

SUBMISSION INTO *TOWARDS HEALING*

I would like to provide comment to the Royal Commission into Institutional Responses to Child Sexual Abuse in regards to the *Towards Healing* Issues Paper 2.

My name is Andrea Lockhart and I am the senior clinician, employed at the Ballarat Centre Against Sexual Assault (CASA). CASA provides counselling, advocacy and support for victim/survivors of sexual assault.

I have been working at Ballarat CASA for ten years; currently most of my work is with clients, particularly men who experienced childhood sexual abuse by Catholic Clergy, in the Ballarat district. I also run a fortnightly support group for male survivors of sexual abuse within an institutional context.

I would like to provide comments from the information gathered by my clients, who have participated in the *Towards Healing* process and recently my own experience with the *Towards Healing* program,

1. The experience of victims who have engaged in the *Towards Healing* process.

The consistent response from the men who have gone through the *Towards Healing* process is that it was distressing, confusing, dissatisfying and despite having received financial payments, has left them with the feeling of being “worse off” (emotionally) than prior to the process. None of the men who went through the *Towards Healing* process have received any follow up support, and feel as if once the cheque was paid, they were forgotten about and the door for ongoing support was closed. The confidentiality clauses that they were required to sign, added to the sense of the door “being closed” in regard to making any further complaints or seeking any further help or support. Leaving a sense of being silenced.

2. The procedures of *Towards Healing* – client perspectives

My understanding is that these victims would contact *Towards Healing*, registering a complaint. They were then required to meet with someone who assessed their complaint, sometimes in the local Catholic Diocese offices. One client, after contacting *Towards Healing* was phoned and a meeting was arranged with a man in a café in Ballarat. The client told his story, including names, dates and times of the abuse while the man took notes. The next follow up was three months later, where he was provided an appointment with a psychiatrist in Melbourne. My client felt the first man he met gave all that information to the church personal, and never gave it to the police, as if he was tipping off the church leaders. His experience was that the whole process took nine months to be finalised.

Clients would be offered counselling, but they consistently tell me that as the counselling was paid for by the church, none of them felt they could trust the counsellor and the minimal amount of sessions offered (generally six sessions) meant that it was tokenistic. In Ballarat the counsellor offered has been a male psychologist, which is confronting for the men who have been abused by a male and naturally distrust men.

The appointments with the psychiatrists that men were required to attend left some with the feeling of not being believed.

From this point meetings would be set up in Melbourne, in the legal district, and the victim would then meet with generally four to six men, some of them in clergy attire, where offers were made regarding financial compensation. None of the men were offered legal advice or advised to seek legal advice. One was told that he did not need legal advice because the meeting was just an informal one (which eventuated as being three insurance executives and two clergy, to meet with him and his mother). None of them were advised to go the police or encouraged to go the police, rather there was the felt sense that it was 'either/or' – ie if they went through *Towards Healing* they then could not make a complaint to the police. As most of the survivors have struggled financially due to chronic unemployment the money seemed the only option. The initial offers were very small – ie \$6,000 while being told that this would be all they could get. One man who had his mother support him, was going to take that initial offer, as he thought it was better than nothing, however his mother pushed him to seek more, and they were finally offered \$30,00 while being told that this was the highest amount ever paid out. This is now known to be untrue. The final meeting was again in Melbourne where the cheque was only released upon signing a confidentiality clause.

Another client spoke of being so stressed throughout the *Towards Healing* process that he became suicidal, and only got through with the support from Wayne at Broken Rights. He felt the money was a token; he didn't trust the counsellor they sent him to because he felt that the counsellor was working for the church.

3. The procedures in relation to the accused

None of the clients that I have worked with had experienced *Towards Healing* passing on the information to assist police investigations. They were not aware of any action towards the accused, or any outcome from their complaints impacting on the accused.

6. The rights of victims to access civil and criminal justice systems.

Most of the men involved in *Towards Healing*, were left with the understanding they were not allowed to make any civil claims or criminal complaints, ie after signing the agreement they felt that it silenced them from this right. One survivor

wanted to make a submission to the Victorian Inquiry, but thought that the agreement he had signed meant he wasn't allowed to participate. He has recently made a police statement, and as the detective requested the information he had given to *Towards Healing*, with his consent I contacted the relevant *Towards Healing* staff. My messages by telephone and email were not answered; therefore they did not give that information to police for their investigations. This was despite my having attended a meeting during this year, where the same *Towards Healing* employee said that they would assist with any enquiries and that they would always hand over that information to police if the person wanted to report the crime to police.

13. The options for redress under *Towards Healing*

a) The circumstances of payments

Clients received cheques as to what was offered to them. Some of them commented that they were aware of people who were really struggling going away and just drinking the money. This is relevant as most of the victims feel a great sense of shame and self blame and the money, including the process reinforces that feeling, resulting in many people using it to further harm themselves. Some men say it feels like prostitution, most of them were not in a good place in their lives to enable them to use the payments in a positive way, or even knew how to make it help them.

b) the level of monetary payments

I have had one client who received \$80,000 the rest generally have been approximately \$30,000. This does not appear to have any formula applied, ie the client who received \$80,000 had one perpetrator and it did not go on for a long time, whilst the others had multiple perpetrators, with abuse occurring over many years. The process for some involved days of negotiations to reach settlements, with legal fees being taken out, one man not being left with not even enough money to buy a car, and then being told to "take it or leave it"

c) other forms of financial support

once the payment was received, none of my clients have had any follow up or support or offers of other financial support to assist their healing.

d) Apologies or acknowledgements to victims

Only one client had an apology, which involved one of the priests in the mediation meeting shaking his hand and saying sorry. Many others, lacking any apology say that an apology would carry a great amount of meaning for them, but from someone with responsibility within the organization. Another man was told at the end of the negotiations; "you've got to remember you were a pretty wild child and you've got to bear some of the responsibility yourself" ..

e) conditions imposed on the agreements

all of the men were given the impression that they would only get the money if they signed a confidentiality agreement.

15. Does *Towards Healing* assist in the prevention of child abuse?

As none of the men who went through *Towards Healing*, even if it was 20-30 years ago, had their matter referred to the police, the process had little impact on preventing abuse. It did not assist in bring the accused to account, or even notifying of their actions. I recently attended a meeting where the *Towards Healing* representative, when questioned said that it was always up to the victim if they wanted to go to the police. When I also questioned if they would report to the police if they were aware of abuse happening, such as in a school, she said that they were not mandated to report and would not report to the police. She said that they would liaise with the school, but did not have an obligation to report.