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UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

ALTERNATIVE REPORT ON POLAND

PREPARED BY THE (UK) NATIONAL SECULAR SOCIETY

FOR THE 81st SESSION PRE-SESSIONAL WORKING GROUP

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THERE IS NO TABLE OF CONTENTS AS ALL MATERIAL RELATES TO CLUSTER 4.

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, 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

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>

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 encouraged that the Committee drew attention to the problem of abuse of minors within the Church in Poland in its concluding observations dated 30 October 2015⁴. We endorse the Committee’s concerns, expressed in para 26, that “However, it is concerned that a number of cases may not yet have surfaced and that such abuse may still be ongoing.” We also particularly welcome relevant concluding observations on Singapore, both set out below in Recommendation 2 below.
12. Evidence in the Appendix paints a picture of a church seeking to suppress evidence of abuse and protecting clerical abusers, as is the case in many other countries. Even more concerning, however, are reports of state agencies too often collaborating with such attempts to keep alleged offenders from facing justice, or at least not acting energetically to secure they face justice. Catholic influence over the Polish state is perhaps as great as any state, as is clear from the carefully researched Concordatwatch website⁵. The concordat agreement between the Vatican and the Polish state binds the latter heavily in ways which raise concerns about human rights, such as with regards to freedom of conscience and belief. The prevalence of abuse

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

⁴ CRC/C/POL/CO/3-4” paras 26 and 27

<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhstV3zKgaAa4TwOI5sejLPokoZ%2fHscrij1JpiYozARxzqOMalguBQ%2bkjWomC0Rj99HwJCrYRBPBXD%2bbyaT8wsqPe8BT6nOkIJuRROZ9BoVZY>

⁵ http://www.concordatwatch.eu/showsite.php?org_id=931

by Catholic clerics is disturbingly high, based on a comprehensive survey in 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).”

In 2009⁶, the Holy See itself admitted in evidence to the UN Human Rights Council that somewhere between 1.5% and 5% of the Catholic clergy has been involved in sexual abuse cases.

13. Particularly given the material above and the Appendix, there seems no reasonable basis for assuming the prevalence of such abuse in Poland is significantly, or indeed any, lower than that found in the US.

14. 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 Poland. 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

15. We remain convinced that mandatory reporting – if organised and resourced appropriately – is a valuable, indeed 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

16. 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.

17. 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 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”.

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/>

18. 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.
19. 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.
20. 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

We note the establishment 'Have No Fear' (Nie lękajcie się), founded in 2015, the first Polish organization that brings together victims of paedophile priests. They are affiliated to the respected international organisation SNAP (Survivors Network of those Abused by Priests). The Committee may wish to consult them or invite them to provide evidence.

1. The State party is asked

- a. To provide supplementary and current information on the level of clerical abuse in Poland;
- b. To establish a mechanism for monitoring the level of accusations of clerical abuse in the last five years and 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; and
- 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 (in addition to the Committee's recommendations in the previous Concluding Observations to Poland and Singapore shown in italics below)

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.*

We suggest these be further strengthened with the following recommendations:

- i. Introduce mandatory reporting of abuse in institutions with criminal sanctions, but 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.
- ii. Take action to make it mandatory, including in clerical environments, for all known and suspected child sexual abusers in institutions 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.
- iii. 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.
- iv. 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.
- v. 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.

- vi. 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

(Emphasis added in bold)

Press clipping 1**A dark side of the Catholic Church¹⁰**

Priests and paedophilia
Eastern approaches
May 24th 2013 by G.C. | WARSAW

POLISH media are notoriously wary of confronting the powerful Catholic Church. Until recently, at least. On May 23rd TVN24, a news channel, ran a half-hour programme about child abuse by priests. It was the second in just a few weeks.

