

**UNDER**

the Inquiries Act 2013

**IN THE MATTER OF**

the Royal Commission of Inquiry into Historical Abuse in  
State Care and in the Care of Faith-based Institutions

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**ROYAL COMMISSION INTO ABUSE: FAITH-BASED INSTITUTIONAL  
RESPONSE HEARING**

**CLOSING STATEMENT ON BEHALF OF  
THE BISHOPS AND CONGREGATIONAL LEADERS OF THE CATHOLIC  
CHURCH IN AOTEAROA NEW ZEALAND**

**20 OCTOBER 2022**

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To the Chair and the Commissioners:

1. These are the closing submissions on behalf of Te Rōpū Tautoko (**Tautoko**). Tautoko represent the Bishops and Congregational Leaders of the Catholic Church in Aotearoa New Zealand in the faith-based institutional response hearing (13 to 21 October 2022) and are core participants in the Abuse in Care Royal Commission of Inquiry (**Inquiry**). Members of Tautoko have been present for all days of this hearing, all days of evidence related to faith based contexts in all hearings, and a significant proportion of other hearings involving other contexts.
2. These submissions summarise some of the reflections of Tautoko on the journey the Catholic Church in Aotearoa is on to become more survivor-informed and survivor-responsive. **Appendices A to C** of these submissions set out the chronology of the Catholic Church's care and safeguarding journey to date. These reflections are also informed by the experience of participating in this Inquiry and in this hearing.
3. Before focusing on the Church responses, Tautoko acknowledges survivors who have provided their experiences to the Inquiry. Thank you all for your bravery and courage. Tautoko acknowledge that abuse has been perpetrated by people in the Catholic Church, people that you trusted – and should have been able to trust. You have been heard.
4. Tautoko understands from survivors the Inquiry has heard from, the frustration about the way the Church processes have failed them. This frustration, they know, comes from a place of deep pain and hurt for survivors.
5. Catholic leaders are committed to ensuring a safe Church. They are committed to learning how to put survivors and their whānau first, rather than focusing on the Church's systems and culture. The Church's response to these issues has been one of continuing learning over the last 30 years. The Church has learnt much, is always learning and must continue to learn.

## Journeying together

6. Catholic entities in Aotearoa and the Catholic Church around the world have been on a difficult journey in recent decades.
7. Pope Francis has talked about what he sees as a multitude of crises the Church and the world are facing. This includes the crisis that is the genesis of this Inquiry – abuse in care.
8. To address these crises within the Catholic faith, Pope Francis has asked the whole Church to undertake a Synod. A synod can be translated as a journey or being on the road together - for us - a hui, a series of hui, a hikoi.
9. This worldwide Synod called by Pope Francis, has the aim of deepening understanding of how we can walk the road together, supporting each other, and acting for change where it is most needed, in all areas of Church life. Tautoko recognises that, at times, Church leaders and church communities have not supported nor been on the road together with victims and survivors who have reported abuse in Catholic institutions
10. The Catholic community in Aotearoa has recognised, in the National Synod document sent to the Vatican, that:<sup>1</sup>

It is significant that this synodal process took place at the same time the Royal Commission of Inquiry into Abuse in State and Faith-based Care is being held in Aotearoa New Zealand...

During the Synodal Process, horror was expressed at the scope of abuse, the damage done to people, and shame and embarrassment at being associated with an institution with this history...

There was hope that the experience will make us “a more vulnerable, humble Church...”

11. Occurring at the same time as the global Catholic Synod, this Inquiry is a significant marker point in the Church’s journey to address abuse in care. Tautoko see their involvement with the Inquiry as a critical moment in this journey of change, as Catholic leaders recognise that the way to learn lessons for today and the future is to examine, understand,

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<sup>1</sup> New Zealand Catholic Bishops Conference *National Synod Synthesis* (2022) at [52].

acknowledge, and address what has occurred and collectively, work towards healing. This Inquiry will assist in formulating new ways to respond to reports of abuse with care and compassion.

12. Most importantly, Catholic leaders hope is that following this Inquiry, a more vulnerable, humble, Church will support survivors from the standpoint of compassion and care, from the moment of disclosure, and through the whole journey with a survivor in *their* redress process.

### **Catholic education and care in New Zealand**

13. Catholic entities and communities in Aotearoa New Zealand have had a significant role in education, social service, and providing care in Aotearoa New Zealand. Care has always been offered to those in Aotearoa New Zealand for those in need, as part of the wider religious and pastoral mission of the Catholic Church.

#### *Catholic schools*

14. As outlined in opening submissions,<sup>2</sup> many of the Catholic schools were established and staffed by religious congregations in order to provide for the needs of people in Aotearoa New Zealand for education, especially for those without resources.
15. Groups of lay people, bishops, and religious congregations have operated schools in Aotearoa New Zealand since 1840. The Catholic Church developed its own education system, distinct from state education. This led to the Catholic entities creating schools for specific communities, including schools which provided Māori education for Māori in Catholic Māori schools.
16. After the Private Schools Conditional Integration Act 1975 was enacted, private schools could become a full part of the state education system. Catholic schools became integrated into the state school system in the

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<sup>2</sup> Opening Submissions for Te Rōpū Tautoko relating to Catholic Education, 17 October 2022, at [10] to [11].

late 1970s and early 1980s. Catholic schools are now governed by both the School Boards and Proprietors.<sup>3</sup>

17. Catholic entities, through proprietors, retain a significant role in the education system in Aotearoa. As outlined in opening submissions,<sup>4</sup> Catholic schools represent 9.3% of all schools in Aotearoa and 71% of all state-integrated schools. There are approximately 66,600 students currently being educated in 236 Catholic schools in Aotearoa. There are approximately 1,000 students living in ten Catholic boarding hostels, including at two Māori boarding schools.<sup>5</sup>
18. Catholic character and the specific character of the founding congregation is carried through within the special character of Catholic schools as identified in the integration agreement for each school. The communities of Catholic schools live according to the special character of the schools and the schools seek out ways to live by those values. For example, the Board of Proprietors at St Patrick's College Silverstream retain spaces in the boarding hostel in order to be able to care for day students, should they require the support of a residential environment.<sup>6</sup>

#### *Social services*

19. Catholic entities provided residential care for children in the earlier part of the Inquiry's investigation period. This care was provided to support a significant number of people who needed help.
20. In the pre-1950s period, when these institutions were established, there was no social welfare system or support provided by the state. Catholic entities (and entities of other faiths) established institutions to respond to this need. There have been approximately 65 Catholic institutions that have provided care in New Zealand, as defined within the Inquiry's terms of reference, between 1950 to 1999. Some of these institutions were long standing and others were only in operation for a short period.

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3 For School Boards, the Crown Entities Act 2004, section 5 and the Education and Training Act 2020, sections 118-137; and for Proprietors, the Education and Training Act 2020, schedule 6.

4 Opening Submissions for Te Rōpū Tautoko relating to Catholic Education, 17 October 2022, at [12] to [15].

5 Witness statement of Dr Kevin Shore, 18 July 2022, at [35]-[36].

6 Witness statement of Clare Couch, 5 October 2022, at [28].

21. Today, Catholic entities provide much more limited social services. Now, only three Catholic institutions provide residential care within the Inquiry's purview and outside of schools. This appears to be linked to societal changes across Aotearoa, including the creation of the welfare state. The state becoming directly involved in care for the vulnerable reduced the need for faith-run social services. The forms of care have also changed in the last 50 years.

### **Journey of decades responding to reports of abuse**

22. Tautoko acknowledge harm occurred in the context of education and care institutions and have taken three related pathways to respond.

