



ANNUAL REPORT 2017

DIOCESAN PROTECTION AND SAFETY COUNCIL



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Membership of the Diocesan Protection and Safety Council in 2017

Members: Jennifer Conn, Patricia Egan , Terry Lovat, Janice McLeay, Marie Murphy, Peter Owens (Chair), Richard Wakely, Ian Waters, Janiene Wilson (Deputy Chair)

Ex-Officio Members: Brian Mascord, Sean Tynan, Bill Wright



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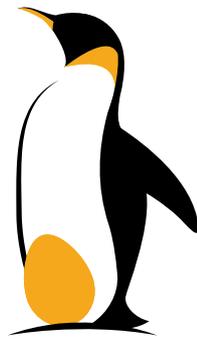


Acknowledgement of Country and Traditional Owners

We acknowledge Aboriginal Peoples are Australia's first Peoples and we pay our respects to the traditional custodians, past and present, of this land who long before us lived, loved and raised their children on this land.

We also acknowledge the Aboriginal and Torres Strait Islander families in our community and their deep physical and spiritual connections to their land.

the atonement Lina's Project



On 15 September 2017, the Diocese of Maitland-Newcastle facilitated The Atonement: Lina's Project on behalf of Lina, a victim of child sexual abuse at the hands of a member of clergy in the Diocese. Lina devised The Atonement: Lina's Project as a way of rebuilding her own trust in the church and bringing some healing to the "average, ordinary human beings" whose skin had been "burnt, scorched and blistered" by the actions and inactions of the church.

From 15-22 September the presentation was projected onto Sacred Heart Cathedral as a powerful statement of acknowledgment. In February, 2018 the Lina's Project presentation was projected onto St Joseph's Catholic Church in East Maitland for five nights and a barbecue was held to bring the community together to acknowledge and atone in a regional setting.



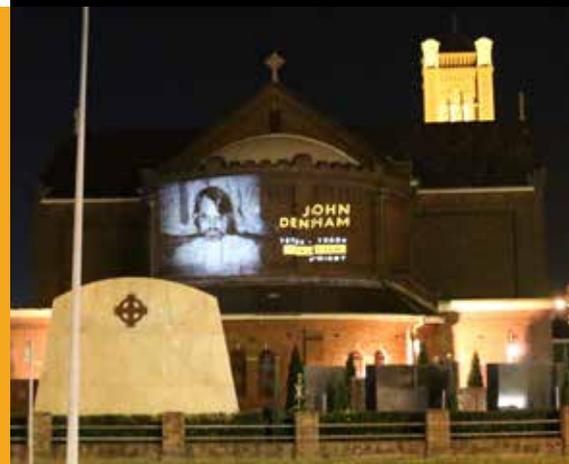
"Beautifully sensitive.
Heartbreakingly truthful."

"Congratulations to Lina for conceiving this wonderful project and to the Diocese for supporting it so unreservedly. I was completely overwhelmed by the entire event."



As Bishop, I apologise to the whole community. The church let you down, often by caring more for its reputation than for the children, and sometimes by criminal complicity in the covering-up of abuse. If we can share the story and own the story, perhaps we can speak of our feelings with each other more, listen to each other better and support each other with greater understanding."

– Bishop Bill Wright



"Dear Lina, what a brave lady – thank you for tonight. I'm sure it will help a lot of people in their effort towards the healing process."

"Your pain is our pain!"

linasproject
.com.au



A Message from Bishop Bill Wright

On 2 September 2016, I appeared before the Royal Commission into Institutional Responses into Child Sexual Abuse. This, as part of its public hearing into the Catholic Diocese of Maitland-Newcastle's response to the sexual abuse committed by Vincent Gerard Ryan and the conduct of certain Marist Brothers who taught in the Hunter Valley (Case Study #43). As part of my evidence, I announced the existence of the Diocesan Protection and Safety Council.

The Council was formally established in February 2016, after a couple of months of approaching preferred candidates and holding an information and formation workshop with the prospective members of the Council in January 2016. The Council and I decided to allow them 12 months to 'learn the ropes' and work on forming the main operational parts of the

Council, the three Standing Committees that report to the Council, before announcing their existence. Whilst the Council's period of being incognito only lasted eight months, it was a worthwhile exercise in that it allowed Council members the necessary room to become comfortable working in a new structure.