The show featured three case studies in which only one victim showed his face—and he was speaking from Canada. The reports illustrated the hostility and disbelief victims face in Poland when they tell their stories. **They highlighted the Church's stubborn refusal to take any responsibility as an institution and, worse, the individual priests' apparent sense of impunity.**

One of the three items also featured my own experience whilst trying to investigate a case for France 24 television. We had spoken to a man who told us he had been abused in the late 1970s by someone who was now rector of a parish in Szczecin. We travelled to the parish and found the cleric in question (who cannot be named for legal reasons) leading mass. Afterwards, I asked him whether he had any comment to make on the allegations, and got an astonishing reaction. **Accusing us of filming illegally, the priest led both me and the cameraman into the rectory... and locked us in.**

After a few minutes we tried to escape, and were violently blocked by the cleric. Fortunately, in the scuffle that ensued he dropped his keys and we were able to get out. Our detention had lasted less than ten minutes and nobody was hurt. **But since we had managed to film the whole thing on two cameras, we gave some of the footage to local journalists. The story made the national news the following day, prompting a degree of fuss, though not exactly an uproar.**

What is remarkable is the reaction from the Church. For two days neither parish nor diocese would comment at all. **Then came a statement from the diocese spokesman to the effect that they were looking into the possibility of charging us with trespassing and slander. According to prosecutors no such complaint has yet been lodged. We had already reported the incident to the police.**

The spokesman also told TVN he had no knowledge of paedophilia charges against the priest in question. The very same spokesman's signature is on documents relating to the formal complaint the victim lodged with the diocese more than two years ago.

Back then, the bishop promised to investigate the matter, and both victim and priest were questioned. But as far as the victim is aware, there was no conclusion. The priest continued to work with minors, in clear breach of the Polish Church's own rules, which state that a priest suspected of abuse must be distanced from working with children, pending investigation.

¹⁰ <https://www.economist.com/eastern-approaches/2013/05/24/a-dark-side-of-the-catholic-church>

According to the Szczecin diocese, this particular rector continues to work even after the latest incident. TVN's reporter, however, found no-one in the town who could confirm this. In fact, no one had seen him since our adventure. Clerics accused of abuse often vanish in this way, only to resurface in some faraway parish a little later.

Over the past decade media have regularly denounced such practices in America, Ireland and other countries. Huge scandals have erupted, forcing the Church to take responsibility and enhance safeguards. **Not so in Poland, which has the highest proportion of practising Catholics in Europe (bar Malta). Cases do emerge, and priests are occasionally found guilty in the courts. But the Church has not paid any compensation to victims, and the true extent of abuse remains largely unknown.**

Victims' testimonies, gathered in a book published **earlier this year by Ekke Overbeek, a Dutch journalist, would suggest that abuse in Poland is widespread and well-hidden. But though the dioceses must have, at the very least, information on the numbers of formal complaints they receive, the Church publishes no statistics.**

Recently a radio station, TOK FM, sent a written request for information to Poland's dioceses. None of the replies so far have been very helpful; one simply states, in capital letters, "It is none of your business".

TOK FM's initiative is another sign that this year, pressure from the media is slowly mounting. Mr Overbeek's book led several publications to report on the phenomenon, though he remains sceptical of Polish editors' willingness to really follow things up. Fear of Church power is one problem; another is fear of losing viewers and readers by broaching an unpopular topic.

Mr Overbeek has helped to inspire victims of sexual abuse to create a support organisation. They formally registered it earlier this month, and named it "Be Not Afraid" in a somewhat ironic quotation of the revered Polish Pope, John Paul II. The message is intended to encourage victims to speak out. It could equally be directed at journalists.

Press clipping 2

Polish Catholic Church rocked by sex abuse scandal ¹¹

Jan Cienski in Warsaw OCTOBER 11, 2013

A paedophile scandal has hit the Catholic Church in Poland, as it struggles with an increasingly secular society and the challenge posed by the unconventional Pope Francis.

The Polish Church had, until now, successfully ducked the issue of sex abuse by priests in the same way that Catholic Churches in other countries did decades ago – moving molesting priests to different parishes and treating any investigation as an attack on the Church.

But scandals and clumsy responses from senior prelates have unleashed a wave of criticism that has left bishops scrambling to repair their public image.