#### *Safeguarding*

23. A safe Church is a fundamental priority, and the Catholic community is now firmly focused on safeguarding for all. The need to ensure that those in the Church's care are protected from harm is fundamental. All those who work with or provide ministry to others within the Church must understand the important role each plays in developing a culture of safeguarding throughout the Church.
24. As the scale of the abuse in Catholic care settings has become clearer, safeguarding measures have continued to be strengthened. This takes many forms; improvements in formation of priests and religious, safeguarding training for Catholic clergy, religious and communities, implementation of safe practices such as screening and vetting, fostering a 'speak up' culture, and translating the materials which support this work into several key languages spoken by members of the Catholic community in New Zealand.<sup>7</sup>

#### *Receiving reports and disclosures*

25. As it is now understood from psychological research, it can take many decades for people to speak about the harm they have suffered. That is reflected in Catholic records, which show that most complainants have

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<sup>7</sup> National Safeguarding and Professional Standards Committee Standards for Creating and Maintaining a Safeguarding Culture, November 2020, pp 5-6 (<https://safeguarding.catholic.org.nz/wp-content/uploads/2019/09/Standards-for-Creating-and-Maintaining-a-Safeguarding-Culture.pdf>).

come forward many decades after the harm occurred.<sup>8</sup> The average time, for abuse occurring during the Inquiry's 1950-1999 timeframe, from date of abuse until disclosure to a Church entity is 34.8 years.

26. For Catholic entities, individuals began to approach in numbers in the mid to late 1990s and a significant number of reports came forward after 2002 reporting about abuse that had occurred in prior years.
27. The records show that some reports or disclosures of abuse were made at the time the harm was occurring. With hindsight, it has been acknowledged that some of the responses to these early reports were lost opportunities. Catholic witnesses here have acknowledged that their earlier leaders were naïve about the nature of recidivist offending. In responding to complaints in the 1970s, psychological/medical assessments and advice was sought from experts. This advice was relied on. These experts and their advice was reputable, at that time, but their assessments and advice is now known to be wrong.

#### *Redress responses*

28. The second strand to the response has been in redress for those reporting abuse to Catholic entities about harm they have experienced in their care.
29. As the Inquiry has seen, the paths of responding to reports of abuse, on a coordinated basis, started in the 1990s where the Church authorities created and adopted *Te Houhanga Rongo – (A Path to Healing)*. This provided a national protocol for responding to reports of abuse. This was created in response to an increasing number of individuals approaching the school.
30. Catholic entities in Aotearoa were among the first Catholic entities worldwide to have a co-ordinated response. They also adopted this approach before other faith communities in New Zealand. Uniquely in Catholic Church contexts worldwide, this was done jointly by the bishops

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<sup>8</sup> For more information, **Appendices D and E** of these submissions contain two information sheets with the relevant information.

and congregational leaders through the Mixed Commission and *A Path to Healing* was agreed to by all.

31. Key steps in this journey up until 2021 are set out in the chronology in **Appendix C**.
32. Since 2021 (when the document at Appendix C was prepared) Tautoko has published reports of statistical information (in February and June 2022) detailing data about reported abuse from 1950 to present and the numbers of clergy and religious who have served in this time.<sup>9</sup>

*Where we are today*

33. More recent steps to ensure 'best practice' included the National Safeguarding and Professional Standards Committee adopting the Standards for Creating and Maintaining a Safeguarding Culture (**Standards**) in 2019, revised in 2020. The Standards provide a framework for processes and systems to promote safeguarding. They describe safeguarding goals and expectations to ensure that the same practices for safeguarding children and vulnerable adults operate in all Catholic entities throughout the country. The intended outcome of the Standards is that a culture of safeguarding is deeply embedded in every Catholic entity.
34. To respond to the Inquiry's interim Redress Report and following the Marylands Hearing, the bishops and congregational leaders have agreed on a series of actions to give effect to those recommendations from the Inquiry. It was agreed in February this year and has been published as a 'Roadmap'.<sup>10</sup>
35. The roadmap sets out a series of actions that Church entities can undertake while the Inquiry and Government finalise their recommendations and processes. These actions focus on reviewing structures, reducing barriers to disclosures of abuse, and improving processes within the Church to be more survivor-informed and survivor

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<sup>9</sup> See <https://tautoko.catholic.org.nz/info-gathering-project-data/>.

<sup>10</sup> See <https://tautoko.catholic.org.nz/roadmap/>. Also provided to the Commissioners in Opening Submissions.

responsive. The progress of this work is publicly documented on website of Tautoko, including outlining already implemented actions.<sup>11</sup>

36. This has been a journey of learning for the Church together, and one that continues.

### **Global church**

37. These developments in New Zealand have taken place against the background of the global Catholic Church.

38. The Catholic Church in New Zealand has been, at times and in many cases, innovative. They have deliberately chosen to come together as a family of faith communities to speak with one voice, and together, to learn and evolve. Here, this is seen through Tautoko.

39. In Aotearoa, women in the Church have long been change makers in society and in the church (as Sr Sue France discussed in this hearing). The women are in positions that can work alongside people and are skilled in community change and development. Women congregational leaders are in leadership positions, elected by their own communities, and through the Mixed Commission engaged in processes with bishops and other congregational leaders.

40. It is also acknowledged that as members of a global church, and subject to canon law, change for Catholic entities in Aotearoa is interdependent on universal Church change. That global change is much slower and can be less innovative. Fundamental structures of the Catholic Church, as outlined in canon law, cannot be changed or easily adapted by the Bishops, Congregational Leaders, or the Mixed Commission in New Zealand.

### **Tensions and challenges in responding to harm: requests for the Inquiry to consider**

41. Much of what we have learned during this hearing has been focused on what has happened in the past, and the findings we can draw from this

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<sup>11</sup> See <https://tautoko.catholic.org.nz/roadmap/>.

evidence. In these submissions, we shift our focus to looking forward and the lessons that can be taken from this hearing and this Inquiry, and how they can be applied to the modern Catholic Church in Aotearoa.

42. A number of tensions and challenges remain for Tautoko in responding to abuse and harm and assisting survivors. We will outline them here.
43. Tautoko anticipates that the Inquiry has identified many of these during your work to date and will provide guidance and recommendations in its final reports. Tautoko welcomes the Inquiry's guidance on how to deal with these tensions and challenges, so that Church processes can best support survivors going forward.

### ***Respecting ethnic communities and cultures within Aotearoa Church***

44. One of the challenges within the Catholic faith is how to strengthen safeguarding and also provide for the many ethnic communities, cultures, and language groups that make up the modern Catholic community. These communities all have deep cultural and ethnic roots to the religious expression of their Catholic faith.
45. One of the challenges this tension presents is balancing the need for self-determination for groups of peoples within the Church in Aotearoa and how to address elements of some cultures which may create barriers to reporting abuse, including respect for elders and clericalism.
46. Catholic leaders have made steps to reduce clericalism in several ways within the Church. Some of these efforts have been seen as an attack on the culture of the particular community resulting in a 'split' in the community.<sup>12</sup>
47. Further work is being undertaken to address culturally based barriers to reporting at a parish level. Culturally informed safeguarding training is being provided. However, barriers to reporting abuse need to be further reduced in all communities, including in ethnic communities. Catholic leaders recognise that this work will need to be undertaken in a manner

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<sup>12</sup> See for example paragraph [88] of the Te Rōpū Tautoko Briefing Paper #11: Pacific Chaplaincies Briefing Paper (Notice 507), 30 September 2022.

that is respectful to those communities and recognising their right to self-determine their representative structures.

48. Tautoko welcome observations from the Inquiry to support Church entities to break down barriers for survivors, where those barriers include cultural, ethnic, or language-based practices.

### ***Transparency***

49. Tautoko has heard in this hearing, and throughout this Inquiry, the calls from the Catholic community, survivors and the Inquiry, for greater transparency. Catholic entities recognise that transparency is an essential element of the Church's response to reports of abuse and is imperative to ensuring that survivor's feel heard and valued.

50. A 'transparent' Church means a number of things.

### ***Records and data collection***

51. At its heart, transparency means ensuring that knowledge and information held by Church entities is shared with and accessible to survivors, the Inquiry and the public. It means that survivors' requests for records are honoured by Church entities. It means ensuring record keeping procedures, policies and practices continue to be modernised. It means an appropriate level of transparency, which is one which respects openness, and also an individual's rights to privacy and legal obligations.

52. However, Church entities continue to face challenges in data collection and information sharing. These challenges largely arise from the limits of the Privacy Act 2020 in respect to the collection, retention, and use of information.

