



25 Red Lion Square
London WC1R 4RL

TEL: 020 7404 3126

FAX: 0870 762 8971

EMAIL: enquiries@secularism.org.uk

WEB: www.secularism.org.uk

UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

ALTERNATIVE REPORT ON MALTA

PREPARED BY THE (UK) NATIONAL SECULAR SOCIETY

FOR THE 81st SESSION PRE-SESSIONAL WORKING GROUP

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4 Civil Rights and Freedoms (Article 19)

Authors

1. This report has been prepared by the UK National Secular Society's ("**NSS**") President, Keith Porteous Wood, and NSS Council member Josephine Macintosh, who has spoken for the NSS at the United Nations Human Rights Council ("**UNHRC**"). Mr Porteous Wood worked at the UNHRC and the Committee of the Rights of the Child to ensure that the Holy See was examined by the Committee, which it had not been for many years, and that the Committee had all necessary information to assist it in compiling its concluding observations¹.

Methodology and general approach

2. The NSS works for the separation of religion and state and for equal respect for everyone's human rights so that no one is either advantaged or disadvantaged on account of their beliefs. We have been in special consultative status with the United Nations Economic and Social Council since 2016.
3. Our work mentioned above relative to the Holy See, the Roman Catholic Church and elsewhere, for example with the Anglican Church, has led us to conclude that clerical abuse is much more widespread than is realised and often concealed for decades. This concealment is assisted by vows of secrecy and aggressive legal action taken by clerical organisations. We are therefore seeking to raise awareness of it and suggest ways in which it can be minimised.
4. We have sought for this report the most reliable and informative data available, and while acknowledging that this may not be definitive, have included information from in many cases well-trusted sources. That these sources are widely differing, and tell such a similar narrative makes them, we suggest, corroborative. This information is shown in the Appendix.
5. We recognise and acknowledge that much abuse (sexual and other violence by adults) against minors is familial and much also occurs in non-ecclesiastical institutional environments. Clearly, credible accusations, wherever they occur, should be pursued with the full force of the law.
6. We also recognise that abuse in ecclesiastical organisations is not limited to Catholic or Christian organisations but extends across all denominations and religions in varying degrees. The emphasis on abuse in Catholic organisations in this report is a function of the large number of institutions under the aegis of the Catholic Church in the State party and that evidence has been found of abuse on a significant scale.
7. Ecclesiastical organisations are likely to disproportionately attract those intent on such abuse. The religious/spiritual power dynamic provides greater opportunities for perpetrators to abuse and conceal this. Furthermore, such organisations can often more easily conceal this abuse due to their secrecy and special position in society. They are more determined to conceal abuse in order to maintain the reputation they hold as sources of religious and moral guidance. This is confirmed at length in the review referred to in this report by practising Catholic Professors Desmond Cahill and Peter Wilkinson, 'Child Sexual Abuse in the Catholic Church: An Interpretive Review of the Literature and Public Inquiry Reports', Centre for Global Research School of Global, Urban and Social Studies, RMIT University, Melbourne, August 2017²,

¹ CRC/C/VAT/CO/2, 31 January 2014

² <https://www.rmit.edu.au/content/dam/rmit/documents/news/church-abuse/child-sex-abuse-and-the-catholic-church.pdf>

especially the section starting on page 273 entitled “Secrecy, silencing and denial – a mechanism for lack of transparency and accountability”. That this Report was written by “practising Catholics” ... with “their continuing faith commitment to the Catholic Church” (pages 289/290) is testimony to the knowledge of the writers and that the motive of those writing the report was neither anti-clerical nor anti-Catholic.