The latest blunder came when Poland's most senior Catholic cleric, Jozef Michalik, appeared this week to place some of the blame for paedophilia on children coming from broken homes.

The archbishop told reporters: "Often that inappropriate approach or abuse is released when the child is looking for love. It clings, it seeks. It loses itself and also draws in that second person."

The resulting explosion of outrage, which came even from normally stalwart defenders of the Church, forced the archbishop, who was already facing criticism over his support for a priest later convicted of child abuse, hurriedly to call a news conference. He apologised for his comments and explained that he in no way blamed children who were victims of abuse.

Paedophilia scandals are rocking the Church at a time when it is fighting to stay relevant in a quickly changing country. Poland remains one of the most religious societies in Europe, with about 40 per cent of Poles attending Sunday mass, according to an annual church survey. However, that is down from 51 per cent in 1980.

The scandals could make the Church's situation even more difficult, said Tadeusz Bartos, a theologian and former priest.

"Today the paedophilia question is being handled as badly as possible by the Polish bishops, which means it will dominate the media for years," he said. "If that happens, then the Church's authority will drop to zero."

The Polish Church moved this week to make clear that it has no tolerance for paedophilia, setting up new regulations in line with Vatican policy. **The new rules include steps to prevent such abuse. But they do not force Church officials to report incidents of child abuse to civil authorities.**

The Church faces compensation claims from victims, the first of which is now in the Polish courts. While the Church is resisting demands to pay out, the claims underline the erosion of deference once afforded to the institution.

This was underscored by the relentless grilling that bishops faced from reporters this week after the clerics issued their recommendations for dealing with child abuse. ...

¹¹¹¹ <https://www.ft.com/content/571c9b72-31a4-11e3-817c-00144feab7de>

Press clipping 3**Polish Catholic Church on the spot over paedophile priests and child abuse cover ups¹²**

17 Oct 2013

Polish radio is reporting that a man who, as a child, was abused by a Catholic priest has written to the Pope after the Church refused to entertain a compensation claim.

The man, whose identity is protected by Polish privacy laws, is being referred to as Marcin K, and claims he was abused by Father Zbigniew R. from 2000-2001 in Kolobrzeg, northern Poland.

The priest was sentenced to two years imprisonment in 2012, but after claiming he was suffering health problems, he was released and did not serve any of his sentence.

Marcin K. says the Church knew what was happening but refused to do anything about it. He is the first person in Poland to try to obtain redress from the Church for abuse.

The victim is asking for 200,000 zloty (£40,000) from the local diocese and 100,000 zloty (€20,000) from Father Zbigniew K. However, during the first hearing on Thursday 3 September, no settlement was reached.

Marcin K. then wrote to Pope Francis: "This letter is a cry for all children who have been wronged in Poland. Your Holiness, the events of my childhood destroyed my ability to find pure love and trust. The fear of intimacy and lack of confidence in people mean that I cannot enter into a healthy relationship with another person." ...

¹² <https://www.secularism.org.uk/news/2013/10/polish-catholic-church-on-the-spot-over-paedophile-priests-and-child-abuse-cover-ups>

Press clipping 4**Our silence supports the perpetrators of child abuse within the Church¹³**

Agata Diduszko-Zyglewska
January 5, 2017, 8:41 am

Interview with Barbara Blaine, the president of Survivors Network of those Abused by Priests (SNAP)

Government agencies, independent from the Catholic Church, in many countries have begun up to investigate claims of sexual abuse of children in the Church. Unfortunately, the influence the Church in Polish politics means that children in Poland cannot count on such protection from paedophiles in cassocks. Two facts from the last year may attest to the difficult situation facing child victims of sexual abuse by priests. Firstly, the new head of the Parliamentary Commission of Justice and Human Rights is a prosecutor who, in 2001, decided to dismiss the charges against a priest accused of molesting young girls. As prosecutor he decided that the defendant had, in fact, been using his skills in bioenergy therapy. Secondly, In 2002, during another pedophilia scandal, the newly appointed Archbishop of Kraków, and the head of Polish Church, failed to support the victims, despite the insight he had into the particulars of the case. 'Have No Fear' (Nie lękajcie się), founded in 2015, is the first Polish organization that brings together victims of paedophile priests. It is supported internationally by the Survivors Network of those Abused by Priests (SNAP).
Agata Diduszko-Zyglewska:

¹³ <http://politicalcritique.org/cee/poland/2017/our-silence-supports-the-perpetrators-of-child-abuse-within-the-church/>

Press clipping 5

19 Priests in Poland Convicted of Paedophilia in Three Years. One is in Jail. Where are the Others?¹⁴

23rd June 2014 by Anthony Casey

Figures released this weekend show that almost all priests in Poland convicted of sexually abusing children in the past three years have escaped jail.

A conference of Church leaders in Kraków this weekend heard that, from 2010 to 2013, 19 members of the clergy had been convicted of such crimes. However, Ministry of Justice figures show that, at the end of that period, there just was one priest in jail for paedophilia.

According to the Ministry of Justice, the average sentence for sexually assaulting a child under 15 was four years and two months. For rape of a minor, this rose to five years and five months.

It means that, of 19 priests convicted of child abuse, 18 received punishments significantly below the average.

A group of Law and Justice (PiS) senators made a formal request to the Ministry of Justice, on October 31, 2013, regarding paedophilia in the church.

Their question read: "What is the number of convicted paedophiles in Poland, from which professional groups do they derive, and are Catholic priests among them?"

Stanisław Chmielewski, under-secretary of state at the Ministry of Justice, replied that out of 1,468 prisoners convicted of paedophilia and in jail at the start of November 2013, one was a priest. Most (around 900) had no professional qualifications. The teaching, care, medical, engineering, farming and building professions, amongst others, were also represented in the 1,468.

Speaking at the Catholic Church's conference in Kraków this weekend, Father Adam Żak, chairman of the Church's Child Protection Centre, said he had contacted 250 courts across Poland, to obtain figures for the number of members of the clergy convicted of sex crimes against children between 2010 and 2013. He said that 19 cases had been confirmed in that period. Father Żak now plans to investigate further, in a bid to find out how many Polish priests have been convicted of child sex assault since 1990.

For the first time, at the conference, the Catholic Church in Poland apologised to victims of paedophile priests. **Previously, the position had been that the Church was not responsible for the 'individual actions of independent priests'.**

The position led in February 2014 to the first civil action against the Church. Marcin K, 25, was molested by Father Zbigniew R as a child. The priest was sentenced to two years in jail, but did not serve this due to ill health.

The conference in Kraków also heard that the Church in Poland was looking abroad for examples of models of financial compensation for abuse victims.

¹⁴ <http://inside-poland.com/t/exclusive-19-priests-in-poland-convicted-of-paedophilia-one-is-in-jail-where-are-the-others/>

Press clipping 6**Polish Priest Charged with Four Child Abuse Offences** ¹⁵

February 2014 by Inside Poland

Father Wojciech G was arrested at home in Modlnica, near Kraków, on February 17, and formally heard the charges on February 18.

He is accused of three counts of performing sexual acts with under-15s, and one of intercourse with a minor. Two of the offences are alleged to have been committed on Polish territory.

Father G denied all the charges, and refused to answer questions at the hearing on Tuesday morning.

The allegations relate in part to Father G's time as parish priest in Juncalito, the Dominican Republic, where he served as 'Padre Alberto'.

Interpol last year issued a warrant seeking confirmation of Father G's location, which was fulfilled by Polish police in the autumn. Documents and digital files, relating to testimony and Father G's computer files, have been passed to Poland.

The offences carry a maximum penalty of 12 years in jail.

A Polish priest accused of abusing children while serving in the Dominican Republic has been formally charged with four offences.