The Council was formed to supersede and significantly expand on the work undertaken by the long standing Towards Healing Advisory Panel. The Council members (other than ex officio members) are volunteers drawn from a broad range of backgrounds. I asked them to come together to provide me with independent, informed advice on a range of issues including:

- ▶ promoting the protection of children and vulnerable adults within the

Diocese from abuse or exploitation,

- ▶ developing the Diocesan capacity to be a genuine, innovative and supportive presence for those who have been affected by child sexual abuse, and
- ▶ rebuilding a sense of trust within the Diocesan faithful and the broader community about the Diocese's commitment to protect children and vulnerable adults.

The Council is not a static entity; we continue to try to discern how best it may be constituted to fulfil its demanding mandate. As Bishop, I, my Vicar-General and the Head of Zimmerman Services were the original three ex-officio members. By late 2017 the Council discerned that the Coordinator of Healing and Support should also join the Council.



Being a member of the Council and one or more of its standing committees can be demanding on people's time, particularly when the needs of family arise. Richard Wakely was a founding member of the Council and brought invaluable wisdom and common sense to our deliberations with his extensive experience gained as a magistrate. The Council was saddened by his resignation on 13 September 2017.

We thank him and wish Richard and his family all the best in the coming years. With his appointment as Bishop Elect of Wollongong, Rev Brian Mascord was obliged to resign as Vicar-General of the Diocese on 30 November 2017. As an ex-officio member, Brian also consequently left the Council. I speak for everyone on the Council when I say his wisdom and gentle humour will be sorely missed and we offer Brian our most genuine best wishes for his Episcopal ministry.

The Council and its constituent standing committees have proven themselves to be credible, strong voices offering independent advice, supporting me in an area fraught with difficulties and opportunity to offend unintentionally or otherwise misstep. The current year commences an important period for the Diocese in learning from the Royal Commission and implementing its findings and I will continue to rely on the wisdom and honesty of the members of the Diocesan Protection and Safety Council.

Most Reverend William Wright
Bishop of Maitland-Newcastle



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Full extent of
abuse yet to be
determined

Report from the Chair of the Diocesan Protection and Safety Council



Peter Owens

The Catholic Diocese of Maitland-Newcastle has a particularly troubled history of failing to protect children from sexual abuse and through these failures it allowed predatory individuals to continue to abuse.

Such an extensive problem requires a concerted effort to bring about significant changes in the Diocese which ensure the safety and well-being of all children and vulnerable adults, particularly those participating in the life of the Diocese in any way. It is also essential to be present with and support all those who have been affected by child sexual abuse.

Bishop Bill Wright came to the Diocese as its Bishop in June 2011 and has responded to the challenges around the sexual abuse of children in many ways, including by creating the Diocesan Child Protection and Community Safety Advisory Council ("the Council"). The Council first gathered in January

2016 and includes nine members from a diversity of backgrounds and experiences, both from within the Diocese and from Sydney and Melbourne also. Each of these people is well placed to provide advice to the Bishop about a range of matters to assist the Bishop in his decision-making process.

The Council members made a valuable contribution to drafting and recommending a Constitution to provide a solid framework for its operation.

A key feature of the Council is its use of Standing Committees to provide specialist advice. At the date of this report three Standing Committees have been formed, dealing with:

- (1) assisting in Resolving Claims;
- (2) advising on Serious Professional Standards Complaints; and
- (3) developing Healing practices.



Bishop Bill Wright came to the Diocese as its Bishop in June 2011 and has responded to the challenges around the sexual abuse of children in many ways...

Each of these Standing Committees has a Convenor and can include particular Diocesan personnel with professional expertise or individual experiences enabling such personnel to be involved as a 'specialist appointee'. Others with special skills, experiences or contributions to make may be invited to participate as 'ex officio' members.

During the life of the current Council each of these Standing Committees has met on various occasions and responded with advice to the Bishop on a range of relevant matters. I commend the contributions of each member of the Council and thank each member sincerely. By accepting a role on this Council each member has made a significant commitment to contribute time, skill and energy to what is always a demanding task, and sometimes one which is very confronting.

The members of the Council have developed a solid working relationship in which open and direct discussions and debates lead to well considered advice and recommendations to the Bishop.

Given the delivery of the Final Report of the Royal Commission into Institutional Responses to Child Sexual Abuse, it is

fortunate the Council has established a solid platform to consider and advise the Bishop in relation to any matters arising from the Report, as and when required.