8. Our work and the RMIT report referenced above show that many of those in religious institutions and their supporters regard it as a religious duty to protect their religious institutions from scandal through any means necessary and regardless of the adverse effect on victims, such as by ignoring the victims or even claiming that they are mendacious.
9. The RMIT report concludes that there is a consistent worldwide picture for the Catholic Church, placing the source of the problem at the top of the hierarchy: “ ...These failures and deliberate attempts to cover up the abuse were enmeshed in the secrecy and secretiveness at the heart of the governance of the Catholic Church. During the twentieth century, more and more secrecy provisions were imposed, beginning with the Secret of the Holy Office imposed by *Crimen Sollicitationis*³ (issued by the Holy Office and approved by the Pope) in 1922 and later the imposition of the Pontifical Secret on all matters and more persons associated with child sexual abuse. ... the Holy See became increasingly fearful of public scandal as did the bishops. The Holy See and diocesan bishops were always fearful of scandalising the Catholic faithful.... The Holy See was always concerned that the accused priest and religious would not receive a fair trial, but it showed no concern whatsoever for the victims of the accused priests and their families.”
10. The purpose of this submission is to create, in the interests of victims of such abuse, a more level playing field so that such institutions do not enjoy privileges that allow much abuse to go unpunished and victims to be denied protection, treatment and rehabilitation provided for under Articles 19, 34 and 39 of the Convention.

OUR CONCERNS

11. We were pleased to note in the 2nd periodic report Concluding Observations of 18 June 2013 reference to the “successful prosecution of two priests for perpetrating abuse at the Saint Joseph Home in the State party.”⁴ However it seems from the material in the Appendix that there is very much more clerical abuse than has taken place at this institution.
12. Of equal concern are worrying questions about the independence of the Maltese state bodies and mechanisms, for example justice, in bringing alleged perpetrators to justice and protecting victims when doing so adversely implicates the Church. That a judge should have to be recused and the lengths required to bring about even-handed justice suggests deep-seated systemic problems. (More details provided in the first press clipping in the Appendix.)
13. That there is a very high incidence of Catholic adherence and observance in Malta and that the Church has a strong influence on the state, as evidenced by the

³ <https://www.nytimes.com/2010/07/02/world/europe/02pope.html?ref=romancatholicchurch>

⁴ CRC/C/MLT/CO/2, Para 38

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fMLT%2fCO%2f2&Lang=en

existence of concordats⁵ between Malta and the Holy See and Malta and with Malta being one of the last states to permit divorce, may be of relevance too.

14. The prevalence of abuse by Catholic clerics in the US, with proportionately less Catholics, is disturbingly high, based on a comprehensive survey about the US, as reported by the RMIT/Cahill report previously cited:

“It is very likely that data for the subsequent period, 2011 – 2017, has raised the figure [of clerics above six per cent, suggesting that about one in sixteen Catholic priests who worked in ministry in the US between 1950 and 2002, have had plausible allegations [of child sexual abuse] made against them (John Jay Report 2011; Terry 2014).”
15. In 2009⁶, the Holy See itself admitted in evidence to the UN Human Rights Council somewhere between 1.5% and 5% of the Catholic clergy has been involved in sexual abuse cases.
16. Particularly given the material above and the Appendix, there seems no reasonable basis for assuming the prevalence of such abuse in Malta is significantly, or indeed any, lower than that found in the US.
17. The Committee on the Rights of the Child itself wrote in 2014 about large scale abuse in Catholic Church institutions, of which there are many in Malta. It stated in its concluding observations to the Holy See that “[w]ell-known child sexual abusers have been transferred from parish to parish or to other countries in an attempt to cover-up such crimes, a practice documented by numerous national commissions of inquiry” and that “still places children in many countries at high risk of sexual abuse”⁷
18. We remain convinced that mandatory reporting – if organised and resourced appropriately – is a valuable and essential tool to help reduce such endemic abuse. According to Mandate Now, a reputable organisation based in the UK:

“A recent survey of 62 nations involved 33 developed nations, and 29 developing nations. The survey found, overall, that, according to Daro, D, (ed), *World Perspectives on Child Abuse*, 7th ed, International Society for the Prevention of Child Abuse and Neglect, Chicago, 2006, p 26:

81.8% of the developed nations had some form of mandatory reporting;

78.6% of the developing nations had some form of mandatory reporting;

Combined, 80.3% of the nations participating had some form of mandatory reporting.”⁸
19. Attempts to introduce mandatory reporting, with criminal sanctions, have been met with demands, especially from the Roman Catholic Church (most recently in Australia and Ireland) that crimes disclosed in the confessional should be exempted. Such demands were specifically rejected by legislators in Ireland.
20. Irish academic Dr Marie Keenan wrote the seminal *Child Sex abuse in the Catholic Church: Gender, Power and Organisational Structure*. In it she observed that “Receiving Confession played a role in easing the men’s conscience in coping with

⁵ http://www.concordatwatch.eu/showsite.php?org_id=13541

⁶ Page 10, ‘Criticism of the Holy See over child abuse’, International Humanist and Ethical Union UN Human Rights Council 12th Session, 22 September 2009 and 16 March 2010. Available at:

<http://www.secularism.org.uk/uploads/criticism-of-the-holy-see-over-child-abuse.pdf>

⁷ Committee on the Rights of the Child, Concluding Observations, CRC/C/VAT/CO/2: Extract from paragraph 44(e)

⁸ Mandate Now, ‘Why we exist’. Available at: <http://mandatenow.org.uk/why-we-exist/>

the moral dilemmas following episodes of abusing and provided a site of respite from guilt. ... The very process of Confession itself might therefore be seen as having enabled the abuse to continue”.

21. It is highly relevant to time bars/statutes of limitation that, according to the RMIT report cited in paragraph 11⁹, “on average, it took more than two decades for victims to disclose”. We also note from several reports in numerous countries that convictions of alleged clerical abuse offenders have been frustrated by statutes of limitation/time bars. In the US, the Catholic Church have even openly employed lobbyists to frustrate legislative proposals for lengthened limits or (as we advocate) their removal.
22. It is common for victims to be bound by the Church to secrecy/non-disclosure of any settlement or even over investigations. This contributes both to suppress public knowledge about them and facilitates the continuance of abuse perpetration with impunity.
23. We do however acknowledge that, according to the media reports, there now appears to be a greater readiness by the Catholic Church in Malta than in the past to report concerns to the police than appears to have been the case according to information cited in the Appendix.
24. Nevertheless, while we acknowledge that none of the above information is conclusive, taken jointly we submit it gives sufficient cause for concern for the Committee to seek to request the State party to collect information and make the “best practice” recommendations cited below.

⁹ page 287

OUR RECOMMENDATIONS

1. The State party is asked

- a. To provide supplementary and current information on the level of clerical abuse in Malta;
- b. To establish a mechanism for monitoring the level of accusations of clerical abuse in the last five years and the future, including recording the year(s) in which the alleged abuse took place;
- c. To indicate what action, if any, it has taken and will take and to reduce the prevalence of clerical abuse of minors in future;
- d. What procedural measures it is taking to increase the future incidence of successful prosecutions for clerical abuse;
- e. What measures it is taking to ensure that as many as possible of those individuals against whom there are plausible accusations are immediately suspended from their work and brought to justice;
- f. To report on whether clerical abuse victims are receiving appropriate protection, treatment and rehabilitation. Similarly, whether compensation is paid, and whether this is paid automatically under a scheme (as we recommend) and further whether it is paid conditional on non-disclosure;
- g. To set out the legislative provisions for criminal and civil time bars/statutes of limitation relative to abuse and set out plans and time scales for their removal, with accusations and claims still subject to normal burdens of proof; and
- h. To establish whether victims are bound by the Church to secrecy/non-disclosure of any settlement or even over investigations.

