

## **Closing Statement of the Survivors Network of those Abused by Priests (SNAP) in Aotearoa New Zealand**

*[Sonja to open]*

1. Tēnā koutou katoa Madam Chair and Commissioners. I appear here today on behalf of the Survivors Network of those Abused by Priests (SNAP) in Aotearoa New Zealand. Thank you for the opportunity to deliver this Closing Statement.
2. As noted in our Opening address, SNAP notes there is a culture of secrecy and silencing, protectionism, prioritisation of institutional reputations, clericalism and religious privilege, that permeates many faith-based institutions, and has created an environment in which child abusers have been able to operate with impunity. We heard such truisms being echoed by Tom Doyle in his evidence, noting how the systems and structures of the Catholic Church, to take just one example, “directly relate to” the phenomenon of abuse and its coverup in New Zealand.
3. Tom Doyle was emphatic in his evidence, that churches, in particular the Catholic Church as a universal institution, with its global laws and systems operating here in New Zealand, have failed to combat abuse perpetrated by their own personnel. Instead, through denial, minimisation, de-valuation of victims and survivors, and deception in their redress process, it has caused tremendous pain, spiritual and psychological, and ongoing damage and suffering to survivors.
4. SNAP wholeheartedly welcomes Tom’s significant contribution to this Inquiry, and the reflections he made, which resonate with the experiences of SNAP’s members across multiple faith-based institutions. SNAP’s conclusions are that New Zealand is by no means an exception to Mr Doyle’s damning critique. This has been reinforced by the evidence we have heard during the last fortnight.
5. As is fitting under the SNAP mandate, Christopher Longhurst, a survivor of faith-based abuse, and leader for SNAP in New Zealand, will deliver SNAP’s closing statement:
6. *[Christopher to deliver a mihi]*

*Tena koutou katoa.*

*Tēnei te mihi ngā komihana, me ā koutou mahi whakahirahira.*

*Tēnei te mihi uruhau ki ngā morehurehu kua puta mai me ā tātou kai-tautoko.*

*Mā whero, mā pango, ka oti ai te mahi.*

*Tēnā koutou, tēnā koutou, tēnā tātou katoa*

7. Madam Chair and Commissioners, in our Opening address, we made three basic pleas:-
  1. that any redress process be survivor-focused and survivor-led;
  2. that redress operates entirely independently of the responsible faith-based institution; and
  3. that redress policies be designed to properly compensate survivors and facilitate our rehabilitation.We also called for a duty of mandatory reporting.
8. Over the past fortnight, we heard key witnesses offer half-hearted commitments to our pleas. During Archbishop Richardson's evidence, on behalf of the Anglican Church, it was suggested that "consideration" be given to an Ombudsman, or independent 'oversight' body. Tim Duckworth, for the Catholic Church, also agreed that there was a need for mandatory reporting, though he was disappointingly vague as to how exactly this would be done.
9. Others, including Virginia Noonan, appearing for the Catholic Church, evaded our pleas entirely. She falsely claimed that the misleadingly named 'A Path to Healing' document of the Catholic Church has continued to 'evolve' in response to the needs and feedback of survivors. But no concrete examples of this were given.
10. Claims were made by Ms Noonan that the Catholic Church's 'A Path to Healing' was a fair and compassionate process. We reject this claim. Our experience indicates that NOPS conducts an adversarial investigatory process, and that survivors have no say over this process or its outcomes that affect their lives. Claims by Ms Noonan that NOPS is guided by survivors is not our experience. Even its personnel's pastoral care claims are not our experience.
11. In fact, as a survivor of clerical and religious sexual abuse who fully engaged with the NOPS process, I was never contacted by Ms Noonan and her officers for any feedback or guidance. Neither were any of our members who reached out to the same Office for healing.
12. Further, if redress processes have evolved, as Ms Noonan and Ms McKechnie both claimed, then why was there no explanation given as to why complaints lodged in 2017 remain unresolved?

