

Child abuse in religious settings

Keith Porteous Wood's speech for the IAFI Congress in Paris, 22 September 2017

It is now six years since I was appointed as an IAFI spokesperson and to lead our work on clerical child abuse. This seems an appropriate moment to review what we have learned.

We will ask why religious organisations are so prone to this scourge. I will set out some revealing case studies and draw conclusions from them. Finally, I will suggest what we can all do to help.

Throughout this presentation I use the term "child abuse" because it is short. By this I mean sexual violence, including rape, against minors and vulnerable adults. While some cases amount to paedophilia, many involve older minors under 18.

Of equal concern is physical and psychological violence. This is particularly prevalent in schools run by the Christian Brothers and establishments run by nuns, such as the Magdalene Laundries in Ireland. Those who have been entrusted with the care of children have a professional and moral duty to ensure their safety.

I will demonstrate how, far too often, the authority and trust that has been vested in them because of their religious status has been abused.

I also use the word "victim", but some prefer the term "survivor". When I use the word "cleric" I mean anyone with authority over children in a religious setting.

My involvement in this area came from a project of the (UK) National Secular Society which started about ten years ago. The Vatican has signed up to the UN Convention on the Rights of the Child. The NSS was instrumental in bringing the Vatican to account for breach of the Convention because of clerical child abuse in the Catholic Church worldwide. We provided copious evidence.

Eventually, in 2014, the UN delivered its verdict on child abuse within the Church, and it was damning. More details will follow.

My first question: Is clerical child abuse a matter of secular concern? Is it legitimate for secularists to involve themselves in such issues?

Our detractors have been keen to dismiss our work on abuse as being a pretext for attacking religion generally or the Catholic Church in particular. Therefore, before undertaking this extensive work, I had to be sure that we could justify involving an organisation like the NSS in campaigning on clerical child abuse. Was it a legitimate exercise for an organisation whose ultimate aim was separation of religion from the state?

The most cursory of examinations will reveal that the Catholic Church has often – with impunity - operated outside the law in relation to child abuse by its priests. Few organisations other than religious ones would get away with this.

I will also point to other religious bodies where child abuse is a significant concern. Examples will be given of failures of civil authorities to pursue such complaints appropriately. This may be because of influence and pressure brought by the religious organisations. It may also be because those sympathetic to it are working within the justice mechanism.

All of this is a legitimate secular concern, particularly given the suffering of victims, whose lives in many if not most cases have been ruined, together with those of their families. And then there is the geographic and numerical scale of abuse, which is immense. New atrocities seem to come to light almost every day. Much of this abuse has probably been going on throughout the whole long history of the churches, as is well documented, for example in books by Doyle, Sipe and Wall. So yes, it is very much a secular concern.

Probably in total more abuse occurs in families, typically the trusted uncle or friend of the family.

There is also abuse in schools and residential establishments that are not religious. Lately, cases have emerged in scouting organisations and even football clubs. However, familial abuse and that in secular institutions is subject to the full force of the civil law. Neither are therefore of secular relevance.

The second question: Are religious organisations more prone to such abuse?

In my view, it is no coincidence that the incidence of abuse is very much higher in religious establishments. I was asked by the Independent Inquiry into Child Sexual Abuse for England & Wales to justify this allegation. Let me summarise why.

Most religious institutions are open to young people. Those intent on abusing them will be attracted to such institutions. Schools engage in sporting activities and many have residential facilities. Both provide opportunities for physical and sexual contact. Abusing clerics routinely misuse their religious authority to require obedience even in acts of abuse. They also misuse it to require secrecy from their victims.

At least in the past, pious parents would be such awe of the clerics that few would believe their children's accusations of abuse, something the clerics depended on. And even if abused minors are believed by their parents, pressure will often be brought on them not to disclose their concerns and bring scandal on their religious body.

Supervising clerics routinely assure complaining parents that appropriate action will be taken against perpetrators behind closed doors. This is often a lie.

Cynically, perpetrators further reduce their chance of being exposed by seeking out the vulnerable and those who are less able to communicate their abuse to a responsible adult. This includes orphans, those who are deaf, or those with learning difficulties.