53. For current matters, Church entities, including NOPS, are having discussions about when it is lawful under the Privacy Act to collect information, such as information regarding the ethnicity and disability status of survivors, and how to most sensitively gather it. For historical records, there are a number of issues. Church entities are seeking clarity on how the retention of personal information no longer than required

under the Privacy Act (with the legal requirement to destroy it), is balanced against retention of records to respond to potential allegations.

54. There are also issues with historical records which contain the information of other people (often siblings and family members) and how these records can be safely disclosed, respecting everyone's legal rights. Tautoko is in initial discussions with the Crown Response Unit on possible process changes and this work is ongoing.

*Publication of information*

55. Transparency also means openness about past wrongs.
56. As noted in opening submissions,<sup>13</sup> significant efforts to increase transparency have been made by Church entities, through a number of initiatives:
- (a) the Information Gathering Project;
  - (b) the publication of its 'roadmap' to respond to the recommendations and themes arising from the Inquiry;
  - (c) the participation in this Inquiry, including, filing many thousands of documents; and
  - (d) the engagement and future involvement in the work of the Crown Response Unit.

Again, this work is ongoing.

57. Tautoko invite the Inquiry to provide guidance on how information held by Church entities could be held and shared with survivors, while taking into consideration the Church entities' other legal obligations. These issues include how Church entities can balance their obligations under the Privacy Act with the wishes of survivors, how those records can be safely disclosed, respecting the rights of everyone in the records, how information can be legally shared between separate legal entities and how confidential information from prosecutions could be shared with Church entities to allow safe guarding and redress to be considered.

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<sup>13</sup> Opening Submissions for Te Rōpū Tautoko regarding Institutional Response, 17 October 2022, at [43] to [46].

### ***Mandatory reporting***

58. Mandatory reporting of allegations of abuse and suspected abuse have been discussed a number of times in this hearing.
59. The current policies require reporting when people are at risk. Church entities have a strong view that every child must be safe.
60. However, on the issue of mandatory reporting to Police, including reporting of complaints by adults, there were a range of views among the Catholic witnesses in this hearing. There is an important issue of the consent of the adult making the disclosure – and Church entities are aware that there are also a range of views amongst survivors about whether this is appropriate.
61. At present, mandatory reporting of allegations of abuse and suspected abuse is required to a certain extent under New Zealand law. These relate to minors.
62. For example, the Children’s Act 2014 (previously the Vulnerable Children Act 2014) requires child protection policies to be adopted by certain entities (including school boards). These policies must include provisions on identifying and reporting child abuse and neglect in accordance with the Oranga Tamariki Act 1989 (**OT Act**). The OT Act provides that any person who believes that a child has been or is likely to be abused, or has concerns for the child’s wellbeing, may report the matter to Oranga Tamariki or the Police. Respective child protection policies may go further than this and require mandatory reporting. In addition, the Crimes Act 1961 contains provisions related to individuals failing to prevent abuse of children and vulnerable adults in their care.
63. Mandatory reporting is also required in the Church context, such as under *Vos estis lux mundi* (**Vos estis**), of information that Catholic entities become aware of to NOPS, so an investigation can be undertaken.

64. Drawing on the expert resources available to the Inquiry, Tautoko welcomes the Inquiry's views on the desirability of mandatory reporting – given that there is no simple answer to these questions.

***Confidential disclosures***

65. As was discussed in this hearing, another tension arises in the context of confidential disclosures. On the one hand, it is important to maintain trust with survivors and to respect their wishes to keep a disclosure confidential. To do otherwise risks the survivor not coming forward. On the other hand, there are clear safeguarding issues and recently, canon law obligations to act on disclosures.
66. In terms of new disclosures, *Vos estis* requires complaints to be referred to the Metropolitan where these concern: sexual abuse or misconduct by a bishop or the superior of a congregation; or, the failure to act on a complaint of abuse by a bishop or superior.<sup>14</sup> In addition, Church entities may need to take urgent safeguarding action, if a complaint is made concerning, for example, someone in active ministry.
67. These requirements are welcomed by Church leaders. However, it is acknowledged that this requirement can make it difficult to participate in processes where new disclosures are likely but survivors may not want these to be actioned. An example of this is attending a restorative justice wānanga. Church leaders would not want their attendance to inadvertently prevent survivors from sharing openly, due to concerns this could trigger mandatory reporting steps by the Church.
68. Issues around confidential disclosures have also been raised by survivors in regards to Church processes which are under way for existing reports.<sup>15</sup> In some cases, survivors may not wish for details of their complaint to be shared, particularly with respondents. However, Church entities need to balance this with the natural justice rights held by respondents.

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14 A Path to Healing, 3.95.

15 Witness Statement of Virginia Noonan, 29 January 2021.

69. Some steps have been taken to manage this, such as changes made to the confidentiality processes in *A Path to Healing*. However, to an extent, there is an inherent tension in processes where confidentiality is desired but natural justice is triggered.
70. Tautoko invite further consideration from the Inquiry on how Church entities can resolve the inherent tension of providing adequate safeguarding responses to confidential disclosures in light of natural justice.

### ***Reporting to the Police***

71. As has been addressed in the evidence you heard from Catholic Church entities, and by other faiths across the week, there is a reluctance by some survivors to report abuse to the Police.
72. Catholic entities consider the Police are the best placed to investigate complaints of criminal abuse (sexual or physical). They have the independence, resources, investigative skills, availability of victim support services, and ultimately, the power to charge offenders. Where a survivor chooses to report the abuse to the Police, Church entities cooperate with civil law processes and provide information to the Police. Many documents that the Inquiry has have come from previous criminal investigations that Church entities have participated in.
73. Any offenders within the Catholic faith should be prosecuted for the criminal abuse they have inflicted. The criminal justice process has the independence, powers, and sanctions that the Catholic Church does not have. Catholic entities encourage survivors to report abuse to the Police, and support survivors who do so.
74. However, it is clear from engagement with survivors that many are reluctant to approach the Police. Church entities understand from discussions with survivors that the process can often be re-traumatising for survivors, and disconnected from what they want to gain from the process. There can also be extensive delays in prosecutions, which cause significant harm to survivors.

75. Tautoko invite a review of the justice system and how it responds to reports of abuse by survivors and supports victims. This review should have the goal of greater accountability for offenders and ultimately, a safer society.
76. Tautoko also seeks the views of the Inquiry on questions of the ideal relationship between the New Zealand Police and the Church (noting that there are legal structures in relation to a number of these matters at present) including:
- (a) Who should report to the Police, and when and how reports of abuse should be reported;
  - (b) What information should be shared between the Police and Catholic entities and when that information should be shared; and
  - (c) In what circumstances should Catholic entities' professional standards and/or redress processes stop while the Police are investigating.

### ***Survivor 'agency' over redress outcomes***

77. Catholic leaders recognise the critical importance of taking a survivor-focussed approach to redress processes and outcomes. This requires respecting the wishes of each individual survivor and providing that survivor agency to reset the relationship between the Church and the survivor.
78. Church leaders have expressed in principle support for the proposals made to the Inquiry for an independent redress body. However, there are tensions within these proposals that need to be resolved. For example, some survivors would like the Church to have no further role in providing redress, favouring an independent redress body, while others comparatively would find that not an adequate response and not giving survivors' agency.
79. The tension with an independent redress body is the balance between providing an individual survivor-centred approach, while ensuring there

is fairness and consistency between its redress to survivors. The Church is also concerned that an independent redress body may lose the opportunity for the Church and the survivor to reset their relationship in a restorative manner. The redress body cannot be too prescriptive, bureaucratic, and rigid as to lose its restorative nature in the process but also cannot be too flexible that there is no consistency between survivors creating unfairness.

80. As with the other tensions and challenges set out above, Tautoko welcomes guidance from the Inquiry on how to achieve an appropriate balance here.

### ***Immigration and relationship with Immigration New Zealand***

81. Another challenge for Tautoko is assisting Church entities to reconcile their safeguarding processes with the Immigration New Zealand processes when immigrant clergy and religious come to Aotearoa.