13. Further, Ms Noonan spoke entirely of policy, while ignoring the effects of her non-compliance with the very principles her Office espouses. When such deficiencies were pointed out to her, we constantly heard her say, “we’ll definitely look further into that,” “in the future”, “the next step”, “moving forward.” We heard similar rhetoric from other Church officials.
14. But none of this will ever be helpful to survivors, when what is written in policy, and what is practised, are two entirely different things. In reality, while the ‘A Path To Healing’ document has been tweaked, the process has not changed in substance, or in effect. Hence, survivors are experiencing further harm, while sexual predators remain at large, and if nothing has really changed until now, what could make it possibly change in the future?
15. Cardinal John Dew, in response to being asked about the process for ensuring survivors feel they are being believed, stated how he hoped survivors would be believed; but there is no such process. Further, given the betrayal of trust that has occurred, the Church has no capacity to build trust and confidence with survivors, exhibited also by NOPS lacking people on the ground with the required competencies and integrity to do so.
16. In Ms Noonan’s written submission, she stated that NOPS is **not** a ‘listening service’ for survivors. On questioning, she then contradicted this and claimed that NOPS **was** there to listen. This is typical of the double-speak that our members have experienced in their interactions with NOPS.
17. Further, when Cardinal Dew was asked about NOPS not being a listening service, he said that he thought this referred to a counselling process. Sadly though clearly, the Cardinal does not understand what listening is. SNAP defines listening as “standing in the shoes of one’s brother or sister in life, and seeing their experience through their eyes, as they express it factually and emotionally, as to what occurred, and its impact on them.” This listening is a key feature that SNAP would require in an independent entity to hear abuse complaints, a vital feature entirely lacking in the NOPS process.
18. To call the NOPS redress a ‘healing process’ is a misnomer. Our members have described APTH as an inquisition, feeling they were the ones being put on trial. Whilst a cursory nod was made to this in Ms Noonan’s evidence, no intention to change the substance and investigative tenor of the NOPS process was expressed – a fact we find deeply disturbing.

19. Most alarming was the fact that Ms Noonan spoke confidently about survivors “*coming with them*” [the Catholic Church] on their individual healing journeys. This Church-focused suggestion that this is a mutual journey, quite frankly terrifies us. Once trust has been lost by abuse and further betrayal, it is highly misguided to assume that it can be so easily regained. The very idea of having any person who is part of the institution that perpetrated the abuse involved in any decision to heal us, must lie solely with the survivor. Reconciliation, as noted in Archbishop Richardson’s evidence, must always be at the prerogative of the survivor.
  
20. Further, during questioning, Ms Noonan claimed that survivors are offered support throughout the NOPS process. But none of our members can recall this happening. In fact, our requests for support were actually ignored by NOPS personnel. From our experiences, the NOPS process was never about us or our healing. It was about protecting the institution, mistakenly confounding the Church as something other than its members. After all, we were nearly all abused because we belonged to these churches.
  
21. Comments were also made in Ms Noonan’s evidence about the professional qualifications and skills of those in her Office. We were concerned by the absence of any concrete commitment to survivor-led training on trauma and sexual abuse, or counselling and psychotherapy, as Tom Doyle and others recommended.
  
22. We were also surprised to learn that the primary concern of the Church authority (as outlined in APTH), was that redress, quote: “should be directed towards healing and reconciliation, not compensation, punishment or penalty.” Unquote. We find this statement an absurdity; an appalling evasion of culpability because compensation, punishment, and penalty *is* healing. Any claim to the contrary can only be motivated by the institution’s further attempts at self-protection, over and above giving justice where it is due.
  
23. We were also concerned by the suggestion (during Brother Horide’s evidence) that a matrix or band system for ‘compensation’ payments be introduced. We see this as no more than another inadequate form of ex-gratia payment. Compensation must be bespoke and assessed on an individualised basis, according to the needs of individual survivors.
  
24. Further, prescinding a clear conflict of interest regarding some NOPS investigators being ex-police officers, and on the NZCBC payroll, SNAP has experienced that this has led to a ‘beyond reasonable doubt’ burden of proof being applied to our members complaints, rather

than the correct 'balance of probabilities' standard, with consequences of justice being further denied.