Secrecy is aided by the establishments often being not susceptible to external scrutiny because of being enclosed behind high walls or in remote locations. Those leading such institutions will make sure they are on good terms with law enforcement agencies and the media so that they can discredit any victims who have the courage to make complaints. And, of course, those intent on such abuse will be attracted to such institutions.

Inevitably, the case studies I am about to mention are bleak, but I will conclude with some constructive proposals about possible ways forward.

Firstly, let us consider the Vatican.

In 2014, following several years of our work at the UN, the Committee for the Rights of the Child produced a devastating report on the Holy See, which is the diplomatic name for the Vatican.

To give a flavour of the nature of the UN report, I have selected some key recommendations the Committee made, for example from paragraphs 44:

- b. *"Immediately remove all known and suspected child sexual abusers from assignment and refer the matter to the relevant law enforcement authorities for investigation and prosecution purposes;*
- c. *"Ensure a transparent sharing of all archives which can be used to hold the abusers accountable as well as all those who concealed their crimes and knowingly placed offenders in contact with children".*
- d. *"...repeal all provisions which may impose an obligation of silence on the victims and on all those that become aware of such crimes".*

And paragraph 60

- d. *Provide compensation to victims of sexual abuse committed by individuals and institutions under the Holy See's authority without imposing any obligation of confidentiality on the victims and establish a compensation scheme for victims in this respect;*
- e. *Promote the reform of statute of limitations in countries where they impede victims of child sexual abuse from seeking justice and redress;*

Even more significant was that this report generated a huge amount of headline publicity around the world, including in countries that had never before published any criticism of the Vatican.

The Vatican was so furious at the UN's report that it took the unprecedented step of publicly attacking the recommendations and the Committee in a formal response.

It accused the Committee of infringing the Holy See's religious freedom. It demanded that, in effect, it be judged on less strict criteria than other states that had ratified the Convention on the Rights of the Child.

It also claimed that it had no responsibility for implementing the Convention beyond the confines of the tiny Vatican City State. This is despite the Holy See, when it was to its advantage, previously declaring to the Committee that it was the highest organ of government of the Catholic Church.

Communications to the Committee from the very start of Francis' papacy had been uncompromising and bordering on hostile. His representatives giving evidence to the Committee and being questioned by them were casual to the point of impertinence.

In anticipation of the UN examination the Pope set up a powerless Pontifical Commission for the Protection of Minors. Of the Commission's 17 members, just two were victims, and both have since resigned in disgust.

Then soon after a senior cleric had been arraigned for child endangerment, as opposed to active abuse, the Pope himself set up a Tribunal which it was claimed would put accused bishops on trial. It was a transparently dishonest attempt to pretend the Vatican was providing a legitimate alternative to secular justice. The tribunal has done nothing of substance and has already ceased to function.

This raises the question: Does the Vatican actually want to right the wrongs of the past and act responsibly in future over child abuse? If it does, it could do no better than follow these recommendations drawn up by UN experts from around the world, but it has completely ignored them. So, clearly it doesn't want to right the wrongs of the past and act responsibly in future over child abuse.

All these anomalies amount to a series of very black marks for Pope Francis.

We at the NSS were some of the few who were not star-struck by the apparently avuncular new Pope when he was installed. I think we were the first to contend that Francis was no better on child abuse than his predecessor. Such a view was regarded then as almost heretical, or at least absurd and graceless. Now it is a widely held view with plenty of evidence to back it up.

Now we turn to Ireland.

Until recently this small country has been an extremely pious one in thrall to the Catholic Church. Abuse has been rife: horrific clerical sexual abuse and sadistic violence was rampant in Catholic schools, churches and homes. The piety of citizens resulted in the Church almost running the Government and operating to a large extent above the law.

In 2014 small skeletons were discovered in a mass grave in Tuam, in the west of Ireland, in the grounds of a former Catholic home for unmarried mothers. The grave contained remains of up to 800 children, many of whom appeared to have died of neglect. The Home was run by the Bon Secours order, whose headquarters are in Paris.

Attempts by Libre Pensée to obtain further information from them or the Pope, have gone unanswered. The discovery was, however, widely covered in the international media.

It was also in 2014 that the UN Committee against Torture criticised four religious congregations over the running of the Magdalene laundries in Ireland, which essentially were slave camps. The religious orders had refused to contribute to compensation payments for the victims of their cruelty. This has not resulted in a word of criticism from the papacy.

