

Facing the Truth

Learning from the Past How the Catholic Church in Victoria has Responded to Child Abuse

Fact Sheet 7 Church provided new option for victims

1 March 2013

The introduction of the *Melbourne Response* in 1996 and *Towards Healing* in 1997, to respond to complaints of abuse, assisted many victims who previously had not gone to the police or had not gone directly to the Church.

Prior to the introduction of the two processes, victims had three options if they wished to take action: they could report their abuse to the police, commence civil proceedings in the courts, ask the Church to deal with their complaint internally, or some combination of these. Many did not want to take up any of these options, and chose to remain silent.

The new protocols were designed as a pastoral, non-litigious response to help those who previously had remained silent. Even though they were established by the Church, both the *Melbourne Response* and *Towards Healing* involve independent processes for investigating complaints of abuse. Their introduction opened up a new option for victims to be heard and to seek healing.

In the first year of its operation, a particularly large number of complainants approached the *Melbourne Response*, indicating their welcoming of the new process.

As explained in *Facing the Truth*, most claims to either process related to incidents from 30 and up to 80 years ago. The Church has received very few complaints of abuse that has taken place since 1990.

The Church actively encourages all victims to report offenders to police. In both the *Melbourne Response* and *Towards Healing*, it is explained that the police have broad powers including the power to issue search warrants and arrest offenders, and that it is only through the police that the offender can be brought before a court and punished for criminal conduct. This explanation is provided to victims in writing and face-to-face, and a Church response will only proceed after the victim confirms he or she does not wish to involve the police or after the police have completed their own investigation.

Of the more than 600 cases of criminal child abuse that have been upheld by the Church since 1996, many victims came forward at a time when the offender was already dead, and others had already reported their complaint to the police. Only two of these victims were children at the time they brought their complaint to the Church. Both of these victims were accompanied by their parents.

A number of the offenders who have been charged and convicted would not have been identified but for victims coming forward to the Church and being supported to report their complaint to the police.

However, many victims, now adults, are only willing to disclose what happened to them on the basis that their privacy will be respected, and insist that they are not willing to go to the police. As the Church has made clear in *Facing the Truth*, we respect the right of adults to make this choice, while acknowledging that different considerations apply to children under the mandatory reporting system.

Some have criticised the Church processes because they do not report allegations to the police. This criticism implies that the wishes of victims should be disregarded.

In fact, of the more than 300 cases relevant to the Parliamentary Inquiry that have been upheld through the *Melbourne Response*, 99 of them were referred to the police – 82 before the victim started or completed the process and 17 afterwards.

A further 109 victims came forward to the *Melbourne Response* at a time when the offender was already dead. For those victims, no police investigation would have assisted them.

The remaining victims (more than 100) decided not to report their cases to police. The Church respected their decision and did not breach their wish for confidentiality.

To help overcome this issue, in *Facing the Truth* the Church proposes a method for reporting accused offenders to the police while protecting the privacy of victims who do not wish to be identified. The Church looks forward to the Parliamentary Inquiry's consideration of this proposal.

For more information and support

www.facingthetruth.org.au

The *Melbourne Response*

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www.cam.org.au/Melbourne-Response

Towards Healing

Ph: 1800 816 030 or (02) 9669 6218

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