
Mediating Between Victims of Sexual Abuse and Religious Institutions

(2007) 18 Australian Dispute Resolution Journal (ADRJ) 1

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The victims of sexual abuse within religious institutions suffer the added trauma of experiencing a betrayal by those charged with the duty of nurturing their spiritual, moral and physical upbringing. In addition, there appears to be a pattern of perpetrators targeting the more spiritually and sensitively inclined children, especially in families with close ties to the Church. This compounds the loss suffered by the individual and those closest to them. A number of religious institutions have developed protocols for managing complaints of sexual abuse which include the non adversarial process of mediation. The authors draw on their experience of mediating meetings between church leaders and victims of sexual abuse to examine some of the challenges inherent in this approach.

INTRODUCTION

The victims of sexual abuse within religious institutions often suffer two forms of effect. The first is the effect of the original abuse inflicted by the abuser. The second is that the abuse was not detected promptly so that some form of help and support could be given at the time.

A number of religious institutions have developed protocols that respond to claims of sexual abuse. These protocols include, as a core component, a facilitated meeting between the victim/complainant and a senior church official, usually at a bishop or provincial level. This meeting is at the heart of the attempt to deal with the secondary effect of the abuse even though in many cases it is taking place 30 to 50 years after the original abuse. The success of the facilitated meeting can go a long way towards helping the complainant move forward with his or her life. However, these meetings have to be handled delicately and sensitively as they can pose a risk to the complainants of compounding their trauma.

In 1996, Catholic bishops and leaders of Catholic religious institutions in Australia created a set of protocols for the handling of complaints of sexual abuse. The "Towards Healing" process, as it is known, is an attempt by the Church to take a pro-active role in dealing with the victims of sexual abuse being prepared to make admissions and to communicate directly with them. It provides an option that is intended to complement the existing standard legal processes.

Over the last 10 years, the Towards Healing assessment and facilitation processes have slowly evolved on a trial and error basis. Many challenges have been thrown up for those involved, including the complainant, the Church authority, lawyers representing each party and, not least, the mediator. Other religious institutions have adopted similar processes including the Anglican Archdiocese of Adelaide' "Healing Steps" process. This article will reflect on some recurring issues and the challenges that these processes pose.

THE VICTIM SEEN AS A "PROBLEM"

Working with the victims of sexual abuse can be a difficult and challenging experience. There is a natural desire to help repair the problems caused by the abuse and to make things better. However, these good intentions can lead to some unintended consequences.

Sometimes complainants feel that those around them treat them as if they are the problem. For most, the effects of the original abuse have been something that they have lived with for decades and will have to manage for the rest of their lives. They *have* a problem but they are *not* "the problem". From the complainants' standpoint, they have done nothing wrong. It is the perpetrator and/or the Church that have behaved wrongly. They can often become very offended when they feel that those around them just want everything to be brought to an amicable and acceptable conclusion. The sense is that this desire to fix things up is really meeting the emotional needs of the helpers rather than the complainant.

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Counsellors and lawyers can be driven by a natural desire to be helpful and assist in repairing the damage caused to complainants. However, this desire must be consciously tempered by what is realistic and of benefit to their clients. This desire can arise from a feeling of having to prove to the complainant and themselves that they are helpful. This need for reassurance that they are doing something of value may drive the advisor to intervene very actively in the life of the complainant without defining the limits of their role. There can be a danger that the advisor can inadvertently take on a parental role rather than a professional one.¹

Most lawyers and counsellors understand the importance of maintaining a professional distance from their clients. It helps if they can distinguish between feeling empathy and feeling sympathy for them. Empathy allows them to support the complainant while maintaining distance. Sympathy can contain an element of pity and tends to hold the complainant at the level of the problem.

However, there are occasions where there is a sense from the lawyers and from some clergy that they wish these sexual abuse cases would simply come to an end. The stress felt by the clergy in having to deal with the dishonour that has been brought on the Church by colleagues they have known for years causes a great deal of pain and angst. It can lead to feelings of wanting the complainants to just go away, to finish.

Lawyers can feel the need to push for an arm's length non-emotional process for resolving the complaint. Thus, an opportunity to treat complainants as a defined group in the form of a class action can be very attractive. It can also be seen as a way to resolve the liability issues without a long and drawn out litigation process. It does assume that the payment of monetary compensation, by itself, will allow the victim to move forward with his or her life.