82. Improvements have been made in this area, as outlined by Bishop Steve Lowe in the hearing. These include:

(a) Immigration New Zealand established the religious workers visa in 2011, which allowed immigrant seminarians to have one visa. Prior to that, three visas would have to be applied for and the church processes would have to fit the Immigration New Zealand. Due to this inefficiency, it meant that, in some cases, immigrant clergy and religious were not taught human formation in Aotearoa before they were ordained, which is one of key training programmes for clergy and religious relating to safeguarding. Now the religious workers visa is in place, immigrant clergy and religious before ordination can undertake this study without any immigration policy barriers.

(b) In March 2022, NOPS published new testimonial forms and declarations that must be completed before anyone is given approval to minister in Aotearoa (either for a short stay or permanent basis). Bishop Lowe has also implemented the

process of immigrant clergy being interviewed before coming to Aotearoa.

83. However, there can still be a disconnection between Immigration New Zealand and the Church's safeguarding processes.
84. As a sponsor, a diocese or religious congregation has an obligation to inform Immigration New Zealand if an individual is no longer ministering in that diocese for any reason. However, it is then for Immigration New Zealand to determine whether that person is deported or that person's residency application. The diocese or religious congregation must continue acting in accordance with their sponsorship obligations (e.g. providing accommodation, allowances and maintenance for the person).
85. In some instances, despite the bishop or leader of the religious congregation doing all they can within their powers to remove an immigrant clergy or religious from New Zealand for safeguarding reasons, Immigration New Zealand has granted that person a further visa to remain in New Zealand.
86. Tautoko would like the Inquiry to recommend changes in this area so that where a person has been directed to leave New Zealand by their religious superior or sponsoring entity (under the terms of the sponsorship), this direction is weighted heavily by Immigration New Zealand in any state decision-making.

## **Future**

87. Tautoko have heard from survivors the call for further changes to its process and policies for safeguarding and responding to abuse today and into the future and their requests that this must translate into concrete actions. When taking decisions, the Catholic community need to openly and honestly consider what has happened and how they will change, to ensure that change is genuinely transformative.
88. As such the change cannot come solely from the top down – from the bishops, congregational leaders or other church authority. This might create the *appearance* of quicker change. However, to adopt this

approach may, and in some cases definitely would, exclude the voices of lay people, women, tangata whenua, other ethnic groups in the Church, youth, the disabled, rainbow communities, and especially survivors.

89. An approach that hears and includes all voices, and all survivor voices, takes more time. It is deliberative and needs to be thoughtful. A synod process, as described earlier is a discernment process not a majority rules type voting process. However, in order for change to be transformative, the Catholic community must be changed - from the grassroots to the top. It must be that Catholic *communities* determine pathways, with support and guidance from the leaders in the faith, accountability to wider society and accountability to the most vulnerable and those who have been harmed. This is crucial to create an environment where safeguarding becomes a fundamental part of the mission of the Church and safeguarding practices are embedded in everything the Church does.

## **Conclusion**

90. Catholic entities are undertaking a journey of change, which continues today. Their involvement with the Inquiry is an opportunity to review and re-set to ensure that their processes respond with care and compassion.
91. Much work has been done, and the Catholic leaders acknowledge that the journey has a long way to go. If trust is to be regained, Catholic leaders and their communities know that things must change and continue to evolve. Trust has been lost and relationships need restoration. That will take time and more is needed than tweaks to protocols and policies.
92. *Tautoko* is to support. Te Rōpū Tautoko, on behalf of the bishops and congregational leaders of the Catholic Church in Aotearoa know that this closing of this hearing is not an ending, but another starting point, or milestone as the Inquiry continues its journey. Together New Zealand communities are building a new road for us all to walk on together.

93. We support this Inquiry and understand your aims to be our aims. We ask you to journey with us as we address the tensions and challenges we have identified in this process.
94. To survivors, we encourage you to continue to come forward to the Inquiry, the Police and NOPS and seek responses to abuse, wherever you can and when you can.

**Dated** 20 October 2022



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# Catholic Schools in Aotearoa: A History

1841

Aotearoa New Zealand's first Catholic school was opened by lay people in Auckland in 1841.



1850

The Bishops sought members of Religious congregations to establish schools throughout Aotearoa New Zealand. First to respond were the Sisters of Mercy, arriving in 1850. Other orders followed, and over the next century a network of Catholic schools developed across the country.



1877

After the withdrawal of government assistance to Catholic schools in the 1877 Education Act, bishops persuaded various religious orders from European Catholic countries to establish and staff schools in Aotearoa New Zealand.



1900

By 1900 Catholic schools were staffed almost exclusively by members of Religious congregations, who gave their lives to this service, supported by their parish and the local community.



1950

By the late 1950s the impact of the post-war baby boom, inflation and the need to employ more lay teachers placed ever-increasing pressure on the system. State Aid was needed urgently if the Catholic school system was to survive.



1975

In 1975 the Private Schools Conditional Integration Act was passed by the New Zealand Parliament. This Act created a partnership between the State and the Church, integrating private schools into the state system in such a way as to preserve and safeguard their 'special character'.



1983

By 1983 all Catholic schools were integrated, their running costs being met on the same basis as state schools.



2021

We have 66,900 students in Catholic Schools. We have 187 primary schools and 48 secondary schools.



# Catholic Life and Schooling in Aotearoa: A History

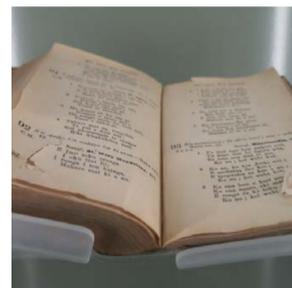
## 1814

Māori elders invited Christian missionaries. Rev S Marsden arrived 1814. Many Māori became Christian.



## 1828

An early faithful European Catholic couple arrived in Aotearoa New Zealand in 1828, and they lived at Tōtara Point, Te Karae. They travelled to Sydney to plead for a Catholic priest to be sent to Aotearoa New Zealand.



## 1838

Frenchman Bishop Pompallier arrived, accompanied by a Marist priest and brother. Arriving in Hokianga, he went to the home of Thomas and Mary Poynton and celebrated the first Mass in Aotearoa New Zealand on 13 January 1838.



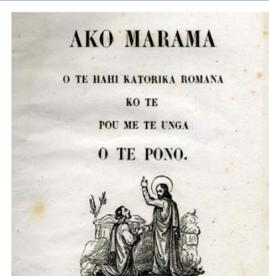
## 1841

The first Catholic schools in New Zealand included a school opened by lay people in Shortland Street in Auckland (it was the only school in Auckland at the time).



## 1843

By 1843 45,000 Māori were Catholic. By 1845 there were 60,000 te reo Māori Bibles in circulation.



## 1847

Wellington's first school, opened by Fr O'Reily in 1847, was staffed by lay people.



## 1850

The first religious teachers to reach Aotearoa New Zealand were the Sisters of Mercy, in 1850.



## 1865

There was already a small Catholic school in Nelson when Fr Garin arrived there in 1850. Christchurch's first Catholic school was founded by Mr E. O'Connor in 1865.



## Appendix C

# Catholic Church Response to Abuse in Aotearoa–New Zealand

This document outlines the major initiatives, structures, and documents from Catholic leaders in Aotearoa–New Zealand in response to abuse. It also includes events and documents that affect the worldwide Catholic Church.

For more information on the Church's safeguarding work, visit [www.safeguarding.catholic.org.nz](http://www.safeguarding.catholic.org.nz).  
For information on the Church's response to the Royal Commission, visit [www.tautoko.catholic.org.nz](http://www.tautoko.catholic.org.nz).

### 1962–1965

- ▶ Second Vatican Council was held, drawing together over 2,000 bishops from around the world to address matters in relation to the Catholic Church. Several documents and statements were issued that range from general guidance to specific instructions. Although none were specific to complaints of abuse, the documents and statements are foundational to how the Church will organise and operate going forward.

### 1968

- ▶ New Zealand Catholic Bishops Conference ("NZCBC") established following the Second Vatican Council.

### 1981

- ▶ *National Conference of Major Religious Superiors of New Zealand* established. Renamed in 1990 as the *Congregational Leaders Conference of Aotearoa New Zealand* ("CLCANZ").
- ▶ CLCANZ and NZCBC work together as the "Mixed Commission" to develop national policies and practices for the Church in New Zealand.

