

# Why did the CPS abandon investigation into Cardinal Cormac Murphy-O'Connor?

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*As the full scale of the British Establishment's cover-up of child sex abuse becomes apparent, Alistair McBay argues it is time for the Crown Prosecution Service to make public its reasons for dropping the investigation into Cardinal Cormac Murphy-O'Connor 12 years ago.*

It's hard to know where to begin in writing about the issue of child sex abuse in Britain. As Home Secretary Teresa May said earlier this month, [the abuse is "woven, covertly, into the fabric of British society"](#). She warned that "what the country doesn't yet appreciate is the true scale of that abuse" but might have added "or the scale of the cover-up."

The almost daily revelations suggest collusion between the various arms of the Establishment to protect the great and the good from investigation, either for abuse or for covering it up – police, priests, politicians and performers are all implicated one way or another. Beyond the police, the Crown Prosecution Service (CPS) is another arm of law enforcement that has some questions to answer. First, in the light of all that has been revealed in the intervening 12 years, why did it instruct Sussex police to drop a 2003 investigation into the head of the Catholic Church in the UK? And second, why did the CPS decide that its reasons remain confidential?

This case related to decisions made by Cardinal Cormac Murphy-O'Connor when he was a mere bishop in the Catholic diocese of Arundel and Brighton in Sussex between 1977 and 2000, and centred on how [he handled allegations of child rape by priests](#) and the notorious Father Michael Hill in particular. At the time, the chairman of the Association of Child Abuse Lawyers, which was dealing with a number of claims against various orders of the Catholic Church, called Murphy-O'Connor's role in the case "indefensible" and called for his resignation. According to [a Catholic Herald report at the time](#), a CPS spokesman advised that the details of the advice given to Sussex police to abandon the case against the Cardinal were 'confidential'. The article also claims that the Cardinal was never formally contacted by the police during their investigation, although the police had contacted the CPS at least twice for formal advice on how to proceed.

So, in short, here was a situation in which a high-profile figure implicated in a child abuse scandal was never contacted by detectives over several months, during which the police were asking the CPS for guidance on how to proceed. Eventually the CPS instructed the police to drop the case and declared their reasons for this decision not open to public scrutiny.

By any measure this cannot now be a tenable position, given all the subsequent revelations of child rape on an industrial scale in religious institutions both Anglican and Catholic Church, and what is now being exposed by way of Establishment cover-up. There is also the related matter of a number of [Sussex police officers being investigated for gross misconduct](#) over investigations into a complaint about an assault by Savile in the early 1970s. It may or may not be relevant that Savile was a devout Catholic, but it would be no surprise to discover that such a public media figure had easy access to Catholic institutions there as elsewhere. Publicity pictures of Savile with leading cardinals and clerics are widely available to lend support to this view.

The same Catholic Herald report in 2003 claimed that a senior BBC Newsnight journalist had

confessed the BBC was out to force the Cardinal's resignation over his handling of the Fr. Michael Hill case. Understandably keen to defend their leader, the paper cried witch-hunt, citing stories highly critical of the Cardinal on both BBC Newsnight and the [R4 Today programme](#). It also had harsh words for coverage in the Times newspaper which had accused the Cardinal of moral failure and, most intriguingly, reported allegations of ['paedophile hotspots' in the Catholic Church](#) in five Catholic dioceses including Arundel and Brighton. In that Times article Margaret Kennedy, founder of the victim support group Ministers and Clergy Sexual Abuse Survivors (MACSAS) said that questions had to be asked as to why sex abusers "migrated to specific hotspots in the West Midlands and South East where they obviously felt safe".

The reputation of Sussex as a paedophile hotspot now has further credence thanks to child sex abuse convictions in the overlapping Anglican diocese of Chichester and of [the culture of cover-up that also existed in the Church of England](#). From the 1970s to the 1990s there were sporadic and low-profile investigations into allegations of sexual abuse by vicars there but none got as far as the courts. The breakthrough came with [the 2008 conviction of Reverend Colin Pritchard, a Bexhill vicar](#) who pleaded guilty to four counts of indecent assault on a child and three counts of gross indecency on a child. Another case involved Reverend Roy Cotton, who became a priest in Chichester after being convicted of a sexual offence against a child in 1953 for indecently exposing himself in the organ loft of a village church. Cotton died in 2006 and was never prosecuted for later offences but [two of Cotton's victims have since spoken out about their prolonged abuse](#).

In 2011 Judge Butler-Sloss was commissioned to investigate the handling of child sex abuse reports about these Anglican vicars in the Diocese of Chichester but her report was subsequently found to contain [inaccuracies and flaws in statements given to her by the Anglican administration](#). As we noted, Baroness Butler-Sloss appeared to have accepted at face value some of the evidence given to her by Anglican figures, and we postulated that perhaps she saw less need to corroborate their evidence because of their position in Church and society. Judge Butler-Sloss has already been forced to stand down from leading the current child abuse inquiry because of her attempt to prevent a senior Anglican bishop from being investigated, and the fact that her brother Sir Michael (later Lord) Havers was the Attorney-General in the [Thatcher Government that is now heavily implicated in a high-level cover-up](#) of child sex abuse.