Three years later the Committee criticised the Irish state over its failure to prosecute members of the Catholic Church involved in the ill treatment of women in the Magdalene Laundries.

Shamefully, Ireland is not alone in having one law for the religious and another for everyone else. There are however signs that Irish citizens are abandoning the Church. Its ability to evade the law is diminishing.

Boston, Massachusetts is the largest Catholic diocese in the United States. This state is where the Church's power is most concentrated and, perhaps predictably, where the child abuse scandal was at its worst.

For decades the Church managed to cover up this widespread abuse because of its hold on the media and the support it had from the political establishment.

Soon after Martin Baron took over as editor of the regional newspaper, the Boston Globe, and he realised there was a major problem of clerical abuse. The diocese and Boston establishment learned of this and put vicious and sustained pressure on the paper to bury the story. But Baron was Jewish and from Florida so was not part of the Boston establishment. This pressure only encouraged Baron to put even more effort into uncovering the carefully concealed evidence. They eventually discovered that ninety priests were implicated and this led to a series of court cases in which the Archbishop of the time had to appear in court. He evaded arrest and fled as a fugitive to the Vatican where he was promoted and is harboured to this day. He holds the title Archbishop Emeritus of Boston. In 2015 a film called *Spotlight* told this story and won almost every award possible. Even Vatican Radio described the film as "honest" and "compelling".

Then to Australia. A Royal Commission was set up to thoroughly examine the treatment of child abuse in the country.

By 2017, 4,444 victims had alleged abuse by the Catholic Church over a 35 year period. Cardinal Pell, formerly the most senior Catholic in Australia, was known for his aggressive use of lawyers to protect the Church. He even succeeded in making it immune from being sued. Pell has been accused of both covering up abuse on a massive scale and of being a perpetrator himself when a young priest. Despite both accusations being known, he was chosen by the Pope to be his third in command. Nevertheless Pell had to return to Australia in July to face multiple charges of historic abuse against minors, but denies guilt. [His case continues.](#)

In the Pacific Island of Guam, over 100 priests have recently been accused of abuse against minors. This is a painful example of rampant abuse of minors by clerics outside North America, Europe and Australia which I fear is a lot more prevalent than has been realised.

We are concerned with the issues of both criminal justice and civil justice, the latter including financial damages being claimed by victims. The church appears often to imagine that it has special rights under the law that spare it the same scrutiny or penalties that everyone else must face when engaged in illegal activity. In too many instances, the law has been happy to indulge this thinking.

Firstly, criminal justice.

I am aware of two disturbing cases in the UK, a country that likes to pride itself on the quality of its administration of justice.

A bishop of the established (Anglican) Church, Peter Ball, had been involved in sexually assaulting probably over a hundred young males in religious settings over decades. When this was discovered in 1993 he should have been tried in a court, but this did not happen. It was almost certainly because he was a bishop. The Church at the very highest level implied falsely that he was innocent and put huge pressure on the police and prosecutors not to proceed. He resigned but within around ten years, the bishop almost regained his previous status.

We have formally asked the police to investigate whether senior clerics are guilty of criminal offences in connection with this. There is also evidence that the police and prosecuting authorities were complicit in Bishop Ball evading a trial.

Eventually, in 2015, by which time Ball was aged 83, he pleaded guilty to some of these offences. However he was not charged for the most serious ones and again evaded a trial. We are convinced that this was because of his former clerical status.

Cardinal Cormac Murphy O'Connor was the most senior Catholic in England and Wales between 2000 and 2009 and he has just died. While a diocesan bishop, O'Connor became aware that one of his priests, Michael Hill, had abused children.

But rather than reporting him to the police, Murphy O'Connor moved him to another parish where he was not known, enabling him to resume his abusive activities unrestrained. Eventually O'Connor moved Hill to be their chaplain at Gatwick airport. This obviously provided many opportunities for abuse against unaccompanied children. Hill's abuse of a child with learning difficulties led to him being imprisoned and O'Connor was accused of hampering Hill's prosecution.

