

Address to Joint Standing Committee on Oversight of the implementation of Redress Related Recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse, Melbourne 8th October 2018

I do not wish to give my address in person as I would find it very stressful, just as I did at the last Melbourne public Senate hearing - the Commonwealth Redress Scheme for Institutional Child Abuse Bill 2017, 6th March 2018.

At that hearing, the threat that the Child Abuse Royal Commission recommendations were in the hands of politicians who had no connection to the Commission and its recommendations was distressing. It meant our hopes for recommendations to save future children were in jeopardy because they had changed the Redress Recommendation meaning they could change any of the Royal Commission recommendations. The unspoken threat of more changes propelled me to restate the traumatic consequences of clergy sexual abuse upon my daughters. Despite the cost to me of recounting their demise, and despite the testimony of every other person giving evidence that day and in numerous submissions, the \$150,000 cap imposed by the federal government remains intact. Our words and pleas for a restoration of the Royal Commission recommendation on Redress were of no effect.

Will this hearing be any different? Will it also be waste of time, effort and emotion? Are these Senate hearings just a tick in the tick box, a procedure which must take place but in essence is ineffectual?

Disturbingly, over the past months, more details have come to light in regards to the implementation of the Redress Scheme and none of it is victim friendly.

The Application Form for National Redress Scheme

Part 2: Your experience of sexual abuse.

This very personal information is to be given to the abusive institutions for insurance purposes as stated by Senior Council Garth Blake, Chair of the Anglican Church Redress body (see link below to an ABC radio interview).

<http://www.abc.net.au/radio/programs/pm/abuse-survivors-shocked-about-the-protection-of-redress-scheme/10129312>

Because of the passing on of information from the Independent Redress body to the churches insurance companies, victims are subjected to a breach of trust and suffer the humiliation of

the institutions which never protected them as children, having access to their most personal and heartbreaking evidence for the debased reason of churches making insurance claims to protect their assets and minimize costs to themselves.

Do the other institutions have insurance against the sexual assault of children by their members? Or is it unique to the churches?

In the case of the Catholic Church, their insurance policy was taken out by the Australian Catholic Bishops Conference between the 1980s and pre 1995 for the “Special Issues” of clergy child rape. What kind of organization takes out insurance for when its members sexually assault and rape children in order to protect their assets and to counter any future financial fallout? Answer: The Catholic Priesthood. It’s a pity they weren’t as diligent in protecting thousands of children as much as they were in protecting their assets.

As a result they have Underwriters covering the cost of a multitude of priestly crimes instead of the priesthood itself - and for this reason victims have to suffer again, yet another betrayal from the “Christian” organisation.

The Catholic Church’s insurance company is Catholic Church Insurance. Sitting on the Board of this insurance company is the Vicar General of Adelaide and a nun. This is a double conflict of interests – not only is the church’s insurance company getting sexual assault descriptions but a member of the hierarchy and a nun, both with sworn allegiance to father church, are sitting on the board.

The decision of the Independent Redress body should be enough for church insurance companies. The only information supplied to the churches and their insurance companies should be the name of victims, the place and time of offences and the name of offenders so they can confirm that paths crossed. The decision/confirmation of who, what, where and when should be, decided by the Independent Redress body. If not, what purpose does the Independent Redress body serve? Church procedures are rendering the Redress body useless and the church will be controlling the situation.

Part 3: The impact sexual abuse has had across your life.

Why is it necessary to give this information to church insurance companies when, due to the imposed New Matrix limitation, the effect the sexual assaults have on victims’ lives has absolutely no effect on influencing the payment? Regardless of lifelong damaging effects on victims’ lives it is not taken into consideration for Redress under the New Matrix.

The New Matrix

Queensland Parliamentarian Mr Mark McArdle addressed parliament about the New Matrix for the Redress scheme on 19th September 2018, on pages 2592-93, he spoke of it having a fixed sliding scale of payouts according to degree of abuse.