Cardinal O'Connor appeared on a BBC Newsnight programme on Friday 6 December 2002 to claim that he had 'made mistakes' in his time in Sussex and had been on a 'learning curve' as to how to treat people who sexually abuse children. The full transcript is available [here](#). Jeremy Paxman asked him:

*"If the Sussex police who currently have the file still open, were to attempt to bring charges through the CPS on charges of something like criminal negligence, would you resign then?"*

The Cardinal responded by saying:

*"I would follow the law, and co-operate with the police and Crown Prosecution in every way that the law demands."*

We now know that in the 1970s [the Catholic Church opened a centre in the south of England caring specifically for priests with sexual problems](#), not least those who were sexually abusing children, and Murphy-O'Connor sent father Michael Hill there for treatment. It has also become common knowledge that the Catholic Church has been dealing with the problem of child sex abuse by clergy for centuries, and [opened its first treatment centres in the US in the early 1900s to deal with these issues](#).

The Cardinal's assertions on that 2002 Newsnight programme now appear disingenuous and obfuscating, since he must have known that his Church had taken steps to contain and hide the problem long before his service as a bishop had commenced. [The Cardinal has also claimed](#) that there was huge ignorance in the 1970s of the compulsive nature of child abuse, yet his Church had by then at least 70 years of experience in treating abusive priests in dedicated facilities such as the one to which he sent Father Hill. Had the Church not been able to work out the compulsive nature of the problem of child sex abuse in all that time, given that it purports to speak with absolute authority on all other matters of a sexual nature?

Should we believe the Cardinal's protestations that he just 'made mistakes' over Fr Michael Hill as he claims? In fact the Cardinal had simply been following his Church's Canon Law on keeping clergy child sex abuse covered up in order to protect the reputation of the Church. Let's not forget child sex abuse is always a two-part scandal – first, the horrific abuse itself, in this case by Catholic clergy and religious orders; and second, its wilful cover-up, here enshrined in the Catholic Church's own Canon Law through [the notorious Crimen Sollicitationis document](#) which has been [examined in a BBC documentary](#) and condemned by one canon lawyer as

*"an explicit written policy to cover up cases of child sexual abuse by the clergy to punish those who would call attention to these crimes by the churchmen."*

This would explain why, in all his dealings with Father Hill, [Murphy-O'Connor never considered contacting the police](#) and asking them to investigate a crime. So I am inclined not to believe that the Cardinal's description of his actions as mere 'mistakes', as he was obeying orders under his Church's own law, which it considers has primacy over democratically derived secular law. The cover-up has been shown all over the world to be deliberate and mandated from the very centre of the Catholic Church. It's worth remembering that a contemporary of Cardinal O'Connor's, Scotland's Cardinal Winning, gained notoriety for claiming in 1994 that [the Catholic Church had no responsibility or duty to inform the police](#) when priests sexually abused children. We also know that the more recently disgraced [Cardinal Keith O'Brien has been exposed](#) for preventing an investigation into paedophile priests in Scotland, as well as for his own sexual misconduct.

All these subsequent revelations suggest the 'paedophile hotspot' theory alluded to by the Times and MACSAS in 2003 was not so wide of the mark. Both the Catholic and Anglican churches in Sussex in the latter half of the 20<sup>th</sup> century are heavily implicated in an astonishing number of child sex assaults and their cover-up.

So it is essential and timely for the Government inquiry led by Judge Lowell Goddard to ask the CPS why it decided not to pursue an investigation into the Cardinal's handling of the Fr Hill case, and why it wanted the reasons to be hidden from public view. Is it too much of a stretch to imagine in a Protestant monarchy with an established Protestant church, that ecumenical relations are not best served by having the police investigate the country's leading Catholic? And given what has been revealed about the Thatcher Government of the time and what it knew about high profile figures involved in abusing children, does it stretch the imagination that it joined in this cover-up to protect the reputation of the hierarchy of the Catholic Church? Was it just another attempt to keep the lid on the cases in which Establishment figures were complicit, whether as abusers or accessories? Do the CPS deliberations need to be kept under wraps even when the Cardinal asserts he would have co-operated fully with an investigation and had nothing to hide? Or was he simply excused the embarrassment of an investigation due to the unmerited deference to religion and unwarranted religious privilege?

In Sussex, as in the rest of the UK, there are victims who are owed answers. Judge Lowell

Goddard should be looking for some of them from the CPS.

*Alistair McBay is a member of the NSS Council. The views in this article are those of the author and do not necessarily represent those of the NSS.*

## **Alistair McBay**

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