25. Overall, we believe that the evidence presented over the past fortnight focused unduly on redress documentation and policy, and not on the actual application of the policies, or failure thereof, and the subsequent impact on survivors. We share with you just two of many similar comments made by our members regarding the Catholic Church's APTH process:

- *"While APTH promises an honest and compassionate response, instead, NOPS was used to cover up abuse complaints through the guise of a well-crafted redress process [that wasn't followed]"*.

And secondly:

- *"I expected Catholic leaders to be adamant in their promises to respond fairly and with compassion, though the response from NOPS demonstrates another reality";*

26. Commissioners, the documented evidence that our members will further provide to this Inquiry, in SNAP's written statement, will evidence numerous violations of APTH, such as:-

- a) denial of adequate investigative process,
- b) denial of fair review of process,
- c) failure to advise,
- d) failure to provide copies of letters and reports,
- e) stalling, and deception by the NOPS Director in relation to important information provided to her by her own team;
- f) a secretive process which survivors have no input in, or control over.

And this is what Church authorities call a compassionate response aimed at the wellbeing of survivors?

27. Further, we will also demonstrate how attempts to draw attention to the non-performance of NOPS, through a complaint to the committee that oversees NOPS, the National Committee for Professional Standards, was stonewalled by that very committee.

28. All of this demonstrates that NOPS and the APTH, like all other church redress processes, or so-called 'pathways to healing,' are not fit for purpose when run by the institutions responsible for the abuse and the coverup of that abuse.

29. Over these past two weeks, we also heard general public apologies being made, for example, from Archbishop Richardson, Brother Horide, and Cardinal Dew. To us survivors, these general public apologies are problematic. They serve no purpose towards genuine healing when unaccompanied by action and effective change. Further, they are only acceptable when backed up by restitution and proper compensation, and accompanied by separate and specific apologies to the individuals involved.

This was not something that the witnesses were able to present clear evidence on. Hence we consider such public apologies as no more than a Public Relations exercise.

30. This mode of responding adds to our contention that the claims to reform made by the Church leaders that appeared before you during this hearing, are neither realistic nor believable. These Church leaders have been saying the same things for many years. Speaking to the survivors, Cardinal Dew said, that the systems and culture that failed us, must change. However, the church leaders that created those systems and that culture are not the ones to implement change. Leopards can't change their spots. As Tom Doyle noted, if they could have, then they would have done so by now."

31. SNAP repeats its plea for an independent survivor led redress process, supported by people of true integrity skilled in the profession to assist us, as needed. To recall once again what Judith Herman, long-time expert in this field of work stated: "no intervention that takes power away from a survivor can possibly foster her [or his] recovery, no matter how much it appears to be in her [or his] best interest." We wish to recall this truth, again and again, until everyone concerned is truly listening.

32. During this hearing, in an attempt to justify the delays and ongoing difficulties, much was made of the issues raised here as being 'complex' ones. Indeed, this Inquiry may be a long and complex one, but the fundamental issue here, regarding church redress and faith-based abuse, is not really that complex. The excuse of complexity is, for survivors, difficult to accept because the truth is quite simple to us. We are talking about child sexual abuse, and institutional abuse, and its cover up (past and present). That needs to stop, and the people who enabled this, need to be held to account, and the mechanisms that are causing it, dismantled, and all victims and survivors properly compensated.

33. We hope that the Commissioners will make these recommendations.

34. If we do not get this right, right now, in a country which comes after other enlightened nations have already addressed this issue, then these abusive church structures, that have served to protect their paedophiles and hide the abuse, will continue. If we do not get this right, right now, then we will have failed to resolve one of the most morally straightforward problems of our time, and our society will continue to suffer, because to not restore the injustice done to its members, is not to restore that society.

35. We thank you, once again, for the opportunity to speak here today.

36. *Nō reira, tēnā koutou, tēnā koutou, tēnā tātou katoa.*