

Witness Name: Sr Susan Jayne France

Statement No.: 004

Dated: 4 October 2022

ROYAL COMMISSION OF INQUIRY INTO ABUSE IN CARE

**FOURTH WITNESS STATEMENT OF SR SUSAN JAYNE FRANCE
CONGREGATIONAL LEADER, NGA WHAEA ATAWHAI O AOTEAROA
SISTERS OF MERCY NEW ZEALAND**

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

I, Sr Susan Jayne France, will say as follows: -

Introduction

1. I am currently the Congregation Leader of Nga Whaea Atawhai o Aotearoa Sisters of Mercy New Zealand (**Sisters of Mercy**), in the third year of a five-year term of office. I am also one of the religious congregation members on Te Rōpū Tautoko (**TRT**), the coordinating group formed to respond to the Royal Commission of Inquiry into abuse in care (**Inquiry**) on behalf of the 49 independent groups within the Catholic Church.
2. I previously prepared two briefs of evidence for the Redress Hearings of the Inquiry, the second of which was in response to questions from the Royal Commission. I have also been privileged to participate in the Redress Round Table held by the Royal Commission as one of the two Catholic Church's representatives at that hui as well as attend redress hearings. I also prepared a witness statement in response to the Inquiry's request for evidence in preparation for the Marylands hearing.
3. My evidence seeks to respond to the first two questions in Schedule A of Notice to Produce No. 520 (**Notice 520**) in relation to *looking back*. I also set out some evidence in relation to the Sisters of Mercy commitment to Te Tiriti and Rangatiratanga. My evidence is largely confined to my experiences with the Sisters of Mercy, the largest female congregation in New Zealand. However, given my background as a counsellor and psychotherapist, membership on a diocesan protocol committee, membership on the National Safeguarding and Professional Standards Committee and my involvement with TRT and the Inquiry I have a broader understanding of abuse that occurred within the Church.
4. I cannot however speak to the experiences of other congregations and my evidence cannot be taken to represent the views of the entire Catholic Church.

Background

5. As set out in my previous statements, I have been a teacher and, later, a counsellor and psychotherapist. I studied at Otago University where I obtained a BA. In 1984, I then went to Loreto Hall Catholic Teachers' College in Auckland and gained a Diploma in Teaching in 1984.

6. Shortly after I began university study, I entered the then Dunedin Congregation of the Sisters of Mercy, where I completed my novitiate and took final vows in 1986.
7. As a professed Sister I was encouraged to further my education in ways that extended me and were in keeping with our charism (or “purpose”) of Mercy; after a period of about 10 years secondary teaching in Dunedin and Southland, I studied, taught, and practiced counselling and psychotherapy over a period of 20 years, attaining in 2006 a PhD in pastoral counselling from Loyola College in Maryland, USA. For the last three years of that period, I worked as a psychotherapist at St Luke Institute in Silver Spring, Maryland. I worked with a wide variety of people who presented with issues including trauma, addictions, personality disorders, depression, and anxiety.
8. Between 2007 and 2014 I worked in Dunedin as a counsellor and psychotherapist in private practice, a significant part of my work being with survivors of sexual abuse. I was an ACC approved sensitive claims counsellor.
9. In August 2019, I was elected to be the Congregational Leader for the Sisters of Mercy for a 5-year term. I took up my role in December 2019. I was a member of the Congregation’s leadership team (of five Sisters) in the previous term 2015-2019 as deputy leader, and in that capacity participated in decisions relating to complaints. I was also aware of the development of the terms of reference of the Royal Commission and have participated in the Congregation’s initial responses.
10. I had been a member of the National Professional Standards Committee, now the National Safeguarding and Professional Standards Committee since 2009 finishing in 2021 to become a member of TRT.
11. I was previously a member of the Dunedin Diocese Sexual Abuse Protocol Committee and secretary from 1995 to March 2001.

Acknowledgment of harm

12. Prior to addressing the questions that the Inquiry has sought evidence on, I wish to acknowledge the harm that victims and survivors have suffered. I deeply regret that children were harmed in our institutions where they ought to have been cared for and safe. It takes courage to come forward to talk about those experiences and I hope that survivors will continue to come forward to the Inquiry, to the Police, and if appropriate, to the Church to share their experience

Specific Questions

13. The Inquiry has asked a series of questions in Notice 520. My statement deals primarily with the first two questions of Schedule A related to “**looking back**”, questions two and three:

From 1950 until present day, please explain:

2. With the benefit of hindsight, what are the biggest mistakes the Church has made that enabled abuse against children, young people and vulnerable adults in the care of the faith to occur? Why where these mistakes not identified and addressed sooner?

3. With the benefit of hindsight, what are the biggest mistakes the Church has made in relation to responding to reports of abuse? Why were these mistakes not identified and addressed sooner?

I also provide some evidence in relation to paragraphs 10 and 11 of Schedule A which set out questions related to the Church’s commitment to Te Tiriti and tino rangatiratanga.