O'Connor was aware of many more priests who were abusing children but, again, he never informed the police. The BBC (public broadcaster) launched an investigation into his treatment of priests who had abused children. Reporters began to uncover the truth of O'Connor's failure to protect children from Michael Hill, but as they revealed more of what had gone on, the BBC's investigation suddenly stopped overnight. O'Connor used the classic Catholic tactic of presenting himself as the victim of a witch hunt and used his massive influence with the BBC to have the investigation stopped.

O'Connor and Ball, the Anglican bishop since jailed, operated in the same area on the South Coast of England and were friends. They have been accused of co-operating to cover up abuse and at least 36 clergy have been reported to have abused children, mainly in that area.

The police have not always been keen to pursue allegations of clerical abuse.

In France, where reporting of institutional abuse is mandatory, France's top Catholic, Cardinal Barbarin, Archbishop of Lyons, admits that he failed to disclose significant abuse of young scouts over decades by a priest for whom he was responsible.

Barbarin's excuse is an implausible claim that he received incorrect advice about what to do. Of course, ignorance of the law is not an acceptable excuse for anyone else, but the prosecutors had been considering it so for Barbarin.

We have worked with Libre Pensée to press hard for the prosecution of the Cardinal, but prosecutors had been much more reluctant to do so than they would be for a normal citizen. This may be partly because of support for Barbarin expressed by the Pope.

I am pleased to tell you that in the last few days prosecutors have announced that the Cardinal together with a bishop will be tried in April.

As I said, France is one of few countries that require mandatory reporting of abuse. We hope to extend this to as many countries as possible.

Now I turn to civil justice and money.

One of the worst cases relates to Cardinal Dolan, now Archbishop of New York. When he was Archbishop of Milwaukee he moved \$55 million out of diocese funds before they could be used to compensate abuse victims in a Catholic school for the deaf.

The Vatican gave its permission for the transfer. In an attempt to protect the victims, there was a legal challenge against the ploy. A district judge who had close connections to the diocese, and therefore should not have heard the case, rejected the challenge.

However, in 2015 after the diocese had declared bankruptcy, the federal appeals court overruled the judge and disallowed the transfer. This made the funds once more available to compensate the victims.

The Catholic Church has gone to great lengths around the world to avoid liability. In the UK it claimed that it should have no financial liability for abuse of children carried out by its clerics in its institutions. This is despite the children attending the institution only because it was Catholic. The Church's arguments were accepted in lower courts but fortunately the claim was rejected in the UK Supreme Court.

In the US, the Church openly lobbies and pays lobbyists to frustrate attempts to lift time bars preventing civil and in some cases criminal actions on abuse, where typically it can be several decades before victims become confident enough to make accusations.

My final example is from Scotland and it is a positive one. After a great deal of campaigning the country has removed time limits on civil cases concerning child abuse.

Conclusions

Today we have examined some of the more spectacular examples. Let us now draw some conclusions from these case studies and others there has not been time to mention:

1. Clerical child abuse has been exceptionally widespread. It is probably worse in the Catholic Church than other religious institutions because of the huge scale of schools and residential facilities the Church has run.
2. Nevertheless, such abuse is undoubtedly to be found in most religious faiths and denominations. Cases are known, for example, in Muslim, Jewish and Jehovah's Witnesses institutions but little is known about their scale because of an even greater culture of isolation and secrecy and of retribution against whistle-blowers.
3. The number of clerical child abuse headlines we have seen superficially suggests that the problem is worse in North America, Europe and Australia than other parts of the world. I suspect, however, that this is simply because these countries offer the greatest opportunities for victims to speak out. I predict we will hear more and more about abuse in the rest of the world where religion holds more sway and therefore a greater power both to abuse and to keep the abuse secret. Furthermore, incorrigible clerics in these countries that have become an acute embarrassment have been sent to the remotest possible places, where they will have been able to continue abusing, often unsupervised.
4. Even in countries that have a good reputation for the even-handed administration of justice, clerics who abuse children and those who shield them seem able to evade the law or get preferential treatment in a way that no other group does.
5. While in a small proportion of cases the abuse leaves no significant lasting effect, in most others the psychological damage remains with the victim for decades or even for the remainder of their lives. It can lead to substance abuse, often causing horrific accidents, and suicide. Victims are often unable to form lasting relationships and this adds to impoverished lives for them and their despairing family. The religious bodies show no tangible remorse for this. They have even been known to attack those who keep inconveniently drawing attention to clerical abuse and to the callousness of the religious bodies.
6. The Catholic Church in the Vatican and throughout the world continues to do everything it can to shield perpetrators and those who hide them from secular justice, and to avoid paying compensation. This has continued largely unchanged under Pope Francis. They claim brazenly that they are acting in the interests of the victims, but this is a fantasy. All these criticisms apply almost without exception to all denominations and religions. This compounds the abuse suffered by victims.
7. Quite often it takes thirty years from abuse occurring to the victims being able to find the courage to report it. Perpetrators and those who shield them often escape justice because of time bars which prevent civil cases and possibly even criminal cases being filed many years after the abuse. These limitations prevent lawyers from obtaining financial settlements even when abuse has been proven or admitted.
8. And even when civil settlements are not time-barred, lawyers tell me that it is almost unheard of for religious organisations to offer a settlement, even when officials have made public apologies for the abuse. Because applying for compensation is so difficult, many vulnerable victims cannot contemplate it. This further compounds the abuse they have suffered.
9. And when settlements are made, the religious bodies seek whenever they can to require both the abuse and the settlement to be kept secret. The UN objects to this. Sometimes, but not often enough, the courts refuse to permit the secrecy.