2. The Committee recommends that the State Party

- a. Replicates for Malta its recommendations on clerical abuse of minors included in its latest concluding observations on Poland and related ones on Singapore:

Poland

Para 27

(a) Continue its efforts to ensure that all cases of sexual abuse of children are investigated and prosecuted, including those allegedly committed by members of the Catholic clergy and representatives of other religions;

(b) Ensure that victims are adequately compensated and rehabilitated;

(c) Establish child-friendly channels for children and others to report such abuse;

(d) Protect children from further abuse by ensuring that persons convicted for abuse of children are deterred from having contact with children in their professional capacity;

(e) Put in place the necessary policies and measures to prevent the recurrence of such abuse.

Singapore

51. The Committee recommends that the State party strengthen efforts to address the problem of child abuse by taking preventive measures, conducting public education programmes about the negative consequences of abuse and neglect, and providing adequate protection and recovery services to child victims of abuse. It also encourages the State party to establish a mandatory requirement for professionals working with children to report and take appropriate action in suspected cases of child abuse and neglect, and ensure that training is provided thereon.

65(c) Establish shelters for child victims of sexual abuse and exploitation, where children are provided with rehabilitation, recovery and social reintegration services;

70. The Committee recommends that the State party ensure, through adequate legal provisions, procedures, and regulations, that all child victims and witnesses of crimes, such as child victims of abuse, domestic violence, sexual and economic exploitation, abduction, and trafficking, as well as witnesses of such crimes, have effective access to justice and are provided with the protection stipulated in the Convention, taking fully into account the United Nations Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime, annexed to Economic and Social Council resolution 2005/20.

And considers adding the following:

- b. Introduce mandatory reporting of abuse in institutions with criminal sanctions, without exemption for the confessional. Where an individual has a position of personal trust towards children and while such children are in their care, the individual has reasonable grounds for knowing or suspecting the commission of physical or sexual abuse or abuse by way of wilful neglect on such children, the State party should make it mandatory to report this to the authorities designated to protect children within seven days. If, however, the child is considered to be in danger of harm or significant harm, the matter should immediately be reported to the police. Failure to so report shall constitute a criminal offence for which there should be an appropriately serious penalty.
- c. Take action to make it mandatory in all institutions, including in clerical environments, for all known and suspected child sexual abusers to be removed promptly from post or from contact with children, and the matter reported urgently to regional or state authorities as described in a. above.
- d. Eliminate arbitrary statutory time bars on criminal convictions and civil claims in respect of abuse of minors, which will nevertheless remain subject to the normal standards of proof and thresholds of evidence.
- e. Take appropriate measures to promote protection, treatment and rehabilitation, physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment, as provided for in Articles 19, 34 and 39 of the Convention on the Rights of the Child.
- f. Ensure that appropriate compensation is mandated as one of the remedies to the above, preferably as part of a fair scheme that does not require victims to be subjected to an adversarial process.

- g. Ensure that the state mandates that accusations and investigations of child abuse, or compensation, can never in future be made subject to secrecy or non-disclosure.

In conclusion we ask that the Committee considers making the combined list a standard recommendation on institutional child sexual abuse for all countries, much as it has done on corporal punishment.

APPENDIX

Press clipping 1

Victims of child abuse by priests win Constitutional case over recusal of judge with RadjuMaria ties¹⁰

7 Mar 2017

A Constitutional court accepted a number of plaintiffs' requests for the recusal of Judge Joseph R Micallef in a civil case where they are claiming damages over child abuse suffered at the hands of now defrocked and imprisoned priests Godwin Scerri, Charles Pulis and the Missionary Society of St Paul (MSSP).

The plaintiffs - Lawrence Grech, Joseph Magro, Leonard Camilleri, David Cassar, Noel Dimech, Angelo Spiteri, Raymond Azzopardi, Charles Falzon, Philip Cauchi and Joseph Mangion - had filed a criminal case against the Curia, the two priests who had abused them, the Missionary Order of St. Paul (MSSP), the Prime Minister, the Education and Family ministers and the Attorney General in 2012. The plaintiffs had claimed that the authorities had been aware of the abuse, but had done nothing to stop it.