Some lawyers mistakenly believe that they fulfil their duty to act in the best interests of their client if they simply maximise the dollar return to their client. They often see the non-adversarial process, such as mediation, as an impediment to attaining that top dollar goal and will actively encourage their clients not to take part. Alternately, if they do take part, they will shield their client from fully engaging in the process. Nevertheless, as experience with the mediation process increases, so does the number of lawyers who understand that it has a real potential to bring significant benefits to their clients over and above the dollar amount received.

The Towards Healing and Healing Steps processes are also designed to be an addition or alternative to the long drawn out litigation path. Although they are less structured and formal, they are paradoxically a more challenging approach for all who take part. They can open the door to the possibility of personal healing through the empowering effects of the mediation process and the recognition of the complainant's story by the Church leader.

THE LEGAL PROFESSION'S RELATIONSHIP WITH THE CLERGY

The following quotes appeared on the same page of the *Weekend Australian* newspaper of June 19-20 2004.

Dr Jensen [*the Anglican Archbishop of Sydney*] said he found meeting and listening to victims "profoundly moving". "Over the years I have learnt so much from them – and continue to do so" he said. "I am aware our responses are often flawed". He hoped other victims of abuse would "feel encouraged to identify themselves and tell their story. I can assure them they will be heard with sympathy", Dr Jensen said. Mr Gerber [*the Director of Professional Standards in the Sydney Archdiocese*], who has been present at most of the meetings, said "It is incredibly healing for people because they feel that the church has heard them".²

...

Details of claims by the 32 victims were supplied to church lawyers on Thursday and Ms Litchfield [*the lawyer representing the victims*] said there had been no change from the church's form thus far of not engaging with the victims' legal action. She said the church's position remained wedded to a protocol, which paid scant attention to

¹ Salzberger-Wittenberg, I, *Psycho-analytic Insight and Relationships (A Kleinian Approach)* Routledge and Kegan Paul, London, 1970 p 4.

² *The Weekend Australian Newspaper* (19-20 June 2004) p.5.

compensation or the role of official representatives such as lawyers. “We are a long way from mediation on these matters”, Ms Litchfield said. “There is an emphasis on pastoral care and my clients have gone beyond that.”³

These extracts evidence a differing approach on how to respond appropriately to complaints of sexual abuse against people associated with religious institutions. The traditional hard-nosed negotiating techniques that have been part of our adversarial culture for the last two centuries are being challenged by these more collaborative processes such as mediation. The Towards Healing and Healing Steps protocols are an attempt by the churches to incorporate these non-adversarial processes into how they handle complaints of sexual abuse.

One advantage of a facilitated meeting is that it creates an opportunity to discuss and deal with the primary abuse by the perpetrator as well as the Church’s role in what happened. Questions of financial assistance, ex-gratis payments, compensation, reparation (or whatever term the parties choose to describe the payment of money) can be discussed. However, this discussion is designed to take place in a non-adversarial pastoral focused setting. It should be noted that the perpetrator is not present or involved in these meetings.

The mediator’s challenge is to handle the meeting sensitively, especially where the financial expectations of the complainant are not met by the Church. Lawyers who are sensitive to the process can help their clients achieve something positive out of this meeting even if final agreement is not reached on the money issue. The vast majority of legal representatives understand how the facilitation fits into the bigger picture and are able to use the process to help their clients deal with the non-legal personal issues while working towards resolving the legal liability issue.

It would help if lawyers understood how difficult it can be for a mediator to facilitate these types of disputes. It requires a great deal of skill to keep the complainant and the Church representative working positively with each other while the lawyers try to resolve the legal issues. Without cooperation and support from the legal representatives, there is a danger that the complainant will be further traumatised by the facilitation whether or not an agreement is reached on the money issue.

TOWARDS HEALING AND HEALING STEPS PROCESSES

A mediator is generally in a similar position to a medical practitioner in that there is an implied duty to endeavour to “do no harm”. The mediator’s primary role in Towards Healing and Healing Steps is to ensure that the process does not, itself, compound the effects of the original abuse. It is therefore essential that the mediator meet separately with the parties and their legal representatives before undertaking a facilitation to canvas these issues fully.

Many victims present as very damaged people and so great care must be taken when arranging any interaction with representatives of the Church. Fortunately, there are a number of safeguards built into the Towards Healing and Healing Steps processes.

Firstly, complainants have to make a conscious decision to come forward and complain to the Professional Standards Office in his or her State. They are then offered immediate help and assistance including counselling. They are invited to consider a number of options including instigating police action against the perpetrator, suing the Church in the civil courts, or using the Towards Healing or Healing Steps processes. They are also encouraged to seek independent legal advice. Another safeguard is that these processes are purely voluntary, which can be terminated by the complainant at any time.