### 1983

- ▶ The Catholic Church's *Code of Canon Law* was revised and promulgated in January 1983. This Code is the second codification of the laws of the Catholic Church, replacing a code that had been promulgated in 1917. It gives specific instructions regarding changes to the organisation of the Catholic Church.

### Prior to 1990

- ▶ Complaints made to dioceses and congregations of abuse by clergy and religious were handled independently by the respective leaders of each diocese and congregation utilising a variety of practices and procedures.

### 1990–1998

- ▶ Bishops and congregational leaders utilise various 'protocol' documents on an interim basis, until national protocols ("*A Path to Healing*") were developed in 1998. These protocol documents are for leaders to utilise when responding to complaints of sexual misconduct against clergy and religious.

### 1993

- ▶ NZCBC published the document *Catholic Church Guidelines on Sexual Misconduct by Clerics, Religious, and Church Employees*, as a provisional protocol for their dioceses to use while they await a national document.
- ▶ Each of New Zealand's six diocesan bishops set up Advisory Committees to assist them in dealing with allegations. The committees are known as 'Sexual Abuse Protocol Committees', 'Protocol Committees' or 'Professional Standards Committees'.
- ▶ Larger congregations also established protocol committees as complaints arose against members of congregations.

### 1994

- ▶ CLCANZ published the document *Suggested Procedure in Cases of Allegation of Sexual Abuse by a Religious*, to help provide consistent and clear responses. This document was updated in 1996.

### 1998

- ▶ Mixed Commission published the national protocol document *Te Houhanga Rongo – A Path to Healing* ("APTH"). APTH gives principles and procedures for responding to complaints of sexual abuse by clergy and religious of the Catholic Church in New Zealand. APTH is revised and updated in 2001, 2007, 2010, and 2020.





# Catholic Church Response to Abuse in Aotearoa–New Zealand

## 2000

- ▶ NZCBC published the document *Integrity in Ministry*, which outlines principles for public life and ministry in the Church, and some of the behavioural standards that flow from them. It is addressed to all New Zealand Catholic but particularly intended for clergy and religious.

## 2001

- ▶ Pope John Paul II published the document *Sacramentorum Sanctitatis Tutela* (“SST”). This required that, after a preliminary investigation has found a semblance of truth, all cases of alleged abuse of a minor by an ordained deacon, priest, or bishop is to be reported to the Vatican. SST is revised in 2010 by Pope Benedict XVI.

## 2002

- ▶ NZCBC published a pastoral letter on abuse and the document *The Protection of Children*, in response to the increasing numbers of complainants coming forward.

## 2003

- ▶ NZCBC published the document *Code of Ethics for Church Volunteers*, to help keep volunteers and those whom they work with safe.

## 2004

- ▶ *National Office for Professional Standards* (“NOPS”) established to assist diocesan and congregational Protocol Committees respond to complaints of abuse and establish processes to prevent sexual abuse.
- ▶ *National Professional Standards Committee* (“NPSC”) established to provide oversight to NOPS and manage the process of complaints. NPSC includes three lay people, a congregational representative, and a bishop representative, supported by NOPS staff.
- ▶ *National Council for Young Catholics* (an NZCBC council) published the document *Hikoi Tahi – Standards for Youth and Young Adult Ministry in Aotearoa New Zealand* (“Hikoi Tahi”), providing standards specific to the unique situations of ministry with young people.

## 2007

- ▶ NZCBC published the documents *Children are Precious Gifts* and *Standards for Volunteers and Employees in Ministry* (which is then updated in 2011).

## 2009

- ▶ Mixed Commission expanded the role of NOPS, including NOPS providing oversight of all complaints of sexual abuse against clergy and religious.

## 2014

- ▶ The six diocesan Protocol Committees were consolidated into two: North – covering the dioceses of Auckland and Hamilton; and South – covering the dioceses of Palmerston North, Wellington, Christchurch, and Dunedin. Bishops appoint a delegate for each Protocol Committee.
- ▶ Pope Francis instituted the *Pontifical Commission for the Protection of Minors* (“Pontifical Commission”). This Commission has a wide ranging remit including “guidelines for the protection of children, educational programmes for children, parents and all those who work with minors, guidelines for catechists, and for the formation of seminarians, the ongoing formation of clergy, protocols for environmental safety, codes of professional conduct, screening and checking of previous offences...”.

## 2016

- ▶ Pope Francis published the document *As a Loving Mother*. This Apostolic Letter provides for the removal of bishops from their offices in cases where they have “through negligence, committed or omitted acts that have caused grave harm...”.
- ▶ Pope Francis wrote a public letter to bishops seeking forgiveness for the actions of those who have abused and committing to measures “to protect in every way the lives of our children, so that such crimes may never be repeated.”

## 2017

- ▶ NPSC renamed as *National Safeguarding & Professional Standards Committee* (“NSPSC”).





# Catholic Church Response to Abuse in Aotearoa–New Zealand

## 2017 *continued*

- ▶ The two regional Protocol Committees were replaced by a single Complaints Assessment Committee, to help ensure a consistent response and process. This reviews all complaints received by or passed to NOPS (but does not include complaints related to members of the Society of Mary, which are managed by the Society of Mary's Sexual Abuse Protocol Committee).
- ▶ Mixed Commission published the document *Guidelines for the Prevention of and Response to Sexual Abuse in the Catholic Church in Aotearoa New Zealand*, also known as the Safeguarding Guidelines, to ensure policies and practices are consistently in place across the country.
- ▶ New Zealand Government announced the *Royal Commission of Inquiry into Historical Abuse in State Care* ("Royal Commission").

## 2018

- ▶ Catholic bishops and congregational leaders of Aotearoa requested inclusion in the Royal Commission. After a consultation period, it was expanded in to include faith-based institutions.
- ▶ *Te Rōpū Tautoko* ("Tautoko") formed to coordinate Catholic engagement with the Royal Commission.
- ▶ Pope Francis wrote *Letter to the People of God* regarding abuse, asking for repentance, prayer, and penance.
- ▶ NOPS set up a public website and 0800 number, so as to increase awareness and make it easier for complainants to reach out.
- ▶ NOPS published a number of safeguarding documents, made available on their website.

## 2019

- ▶ Pope Francis hosted meeting on "The Protection of Minors in the Church" in Rome. Attended by religious superiors and all the presidents of the world's bishops' conferences including Cardinal John Dew, the vice-president of the NZCBC.
- ▶ Pope Francis published the document *You are the Light of the World*. This establishes new procedural norms to "prevent and combat" sexual abuse, and to ensure that bishops and religious superiors are held accountable for their actions.

## 2019 *continued*

- ▶ NOPS developed safeguarding training workshops for use in dioceses and a Self-review Document for use by church entities.
- ▶ Tautoko sought and was granted "core participant" status in the Royal Commission on behalf of the NZCBC and CLCANZ.
- ▶ The Royal Commission began its public hearings with a Preliminary Hearing in June, Procedural Hearing in August, and Contextual Hearing in October.
- ▶ Pope Francis published the document *Instruction on the Confidentiality of Legal Proceedings*, outlining that the rule of the "pontifical secret" no longer applies in cases of the sexual abuse of minors. "Pontifical secret" is more literally translated as 'papal confidentiality' and is the highest level of confidentiality in the Church, similar to classified documents in legal proceedings or governments.

## 2020

- ▶ NOPS published additional safeguarding documents and resources, made available on their website.
- ▶ NOPS developed template for Safety Plans for use when person identified as risk.
- ▶ The Vatican's *Congregation for the Doctrine of the Faith* published a document outlining certain points of procedure in treating cases of sexual abuse of minors committed by clergy. It is currently being reviewed by NOPS.
- ▶ The Royal Commission announced a number of specific investigations and hearings. Those directly involving the Catholic Church include:
  - Redress - State and Faith
  - Abuse in the care of the Catholic Church
  - Case study examining abuse of children at Marylands School (which was governed and managed by the St John of God brothers)
- ▶ The Royal Commission held Phase One of its Faith-based Redress Hearing from 30 November - 11 December. Phase Two will take place March 2021.





