

The Catholic Church's abuse scandal shows no sign of abating

Posted: Mon, 15th May 2017 by [Richard Scorer](#)

After forty years the Catholic Church is still more interested in protecting itself and its clerical culture than in truly eradicating child abuse, writes Richard Scorer.

"Organisational culture is a powerful force that guides decisions and actions. Leaders play a key role in defining organisational culture by what they say and what they do". These words come from the report by Professor Alexis Jay into the child grooming scandal in Rotherham. But they also go to the heart of the sex abuse scandal in the Catholic Church.

Institutions which engage in groupthink, which suppress dissent, and which place loyalty to the institution above protection of children are likely to struggle to eradicate sex abuse.

For all the many reports, commissions and papal directives, the clerical sex abuse scandal in the Catholic Church shows no sign of abating nearly 40 years after it first surfaced, and many Catholics are now asking whether the reason lies in deeply rooted aspects of the Church's culture. As the *National Catholic Reporter* concluded in an editorial in March 2017: "Something deeper is a play here". At the heart of the scandal, the editorial concluded, is "a resistance to change that is planted deep within the all-male clerical structure". After 40 years, this problem remains "largely unaddressed."

This fundamental cultural problem is no better illustrated than by the Catholic Church in Scotland. The Church there has been embroiled in scandal for many years; in 2013 this came to a head with allegations that Cardinal Keith O'Brien had engaged in predatory sexual harassment of young priests dating back to the 1980s, had operated a culture of sexual cronyism in his diocese, and had used the act of confession by young priests for the purposes of sexual grooming.

This was the same Cardinal O'Brien who had described homosexuality as "moral degradation" and claimed that same sex relationships were "demonstrably harmful", comments which had led to Stonewall awarding him the title of 'Bigot of the Year' in 2012. O'Brien initially contested the allegations, but eventually admitted that his sexual conduct had "fallen below the standards expected of a priest and cardinal".

O'Brien's hypocrisy – devastatingly chronicled by the *Observer* journalist Catherine Deveney – was so staggering that the affair was described by one leading historian as the "worst crisis to hit the Catholic Church in Scotland since the Reformation".

Of course, the sexual harassment of young priests was only one of several scandals over which O'Brien had presided: between 2006 and 2012, no fewer than 46 Catholic priests in Scotland were accused of sex abuse. In many cases it was alleged that abuse was covered up or ignored. Alan Draper, a respected child protection expert who worked for the Diocese of Motherwell for 7 years until 2003, but who was forced out after his advice was consistently ignored, pointed out that the annual audit of abuse claims promised by the Bishops in 1996 had never been delivered. The Bishops, said Draper, behaved like "kings in their castles accountable to nobody".

You would think that scandal of this magnitude would lead to profound soul searching and a comprehensive purging of the leadership which allowed it to happen. Yet although O'Brien announced his retirement in March 2013, his resignation was not formally accepted by Pope Francis until 2015, and he retains the title of Cardinal. Most of the other senior figures in the Scottish hierarchy have remained in post, although they cannot have been unaware of the widespread rumours about O'Brien's behaviour which circulated for many years.

The hierarchy's main response to the O'Brien scandal was to appoint Andrew McLellan, a Church of Scotland minister, to examine safeguarding in the Church. McLellan's report, released in 2015, was widely criticised as a whitewash. Kevin McKenna, a prominent Scottish journalist and a practising Catholic, complained that the report was "so soft and fluffy that it should have been delivered with a pink ribbon tied around it and pictures of Walt Disney characters on its cover". McLellan, he concluded, had been "used [as] a patsy by the Church hierarchy". Glance at the report, with its copious references to "Quality Assurance and Monitoring Procedures", and you can see what McKenna means. Crucially, the remit of the report did not include naming any guilty individuals or exposing wrongdoing at senior levels. (This is a standard feature of Catholic Church reports into clerical abuse scandals; the Nolan and Cumberlege commissions in England were similarly precluded from examining case studies).