There has always been an option to complain to those in authority within the Church. Despite this, it is clear from the stories being told by complainants that, in the past even if they had summoned the courage to complain more often than not their complaint was minimised or ignored. Because the violation was so profound, most victims were not even able to tell their own families let alone another member of the Church.

Once the complainant agrees to engage in the process, the Director of Professional Standards will arrange for an independent assessor to investigate the allegations. The standard of proof required is the civil test; that, on the “the balance of probabilities”, the abuse occurred. While care is taken to conduct the investigation in a supportive way, the fact that the allegations are being formally questioned can be difficult and trying for the complainant. The Director of the Professional Standards Office maintains contact during the assessing stages and can monitor how the complainant is handling the pressure. If the complaint is substantiated, then the carriage of the matter is handed to an independent mediator to arrange a facilitated meeting between the complainant and the Church representative.

From the mediator’s perspective, it is of great assistance that there is a separation between the investigation and assessment of the complaint and the facilitation of the meeting with the Church representative. Once there is a positive finding by the assessors and the matter is referred for mediation, the question of whether the abuse occurred or not is no longer an issue. The church representative is bound to accept the complainant for the purposes of the mediation process, even though there might be actual doubts in the mind of that representative that the abuse occurred, or where there is strong legal advice that the Church has a good legal defence to a civil claim. This acceptance of the claim is for the purposes of the Towards Healing process only.

³ *The Weekend Australian Newspaper* (19-20 June 2004), p 5.

THE MEDIATOR

Each mediation is treated as a unique event. It is extremely important that the mediator is present for the individual parties and aware of their needs throughout the process. The mediator works to maintain a state of caring empathy. The ideal state is often said to be one of objective neutrality and impartiality.

This is admirable as an ideal but is it really ever achievable? When mediating responses to sexual abuse in the context of spiritual beliefs and religious organisations, the mediator is confronted with some of the deepest and most personal dilemmas that one can face in life. Any values the mediator has adopted, through conditioning or life experience, in relation to spirituality and sexuality, arguably the core parts of identity, are likely to be challenged in the facilitation process. It is a potentially explosive mixture and the mediator must become aware of his or her own prejudices, beliefs and emotional reactions.

It would be natural for mediators to have subconscious biases for and against the Church, especially those who have been brought up in a predominantly Christian community.

It is also hard to remain impervious to the pain and distress of the victims. Some have been subjected to degrading abuse resulting in permanent damage to their identity and self-esteem. The experience of facilitating these meetings can lead all participants to question their values and meaning in life.

For most mediators, this work will call upon deeper levels of the self and new skills and sensitivity not previously accessed by them. To witness a true acknowledgement of suffering and the remorse of the church representative, as well as the relief of victims when they are able to move forward, is a profoundly moving experience. There is a sense of hope for both the victim and the religious institution in such cases.

Mediations that do not resolve and parties who cannot acknowledge or let go can evoke feelings of despair and helplessness. The mediator may have a strong urge to make things better for all concerned, particularly the victim. They can feel a sense of failure if this does not occur. The mediator must have safeguards to support them through the process.

One of the strengths of Towards Healing is that this is recognized and great emphasis is placed on the mediator communicating with the Director of Professional Standards. Although the Director is not involved in the facilitation, he or she is available for support and to receive reports from the mediator. The Director's role in setting up the facilitation and preparing all involved is crucial also.

The mediator is well advised to have a supervisor or person with whom he or she can debrief in confidence. The issues can seem so varied, complex and deep at times that a non-judgmental sounding board can be a great resource. What is interesting and revealing is that the most difficult issues that come up for mediators in supervision relate to managing one's own ego. It is sobering to realise just how much of the self the mediator brings to the mediation process and how the ego can directly affect the process.

PREPARING THE PARTIES FOR THE FACILITATION MEETING

The clear separation between the assessing and facilitation stages of the Towards Healing process allows the mediator to bring a fresh energy into the proceedings. The focus now moves towards the future. Hence the names "Towards Healing" and "Healing Steps".

The importance of preparation in these matters cannot be overestimated. The first step is a briefing from the Director of Professional Standards. Important information about how the complainant is coping with the process to that point can be discussed.