Unfortunately, the Report of the findings of the Royal Commission concerning the Diocese of Maitland-Newcastle Case Study 43 will not be published for the foreseeable future. The Bishop and the Council will be looking to findings of the Royal Commission to assist in shaping the ongoing development of child protection within the Diocese, and this work will need to proceed without the benefit of the independent Royal Commission's findings specific to the Diocesan Case Study. Hopefully there will not be too long a delay until it is published and can be considered.

The work of the Council is strongly supported by professional Diocesan personnel, especially those connected to Zimmerman Services. It must be noted that the Council is but one part of a multi-faceted response to the problem of child sexual abuse in the Diocese.

There is no template for the Council to follow. It is necessary for the Council to be flexible and to be open to various ways to approach its work. Advice has

been given around particular civil claims and serious complaints concerning professional conduct. Initiatives like Lina's Project demonstrate ways in which healing practices can be developed and give the Council areas to consider in supportive and imaginative ways to help those who have been affected by child sexual abuse.

Bishop Bill Wright is working to take the Diocese forward in a positive way, and at all times to be supportive for all those who have been affected by child sexual abuse in the Diocese. The Council is an important part of this approach, which takes many forms, and it will be a useful element in assisting Diocesan leadership into the future. I look forward to continuing working with Bishop Bill, the members of the Council and all those in the Diocese striving to make a difference.

Peter Owens
Chair, Diocesan Protection and Safety Council.

Report from the Head of Zimmerman Services



Sean Tynan



Zimmerman Services is the organisational expression of the Diocese's commitment to promote the safety, welfare and wellbeing of all children and vulnerable adults...

Zimmerman Services is the organisational expression of the Diocese's commitment to promote the safety, welfare and wellbeing of all children and vulnerable adults, particularly those who participate in the life of the diocese as part of our faith communities in parishes, in our diocesan systemic schools, early education centres, as part of our welfare and community services through CatholicCare and other diocesan ministries.

Zimmerman Services operates under the direction of the Bishop of Maitland-Newcastle and it works collaboratively with a number of government departments, statutory authorities, Church and community agencies and groups. Zimmerman Services supports the whole Diocese to:

- ▶ meet its moral imperative and legislative requirements to protect the children of the Diocese, and
- ▶ address the enduring legacy of historic child sexual assault that occurred within the Diocese,
 - through the provision of specialist services and activities within the Diocese. These activities may be classified into three groups; preventing abuse, responding to alleged abuse and supporting the healing of the consequences of child sexual abuse.

Whilst providing services for a diverse and large Diocese, Zimmerman Services is a small team consisting of 11 people, most of who work part-time. In terms of 'full time

equivalent' (FTE) positions, excluding myself as the full-time Head of Service, Zimmerman Services consisted of 8.2 FTE positions, including 4.4 FTE 'investigators'.

The operational tempo of Zimmerman Services in 2017 has been significant and resources stretched; it speaks to the increasing awareness and sensitivity to issues of child protection and safety in the Diocesan and broader communities. In the past 12 months Zimmerman Services has:

- ▶ recorded, analysed, provided advice and support in relation to over 800 individual 'Intake' matters. Intake is the process of providing direct and particular advice to any member of the Diocese who makes contact with Zimmerman Services with concerns for the safety, welfare or wellbeing of a child or vulnerable adult
- ▶ completed, commenced or had oversight of 55 investigations of reportable allegations or alleged breaches of professional standards. Investigations conducted by Zimmerman Services are administrative inquiries conducted to the civil standard. Zimmerman Services ensures that its inquiries do not interfere with Police investigations
- ▶ undertaken child protection audits of the 10 Diocesan schools scheduled for audit during 2017, as part of the Continuum of School Improvement (CoSI) programme, which supports Diocesan schools to



continuously improve their protectiveness over a six-year cycle of training, audit, feedback, improvement and review

- ▶ delivered training to over 1,000 Diocesan personnel through 12 full-day 'Introduction to Child Protection' training and 'CoSI Safeguarding' training courses, as well as developing and delivering multiple specialist training sessions for a number of schools, parishes, diocesan ministries and CatholicCare programmes
- ▶ verified and recorded over 1,100 volunteers' Working with Children Check Clearance numbers with the Office of the Children's Guardian
- ▶ received and recorded 90 testimonials for clergy visiting the Diocese to minister.