The biggest mistakes made that enabled abuse to occur

14. These are very difficult questions to answer. I consider that with hindsight, the biggest mistakes made by the Church that enabled abuse to occur were:
- (a) A lack of training and oversight of those who had care of children and vulnerable persons;
 - (b) Failures to adequately respond to disclosures of abuse;
 - (c) Prior to the mid-1990s, the absence of clear and independent processes for making complaints of abuse;
 - (d) Lack of sharing of information between entities in the Church and external to the Church, so that the full scale of abuse could become clear; and
 - (e) Leaving some individuals who were known to have complaints about them with access to children and vulnerable adults, including moving individuals who caused harm from one setting to another;
 - (f) There was a lack of understanding of the impact of abuse on children;
 - (g) There was a lack of understanding within the Church of paedophilia and other forms of offending against children;

- (h) Clergy and religious had significant status in the community and were more likely to be believed than children and vulnerable adults.

- 15. It is clear that because of mistakes made by the Church that further individuals were harmed when, tragically, this could have been avoided.

Historical context in which the abuse occurred

- 16. It is my view that one must look at the abuse that has occurred within the Church within the historical context in which it sits. That is not to justify the harm caused, but rather to gain a better understanding as to why it occurred and therefore the lessons that can be learned.

- 17. For a women's religious congregation which ran childcare institutions and schools, such as the Sisters of Mercy, in the 1950s and 60s the Sisters were caring for large numbers of children whilst being poorly resourced. There were factors which contributed to an environment in which abuse occurred – institutions were under-resourced (both financially and in terms of the number of carers), individuals were overwhelmed, a large number of the women working within the institutions were not adequately trained for the work they were doing. Additionally, there was a huge range of different psychological needs amongst the children in their care with little understanding, certainly within the 50s and 60s, of the impact those different psychological needs had on the children, and therefore the ways in which care could best be provided.

- 18. These factors were also reflective of society at the time, some which unfortunately remain present in parts of society. Over time as society began to identify and better understand the needs of those entering care, sisters were trained (alongside social workers) to be able to better care for children and vulnerable persons with different needs.

Lack of understanding of scale of the abuse/ sharing of information

- 19. When abuse was identified by our congregation over time, that abuse was usually considered as one-off cases rather than being considered as examples of a wider problem. Until 2005 the Sisters of Mercy were four autonomous groups, and each congregation held its own files. It was not until 2005 that we came together as one group and records were held in one place.

20. There were a proportionally smaller number of complaints in each of the autonomous groups prior to 1990. As most complaints were not made until the 1990s, there was no understanding of the scale of some of the abuse.

Lack of understanding within the Church of paedophilia and other forms of offending against children

21. Until relatively recently the Church also had limited knowledge of the psychology of paedophilia and other forms of offending. We now know that in general, someone who exhibits such behaviour, without significant intervention, is likely to commit abuse in the future. Because of this lack of understanding, in many instances those who abused were believed when they stated they would not act in such a way again.
22. A person may have been seen to be good working with boys or with children of a particular age, outside of the particular allegation. Consequently, when a complaint against them came, it may have been that they were removed from that setting (school or parish) but rather than completely removed from working with children, they were moved to a similar setting in a different place. Thus causing more harm until there were more complaints at a later date when the impact of harm caused was better understood.

Lack of understanding and training in relation to abuse and trauma

23. Prior to the 1980s there was also a culture of disbelief (both within the Church, but also society more generally) regarding the prevalence of sexual abuse. There was also a lack of awareness about the effects of sexual abuse on a victim or survivor. Training around the traumatic impact of abuse was not readily available and there was also a lack of awareness within families, schools and organisations which cared for children (including within the Church) of the indications that a child had been abused.
24. The first serious research into trauma and post-traumatic stress was undertaken in the late 1970s and early 1980s, after the Vietnam War (prior to this we did not have a language that had a name for what people experienced).
25. As a result of this research, the language of trauma developed. It gave people a name for what they were experiencing, and a language and common currency to describe what they were going through. Survivors could identify with what they were hearing, could think "that's my experience too". In effect there was a validation of

their experiences and feeling, and as a result more survivors came forward, and more were believed. We now have a much better understanding of trauma, including that trauma is frequently not reported or talked about until later in the life.

26. Abuse as a whole was not identified sooner. In the 1980s and early 90s there was also ground-breaking work of writers in Aotearoa New Zealand like Miriam Saphira and Joy Hayward who wrote about the sexual abuse of children.¹ These were among the first books which talked about sexual abuse in Aotearoa New Zealand society which were accessible to all.
27. From 1990 onward, society also became more aware of the possible extent of long-term harm caused to children and vulnerable persons by their experiences of abuse, and of the significant numbers of possible survivors.
28. As abuse within the Church became the subject of media and documentaries, a whole societal and cultural change occurred which encouraged and allowed people to talk about the trauma of abuse.
29. Ultimately increased reports of abuse in the Church occurred in parallel with increased reporting of abuse by the State and within families.