My next question is: Is the level of abuse less prevalent now?

I suspect so. Children are less blindly obedient to priests today and rather wiser from all the publicity. They have access to - hopefully independent - helplines. Their parents will be much more inclined to believe accusations. We should however not be fooled into assuming that bureaucratic procedures will solve the problem. Too often those with a vested interest in obstructing investigations will attempt to manoeuvre into a position where they are most able to succeed in doing this.

Most important of all is that organisations of every kind by their very nature do all they can to avoid scandal and expense. Religious organisations who purport to be moral guardians have an even greater vested interest in avoiding scandal.

Now, as we near the end, comes the most important bit: What can we do?

- A. We should ensure that there are safeguarding notices and procedures in any religious building in our neighbourhood.
- B. We should keep ourselves informed about abuse cases in our country, both criminal and civil and keep copies of media articles or reports, noting particularly if the justice authorities appear to be more lenient to clerics than they would be to others.
- C. Where child abuse is not being properly punished by the police or prosecuting authorities, we should exert as much pressure as possible, including complaining to the authorities and seeking maximum publicity.
- D. The best way we can stamp out this abuse is to make it much more likely that perpetrators and those moving them around have to face justice and pay compensation. I would ask you to campaign to have the law changed in your country in the following two ways:
- E. Firstly we need mandatory reporting. It already operates for example in France. Those who have reasonable suspicions about child abuse, at least in institutions, should have a legal obligation to report it and provide evidence, on pain of harsh criminal sanctions. Please make sure it is the law in your country and if not campaign for it to be introduced.
 - i. Secondly we need the removal of time bars. Please find out if, as in most countries, there are time bars on the filing of civil cases (over compensation), and even more important on criminal cases. If there are, please campaign for them to be removed for child abuse.
 - ii. The UN Committee for the Rights of the Child reviews each country's record every five years, when they have to submit a report. When your country is about to be reviewed, please tell the UN Committee if appropriate that there is no mandatory reporting and that there are time limits on criminal and civil actions, and that you want these to be rectified to help prosecutions and civil actions. You could also refer to any major examples of abuse in the previous five years. This need only be one or two pages, it should not be more than three. The deadlines for submissions and the address to write to are shown on our website secularism.org.uk/clerical-child-abuse
- F. Finally, the international community needs to realise that the Holy See is continuing to defy totally the UN's recommendations on clerical child abuse. It is misusing its status as a sovereign state to prevent perpetrators of abuse and their enablers throughout the world, and those who enable them to do so, from facing justice. The Church, despite having almost limitless funds, continues throughout the world, with Vatican complicity, to evade paying compensation to the many victims of abuse for which it is responsible.

Both nation states and the international community need to bring pressure throughout the world on the Church and the Vatican to co-operate in bringing suspected perpetrators to secular justice and to pay victims the compensation to which they are entitled in law and is called for by the UN Committee on the Rights of the Child.