

Catholic Church's attempt to evade responsibility for child abuse liability is stymied by Supreme Court

Posted: Thu, 28th Feb 2013

The Supreme Court has this week [refused](#) to hear a case from the Catholic Church that it could not be held responsible for abuse committed by one of its priests because he was not an 'employee'. This means the Catholic Church can now be financially liable for child abuse by priests working under its control.

The case arose when a Portsmouth woman brought a civil action against the Church after claiming she was abused by a priest at a children's home run by the Church.

The woman, identified in court as Miss E, was seven years old when she was admitted to the Firs Children' Home in 1970. She alleges she was sexually abused by Father Wilfred Baldwin, a priest of the Roman Catholic Diocese of Portsmouth, who died in 2006.

In November 2011, High Court judge Mr Justice Alistair MacDuffs ruled that the church is legally responsible for sexual abuse committed by its priests. This week's ruling by the Supreme Court has now confirmed that decision.

Peter Furlough, who represents the lawyers of the Waterlooville victim, said it was a landmark case that could not be challenged in Europe— and one that would have international ramifications for the Catholic Church.

He told *The Portsmouth News*: "The Supreme Court has refused the Catholic Church permission to make further appeals to it. Therefore the Catholic Churches' case is lost. That's to say they are responsible for the misbehaviour of their priests.

"The Catholic Church were looking to use a loophole. They were arguing that because priests are technically self-employed the church could not be held responsible for their misbehaviour. The Supreme Court was having none of it."

Because the point of the law has now been settled, it means that other cases of alleged abuse by Father Baldwin can be heard. Mr Furlough said there were known to be several 'local' victims.

Mr Furlough said: "It's known there are a number of other cases involving the late Father Baldwin. We should expect a number of other cases to come forward. There's a list of half a dozen or so that are known."

He added: "It's not possible for the church to go to Europe. The Supreme court has refused even to hear it. Therefore the case stops there and can't go any further."

He said the ruling would have an impact across the globe in similar cases.

Keith Porteous Wood, executive director of the National Secular Society, said: "It is hard to exaggerate the importance of this case: it will almost certainly become an international precedent

opening the door to financial liability against the Church for at least tens of thousands of victims of abuse worldwide.

"Evidence abounds of the shameless lengths to which the Church has stooped for decades to evade financial responsibility for widespread abuse of children in its care. To have fought to evade liability for admitted abuse is both morally repugnant and a continuing blatant breach of the Church's obligations under the UN Convention on the Rights of the Child."

- [Share on What's App](#)
- [Share on Facebook](#)
- [Share on Twitter](#)
- [Share on Email](#)
- [Subscribe to RSS Feed](#)

Tags: [Abuse](#)

Related Campaigns

-

[End abuse in religious settings](#)

Religious privilege must not undermine safeguarding and justice.

[Read More](#)

Related Articles

[NI assembly votes in favour of inclusive, evidence-based RSE](#)

MLAs speak of "twisted" RSE teaching that thoughts of sex are "sinful" and same-sex relationships "laughed at". [Read More »](#)

[Experts speak out against religious abuse](#)

Public authorities failing to tackle abuse in religious settings, panellists say at NSS event. [Read More »](#)

[Report: CofE safeguarding “below standards” of secular institutions](#)

Most victims and survivors unsatisfied with safeguarding approaches, while safeguarding 'weaponised' to remove those "seen as a nuisance", report finds. [Read More »](#)

Faith school banning parts of geography lessons, Ofsted finds

Ofsted finds faith school prohibiting parts of lessons it judges incompatible with its religious beliefs. [Read More »](#)

NSS to hold event on tackling abuse in religious communities

Safeguarding experts in panel discussion in Manchester this March. [Read More »](#)