No independent reporting process in place

30. Significantly for the Church, because of the significant power and respect that members of the Church were held in, for many survivors it was harder to report the abuse suffered, and also to know to whom such reports could safely be made.
31. My understanding of historic processes within the Sisters of Mercy, was that prior to mid-1990s there were no formal reporting processes in place. For many the lack of clear process or an independent person to complain to was a barrier for reporting the abuse. In particular, for those who had moved beyond the Church the thought of going back to someone within the Church to report the abuse would have been extremely difficult, if not impossible.
32. The establishment of the NOPS was a significant move to establish an office not staffed by clergy, the number of claims that have come through it would indicate a degree of success.

1.Saphira, M (1981) *The Sexual Abuse of Children* The New Zealand Mental Health Foundation
 Hayward, J & Carlyle, D (1991) *Too Close for Comfort: A Book About Teenagers Who Have Been Sexually Abused Within Their Families*. LDA.

Shame at coming forward/ Inability for survivors to come forward

33. I consider that the fact that prior to the 1990s few complaints were received also likely reflects the culture of the time, whereby there was a great deal of societal shame and reluctance in coming forward to make a complaint. As a result fewer complaints were made, and abuse was able to continue. Whilst feelings of shame for many survivors still exists, as noted above there is a better level of understanding of the trauma suffered, and encouragement for survivors to come forward.

The biggest mistakes made in responding to reports of abuse

34. I wish to acknowledge that many historic complaints were not handled well, and survivors have not always received the compassionate response that we would want them to receive. This lack of compassion is in my view, the biggest mistake, because it caused even more harm to survivors.
35. As a result of the lack of understanding of the harm that had been perpetuated and a belief that those within the Church were not capable of causing such harm, in many instances there was a failure to take the allegations seriously, to act with urgency, and to act with compassion. Added to this, in the 1950s and early 1960s, there was a theology that was focused on sin and the punishment of sinners, rather than a focus on God's love and the inherent goodness of all humanity and creation. This would have had an increasingly crippling effect on a vulnerable child.
29. I believe the reasons as to why these mistakes were not identified sooner, are intertwined with the reasons I have set out above. There were significant barriers for people to come forward (cultural shame, lack of independent processes etc), and there was a lack of understanding in society in general about abuse and the harm it caused. For example, there is a recognition now that elements of what was considered acceptable then, such as harsh discipline, was in fact abuse as experienced by a child or vulnerable person. This was not understood at the time.
36. Many within the Church struggled to believe that someone from within the Church could have committed such abuse, as such many survivors were not believed. In addition, I am aware that some parts of the Church were also protective of its reputation and as such made efforts to keep allegations of abuse quiet.
37. Even when survivors were believed, those dealing with the complaints (in many cases, church leaders) struggled to appreciate and understand the serious impact

the abuse had on some survivors and many survivors' stories as to the harm they had suffered were not taken seriously. As noted above, there was a lack of understanding of the real and serious harm that abuse had on a survivor's life going forward.

38. This lack of understanding and the lack of discussion within the Church in relation to alleged abuse undoubtedly added to an environment in which, historically, many survivors were not dealt with compassionately when they came forward, further adding to the harm those individuals suffered.

Sisters of Mercy and Te Tiriti

39. I have read the sixth witness statement of Cardinal John Dew and the response he has provided in relation to Te Tiriti and tino rangatiratanga. I agree with his evidence. To support that evidence, I set out below the Sisters of Mercy commitment to Te Tiriti and Rangatiratanga.
40. The first Sisters of Mercy came to Aotearoa New Zealand at the invitation of Bishop Pompallier and Wāhine Māori and landed in Auckland in 1850. They spent the voyage from Ireland learning Te Reo Māori. The current congregation of Ngā Whaea Atawhai o Aotearoa continues to grow in its understanding of its relationship with Tangata Whenua and is committed to honouring Te Tiriti o Waitangi and to continuing to develop that relationship.
41. At different times since 1950 sisters have responded to invitations to work with Māori in the central North Island and in Northland. We retain a strong connection to Pawarenga in the Hokianga.
42. Now very few sisters sit at the board table or are engaged in our ministries, but we have worked with others to set some key strategies in place for our ministries which serve children and young people such as school proprietor boards and community development organisations.
43. In a governance setting our Ministries Trust has adopted a pathway of partnership in faith with Māori as a way of developing this relationship. We acknowledge it is our responsibility to ensure that governance boards and services are represented

by and work well in responding to the needs of Māori. Having at least two Māori members on each board is our goal. We acknowledge that this is a work in progress, but we are making progress at this governance level. We use Tikanga Mercy processes, processes developed in partnership with our Māori staff, to create whanaungatanga and cultural safety when boards meet. A focus on outcomes, especially actions towards inclusivity and equity for Māori is key.

44. Our commitment to Te Tiriti, Rangatiratanga, Protection, Partnership and Participation would not change regardless of Crown funding or powers delegated by the Crown. This is a longstanding commitment which has been in place since the first sisters arrived in the country and sisters provided a safe place to stay in Auckland for Māori women coming to the city.

Statement of Truth

This statement is true to the best of my knowledge and belief and was made by me knowing that it may be used as evidence by the Royal Commission of Inquiry into Abuse in Care.

Signed:

GRO-C

Sr Susan Jayne France

Dated:

4 October 2022