Further, in addition to participating in Zimmerman Services' full day training, Healing and Support:

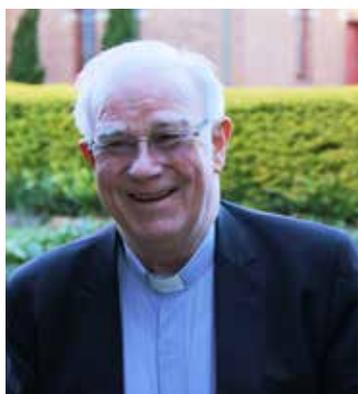
- ▶ averaged contact with 52 clients per month
- ▶ supported eight survivors through preliminary court proceedings and 14 survivors and their families through a criminal trial

- ▶ attended in 11 Clergy Abused Network (C.A.N.) meetings
- ▶ co-ordinated six peer support groups and two 'services of healing'
- ▶ provided advice and consultation to seven different dioceses or religious orders in relation to the Diocese's 'healing and support' programme
- ▶ was intricately involved in the development and presentation of Lina's Project: The Atonement including extensive consultation with survivors
- ▶ was involved in and ongoing support of the Co-ordinator Healing and Support (CAN) Marist Brothers, now co-located with Zimmerman Services.

Sean Tynan
Head of Zimmerman Services



Report from the Convenor of the Standing Committee Advising on Professional Standards Complaints



Ian Waters

The Standing Committee Advising on Professional Standards Complaints ('Committee') has been formed under the constitution of the Diocesan Protection and Safety Council and has a membership drawn from a range of backgrounds. There are also a number of ex-officio members including the Diocesan Chancellor and other senior Diocesan leaders.

The Committee makes written submissions to the Bishop of Maitland-Newcastle consisting of the Committee's collective, independent and informed counsel in relation to the management of serious complaints against senior leaders of the Diocese. The Committee's advice endeavours to promote equity and justice for all persons within the Diocese.

The Bishop can direct the Committee to consider any complaint against a Diocesan leader, but for the most part the Committee only considers more serious matters involving the leadership of the Diocese. These matters may involve alleged criminality, alleged sexual misconduct against a child or vulnerable adult or alleged psychological abuse or failure to fulfil a duty of care that caused serious harm to a child, an employee, volunteer, parishioner or vulnerable adult.

The information assessed by the Committee is confidential, as it relates to the employment or vocation of individuals as well as the particular complaints of people who allege harm.

The Committee only meets when it is required to do so. It has only been needed

twice in 2017, in January and July.

The 'January' complaint related to a most unfortunate series of events involving a number of adults. The behaviour was established as having been entirely unacceptable and included a minor criminal offence which was addressed through the courts.

The 'July' complaint related to the respondent overstepping his boundaries and involving families in his activities. This involved a summary offence, for which the respondent was cautioned by Police.

In both cases advice was settled upon by the Committee, after robust discussions and that advice was provided to the Bishop. Neither respondent participates in the work or ministry of the Diocese.

Establishing this Committee was a brave step by the Diocese as it opens up the internal investigation processes to broader scrutiny. The Diocese has voluntarily chosen to involve a range of non-Diocesan personnel to bring their wisdom to bear in an area of sensitive decision-making. Being a Committee member is challenging. I have the greatest respect and admiration for the members of this Committee.

Very Rev. Prof. Ian Waters

Convenor of the Standing Committee Advising on Professional Standards Complaints



The Diocese has voluntarily chosen to involve a range of non-Diocesan personnel to bring their wisdom to bear in an area of sensitive decision-making.



Report from the Convenor of the Standing Committee for Developing and Promoting Healing and Support Practices



Janiene Wilson

The Standing Committee for Developing and Promoting Healing and Support Practices ('Committee') has been formed under the constitution of the Diocesan Protection and Safety Council, with members drawn from the Council and the Diocese. The Coordinator for Healing and Support (Zimmerman Services) is an ex-officio member of the Committee.

The Committee's role is to review current and emerging practices in providing services to, and promoting healing for persons affected by child sexual abuse, particularly abuse committed within the Catholic Church. The Committee is also intended to foster Diocesan initiatives to support survivors in their healing journeys.