# Catholic Church Response to Abuse in Aotearoa–New Zealand

## Reporting Abuse or Concerns

The Church takes all complaints of abuse seriously.

Complaints of sexual abuse against clergy and religious in New Zealand are referred to the National Office for Professional Standards. Increased publicity can be the catalyst for people to come forward. We encourage anyone who has been abused by clergy or religious to contact them, for your story to be heard and your complaint to be investigated.

You have the right to report your complaint to the NZ Police at any stage, and the Church will support anyone who requires assistance to do this.

**Email:** [prof.standards@nzcbc.org.nz](mailto:prof.standards@nzcbc.org.nz)

**Online:** [www.safeguarding.catholic.org.nz/report](http://www.safeguarding.catholic.org.nz/report)

**Phone:** 0800 114 622

## Resources & More Information

### National Office for Professional Standards

[www.safeguarding.catholic.org.nz](http://www.safeguarding.catholic.org.nz)

### Te Rōpū Tautoko

[www.tautoko.catholic.org.nz](http://www.tautoko.catholic.org.nz)

### New Zealand Catholic Bishops Conference

[www.catholic.org.nz](http://www.catholic.org.nz)

### Royal Commission into Abuse in Care

[www.abuseincare.org.nz](http://www.abuseincare.org.nz)

### The Holy See (Vatican)

[www.vatican.va](http://www.vatican.va)

### Pontifical Commission for the Protection of Minors

<http://www.protectionofminors.va/>

## Glossary

*Below is a list of terms, groups, and documents that are regularly mentioned in the chronology or require a more in-depth explanation.*

### APTH - Te Houhanga Rongo - A Path to Healing

Provides principles and procedure for responding to complaints of sexual abuse and sexual misconduct against clergy or religious in the Catholic Church in Aotearoa New Zealand. Originally published in 1998, and regularly updated since then.

### Canon Law

A system of laws set by the Catholic Church authorities to coordinate, regulate, and order its organisation and practices. The 1983 Code of Canon Law is currently in effect, along with some amendments made since.

### CLCANZ - Congregational Leaders Conference of Aotearoa New Zealand

A national conference made up of the leaders from major religious congregations that operate in New Zealand.

### Complaints Assessment Committee

The Complaints Assessment Committee reviews complaints received by or passed to NOPS, apart from complaints related to members of the Society of Mary, which are managed by the Society of Mary's Sexual Abuse Protocol Committee.

*Glossary continues on next page.*





# Catholic Church Response to Abuse in Aotearoa–New Zealand

## Glossary

### Integrity in Ministry

Integrity in Ministry was compiled as a document of principles and standards approved by the NZCBC as official guidelines on professional standards for clergy and members of institutes of consecrated life in the dioceses of New Zealand.

### Mixed Commission

The body through which the New Zealand Catholic Bishops Conference (NZCBC) and Congregation Leaders Conference of Aotearoa New Zealand (CLCANZ) work together. Their model of cooperation is guided by *Mutuae Relationes*, a document approved by the Pope dealing with the cooperation of diocesan bishops with religious congregations.

### NOPS - National Office for Professional Standards

Initially envisaged to have defined lifespan to assist diocesan and congregational Protocol Committees respond to complaints of abuse and assist dioceses and congregations establish processes to prevent sexual abuse. A specific task for NOPS was to be the lead agency in independently reviewing complaints handled by diocesan and congregational sexual abuse protocol committees where the outcome was disputed in some way. NOPS also given role in encouraging research and in reviewing APTH, and in running training days for congregational or diocesan protocol committees. From 1 September 2009, the NOPS role includes oversight of all complaints of sexual abuse against clergy and religious.

### NPSC - National Professional Standards Committee

NPSC includes three lay people, a congregational representative, and a bishop representative, supported by NOPS staff. NPSC originally ensured complaints are referred to the correct protocol committee, with a focus on consistency. NPSC also covers requests from complaints for reviews of complaint processes run by local protocol committees. Renamed in 2017 as National Safeguarding & Professional Standards Committee ("NSPSC") when the regional committees were merged into the Complaints Assessment Committee.

### NZCBC - New Zealand Catholic Bishops Conference

A national body made up of the bishops from each of New Zealand's six dioceses, as required by the Catholic Church's Code of Canon Law.

## Glossary

### Protocol Committee / Sexual Abuse Protocol Committee / Professional Standards Committee

Advisory Committees set up to assist bishops or congregational leaders in dealing with allegations.

### Pontifical Commission for the Protection of Minors

Announced by the Vatican in 2013 and established by Pope Francis in 2014. This Commission has a wide ranging remit including "guidelines for the protection of children, educational programmes for children, parents and all those who work with minors, guidelines for catechists, and for the formation of seminarians, the ongoing formation of clergy, protocols for environmental safety, codes of professional conduct, screening and checking of previous offences...".

### Pontifical Secret

A rule of confidentiality more literally translated as 'papal confidentiality', which restricts publication or sharing of information. Similar to classified documents in governments or legal proceedings.

### SST - Sacramentarium Sanctitatis Tutela

A document issued by Pope John Paul II. Amongst other measures, this gave the Vatican department *Congregation for the Doctrine of the Faith* ("CDF") the competence, or jurisdiction, under canon law to deal with all cases of sexual abuse of a minor, a person under 18, by a deacon, priest, or bishop. It required all such cases to be referred to the CDF where, after a preliminary investigation, it was determined that there was a semblance of truth in the accusation. In Aotearoa, APTH since viewed as the preliminary investigation that complies with SST.

An updated version was issued by Pope Benedict XVI in 2010, in which he added to the list of crimes requiring referral to CDF.

### Te Rōpū Tautoko

The Aotearoa Catholic Te Rōpū Tautoko exists to coordinate and manage cooperation between the Royal Commission of Inquiry into Abuse in Care and the Catholic Church in Aotearoa. It is chaired by Catherine Fyfe, a lay person, and made up of representative members from the NZCBC and CLCANZ.

Te Rōpū Tautoko is independent from the Royal Commission. It coordinates the response of the Catholic Church to the Royal Commission, and is not a support group for survivors.





**Te Rōpū Tautoko**  
The group coordinating Catholic  
engagement with the Royal Commission

# Information Gathering Project (IGP) Fact Sheet [Information Sheet #1]

As part of the process of its Information Gathering Project (IGP) and data requests from the Royal Commission of Inquiry into Abuse in Care (**Commission**), Te Rōpū Tautoko (**Tautoko**) has consolidated the information provided by Catholic entities into this fact sheet.

The work has involved many people over two years from many organisations.

The Commission has been provided this information and it is expected that they will be creating their own datasets and conclusions from it.

The IGP included three phases:

1. Seeking, in 2019, high level information from Catholic entities on institutions they were involved in, and documents held in relation to the period 1950-1999
2. Collating detailed information from Catholic entities on institutions considered in-scope for the Royal Commission. This work was undertaken in late 2019 and 2020.
3. In 2020 and 2021 requests were made to Catholic entities to provide summaries on reports of abuse made to them. The initial responses were provided to the Commission and discussed in the Commission's Redress Hearing, alongside statistics from the Anglican Church and Salvation Army.

The data was then requested again, in a different format, for all reports of abuse up to 30 June 2021. This information, matched against records of clergy and members of religious congregations<sup>1</sup> who served in Aotearoa New Zealand, provides much of the following fact sheet.

The second half of 2021 was taken up with collating and analysing the information provided in phases 1-3, seeking additional information or asking information to be updated where needed, and providing to the Commission the results of the project in the format requested.

The definition of abuse used in the IGP is that used by the Commission, and includes physical, sexual, and emotional or psychological abuse, and neglect. Failure to act on reports and facilitating abuse were also included in the categorisation of reports of abuse.

The data provided reflects the total number of reports of alleged abuse, whether substantiated by an external or internal investigation process or not. Reports of abuse include only those reports that church entities have records of.

In addition, individuals who have experienced harm may not have approached a church entity to report or disclose abuse or the individual or organisations they did report to may not have provided this information to a church entity.

Therefore, the actual number of instances of abuse will be different to the documentary record. However, the results of the IGP process give a snapshot of the extent of abuse reported to the Catholic Church in Aotearoa New Zealand as at 30 June 2021.

