



## ISSUES PAPER 2

RELEASED 9 JULY 2013

# TOWARDS HEALING

### ISSUE

*Towards Healing: Principles and Procedures in Responding to Complaints of Sexual Abuse against Personnel of the Catholic Church in Australia (Towards Healing)* was adopted by the Australian Catholic Bishops Conference and Catholic Religious Australia in 1996. It is used by all Catholic dioceses and religious orders in Australia excluding the Melbourne Archdiocese, which has adopted the *Melbourne Response*.

*Towards Healing* was revised in 2000, 2003 and 2010, the first and last revisions followed internal reviews. The original and most recently revised document provides:

*The Church makes a firm commitment to strive for seven things in particular: truth, humility, healing for the victims, assistance to other persons affected, an effective response to those who are accused and those who are guilty of abuse, and prevention of abuse.*

### SUBMISSIONS

The Royal Commission is interested in hearing from people who have engaged in the *Towards Healing* process and invites them to contact the Royal Commission on 1800 099 340 or by email at [statements@childabuseroyalcommission.gov.au](mailto:statements@childabuseroyalcommission.gov.au).

Submissions are sought from interested individuals, institutions, government and non-government organisations about the content and operation of *Towards Healing*.

Submissions may address any aspect of the *Towards Healing* process. Of particular interest to the Royal Commission is:

1. The experience of victims who have engaged in the *Towards Healing* process.
2. The principles and procedures of *Towards Healing* as instructions for Catholic Church authorities dealing with complaints and redress regarding victims of child sexual abuse.
3. The principles and procedures of *Towards Healing* relating to the accused and particularly the responses and outcomes available.

4. The engagement and accountability of institutions and responsible authorities of the Catholic Church in the *Towards Healing* process.
5. The selection criteria, if any, which should be used to employ or engage personnel including assessors and facilitators involved in *Towards Healing*, and their selection, appointment and engagement and manner in which conflicts of interest are dealt with.
6. The relationship between participation in the *Towards Healing* process and the rights of victims to access the civil and criminal justice systems in Australia.
7. The conduct of investigations, including the engagement with the victim, the accused and the institution or responsible authority.
8. The application of confidentiality to any aspect of the *Towards Healing* process and the persons subject to any applicable confidentiality.
9. The standard of proof applied during the *Towards Healing* process.
10. The role and participation of lawyers, insurers and other third parties in the *Towards Healing* procedure and whether such involvement assists or hinders the process.
11. The sufficiency of the guidelines in relation to referral of matters to police.
12. The role of canon law in *Towards Healing*.
13. The options for redress under *Towards Healing*, in particular:
  - a. the circumstances in which financial assistance may be paid
  - b. the level of monetary payments and how they are determined
  - c. other forms of financial support
  - d. the apologies or acknowledgements which are provided to victims
  - e. the conditions imposed including any confidentiality agreements.
14. The nature and extent of the review process available.
15. Does *Towards Healing* assist in the prevention of child sexual abuse within institutions of the Catholic Church?

Submissions will be made public unless the person making the submission requests that it not be made public or the Royal Commission considers it should not be made public. That will usually only occur for reasons associated with fairness.

Submissions should be made by **Wednesday 4 September 2013**, preferably electronically, to [solicitor@childabuseroyalcommission.gov.au](mailto:solicitor@childabuseroyalcommission.gov.au), otherwise in writing to GPO Box 5283, Sydney NSW 2001