



# AUSTRALIAN CATHOLIC BISHOPS CONFERENCE

## General Secretariat

22 December 2020

The Treasury  
Langton Crescent  
PARKES ACT 2600

dgr@treasury.gov.au

Dear Sir/Madam,

### **Incentivising relevant charities to join the National Redress Scheme for Child Sexual Abuse – New ACNC Governance Standard**

This submission is from the Australian Catholic Bishops Conference (the Conference). The Conference is a permanent institution of the Catholic Church in Australia and the instrumentality used by the Australian Catholic Bishops to act nationally and address issues of national significance.

The Catholic Church contributes in a wide variety of ways across the spectrum of Australian society. As an integral part of its core mission, the Church seeks to assist people experience the fullness of life. It is concerned with all that impacts on human wellbeing. It comprises many thousands of different entities which have different purposes and modes of governance.

The Conference appreciates the opportunity to make a submission on *Incentivising relevant charities to join the National Redress Scheme for Child Sexual Abuse – New ACNC Governance Standard*.

I note that the term “incentivising” used in the name of the consultation does not properly reflect the attitude that institutions should have towards the National Redress Scheme (NRS). Institutions should be guided by what is best for survivors even if there are significant financial repercussions.

### **Acknowledgement**

The Catholic Church in Australia takes full responsibility for the harm caused by the tragic history of child sexual abuse by clergy, religious and lay Church workers.

The failings of Church personnel who offended grievously and the failings of Church leaders who responded wrongly – or not at all – have harmed victims, survivors their families and their supporters, and have led to a loss of trust in the Church. These same failings have hurt the community of the Church and disillusioned many in society.

The Church reaffirms its sorrow for the physical, emotional and spiritual wounds, often lifelong, that victims and survivors have suffered, and renews its commitment to building a better future. The Church has learned much about how to respond to victims and survivors. It continues to learn.

In a particular way, the Church has learned from victims and survivors themselves and acknowledges with gratitude all who have come forward and disclosed or reported the abuse they have suffered. Their courage is helping the Church to respond to them in better ways and to create safer Catholic communities.

The Church is committed to continuing to work with those harmed by child sexual abuse to bring about justice, to seek a path for healing and restore trust where possible, and to help ensure that children and vulnerable people are cared for and protected.

The Church recognises the many who have not been able to tell their stories and acknowledges with deep sadness those who took their own lives as a consequence of the harm they suffered.

### **National Redress Scheme**

The Church called for and welcomed the establishment of the NRS, to independently assess claims and determine levels of redress for people who were abused in institutions. The NRS is an important initiative of Commonwealth, State and Territory Governments to enable survivors to receive compensation and counselling, separate from the courts or a scheme run by an institution.

All Catholic dioceses, eparchies and ordinariates in Australia are declared participants in the NRS.

### **Comments on the new ACNC Governance Standard**

The Conference has consulted with dioceses and agencies of the Catholic Church.

The Conference supports the new ACNC Governance Standard, which has the objective of ensuring that "... a registered entity's governance enables it to be accountable for its past conduct relating to institutional child sexual abuse."

The Conference would like two matters addressed.

Firstly, there should be greater clarity in the definition of entities that are likely to be required to participate. It should be clear that the requirement to participate should be limited to entities that have received complaints, and not open-ended with the view of the possibility of future complaints, which in effect could mean that many charities that have not had any complaints and were not named in connection with the Royal Commission may be left in a position of uncertainty as to their current requirement to participate.

Secondly, the Standard should have more specific guidance for organisations if they deem themselves unlikely to be the subject of a complaint. This could be achieved by including the sentence from the explanatory statement that an organisation that has not joined can do so when "actioning requests made by officers of the Redress Scheme relating to the entity's participation in the scheme without delay." This would help mitigate concerns of a breach of the Governance

Standard if the organisation makes an assessment that it is unlikely to receive a complaint, but is mistaken and a complaint is lodged with the NRS.

**Conclusion**

I appreciate the opportunity to be consulted and would be happy to answer any questions.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Stephen Hackett" followed by a flourish and the letters "MSC".

Rev. Dr Stephen Hackett MSC  
General Secretary