Mr Scerri and Mr Pulis had been allowed to keep their positions at the home, holding absolute control over their victims. Confirmed upon appeal, Mr Scerri and Mr Pulis received a prison sentence of five and six years respectively.

In a separate civil case, the plaintiffs filed an appeal on 28 April 2016 before the First Hall of Civil Court before Judge Mark Chetcuti in order for Judge Joseph R Micallef to be recused, citing a breach in their right to a fair trial.

They originally filed the civil case, being heard before Mr Justice Micallef, against Missionary Society of St Paul, Godwin Scerri and Charles Pulis, among others. The plaintiffs filed a case for punitive damages over abuse that took place while they, as children, had been residents of the Archdiocese of Malta.

When the plaintiffs became aware that Mr Justice Micallef was the president of the foundation that runs the religious radio station RadjuMarija, they requested to file a motion for the Judge's recusal, in view of his strong ties to the Christian community and the fact that the original case has been filed against the MSSP, a Christian society.

The plaintiffs requested that the appeal's court declare that their right to a fair trial was in breach due to the impartiality, or lack thereof, by Mr Justice Micallef, that he no longer be allowed to hear the case (recusal), that another judge be appointed with no direct connections with the defendants or organisations surrounding the defendants and that legal remedy be provided to them.

Radio stations transmitting religious content, such as RadjuMarija, need to first be approved by the Church. The radio station is transmitted from the Dominican Friars Convent in Rabat, and up until a some [*sic*] years ago, it was directed by Fr Charles Fenech, who faced charges of sexual abuse in court. RadjuMarija is a civil and private not-for-profit organisation, however it is operated by priests, religious and lay people.

¹⁰ <http://www.independent.com.mt/articles/2017-03-07/local-news/Victims-of-child-abuse-by-priests-win-Constitutional-case-over-recusal-of-judge-with-RadjuMaria-ties-6736171329>

Mr Justice Mark Chetcuti, in the court of appeal, had denied the objection raised by the plaintiffs, on the basis that RadjuMarija is a voluntary organisation that does not have any connections with the Archbishop's Curia. He also noted that funding for the radio station is collected purely through voluntary donations, and that the Archbishop does not provide any sort of financing to Radju Maria.

As a result, a Constitutional case was filed in order to appeal Mr Justice Chetcuti's decision.

Chief Justice Silvio Camilleri, Mr Justice Giannino Caruana Demajo and Mr Justice Noel Cuschieri found that there is an informal link between the Archbishop's Curia and the Association of Radju Maria. The courts noted that this perception is brought about by the fact that the director of the association must always be a cleric, and that when the director acts improperly or irregularly, it is the Archbishop that has the authority to call him in to respond to such acts.

It was also noted that the Maltese Dominican Province also has the authority to have the director resign from his post.

The courts noted a distinction between the director and the president of RadjuMarija, however it added that both positions have a leading role within the association.

Therefore, it was found that the plaintiffs' reservations were reasonable, and ordered conclusion from the appeal presided over by Mr Justice Chetcuti be voided, that there would have been a breach in the plaintiffs' right to a fair trial and ordered that Mr Justice Micallef recuse himself from the case and that another judge be appointed.

Following the outcry when the story first came to light, in 2015, the Church had publicly apologized and said that it will offer support to victims involved. However, the only help the victims got was a prescription for an antidepressant, Flouxetine. Other than that, the victims have not received any form of support from representatives of the Church.

Monsignor Philip Calleja, who ran the Maltese Church's Emigrants' Commission for many years, wrote a paper about Maltese child migrants in 2008. It was read out during the unveiling of the child migrants' monument at the Valletta Waterfront. Following on Prime Minister Gonzi's 2008 apology, Archbishop Paul Cremona apologized, in 2010, for the Maltese Church's involvement in the child migration scheme.