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<sup>1</sup> Religious institutes and societies of apostolic life are entities in the Catholic Church such as orders, congregations, and societies. Their members (called religious priests, brothers, nuns, sisters etc) take vows and generally live in community with fellow members. For the purposes of the Royal Commission, due to the possible confusion with the word institution, Tautoko have chosen to call these groups 'congregations'. Their members are known as 'religious'.



## Numbers of diocesan clergy and members of congregations

Total numbers of diocesan clergy and religious who were present in Aotearoa New Zealand since 1950 include:

Diocesan clergy <sup>2</sup>	1,274
Male religious <sup>3</sup>	2,286
Female religious <sup>4</sup>	4,247
	7,807

## Reports of Abuse

The total number of reports of alleged abuse held by church entities relating to the period 1950 to 2021 meeting the Commission's definition is 1,680.

The total number of individuals recorded as reporting abuse is **1,122**. Of these:

- **861** individuals reported abuse against them by 1 individual.
- **261** individuals reported abuse by more than 1 individual.

### Summary of reports of abuse by harm type:

	Total	Child	Adult	Unknown
Sexual harm reported	1,019	835	133	51
Non-sexual harm reported	421	392	12	17
Harm type unclear	240	122	19	99
	1,680			

### Reports of abuse were made against:

Diocesan clergy	378	(182 respondents or 14% of all clergy over the period)
Male religious	599	(187 respondents or 8%)
Female religious	258	(120 respondents or 3%)
Other <sup>5</sup>	138	(103 respondents)
Unnamed alleged perpetrator <sup>6</sup>	307	
	1,680	

<sup>2</sup> Includes those clergy incardinated (accepted into or a member) in a NZ diocese and present in Aotearoa New Zealand and those on loan from an overseas diocese.

<sup>3</sup> Total of relevant current members of the Congregational Leaders Conference of Aotearoa New Zealand (CLCANZ) only. CLCANZ is a peak body for the leaders of congregation to gather together, share information and run shared projects. All congregations in Aotearoa New Zealand are encouraged to join CLCANZ. Congregations without a current presence in NZ had small numbers of additional religious. In the case of the Jesuits and Picpus Fathers (both congregations no longer present in Aotearoa), their members have been included due to their being reports of abuse data available for them. 'Male religious' refers to those brothers and clergy who are members of congregations under the authority of a congregational leader, rather than clergy who are members of a diocese under a bishop.

<sup>4</sup> As above - Total of relevant current members of the Congregational Leaders Conference of Aotearoa New Zealand (CLCANZ). Female religious refer to sisters and nuns who are members of congregations under the authority of a congregational leader.

<sup>5</sup> Lay staff/volunteers, other residents, those in training, and those named but religious status unknown.

<sup>6</sup> Unknown, unidentifiable etc



Reports of abuse related to the following decades when abuse started:

Pre-1950	62
1950s	204
1960s	376
1970s	447
1980s	202
1990s	68
2000s	33
2010s	56
2020s	3
Date not held or recorded	229
	<hr/>
	1,680

## Respondents to reports

Of the total number of reports of abuse, **1,296** are attributable to a named diocesan clergy, religious, or lay person.

The result is a total of **592** respondents to a report of abuse.

- **393** named respondents have a single report made against them.
- **143** respondents have 2-4 reports.
- **40** respondents have 5-9.
- **10** respondents have 10-14.
- **6** respondents have 15 or more reports against them.
  - These 6 individuals together account for 181 reports or 10.8% of all reports of abuse reported.
  - One individual accounts for 74 reports or 4.4% of all reports of abuse made to Church entities.

## Institutions

370 Catholic schools have been or are still open since 1950.

- Of these 69 have had associated boarding facilities (hostels).
- 235 catholic schools are currently open.
- A total of 29 different church authorities were involved in staffing, managing, or proprietorship of the schools in the period. Often more than one church authority was involved in a school performing different roles (i.e., a congregation staffing a school and a bishop as proprietor)
- The largest educators were the Sisters of Mercy, involved in 106 schools, and the diocese of Auckland with 102.

428 Catholic parishes have been in existence since 1950.

- Many of these parishes had and have multiple churches or sites.
- Different congregations with members who are priests are often asked to staff a parish. 19 congregations have been involved in over 150 parishes, alongside diocesan clergy.
- With the ongoing processes of amalgamation and reorganisation there are 193 parishes in existence today.



A further 67 'care institutions' run by church authorities that are in scope for the Commission Terms of Reference were also identified.

- These included orphanages, hostels (non-school), social service agencies, residential care facilities etc,
- All 6 dioceses, 17 congregations, and one lay association (St Vincent de Paul) have been involved with these institutions.
- The largest providers of care have been the Auckland and Wellington dioceses along with the Sisters of Mercy.

Of the total number of reports of abuse:

- 687 relate to educational facilities
- 425 to residential care
- 228 to parishes
- 122 to other locations, and
- 219 are unknown, as to where the alleged abuse occurred.

239 reports (or 14% of reports) relate to St Joseph's Orphanage and Nazareth House (Christchurch) run by the Sisters of Nazareth.

- Half of those reports do not identify a respondent.

236 reports of abuse (also approximately 14%) of all reports relate to Marylands Special School and the Hebron Trust (both Christchurch) both run by the St John of God Brothers.

- The 3 most prolific offenders worked at Marylands, and the most prolific offender went on to establish the Hebron Trust.

## Payments by church authorities

A total of **\$16.8 million** (NZD) has been paid directly to approximately **470** survivors in pastoral or ex-gratia payments by Catholic church entities.

Of the total:

- **\$8 million** (NZD) has been paid to survivors by the St John of God Brothers.
- Nearly **\$2 million** (NZD) has been paid by the Sisters of Nazareth.

In addition, Church entities have provided paid counselling and other therapeutic and social support. Some other in-kind support has been provided such as payment of school fees or the purchase of household items. These are not included in the total above.

## Next steps

The Commission will analyse the data. Te Rōpū Tautoko will work collaboratively with the Commission as it requests clarifications and looks to present information publicly.

The data will inform the actions of Tautoko and church leaders informing safeguarding and redress processes with survivors. Te Rōpū Tautoko and church entities will continue to update the dataset as reports are made and refine the data as more information is provided.

**Contact:** David McLoughlin || Communications Adviser, NZ Catholic Bishops Conference  
021 611 052 || dmcloughlin@nzcbc.org.nz



**Te Rōpū Tautoko**  
The group coordinating Catholic  
engagement with the Royal Commission

## Information Gathering Project (IGP) Information Sheet #2

As part of the process of its Information Gathering Project (IGP) and data requests from Aotearoa New Zealand's Royal Commission of Inquiry into Abuse in Care (**Commission**), Te Rōpū Tautoko consolidated the information provided by Catholic entities into a *Fact Sheet* released on 1 February 2022 (**Information Sheet #1**).

As stated, the Commission had been provided this information and it is expected that they will be creating their own datasets and conclusions from it.

Te Rōpū Tautoko have now had the opportunity to do some further analysis on the data, especially related to breakdowns by entity responsible. Attribution of responsibility can sometimes be a judgement call, especially with historical reports.

Church entities and their agencies working in this area, such as the National Office for Professional Standards (**NOPS**), continue to receive information on reports of abuse and new reports. However, the same set of data used for Information Sheet #1 is used here. This data is current to 30 June 2021. Any information gained after 30 June 2021 or clarifications made subsequently, for the purposes of consistency, have not been incorporated. The process of collating information is ongoing.

As outlined in Information Sheet #1, the definition of abuse used in the IGP is that used by the Commission, and includes sexual, physical, and emotional or psychological abuse, and neglect. Failure to act on reports and facilitating abuse were also included in the categorisation of reports of abuse.

This Information Sheet #2 focuses on reports of abuse attributable to a named member of the diocesan clergy or religious congregation. The hope with this, and all releases of data is that we can all look behind what the statistics show and ask how and most importantly why abuse occurs. Efforts to eliminate abuse must be ongoing and be informed by analysis.

It is not possible in this Information Sheet to highlight the number of reports that are upheld, or otherwise, due to the nature of the reporting and the records held.

