

## TERMS OF REFERENCE

### 1. KAUPAPA / PURPOSE

*“...I acknowledge once more the suffering endured by many minors due to sexual abuse, the abuse of power and the abuse of conscience perpetrated by a significant number of clerics and consecrated persons. Crimes that inflict deep wounds of pain and powerlessness, primarily among the victims, but also in their family members and in the larger community of believers and nonbelievers alike...*

*...The pain of the victims and their families is also our pain, and so it is urgent that we once more reaffirm our commitment to ensure the protection of minors and of vulnerable adults.”*

Pope Francis, August 2018

We, the Bishops and Congregational Leaders of the Catholic Church in Aotearoa New Zealand, participate in the processes of the Inquiry acknowledging those who have been wounded in our care. Because of, not in spite of, our own brokenness in regard to abuse we offer our lessons. They come from a place of deep humility and sorrow. All we have to offer is our own experiences and the call to justice, mercy and forgiveness of Jesus Christ, Hēhu Karaiti.

We recognise that the way to learn lessons for today and the future is to examine, understand, acknowledge and address what has occurred. We must, collectively, work towards healing.

*The Bishops and Congregational Leaders believe that every person has an innate human dignity (te tapu o te tangata), therefore:*

- regard all forms of abuse as unacceptable and indefensible
- accept the responsibility to continue to act to stop abuse in the Church
- listen to, learn from, and support survivors
- act swiftly on complaints and follow them through
- ensure action on accountability is followed through for those who are proven responsible for abuse
- support the need for the Inquiry and actively cooperate with the Commission
- commit to ensuring transparency

*Te Rōpū Tautoko* (“Tautoko”) exists to co-ordinate and manage cooperation and engagement between the Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions (“the Commission”) and the Catholic Church in Aotearoa, represented by the Catholic Bishops and Congregational Leaders of Aotearoa New Zealand.

In addition, Tautoko has collected, collated, and reported on data through its Information Gathering Projects (IGP), begun in March 2019.

Tautoko was subsequently (Feb 2022) mandated to engage with the Crown (through its *Response Unit*) as it considers the Commission’s recommendations.

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*Tautoko* is committed to a deepening understanding of Te Tiriti o Waitangi / Treaty of Waitangi and a strong bi-cultural way of working.

*Tautoko* is to support. The role of *Tautoko* is to express this support by walking alongside and engaging with both the Commission and the Catholic community to learn and grow from this process and to continue to work towards healing.

### 2. TUHINGA / BACKGROUND

The Commission records that “For a number of years, many individuals and community groups have called for an independent inquiry into abuse in state care in New Zealand”. Recognising these calls, the Government established the Commission with effect from 31 January 2018.

The Bishops and Congregational Leaders, like others, have continued to be deeply disturbed to learn of abuse that has occurred in institutions, including those run by organisations in the Catholic Church. They are of the firm view that no individual should be denied the possibility of making a submission to the Commission simply because their path of referral to an institution was different to another. The Bishops and Congregational Leaders therefore joined together to make a submission to the Commission, following an earlier letter to the Prime Minister and the Minister of Children, to ask that the Inquiry’s Terms of Reference be broadened. Other groups also proposed this change and the resulting Terms of Reference, released in November 2018, broadened the Inquiry to include examination into abuse in Care of Faith-based Institutions.

In creating *Tautoko*, the Bishops and Congregational Leaders have recognised that the Catholic Church is a family, a faith community of pilgrims, seeking a collective approach to understanding, reviewing, acknowledging and addressing the learnings of the past. Even where institutions no longer exist or congregations have little presence in New Zealand, there is a collective accountability as Church leaders. The recognition is that the Bishops and Congregational Leaders must speak with one voice and, together, learn and evolve.

### 3. NGĀ MEMA ME TE TŪKANGA / COMPOSITION AND STRUCTURE

*Tautoko* comprises:

- Chairperson
- Representatives to support the groups bicultural way of working
- Representatives of the New Zealand Catholic Bishops Conference (“NZCBC”)
- Representatives from female Catholic religious congregations and male Catholic religious congregations of the Congregational Leaders Conference of Aotearoa New Zealand (“CLCANZ”)
- Up to two other members with suitable expertise as agreed.

All members of the group will be confirmed by the NZCBC and CLCANZ Executive.

Standing invitations to attend *Tautoko* meetings are extended to the Executive Officer of NZCBC and a liaison for the CLCANZ Executive.

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Executive support is provided by a Project Director. Further support for this structure includes legal counsel, communications expertise, and other research assistance as needed.

The group will operate in a manner that is:

- a) **Flexible and cooperative.** There is much uncertainty, on an ongoing basis, about the Royal Commission's workplan and the extent of Catholic institutions' likely involvement in various aspects. Accordingly, the group should be flexible and able to change as required.
- b) **Responsive to the Commission and accountable to Church leadership.** Members of the group will need to have enough time and capacity to be able to prioritise matters, as and when required. Getting day-to-day instructions directly from a collective of the Bishops and the leaders of the congregations is not practical. Balanced against the importance of responsiveness, is the need for the leaders in the Church to have a clear line of sight as to how the Bishops and Congregations are being represented in the Royal Commission. Regular reporting to the senior leaders, and escalation to them on key issues is required.

#### 4. NGĀ HAEPAPA / RESPONSIBILITIES

On behalf of the Bishops and Congregational Leaders, *Tautoko* will:

- a) Organise, manage and co-ordinate the Catholic Church's representation in, response to and engagement with the Commission.
- b) Collect, collate, and report on data through Information Gathering Projects (IGP).
- c) Engage with the Crown (through its *Response Unit*), on behalf of bishops and congregational leaders, as it considers the Commission's recommendations.
- d) Operate in a manner consistent with the civil, canonical, and pastoral obligations of each bishop and congregational leader.
- e) Provide instructions to legal counsel with regards to **general matters** relevant to the 'whole of Church'. For **specific matters** relating to a particular Diocese or Congregation *Tautoko* will follow protocols developed during the Inquiry.
- f) Prepare documentation for submission to the Commission.
- g) Advise and assist individuals appearing before the Commission on matters relating to the Catholic Church.
- h) Advise the National Office for Professional Standards and the National Professional Standards Committee of issues raised relating to the Commission and themes arising from it.
- i) Provide point of contact for other stakeholders associated with the Commission.
- j) Manage communications for the Bishops and Congregational Leaders in relation to the Commission.

*Tautoko* will manage a funding framework, as approved by the NZCBC and CLCANZ Executive.

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### 5. TE WĀTAKA / TIMEFRAME

*Tautoko* is established for the duration of the Commission. It is anticipated that *Tautoko* will continue until December 2023, including a transition process after the release of the Commission's final report in June 2023.

These terms of reference may be amended at any time by consensus.

**Approved by** Mrs Catherine Fyfe – Chairperson, on behalf of the Members  
December 2022