The Australian Government has also apologized.

In 2011, three former Maltese child migrants began legal action against the Christian Brotherhood for sexual and physical abuses. In Malta, the issue appears to remain contentious, particularly with regard to the role of former Emigration Minister, Dr Cachia Zammit ...

One former child migrant, Raphael Ellul, returned to Malta to reconnect with his past, but also to close a traumatic chapter in his life when, as a 10 year old child, he endured physical and sexual abuse at the hands of the Christian Brothers in Australia, in their Tardun and Castledare facilities (see yesterday's posting). "Ray", as he became known, was born in 1960 in Cospicua. ...

Press clipping 2**Catholic priest in Malta accused of sexually abusing boys¹¹**

14 Oct 2015

A Catholic priest in the largely Catholic country was officially accused on Wednesday of sexually abusing three teenage boys between 2010 and 2013.

The 44-year-old, Donald Bellizzi, the current chaplain of the airport chapel, pleaded not guilty to the charges. The court rejected his lawyer's request for bail.

Bellizzi is accused of sexually abusing three boys who attended a group encouraging them to join the priesthood. The boys, who were minors at the time, are now between the ages of 18 and 19 years old, German news agency dpa reported.

The Maltese Church Safeguarding [*sic*] Commission confirmed the case in an online statement, saying they immediately passed the complaint on to police. In the past, the Catholic Church [*sic*] had sought to deal with such issues internally without law enforcement.

The accusation comes as the issue of sexual abuse grows more and more pressing for the Catholic Church. Last month, Pope Francis met with victims of sexual abuse during his tour of the United States.

"For the sexual abuse of children, these cannot be maintained in secret, and I commit to a careful oversight to insure [*sic*] that youth are protected and all responsible will be held accountable," he said during a speech in Philadelphia.

¹¹ <https://www.dw.com/en/catholic-priest-in-malta-accused-of-sexually-abusing-boys/a-18783850>

Press clipping 3

In child abuse, silence hurts more than scandal¹²

3 Sep 2015

... In many instances, however, it was the Church's failure to adequately act against this minority that truly shocked and outraged the wider public. Almost everywhere such scandals occurred, the subsequent pattern of behaviour seemed to be consistent: investigations would be carried out internally and behind closed doors; victims were often encouraged not to go public with their accusations; and most disturbing of all, it often emerged that some priests found guilty by such internal tribunals were simply transferred to other dioceses, where the pattern of abuse would continue unabated.

To be fair, the Church has since acknowledged its past errors, and in recent months has stepped up its international efforts to salvage this breach of trust. Pope Francis has set up a tribunal to hear cases of bishops who failed to protect children from paedophile priests; and this year the Malta archdiocese has set up the Church Commission for the Safeguarding of Children and Vulnerable Adults.

Evidently there is cognisance (however belated) on the part of the Church of the need to be proactive in the war against child abuse. So it is perhaps surprising to see that the local Church – to be specific, the Gozo diocese – appears to be repeating the same mistakes that have always proved so costly to the institution as a whole.

In March 2013, the Vatican upheld an earlier decision to defrock Fr Dominic Camilleri, a priest from Gozo who was first investigated by the Maltese church over the sexual abuse of minors in 2003. Camilleri's case was referred to the Curia's Response Team in October 2003 by then Gozo Bishop Nikol Cauchi; the Nadur priest was found guilty by an administrative and penal tribunal within the Malta diocese.

Following the conclusion of the preliminary investigations in September 2005, Cauchi presented the case to the Holy See. In December of that year Camilleri was suspended from all public ministry; a decision that was confirmed on appeal two years ago.

All this time later, however, individual parish priests reveal that they have not yet been formally notified of Camilleri's dismissal, nor told to ensure that he does not actively practise his clerical duties in their parishes. Camilleri is in fact understood to be still performing such duties in a private chapel, in spite of his 'dismissal'.