For example, it is known that people have been provided redress by church entities without the entity accepting the survivor's account. In these cases, the entities involved recognised that the person had been harmed in some way and needed support.

In other cases, the church entities processes did not uphold the claim made. However, in subsequent processes (including sometimes in criminal trials) the respondent admitted abuse, pleaded guilty, or was found guilty.

For the above reasons, the information sheets provided reflect the total number of reports of alleged abuse, whether substantiated by an external or internal investigation process or not. Reports of abuse include only those reports that church entities currently have records of.

In addition, we know that many individuals who have experienced harm have not approached a church entity to report or disclose abuse. We have heard from some of these survivors during various Commission hearings. Sometimes, individuals or organisations that those abused did report to have not provided this information to a church entity (e.g., the Police).

Therefore, the actual number of instances of abuse will be different to the documentary record. The results of the IGP give a snapshot of the extent of abuse – as reported to and held by the Catholic Church in Aotearoa New Zealand as at 30 June 2021.



## Respondents to reports in church entities

A total of **1680** reports relating to abuse in Aotearoa New Zealand are held by church entities as at 30 June 2021.

- Of the total number of reports of abuse, **1,296** are attributable to a named person. There are a total of **592** named respondents to a report or reports of abuse.
- The results of the IGP identify **42** different Church entities as having reports of abuse attributable to them. 117 reports of abuse are unattributable due to the nature of the material held in the records. In time, further work may be undertaken on these records to attribute them to the appropriate entity.
- There are **36** entities with **1542** reports of abuse and **1157** reports attributable to a named member of the diocesan clergy or religious congregation (**member**).
- **489** named respondents were members of dioceses or congregations at the time of the alleged abuse.<sup>1</sup>

## Type of Harm

As described in Information Sheet #1 the summary of reports of abuse by harm type is:

	Total	Child	Adult	Unknown
Sexual harm reported	1,019	835	133	51
Non-sexual harm reported	421	392	12	17
Harm type unclear	240			
	<b>1,680</b>			

Inquiries in other countries have focussed on different types of harm arising from abuse. Here in Aotearoa, the definition includes non-sexual harm reported relating to any reports of abuse. Non-sexual harm or other harm is reported when the individual making the report *does not* describe sexual abuse – this may include physical, emotional or psychological abuse, and/or neglect. Failure to act on reports and facilitating abuse were also included in the categorisation of reports of abuse. The categorisation is based on the account of the person making the report.

If focus is placed on harm attributed to church entities where clergy and religious are the respondents:

	Total	Child	Adult	Unknown
Sexual harm reported	776	619	119	38
Non-sexual harm reported	256	240	5	11
Harm type unclear	125			
	<b>1,157</b>			

<sup>1</sup> Some clergy and religious respondents serviced in multiple entities (e.g., a diocesan priest who joined a congregation). Some of these respondents face allegations while a member of both entities. In this case, they are counted separately to gain the total for an entity. This results in 501 named respondents if all entities are totalled.



## Entities

The following table details the reports held by the 6 dioceses and 12 congregations with allegations against 6 or more members.

Church Entity	Members 1950-2021	Total allegations attributable to entity	Number of allegations naming a respondent	Number of allegations naming respondents as non-members	Number of allegations naming respondents as members	Number of members who are respondents	Percentage of members who are respondents	Type of Harm - Members only						
								Abuse includes sexual harm against child	Abuse includes sexual harm against adult	Abuse includes sexual harm - victim age unknown	Other abuse <sup>2</sup> against child	Other abuse against adult	Other abuse - victim age unknown	Abuse Type unclear
Hospitaller Brothers of St John of God	42	269	232	13	219	22	52%	140	1	1	43	0	0	34
Sisters of Nazareth	86	155	86	26	60	29	34%	6	0	0	54	0	0	0
Diocese of Christchurch	179	72	71	9	62	34	19%	33	19	1	0	2	1	6
Diocese of Dunedin	141	41	41	2	39	26	18%	20	7	5	0	0	3	4
Congregation of Our Lady of Charity of the Good Shepherd	114	70	39	4	35	20	18%	9	0	0	26	0	0	0
Institute of Charity (Rosminians)	36	22	21	2	19	6	17%	14	4	0	1	0	0	0
Archdiocese of Wellington	345	145	128	28	100	54	16%	64	14	4	3	1	1	13
Diocese of Hamilton	132	50	46	4	42	19	14%	13	12	6	2	0	2	7
Diocese of Auckland	378	124	112	2	110	52	14%	68	19	7	2	0	4	10
Marist Brothers	484	157	142	7	135	59	12%	94	3	0	18	1	0	19
Mill Hill Missionaries	50	8	8	0	8	6	12%	6	0	1	0	0	0	1
Diocese of Palmerston North	99	31	27	5	22	11	11%	8	6	3	0	1	0	4
Christian Brothers	138	39	34	2	32	11	8%	24	1	1	3	0	0	3
Society of Mary	781	118	112	4	108	43	6%	74	15	0	5	0	0	14
Redemptorist Fathers	179	15	15	3	12	8	4%	5	5	1	0	0	0	1
Nga Whaea Atawhai o Aotearoa Sisters of Mercy New Zealand	1115	110	68	2	66	45	4%	10	0	0	55	0	0	1
Dominican Sisters	241	20	15	3	12	8	3%	1	1	0	9	0	0	1
Congregation of Our Lady of the Missions	565	20	9	0	9	7	1%	1	0	1	7	0	0	0

<sup>2</sup> Other abuse = Any reports of abuse where the individual making the report does not describe sexual abuse – including physical, emotional or psychological abuse, and neglect. Failure to act on reports and facilitating abuse were also included in the categorisation of reports of abuse. The categorisation is based on the person making the report's account.



## Other Entities

Congregations with five or fewer member respondents and/or reports of abuse attributable to them including non-members are:

Augustinians of the Assumption (Assumptionist Fathers) – *approximately 20 members in NZ [8 allegations naming individual respondents as members, 4 member respondents]*  
Society of Jesus (Jesuits) – *20 members [6 allegations, 4 member respondents]*  
Missionaries of Faith – *9 members [1 allegation, 1 member respondent]*  
Order of Friars Minor (Capuchin) – *50 members [6 allegations, 5 member respondents]*  
Congregation of the Passion – *20 members [1 allegation, 1 member respondent]*  
Order of Cistercians – *47 members [2 allegations, 2 member respondents]*  
Order of Friars Minor - *125 members [14 allegations, 5 member respondents]*  
Institute of the Brothers of the Christian Schools (De la Salle Brothers) – *148 members [5 allegations, 5 member respondents]*  
Missionary Society of St. Columban – *40 members [1 allegation, 1 member respondent]*  
Order of Preachers (Dominican Friars) – *57 members [9 allegations, 1 member respondent]*  
Sisters of St Joseph of the Sacred Heart (Josephite Sisters) – *335 members [5 allegations, 5 member respondents]*  
Sisters of St Brigid – *82 members [1 allegation, 1 member respondent]*  
Sisters of St Joseph of Cluny – *105 members [1 allegation, 1 member respondent]*  
Marist Sisters – *157 members [1 allegations, 1 member respondent]*  
Little Sisters of the Poor – *209 members [1 allegation, 1 member respondent]*

These congregations have not been asked for data on members who have served in NZ.

Vincentian Congregation – *[1 allegation, 1 member respondent]*  
Sacred Heart Fathers – *[1 allegation, 1 member respondent]*  
Priests of the St Patrick's Missionary Society – *[3 allegations, 1 member respondent]*

**6** entities (including 4 congregations) have reports of abuse attributable to them where all the respondents are not named or are lay people and not clergy or religious members of the entity.

**15** religious congregations who were part of the IGP recorded no reports of abuse made to them or attributable to them.

## Next steps

The Commission will analyse the data provided in 2021. Te Rōpū Tautoko will work collaboratively with the Commission as it requests clarifications and looks to present information publicly.

The data will inform the actions of Tautoko and church leaders concerning safeguarding and redress processes with survivors. Tautoko and church entities will continue to update the dataset as reports are made and refine the data as more information is provided.

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