Among McLellan's recommendations was better treatment of whistleblowers. But anyone wanting a clue as to the Scottish Catholic hierarchy's real attitude to whistleblowers in 2017 should consider the case of Father Matthew Despard. In 2010 Despard, a popular and well-respected parish priest in Motherwell, wrote a book – *Priesthood in Crisis* – claiming that a powerful clique of gay priests was operating at the top of the Catholic Church in Scotland and was responsible for sexual bullying. Despard cited instance after instance where he was pressured by fellow priests for sex, and was ostracised when he refused to comply. Given the later exposure of O'Brien, Despard's book was prophetic. But for Despard personally, the consequences of speaking out have been devastating: the loss of his home, where his elderly parents also lived, and more recently, it seems, the loss of his job. In November 2016 Despard received a 3 page letter from the Bishop of Motherwell demanding that he quit his post as a parish priest. Bishop Toal's letter complained that Despard had shown "disregard for authority" and caused "considerable scandal". This was a revealing complaint: Despard's greatest sin, apparently, was speaking out. This is the Scottish Catholic Church in 2016: the Church that a year earlier had publicly committed itself to supporting whistleblowers. As the Bible says, by their fruits you will know them.

Despard is, as a conservative, traditionalist Catholic, concerned by what he sees as the growth of liberalism and relativism in the Church. This raises another issue, since in the view of some traditionalist Catholics, the sex abuse crisis is itself closely bound up with a post Vatican-II tolerance of homosexuality in the Church. The abuse of children by clergy, say some conservatives, is a homosexual problem which can be solved by excluding gays from the priesthood. This may be the view of some of Despard's supporters, although not necessarily of Despard himself. In my study of the Catholic abuse crisis in England, I reject the attempt by some conservatives in the Vatican to conflate homosexuality and child abuse: as I explain, research evidence confirms that the Catholic Church has a gay subculture, but there is no evidence that this is the cause of the child abuse crisis, which has its origins in other, deep-rooted cultural factors. But the point about Despard is not whether one agrees with his traditionalist Catholicism, but the Church's appalling treatment of a dissident who tried to expose a culture of sexual harassment and cronyism and has now paid for it with his home and his job.

In December 2016 the Catholic Church in Scotland appointed Helen Liddell, a Labour peer and former Cabinet minister, to chair a review group tasked with implementing the safeguards proposed

by McLellan. The membership of the review group has yet to be announced, and it is unclear whether it will include survivor representatives. Can Liddell bring the independent scrutiny and cultural challenge the role requires? The fact that Liddell is a Catholic should not disqualify her: there are many lay Catholics who are appalled at clerical sex abuse, and have challenged the culture that sustains it. That said, concerns have been expressed that Liddell is too much of an establishment figure, and too close to the Church hierarchy. We shall see.

What is very clear is that more tinkering with procedures is not enough. The Church in Scotland, like the Catholic Church worldwide, needs to confront the clericalism which begets and sustains abuse. This is the mentality that clergy are an exclusive club with a monopoly of wisdom and that the role of the laity is to "pray, pay and obey", and that leads to dissidents like Despard being persecuted whilst the abusers of children go unchallenged.

Unfortunately, in Scotland there are additional factors which protect the Catholic hierarchy from proper scrutiny. As in England, the public inquiry into child abuse in Scotland has been beset by internal problems. Aspects of the Scottish legal system help to protect powerful institutions from accountability: for example the time bar which prevents many survivors of abuse from bringing civil claims against institutions which have failed them and covered up scandal. The Scottish Parliament is currently examining a Bill to abolish the time bar; if that happens the Church will almost certainly face a degree of challenge in the courts it has not experienced previously.

As Professor Linda Woodhead, the sociologist of religion, observed recently, the Catholic Church claims to call into being a brave new world of 'safeguarding' but "without showing any appetite for serious reappraisal of the culture which led to the crisis. It is easy for an institution to take refuge in procedural rather than fundamental reform, when what is called for is a reform not only of structures but of hearts, minds, and ideas". As yet there is no real evidence that the Scottish Catholic Church has any serious intention to reform itself, and it seems likely that the pressure for it to properly address the clerical sex abuse crisis will have to come from outside.

Richard Scorer is a lawyer and NSS council member. The views expressed in our blogs are those of the author and may not represent the views of the NSS.

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