¹⁵ <http://inside-poland.com/t/polish-priest-charged-with-four-child-abuse-offences/>

Press clipping 7

Polish archbishop under fire for linking pornography with child abuse¹⁶

The already under-fire Polish archbishop has caused outrage for suggesting looking at pornography leads to the sexual abuse of children

By [Matthew Day](#), Warsaw

1:26PM BST 18 Oct 2013

The head of Poland's Catholic Church has been attacked for suggesting that child abuse resulted from pornography.

It is the second time in as many weeks that the opinions of Archbishop Jozef Michalik have sparked outrage. Last week he was forced to apologise for saying sexual abuse by priests occurred because children from broken homes "were looking for love".

In his latest controversial comments the archbishop said abuse stemmed from homes broken on pornography, "selfish" love and "the ideology of gender that raises legitimate concerns, because it goes against the laws of nature, promotes marriage between persons of the same sex and fights for the right to legalize adoption of children by these couples."

A series of recent child sex abuse scandals involving priests has sent the Polish Catholic Church reeling and scrambling to regain its position but the archbishop's comments appearing to try to deflect the blame from the perpetrators onto modern society or even the victims themselves provoked a furious backlash.

Agata Baraniecka-Klos, who was sexually abused as a child and now heads an organisation fighting to bring paedophiles to justice, said the archbishop's words "were cruel to the victims" and that the "internet, feminists or gender ideology were not the problem." In an emotional television interview she added that Archbishop Michalik's comments had brought back the trauma of her childhood experiences.

Poland's media seized upon the story donating copious amounts of airtime and news print to critical coverage of the archbishop and the Church's failure to deal with a string of sex abuse scandals that has brought the status of the Catholic Church in the country—once exulted and synonymous with all things Polish and the country's freedom—to an all-time low.

The archbishop also received criticism from inside the Catholic Church.

"He has a problem with accepting the fact that the issue of paedophilia in the Church may have something to do with priests and the structure of the Church," Father Jacek Prusak, a Jesuit priest, told the TVN 24 news channel.

¹⁶¹⁶ <https://www.telegraph.co.uk/news/worldnews/europe/poland/10388613/Polish-archbishop-under-fire-for-linking-pornography-with-child-abuse.html>

Press clipping 8**Vatican refuses to extradite Polish archbishop accused of child sex abuse** ¹⁷

10.01.2014 09:29

The Vatican has said that a Polish archbishop accused of child abuse while serving as papal nuncio in the Dominican Republic cannot be extradited to Poland.

The confirmation follows a request for clarification by the District Prosecutor's Office in Warsaw concerning Archbishop Jozef Wesolowski, one of two Polish clergyman accused of child abuse in the Dominican Republic.

“Archbishop Wesolowski is a citizen of the Vatican, and Vatican law does not allow for his extradition,” a statement from the Holy See clarified.

Przemyslaw Nowak from the District Prosecutor's Office in Warsaw has said the Vatican has confirmed that it is proceeding with its own investigation concerning the archbishop.

Wesolowski was recalled by the Vatican from his post as papal nuncio in the Dominican Republic in August 2013, and dismissed from office.

Although the Vatican has not disclosed the precise whereabouts of Archbishop Wesolowski, it is understood that since August he has been residing either within the Vatican city, or Rome.

Since late September, the District Prosecutor's Office in Warsaw has been investigating allegations against both Wesolowski and Father Wojciech Gil.

The latter, who has protested his innocence on Polish television, is currently living with family in a village south of Krakow.

Last year, the Dominican Republic's Attorney General sent case files concerning Wesolowski to Poland, and those concerning the Gil to the Vatican.

A deacon who worked for Archbishop Wesolowski has stated that he procured boys for the papal nuncio. Wesolowski allegedly had oral sex with boys, and took photographs of them while they were masturbating.

Meanwhile, three children in the Dominican Republic have made allegations against Father Gil, and child pornography was allegedly found on his computer. (nh)

¹⁷ <http://www.thenews.pl/1/10/Artykul/158234,Vatican-refuses-to-extradite-Polish-archbishop-accused-of-child-sex-abuse>

Press clipping 9

Child abuse scandal ‘almost fatally destroyed’ Catholic Church ¹⁸

12 Feb 2017

... Asked about the government-established Murphy Report which was published in 2009, Fr O’Hanlon said it made him reflect more intensely on how the church was organised.