The mediator then makes initial contact with the complainant and the representative of the Church authority and, where possible, arranges a meeting with each separately. This first meeting gives the mediator an opportunity to discover the capacity of both the complainant and the representative of the Church to handle a face-to-face meeting. Sometimes it is clear that a complainant is not emotionally ready to undertake such a meeting. In these cases they are offered specialised counselling.

As well as assessing each party's capacity to handle the facilitated meeting, these pre-facilitation meetings have a number of objectives:

- to explain and agree on a step-by-step process that is appropriate in the circumstances of the particular case.
- to agree who should attend the meeting as support persons, legal advisors and counsellors.

- to explain the principles of the facilitated meeting in light of the Towards Healing and Healing Steps processes.
- to encourage the complainant to think about what they want for their future and how they will explain their needs to the church representative.
- to encourage the church representative to think about what the Church might offer the complainant in pastoral care and financial assistance and how they will express an apology.

At the pre-facilitation meeting, complainants are encouraged to reflect on two things. The first is to think about not only what they want to achieve from the mediation but *why* they want what it is they want. The second thing to reflect upon is that, if the mediation is a success and they achieve the things they want to achieve, and that after some time things become better than they are now, what would it look like.

The two questions are discussed with the respective parties at the pre-facilitation meetings. The purpose is to try to build some dissonance in their thinking by encouraging them to think about their interests rather than their positions, as well as to help them move their focus towards the future.

The second and more important purpose is to test if the complainant is able to perceive a future. On occasions when this second question is raised at the pre-facilitation meeting, the response from the complainant is that he or she cannot see a future. This response is a warning sign that the complainant might not be ready to move forward. Care then needs to be taken before moving to the facilitation stage.

The meeting with the church representative is also very important. Many persons appointed to this position are at a bishop level or a provincial of a religious order. They are usually senior men and women who have functioned in administration positions for some time. While most are very caring and compassionate, there can be a tendency for some to come into the facilitation meeting with an intellectual view of the problem. At the same time, the complainants, who have bottled up their emotions for decades, will arrive in a highly charged emotional state.

One approach is to manage the process in a way that will allow the complainant to move from the emotional plane to a more intellectual frame of mind and for the church representative to move out of the intellectual plane and into a more emotional frame of mind. It is hoped that they will connect with each other somewhere in the middle. This is done by using the mediation process to create a safe space for both parties to interact.

It is at this point that there is a true meeting between the two human beings sitting opposite each other in the room. When this happens the words that flow from the bishop or religious leader's mouth will come from the heart. The actual words do not matter. The empathy and pain felt with this connection is real and indeed may be the release that some victims are seeking.

Some church leaders have a natural gift for handling this work. For most, it comes with much personal and professional pain. To help them prepare for the meeting and the apology it is suggested that they do not prepare or rehearse any form of words. They are encouraged simply to sit and listen to the complainant and trust that the words that come out of their mouths will be the right ones. This is designed to help the church representative to be in a state that psychoanalyst Wilfred Bion refers to as being "without memory and desire"⁴ and Freud calls maintaining an "evenly-suspended attention"⁵. What generally happens is that they are so taken aback by the pain felt by the victim that they themselves struggle to find words. This struggle is picked up by the complainant and forms a connection between them. The words "sorry" or "apology" may not be used but the complainants who are open to it can sense sorrow.

After everyone has said what he or she wants to say, a break is usually taken. The next session focuses on the future and examines what assistance the church representative can give the complainants to help them move forward with their lives.

PASTORAL AND FINANCIAL ASSISTANCE

Paragraph 41.1 of the Catholic Church's Towards Healing protocols sets out the terms of the assistance to be given to complainants once they have been accepted into the Towards Healing process.

41.1 In the event that the Church authority is satisfied of the truth of the complaint, whether through admission of the offender, a finding of a court, a canon law process or a Church assessment, the Church authority shall respond to the needs of the victim in such ways as are demanded by justice and compassion. Responses may include the provision of an apology on behalf of the Church, the provision of counselling services or the payment

⁴ Bion WR, "Notes on Memory and Desire" (1967) in Langs R (ed), *Classics in Psycho-Analytic Technique* (Jason Aronson, 1981).

⁵ Freud, S. "Recommendations to Physicians Practising Psycho-Analysis". (1912) in Langs R (ed). *Classics in Psycho-Analytic Technique* (Jason Aronson, 1981).

of counselling costs. Financial assistance or reparation may also be paid to victims of a criminal offence or civil wrong, even though the Church is not legally liable.⁶

A big issue for the complainant and the Church authority and their legal advisors is how to measure the financial assistance or reparation referred to in para 41.1.

