

## Why an Inquiry into Catholic Clergy Sexual Assault?

by

**Dr. Bryan Keon-Cohen AM QC**

The Cummins J Inquiry into Protecting Victoria's Vulnerable Children reported to the Victorian government in late February. Although its Terms of Reference did not expressly include clergy sexual assault, Recommendation 48 could not be clearer. Cummins J calls for "a formal investigation" into the responses of "religious organizations . . . to the criminal abuse of children by religious personnel." This, manifestly, includes the worst perpetrator: the Holy Roman Apostolic Church.

The Victorian community awaits the government's already tardy response. Meanwhile, victims' suffering continues and innocent children and vulnerable adults remain at risk.

Indeed, the obscenity of the Catholic Church's failure to deal adequately with these sexual assaults committed by its clergy is another bushfire - man-made, slow-burning but very destructive - spreading throughout Victoria. It occasionally flares into public view in the form of court cases, media headlines and personal tragedies, including suicides.

This slow-burning scandal and on-going suffering by victims, their families and friends, has been only partially documented. See, for example, Chrissie Foster's recent compelling personal account: *Hell on the Way to Heaven*. For further individual tragedies, see thirty-five suicides by victims of just two convicted priests who rampaged for years, unchecked, in the Ballarat Diocese: Fr Gerard Ridsdale and Brother Robert Best. But the full nature and extent of the problem in Victoria, let alone Australia, is as yet unknown.

The state's Attorney General, Robert Clarke, has received at least two delegations late in 2011, and many written requests, seeking such an Inquiry. His response was to await the Cummins J Report. Now he has it: yet still no action. It seems that our government pretends not to see the smoke, let alone the fire. This is not acceptable in a civilized society that prides itself on caring for its most vulnerable, including protecting its children.

COIN - "Commission of Inquiry Now" - was formed on 9<sup>th</sup> February in Parliament House, Melbourne. It is a coalition of 35 (and growing) activists concerned with this issue. Its members include victim-support organizations and individuals with enormous experience in this field: victims, crime consultants, representatives of victim-support groups, lawyers, priests, psychologists, academics, child welfare workers, and others.

COIN seeks the same government response to this ongoing disaster of Catholic Church and clergy sexual abuse as was provided in response to Victoria's recent bushfires.

The justifications for such a Commission of Inquiry include.

**(1) No Previous examination:** The Victorian problem has never been examined in an organized, statewide, thorough manner. Some valuable independent research is underway; police, lawyers, victims and courts hold data; the Catholic Church, and its private Responses, hold many case files - but nobody has drawn all this together.

**(2) To discover the Nature, Extent and Impact of the Problem:** We need to know “the facts” across many fields, eg: circumstances of offences; numbers and characteristics of victims and offenders; responses at personal, legal, offending priests, and Church hierarchy levels; impact on public and private welfare agencies; and the cost to Victoria socially and financially.

Many government inquiries regarding sexual abuse within the Catholic Church have occurred overseas in recent years: in Ireland, USA and UK for example. Victoria lags behind in dealing with what is a world-wide phenomenon involving a world-wide organization: the Roman Catholic Church.

**(3) Inadequacies of the Church’s in-house “Melbourne Response” and “Towards Healing”** The Melbourne Response deals with clergy sexual assault within the Melbourne Archdiocese; Towards Healing with all other Victorian (and Australian) Dioceses and all Religious Orders. Since its introduction by (the then Archbishop of Melbourne) Cardinal George Pell in 1996, The Melbourne Response has processed more than 300 victims.

Many victims have complained to COIN’s members that these processes suffer from systemic failings which render both systems inadequate and, on occasions, cause victims further trauma. The Melbourne Response has never been reviewed by anybody. Towards Healing has been reviewed twice: by the Church.

These two responses are private in-house processes established by the very institution that has, in Victoria and around the world, failed to prevent the original assaults, and failed thereafter to discipline or control these predatory offenders, let alone refer them to police.

Too often the Church’s Responses are presented to victims as *alternatives* to police investigation and possible prosecution of clergy offenders, or to victims commencing civil proceedings for damages. As to the criminal process, this assuming by the Church of the State’s responsibilities for investigating and prosecuting crimes is both unusual and unacceptable. As to the civil process, the Church effectively hides behind the corporate veil which has, to date, rendered it immune from prosecution. Thus survivors have no real choice but to pursue these internal Church processes.

Given the serious nature and importance of these issues to all Victorians, both processes should adopt sound principles of objectivity, fairness between victim, perpetrator, and the Church; and open accountability to victims, the Church (especially laity), and the public at large. The Victorian community needs to be assured that its criminal and civil laws are not being subverted. Otherwise, nobody can have confidence in either response.

**(4) Assist Survivors:** An Inquiry which enables victims to tell their story in a supportive, professional (yet rigorous) setting, often for the first time and after many decades, should greatly assist their healing. This has long been acknowledged by many professionals and in Inquiries overseas. The South African Truth and Reconciliation Commission following the atrocities of Apartheid is just one good example.

**(5) Assist Church renewal:** COIN understands that many dedicated priests of integrity, plus religious, lay workers and laity, currently disheartened by their hierarchy’s inadequate response, support all the facts being revealed and, if necessary, their Church being “cleansed” from without. COIN further understands that many members of the Church accept privately what

they are too afraid to say publicly: that their Church is incapable of achieving the necessary renewal from within.

**(6) Wider Benefits** An independent and thorough Inquiry should bring many benefits to victims, offenders, and the wider Victorian community. In addition, these crimes not only bring great personal and financial cost to individual victims and their families, but also to the Victorian economy through lost productivity, and significant cost to our justice, health and welfare systems. All taxpayers have a vital interest in achieving a better system of prevention and disciplining of offenders, and support and rehabilitation for victims.

**(7) Propose appropriate reforms:** This, of course, is the ultimate objective, and great benefit, of any such Inquiry. All Victorians, especially victims, would be greatly assisted by an Inquiry's recommendations for future action at all levels: government policy and administration, the relevant criminal and civil laws and processes, and the doctrines, policies, laws and practices of the Roman Catholic Church.

There is, COIN believes, a clear and urgent need to act. What is the government afraid of? Could this last-mentioned stake-holder be the real stumbling block?

Meanwhile, Victoria burns.

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Bryan Keon-Cohen is a barrister in practice at the Melbourne Bar, and is President of COIN.

Those interested in supporting this campaign can contact COIN at: **Secretary:** [coinoffice@gmail.com](mailto:coinoffice@gmail.com); (03) 92401414; PO Box 13006, Law Courts, Vic, 8010

15/3/2012