institutions.***

The management of priests and religious who are sex offenders poses I would imagine significant difficulty for the church. Of course they should not be permitted opportunities to work with children or vulnerable people. However there maybe individual circumstances where ongoing service is feasible and/ or dismissal from the church may undermine their welfare and, perhaps if left isolated from the church, lead to an increase in the risk of reoffending in the wider community. ***I would suggest each diocese have an arrangement with an agency that specialises in the assessment and treatment of sex offenders to guide the church in its response to these individuals.***

I am not familiar with insurance schemes. However I have heard through the media that this is a great area of difficulty for victims of abuse. The church should have insurance processes that do not expect it take a deeply entrenched defensive position. It seems sensible ***the inquiry consider models of insurance provision for victims of abuse that are not onerous for victims nor placing the church in a defensive posture.***

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