

Juliana Michaelides,
21st SEPTEMBER, 2012

Submission to the Family and Community Development Committee, Parliament of Victoria in relation to the *Inquiry into the Handling of Child Abuse by Religious and Other Organizations.*

I am writing as a concerned citizen regarding the on-going revelations of child sexual abuse, over many decades, by members of the Catholic clergy. This has involved many innocent children, and has had a terrible impact on the victims, and on the families and friends of victims. Indeed the unresolved nature of these crimes over so many years has had a debilitating effect on the Australian society as a whole and diminished us all.

Firstly I would like to address the terms of reference relating to 'the practices, policies and protocols', in the Catholic Church 'for the handling of allegations of criminal abuse of children'. Secondly, I would like to address the terms of reference relating to 'whether there are systemic practices...that operate to preclude or discourage the reporting of suspected criminal abuse of children to State authorities'

Firstly, in Victoria, there has been a litany of abuse. The notorious case, in the 1970's, in Catholic schools in Ballarat, including Saint Alipius primary school and Saint Patrick's school, has resulted, it has been reported, in a cluster of suicides of at least 40 men who were sexually abused as little children (ABC Television, "Unholy Silence", reported by Geoff Thompson and presented by Kerry O'Brien, 2nd July 2012). More recently, another case was reported concerning abuse at the Holy Family school in Doveton (The Price of Battling Paedophilia, The Age, September 17, 2012), where the dubious role of the Education Office (CEO) and that of the local bishop were identified.

These are just two examples where we see a repeat of the modus operandi of the Catholic Church, denying, prevaricating, acting as an accomplice, cruelly, deliberately and ***knowingly putting children in harm's way***

Some of the questions that need to be resolved include:

1. What are the legal obligations of the principal and teachers of a catholic school to ensure the safety of their children both at the school and in the parish surrounds, given their status, ***in loco parentis***?
2. What is the statutory obligation of the CEO, which is a legal entity in receipt of public monies, to ensure that the principal and staff of a catholic school can fulfill the obligations referred to in (1)?
3. What accountabilities need to be in place to ensure that the local parish priest, the bishops and cardinal do not frustrate the proper workings of the schools and of the CEO in providing safety for children in their care, referred to in (1) and (2). To date, the Church seems unwilling and incapable of regulating itself and has indeed provided on-going opportunities for paedophile priests and brothers, to rape and molest children in their care. Given all this, would the Inquiry consider the need for an impartial person, an ombudsman of sorts, to act in that capacity?

Secondly, to address 'systemic practices' one has to only look at the Catholic Church's response to abuse cases world-wide to see that it has been remarkably consistent across all jurisdictions. The local Catholic Church receives directions regarding the handling child sexual abuse from the local bishops and cardinals who themselves receive instructions from the Pope in Rome. The Catholic hierarchy seems to believe that they are above the civil law in any country in which they operate. Father Hans Kung, President of the Global Ethic Foundation and professor emeritus at the University of Tübingen in Germany in April 2010 wrote an open letter to all the Catholic bishops of the world. Part of the letter dealt with the papal cover-up of child sexual abuse. Quote: *There is no denying the fact that the worldwide system of covering up cases of sexual crimes committed by clerics was engineered by the Roman Congregation for the Doctrine of the Faith under Cardinal Ratzinger (1981-2005). During the reign of Pope John Paul II, that congregation had already taken charge of all such cases under oath of strictest silence. Ratzinger himself, on May 18th, 2001, sent a solemn document to all the bishops dealing with severe crimes ("epistula de delictis gravioribus"), in which cases of abuse were sealed under the "secretum pontificium", the violation of which could entail grave ecclesiastical penalties.*

The crime of the Catholic Church is knowingly putting children in harm's way