Towards Healing's primary focus and goal is to provide for the pastoral care of victims of abuse. It is designed as a way for the Church to re-engage with victims of abuse based on the principles of justice and compassion. Justice and compassion relate not only to the way the complainant is received by the Professional Standards Office, assessed by investigators and assisted during the facilitation phase, but also to the way they are given financial assistance.

It is clear that the payment of money to the complainant is a part of this process. However, financial assistance or reparation under Towards Healing is directed more to what might promote healing for the victim rather than to payment of objectively measurable damages.

The original Towards Healing document in 1996 neither included nor excluded financial payment as an outcome. Professor Patrick Parkinson, of the University of Sydney, found in his review of the process in 2000 that a payment to the victim was one of the possible outcomes of facilitation but that discussion focussed more on payment as a promotion of healing. He concluded that compensation was "not a Towards Healing matter".

The principles of Towards Healing state that pastoral care should be the primary focus and goal of the facilitation process. Thus, the process used and the outcomes discussed must be guided with this foremost in mind. Pastoral care is defined as existing when a person has "responsibility for the well-being of another". This includes the provision of spiritual advice and support, education, counselling, medical care and *assistance in times of need*. Thus payment, if any, is made more as a moral response, based on considerations of justice and compassion, to the victim's pain and direct needs.

MEDIATING IN THE SHADOW OF THE LAW AND FINANCIAL CONSIDERATIONS

Although Towards Healing is primarily a pastoral response to victims of abuse, the process is carried out in the shadow of the law and the pressures of each party's financial situation. These two factors can exert a powerful influence and sometimes need to be aired during the process. However, notwithstanding these pressures, the mediator's primary task is to bring the complainant and representatives of church bodies together for a meeting guided by the principles of reconciliation and compassion as a pastoral response to the needs of the complainant, their family and sometimes the community in which the abuse occurred.

There are some within the Church who would prefer to give the apology and then hand the carriage of the case over to lawyers to determine the financial assistance package.

In the authors' view, the Towards Healing facilitation should be treated as a whole package with the apology being directly linked to the pastoral and financial assistance. A face-to-face discussion of money can be very awkward and uncomfortable, especially coming immediately after the acknowledgement and apology. However, separating these two stages can fracture the process and undo much if not all of the power and value of the apology.

Even though the money negotiations can be distasteful for both complainant and church representative, it is something that has to be expressed and dealt with to bring an ending. Paradoxically, the very fact that this is difficult and uncomfortable seems to be the key to helping the complainants move forward.

There will, of course, be cases where it is appropriate for the financial assistance negotiations to be held separately but this should be treated as an exception rather than the rule. If everyone is able to work through the difficult transition between apology and the payment of financial assistance, it opens the door for the mediation to transform the past into something better. It is important that the church representative is present and takes an active part in the whole mediation process. For many complainants this personal

⁶National Committee for Professional Standards, *Towards Healing – Principles and Procedures in Response to Complaints of Abuse against Personnel of the Catholic Church in Australia* (2000)- para 41.1

attention by a bishop or religious leader makes the apology and the assistance to move forward a deeply significant event.

MEASURING FINANCIAL ASSISTANCE

Each diocese and religious order or institution in the Catholic Church in Australia is a separate legal identity with varying degrees of capital reserves. Thus, each Church authority will have its own approach towards how it measures the amount of financial assistance it will provide to victims. Some will have insurance protection while others will have to find the money out of their own reserves.

For some lawyers and advocates this can be a problem as it challenges the concept of fairness and the public nature of justice. The process of treating each case as a unique and individual experience can lead to some victims receiving more money than others. This tension between what is fair and the unequal measure of compassion shown by those who are decision makers has some Biblical precedent in the parables of the labourers in the vineyard (Matthew 20: 1-16) and the Prodigal Son (Luke 15: 11-32).

However, the payment of financial assistance is a tangible acknowledgement by the Church that it accepts a level of moral responsibility for what happened to someone in its care. This assistance is often paid by the Church authorities, irrespective of its legal liability.

In cases of serious abuse or serious emotional damage to the complainant, the amount paid should not be a nominal figure. It should reflect a generosity of spirit from the Church that clearly confirms to the complainant that he or she was not to blame for what happened. It should be an amount that genuinely helps the complainant move forward with their lives. It should be a figure that is a tangible representation of the apology.

Each case of abuse needs to be treated as an individual exercise because the level of abuse does not always equate to the level of damage done to the victim. Many victims of what could be described objectively as at the minor end of the scale of abuse suffer profound emotional damage while others with horrendous stories of sexual abuse have developed remarkable survival skills.