For whatever reason, Gozo bishop Mario Grech has proved reluctant to carry out the March 2013 orders from Rome. It has meanwhile been pointed that out that his hesitance, when confronted with Camilleri, stands in stark contrast with the promptness with which he has been known to discipline other members of the clergy.

...

Above all, however, Bishop Grech cannot afford to create the impression that his diocese may serve as a refuge for abusive priests. It is this perception – with all its ugly implications – that has always proved most damaging to the Church.

¹² http://uploads.maltatoday.com.mt/comment/editorial/56721/in_child_abuse_silence_hurts_more_than_scandal

Clearly this is not a salutary situation for the Gozo diocese to find itself in, and it is in the Church's own interest to clear the air once and for all. Ultimately, Mgr Grech's hesitance runs directly counter to the stated aims of the global Church, which has taken bold steps to end the perceived culture of acquiescence to abuse.

But it is pointless to set up tribunals and internal procedures, when explicit orders from the Vatican can simply be ignored.

Web post on Jesuits in Malta website

Clerical Sexual Abuse¹³

'Recent events have made it abundantly clear that the present set-up for handling reports of abuse needs to be courageously and thoroughly overhauled so that justice for all concerned will be delivered with all due speed...'

Fr Victor Jaccarini SJ is a Jesuit of the Maltese Province who worked in the Eastern Africa Province for 28 years. Besides licentiates in philosophy and theology from Hethrop College and Woodstock College, Md, USA, respectively, he holds a Master's degree in Zoology from the University of Oxford and a Ph.D. in Zoology from London University. He was lecturer in Zoology in Malta (1970-1980) and Senior Lecturer and Associate Professor (1980-1997) in the University of Nairobi Kenya. From 1998-2008 was at the Jesuit Spirituality Centre, Mwangaza, as retreat guide, and for several years also Superior and Director of the centre. Since 2008 he is on the staff of the Jesuit-run Mt St Joseph Retreat House in Mosta, Malta.

Clerical Sexual Abuse

The recent court judgements on the criminal sexual abuse of minors by priests and religious should not be the end of the matter. There is a lot of work still to be done. Our first concern as church and as civil society should be to help the victims of this abuse. This involves adequate material compensation, humbly accepting responsibility for what has happened and expressing our sorrow.

But honest concern for present victims strongly implies concern for possible future victims as well. It is utterly intolerable that those who by profession (priests, religious, guardians) or by nature (parents or close relatives) are entrusted with the care of children should abuse that trust in any way. Jesus reserves his most terrible words of condemnation for all those who harm his little ones. "Whoever receives one such child in my name receives me; but whoever causes one of these little ones ...to sin, it would be better for him to have a great millstone fastened round his neck and to be drowned in the depth of the sea." (Mt 18: 5-6). Terrible words which underline the heinousness of such crimes. We should not think that these sins are beyond God's forgiveness but we need to follow Jesus' example and never treat such abuse lightly or try to hide it. At the same time we have to treat everyone justly and ensure that no one is convicted of improper behaviour without due process of law.

Recent events have made it abundantly clear that the present set-up for handling reports of abuse needs to be courageously and thoroughly overhauled so that justice for all concerned will be delivered with all due speed. Justice delayed is justice denied. Investigations into suspicious behaviours should be prompt, thorough and fair. Where prima facie evidence of unethical behaviour has been established, the ministry of the perpetrator must be promptly and appropriately limited by his/her Superiors so that all pastoral contact with minors is forbidden till a final judicial decision on the alleged abuse is delivered. Children and adolescents need to be taught what is unacceptable behaviour towards them and helped to report abuses as soon as they start. A Code of Conduct for ministry with minors drawn up and its observance vigorously enforced. The screening, selection and formation of church members for child and youth ministry should be given the utmost importance.

Fr Victor Jaccarini SJ

¹³ <http://www.saintloisius.edu.mt/content.aspx?id=286720>