He said that despite the reforms proposed by the Second Vatican Council (1962-65) it had retained a “very much ... top-down model of authority”.

“That was particularly emphasised during the pontificate of John Paul II, who did marvellous things, added extra if you like, with regard to the church, particularly with regard to relations with communism and (the) Solidarity (Movement).... in Poland, but internally was very firm about the strong monarchical model of papacy and centralisation.”

He said he believed this centralised model of authority was unhealthy and “a contributing factor to the delay and the poor response of the Catholic Church to the emergence of the clerical child sexual abuse scandal”.

Citing the Dominican theologian Yves Congar’s reference to “a creeping infallibility” in the church, he said “everything that came from Rome was taken as gospel, and local bishops didn’t take their own responsibility seriously enough; they looked over their shoulder all the time to Rome. This constant recourse to Rome and the fact that the organisation was very top-down and tightly controlled served the church poorly when the issue of child sexual abuse emerged, because what happened there was that at the very top, certainly at the level of priests, a grievous injury was being inflicted on the church, and the church was poorly prepared to examine the complaints that were coming in because it was used to seeing the priest as in some way, if you like, above reproach and perceived within the church, not just by priests but also by laypeople, as in some sense superior.

“So, in that sense, there weren’t other voices being introduced. And I think allied to that – and it ties in with the business of a tightly controlled organisation – there was a real lack of freedom of speech and public opinion within the church. So when people wanted to speak – and I’m not just talking about clerical child sexual abuse but about other issues in the church that might have been considered to be controversial – if they weren’t following what was perceived as orthodoxy, often defined in the very narrow sense, then they were liable to censure of one sort or another. That was particularly so in the area of sexuality and gender. So there was a particularly tight rein, if you like, kept on opinion in those areas.

“When priests or laypeople were accused of stepping out of line (regarding child sexual abuse), the procedures for redress were not robust. The Congregation for the Doctrine of the Faith has a number of procedures which they have outlined in an instruction, which was updated in the late 1970s, with regard to a just way of proceeding with regard to complaints, **but in fact most canon lawyers looking at that would say that they fail to meet the standard of ordinary secular justice and they don’t give a good hearing to people.**

¹⁸ <https://www.associationofcatholicpriests.ie/2017/02/child-abuse-scandal-almost-fatally-destroyed-catholic-church/>

Press clipping 10

Poland's Roman Catholic Church faces first abuse lawsuit¹⁹

7 February 2014

A Polish man who was abused as a child by a priest is suing the country's Roman Catholic Church - the first such civil case in the country.

The man - who is only identified as 25-year-old Marcin K - is demanding 47,500 euros (\$64,500; £39,550) in damages.

The priest has been convicted and is now serving a two-year jail sentence.

The church leadership apologised to all child abuse victims last year, but insisted it would not pay damages for the crimes of individual clergymen.

On Wednesday, the UN said the Vatican should "immediately remove" all clergy who were known or suspected child abusers.

In a report, the UN Committee on the Rights of the Child also denounced the Holy See for adopting policies which allowed priests to sexually abuse thousands of children.

Apology demand

Marcin K - who was abused by Father Zbigniew R between 1999 and 2001 - launched his case with the support from the Helsinki Foundation (HF) human rights group.

"It is the first civil lawsuit against the (Polish) Catholic church," HF representative Adam Bondar was quoted as saying by the AFP news agency.

"But there has never been a case in which a victim sues not just the perpetrator but also the church as an institution," he added.

Marcin K is also demanding a printed apology in the national press.

The church has argued that it not legally liable for the behaviour of the convicted priest, saying he had operated "independently" in his parish.

¹⁹¹⁹ <http://www.bbc.co.uk/news/world-europe-26077572>