Hansard, Mr McArdle: “There are three categories: category 1, penetrative abuse, \$150,000; category 2, contact abuse, \$50,000; and category 3, exposure abuse, \$20,000.”

A similar abuse payout setup, a “payout chart” called Adamec was recently discovered in the secret archives of the Catholic Church through the Pennsylvanian Grand Jury Report into clergy child sexual abuse in that state:

www.washingtonpost.com/news/acts-of-faith/wp/2016/03/03/abuse-survivor-advocates-see-hope-in-spotlight-and-in-new-report-alleging-widespread-cover-up/?utm_term=.faeb10554fc0

Mr McArdle continued, he spoke of a matching fixed sliding scale for counseling allowance:

Hansard: “In addition, clause 6 of the bill deals with counseling and the psychological component of redress. The amounts are: penetrative abuse, \$5,000; contact abuse, \$2,500; and exposure abuse, \$1,250. With respect, \$5,000 will not last long when it comes to psychologists and counseling fees. I need to understand, and the people who will be required to join up to the scheme need to understand, why those figures are put in the scheme to alleviate their suffering”

Then a disturbing revelation by Mr McArdle as to why he can't find out about the imposed counseling limitations: “Section 104 of the Commonwealth act deals with the disclosure or use of assessment framework policy guidelines. It is an offence under the Commonwealth act to disclose or use details of those guidelines. I would like the minister to explain why that is the case – why the guidelines cannot be made public.”

Earlier in the Queensland Parliament Mr McArdle and Ms James exposed the same disturbing fact, they spoke on 20th July 2018 about “opportunities to improve the redress scheme as implemented to enable an external review.” Published in Hansard on pages 8-9 was the following:

“Mr McArdle: In terms of the Commonwealth act, under section 32 we have the assessment framework and under section 33 the assessment framework policy guidelines. The department has given the committee a copy of the assessment framework that I think was tabled by the relevant federal minister in about June of this year. We do not have the assessment framework policy guidelines that go with that document. In fact, it is a criminal offence as I read clauses 102 and 104 of the Commonwealth act. Do you find that unusual?”

Ms James: I find it highly unusual and highly irregular. It was not in any way in the contemplation of the royal commission. It is extraordinary that it is a criminal offence to reveal any knowledge of how these payments are calculated.”

Why the extraordinary secrecy in regards to the assessment framework policy guidelines?

Below is what the Royal Commission recommended for the Matrix:

The ABC reported on 16th September 2018 “The Royal Commission’s recommended matrix consisted of 100 points – 40 points for the severity of the abuse, another 40 points for the severity of the impact of the abuse and 20 points for the circumstances, such as whether the child was in an orphanage.

The final matrix produced by the Federal Government has a fixed sliding scale, meaning survivors who suffered penetrative abuse are the only ones who could receive the maximum payment of \$150,000”

More questions about the New Metrix in the ABC report...’West Australian Greens Senator, Rachel Siewert, said federal politicians had not seen the matrix when they voted on and passed the redress legislation. “Many times people asked for the matrix, to be able to see it to be able to understand the basis on which these decisions were made, but that was not available at the time we voted on the bill”, Ms Siewert said.

The matrix was not made public until after the bill had passed both houses of Parliament.’
<http://www.abc.net.au/news/2018-09-16/anglican-church-horrified-over-national-redress-calculations/10236812>

Overall we have an appalling situation where victims are being squeezed on payouts and fairness: Royal Commission recommendation of \$200,000 Redress down to \$150,000 – this amount now matches the limit for the Catholic and Anglican Churches in their own systems; Royal Commission recommended lifetime of counseling down to a scaling figure dependent on a predetermined government matrix giving limited counseling; intimate details of sexual assaults passed on to offending institutions’ insurance companies so that institutions do not have to cover the cost of their crimes; indexing of past payments – matching the Catholic Church’s “top up” payments in its own systems.