In many ways, this Committee's mandate is the most challenging of the Council's standing committees and part of the Committee's time in 2017 was spent debating and reflecting on the meaning of the mandate and the most appropriate way it could be operationalised.

The Committee was a significant player in ensuring that the Diocese was committed to supporting Lina's Project: The Atonement. The Committee was briefed on a request to have the plaque on the gravestone of an abusive deceased priest replaced; from a 'triumphant' plaque to a humble acknowledgement of the deceased. The challenges and complexities that arose in what, at first, appeared a relatively straightforward request, demonstrated that there is no simplicity in the healing space and that initiatives need to be supported by

sound, informed advice.

The committee was also instrumental, under the guidance of the Coordinator of Healing and Support, Maureen O'Hearn, in contributing to several spirituality days for women survivors and their friends and relatives. On these occasions, a communion service was conducted by one of the attendees.

Looking forward, the Committee will be focusing on how the Diocese can best engage with survivors and develop meaningful moments of healing. These will include events that are conceived by and developed in conjunction with survivors (like Lina's Project), the construction of a memorial for survivors and those no longer with us and the Diocese's perpetual day of remembrance. The Committee understands that in the coming year survivors, previously silent, will choose to come forward and these brave men and women will be in as much need as those first pioneers who demanded justice and acknowledgement a decade and more ago.

Janiene Wilson
Convenor of the Standing Committee for Developing and Promoting Healing and Support Practices



The Committee's role is to review current and emerging practices in providing services to, and promoting healing for persons affected by child sexual abuse...



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Pope Francis (20 August 2018)

If one member suffers, all suffer together with it” (1 Cor 12:26). These words of Saint Paul forcefully echo in my heart as I acknowledge once more the suffering endured by many minors due to sexual abuse, the abuse of power and the abuse of conscience perpetrated by a significant number of clerics and consecrated persons. Crimes that inflict deep wounds of pain and powerlessness, primarily among the victims, but also in their family members and in the larger community of believers and nonbelievers alike.

Looking back to the past, no effort to beg pardon and to seek to repair the harm done will ever be sufficient. Looking ahead to the future, no effort must be spared to create a culture able to prevent such situations from happening, but also to prevent the possibility of their being covered up and perpetuated. The pain of the victims and their families is also our pain, and so it is urgent that we once more reaffirm our commitment to ensure the protection of minors and of vulnerable adults.

Report from the Convenor of the Standing Committee for Assisting in Resolving Claims



Sean Tynan

The Standing Committee for Assisting in Resolving Claims ('Committee') has been formed under the constitution of the Diocesan Protection and Safety Council and has a membership drawn from a range of backgrounds.

When a survivor wishes to seek some financial redress for the harm they have suffered from being sexually abused within the Diocese, as a child, the Diocese endeavours to reach a just and equitable settlement. However, to protect the survivor's best interests, they must be legally represented.

The Committee's role is to provide independent and informed counsel to the Bishop of Maitland-Newcastle in relation to these claims.

Members of the Diocese's senior executive leadership join the Committee as ex-officio members when a claim of historic abuse involves an alleged abuser who was an employee or otherwise associated with their service.

The Committee members do not attempt to reach consensus before giving the Bishop advice. Rather each Committee member provides individual counsel to the Bishop, formed through intellectually rigorous consideration of the 'brief of evidence' on the claim, other relevant information or insights available to the Committee member as a consequence of their professional career and personal experiences. The advice given by Committee members must be based on the dictates of their conscience.

During 2017 the Committee met on six occasions, including an extended meeting in September where the Bishop arranged to reconvene late in the day to ensure all matters were properly addressed. Over the year eight separate claims were considered by the Committee. The Bishop took the advice of the Committee members that there was insufficient evidence to support one of those claims.

Of the remaining seven claims, there were two principal offenders; three claims involved abuse by deceased priest Denis McAlinden, two by deceased teacher Anthony Bambach. There was one claim by a survivor who was the victim of two separate abusers and one claim was 'revisited' because the original settlement made with the survivor was deemed manifestly inadequate. All seven claims were settled.

Each member of the Committee considered each claim with the greatest care and respect for the claimant. It is an extraordinarily difficult role and the Diocese owes the members of this Committee a significant and enduring debt of gratitude.



Sean Tynan

Convenor of the Standing Committee for Assisting in Resolving Claims



The Committee's role is to provide independent and informed counsel to the Bishop of Maitland-Newcastle.



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