Interestingly, most complainants seem reluctant to ask for money. They feel embarrassed and guilty about asking for money while at the same time feeling angry at being put in a position of having to ask for financial help. Therefore, each case needs to be worked through with great sensitivity and dealt with on its own merits. That is the ultimate strength of the Towards Healing and Healing Steps processes.

RELIGIOUS INSTITUTIONS AND THE LEGAL SYSTEM

The close association between the mainstream Christian churches and the legal profession has been put under strain by the large number of claims of sexual abuse. The Church has traditionally left it to lawyers to protect its interests in matters involving potential legal liability. The common legal approach of not making admissions or communicating with the other side has left the Church exposed to the allegation that it is more interested in protecting its own interests than those of the victims.

This divergence first became public when the then Governor General of Australia, Peter Hollingworth, gave as a reason for not meeting with victims of abuse, during his tenure as the Anglican Archbishop of Brisbane, the advice of the Church's lawyers. It again emerged in the events surrounding the resignation of the Anglican Archbishop of Adelaide, Ian George. It was said that the inability of the Church to respond adequately to the victims was partly caused by relying too heavily on lawyers. Similar sentiments were expressed by the Provincial of the Jesuits in Australia in relation to allegations of abuse in a Sydney Jesuit school.

However, both Anglican and Catholic churches have had a long history of association with the law and the legal profession. Indeed, eight centuries ago, the clergy played a direct role in the administration of justice.

In 13th century England, if subjects felt they could not obtain justice before a common law court, they could petition the King. The Lord Chancellor, who was a bishop learned in the civil and canon law, would personally handle these petitions. The bishop would hear and determine matters independently and make a decree in his own name. What we know now as the law of equity has its origins in the clergy's role in administering relief on the grounds of justice and conscience to people with difficult cases.

It was said that the Chancellor was the keeper of the King's conscience. Legal rights or the lack of a legal right could be addressed by the Chancellor on a case-by-case basis. There were no standard rules or enshrined principles that had to be followed. It was a personal decision by the Chancellor made on the basis of what he thought was fair.

The Chancellor would give or withhold relief, not according to any precedent, but according to the effect produced upon his own individual sense of right and wrong by the merits of the particular case before him; no wonder that Selden could say that "Equity is a roguish thing. For the law we have measure ... equity is according to the conscience of him that is Chancellor, and as that is longer or narrower, so is equity." Tis all one as if they should make the standard of the measure a Chancellors foot.⁷

⁷ Hanbury's *Modern Equity* (9th ed, Stevens & Sons Ltd) p 5.

From the Chancellorship of Sir Thomas Moore (1529-1532), it became usual to appoint legally trained chancellors. Once lawyers took on this role, the focus gradually moved away from the individual conscience of the Bishop Chancellor to one based on common rules and precedents. Fairness and justice moved into the context of procedural fairness to all based on having common standards and common justice. This made it easier for lawyers to measure justice and equity for their clients. Equity and the common law were merged and the legal culture developed into the adversarial system where judges viewed from above lawyers advocating their client's strategic position. The judge was required to dispense justice dispassionately in accordance with the law.

The Towards Healing and Healing Steps processes mark a conscious shift by the Church to take a more hands on, pro-active role in dealing with the victims of sexual abuse. It is almost a step back in time to the days of the ecclesiastic chancellor. Under Towards Healing and Healing Steps, the bishop or head of a religious order meets with the complainant on a one-on-one basis to administer relief to the victim based on a sense of justice and conscience irrespective of whether the complainant has a provable legal right of action against the Church. A professional mediator is present to manage the interaction. It is certainly not a dispassionate process.

There is no uniformity in the amount of financial assistance paid to complainants to help them move forward with their lives. It is the same as in 13th century England, ie it is measured by the length of the bishop's foot. Some bishops have very big feet and others have quite small ones.

No system is perfect for helping the victims of sexual abuse move forward with their lives. However, the Towards Healing and Healing Steps approaches do offer opportunities for the victim and the Church to reconcile at a personal level. While this cannot undo the damage of the original and secondary effects of the abuse, it can lead to something that is beyond compensation. It can open the door for the victim to move forward with his or her life by experiencing the transformative effects of *empowerment and recognition*.⁸

⁸ Baruch Bush RA and Folger JP, *The Promise of Mediation: Responding to Conflict Through Empowerment and Recognition* (Jossey-Bass Publications, 1994).