Victims are shortchanged by the federal government yet, only weeks ago, the federal government at the drop of a hat gave extra billions to Catholic Church education. These billions are to be added to the other billions of dollars (e.g. \$7.9billion in 2015 see link below) which they already receive annually for education.

<https://www.theage.com.au/interactive/2018/catholic-inc-what-the-church-is-really-worth/>

A bipartisan agreement not to give extra money would have solved the problem and saved the taxpayer billions of dollars.

We must ask who the winner is because of these changes in the Redress recommendation. Follow the money. The offending institutions are the winners, they are the beneficiaries.

Are we to be left believing that all these institution friendly changes are a result of the federal government's earlier "Workshops with Churches"?

The Catholic Church has already made sure victims do not obtain fair payouts – they have saved \$62 million in Melbourne alone (see link below) through their self-created Melbourne Response system which the Kennett state government allowed the church to implement without any oversight:

<https://www.theage.com.au/national/victoria/catholic-church-saves-62-million-on-sexual-abuse-claims-20151205-glgavf.html>

While the Catholic Church priesthood has kept the broken victims in poverty, some illiterate from traumas suffered in primary schools, the church has amassed over \$30 billion worth of property alone in Australia for themselves.

<https://www.smh.com.au/national/catholic-church-s-massive-wealth-revealed-20180209-p4yzus.html>

Why should the Catholic Church priesthood – priests, brothers, monks - be given concessions and favoritism when the Royal Commission has shown us the shocking scale of the children sexually assaulted and raped by their paedophile colleagues in their institution. This scandalous criminal behavior against Australian children should be enough for any government to ensure a fair Redress Scheme is implemented. There is more proof - the number of scandals and child victims continues to grow as it is unmasked worldwide, for example, during the past two months:

USA, Pennsylvania only

<http://www2.philly.com/philly/news/catholic-church-clergy-sex-abuse-read-the-full-grand-jury-report-20180814.html> Over 2,000 children sexually abused

Holland

<https://cruxnow.com/church-in-europe/2018/09/17/over-half-of-dutch-bishops-shielded-priest-abusers-according-to-report/> Over 1,000 children

Germany

<https://www.theguardian.com/world/2018/sep/25/report-details-sexual-abuse-german-catholic-church> 3,677 children

Last year: Australia

<https://www.theguardian.com/australia-news/2017/feb/16/australian-catholic-church-has-paid-276m-to-abuse-victims-so-far-inquiry-shows> 4445 children

Ireland

“Tens of thousands” Colm O’Gorman

<http://www.thejournal.ie/readme/colm-ogorman-pope-rape-abuse-church-catholic-4169924-Aug2018/> At least 20,000

Worldwide, church hierarchy actions and inactions allowed crimes to continue for decades, according to US victim advocate Fr Tom Doyle, child sexual assault has been a problem in the Catholic priesthood since the 3rd century.

I do not believe the Child Abuse Royal Commission had the above mistreatment of victims in mind with its recommendations. 60,000 victims are expected to come forward to be treated by the system you put in place. Do not let the institutions which mistreated children in the first place walk away from their responsibilities – allowing them to save their money and assets. Do not provide monetary protection for institutions that saw it fit to leave child rapists with children, abandoning and condemning them to fend off paedophile priests by themselves after the hierarchy had received complaints about offences. In doing this they aided and abetted criminal clergy in their sex crimes.

I restate from my earlier submissions that the Government of Australia is the only body in this country more powerful than the Catholic Church and other churches. You have the power and authority to implement civil law and other protections for this nation’s children. You speak for the children of this country because they cannot – you will never receive a delegation of children demanding you protect them from paedophiles – you must do it.

In light of the atrocities revealed in the Royal Commission protect the grown child victims now who were betrayed in institutions decades ago. Change the Child Abuse Royal Commission Recommendation back so they work for the victims - as they were intended to - because the implementation of the Redress related recommendations as they stand now look as though they were written by the churches.

Thank you, Chrissie Foster