

**Inquiry into the Handling of Child Abuse by Religious
and other Organisations**

**Members of the Family and Community
Development Committee**

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For the survivors

Some fear the truth about sexual abuse of children in the church because it will bring scandal and shame. Others fear the truth because they will be exposed and brought to justice. Those who sit in the pews of the church fear the truth because it may change the way they feel about their church and lose faith. And authorities often fear the truth about sexual abuse of children because they may be pressured to act, and in particular, against a church that is the richest and most powerful institution in the world.

It is scandalous that I am before yet another parliamentary inquiry 19 years later to talk about the problem of child sexual abuse in the churches, and in particular the Roman Catholic Church. In those intervening years it could not have escaped the attention of any politician, or others with powers to act, that this is a problem on a worldwide scale. That each passing day and year more suffering, and sometimes suicide, of victims and survivors was being exposed through our media. And yet no effective action was forthcoming by those who had power to act and make changes.

If it were not for the courage, tenacity and persistence of survivors this inquiry would not be happening. But **to both state and federal governments past**, I say this: you share the company of other governments around the world who have also failed their children, and therein lies the greatest shame.

Sex, Power and Money, with generous side serves of blackmail and bribery, in an all-enveloping mist of secrecy

Firstly the sex.

There is no such thing as celibacy in the priesthood of the Catholic Church. And by celibacy I am referring to the chaste state. It's a myth, a big lie.

Helen Last, in a former role as pastoral support advocate for the Archdiocese of Melbourne explained the clerical sentiment regarding celibacy at a 1995 parish forum for clergy abuse in the following way:

"The expectations of the laity with regard to celibacy are NOT the same as the expectations of the hierarchy."

She also confirmed that the corruption went even higher than the person she worked for (Msgr. Gerald Cudmore) and spoke of the widespread ecclesiastical tolerance of priests and nuns in sexual relationships.

Richard Sipe, a former priest and psychotherapist, also refers to a culture that is sexually corruptible.

And **of** the elements that support that corruption, **secrecy is primary**.

Two main reasons have been put forward for the culture of hierarchical deceit about sexual predators within the clerical ranks.

1. Some of the Bishops have themselves been involved in sexual crime or sexually predatory behaviour.
2. Bishops are part of a network which operate for institutional and personal advancement.

Sipe explains: " Sexual activity between an older priest and an adult seminarian or young priest sets up a pattern of institutional secrecy. **When one of the parties rises to a**

position of power, his friends are in line also for recommendations and advancement.

This dynamic, he says, is not limited to homosexual liaisons.

"Priests and bishops who know about each other's sexual affairs with women are bound together by links of sacred silence. A **system of blackmail** reaches into the highest corridors of the **hierarchy and the Vatican**, and thrives because of this **network** of sexual knowledge and relationships."

It is this system of blackmail that is **central to the response of Bishops, Archbishops and Cardinals**, locally and around the world, relocating paedophile and pederast priests. The bishop's primary objective is to avoid scandal to mother church, and to contain and silence victims. **But if the bishop is compromised** because he is known to be sexually active, the predatory cleric resorts to blackmail.

As Father Searson, formerly a priest at a Doveton parish school in south-eastern Melbourne brazenly disclosed to an editor of a Catholic magazine who challenged him about his predatory behaviour with children, "I'm not worried about what the bishops might do to me, because of what I know about the bishops."

Sipe continues: " Even bishops innocent of sexual violations themselves, by their silence, concealment of facts and resistance to effective solutions, choose to be part of a genealogy of abuse and reinforce a culture of deceit."

In the documentary *Mea Maxima Culpa: Silence in the house of God*, Sipe sums up the problem very succinctly: "It's an old, old problem and if you follow this problem to it's foundation it will lead you to the Vatican..... **The system of the catholic clergy selects, cultivates, protects, defends and produces sexual abusers.**"

Blackmail, more often than not, comes into play when a high ranking cleric is in a gay relationship or has sexually abused lower ranking clerics. More than a couple of scalps have been claimed in recent times, most notably Cardinal Keith O'Brien in the UK, who has been accused of sexual abuse of seminarians. Former Archbishop Weakland from the US is another high profile prelate who was subjected to blackmail by his former gay lover and was forced to resign. There are many others, too numerous to mention. Nevertheless, Cardinal Levada still continues to trot out the Catholic Church's mantra - "By nature homosexuality is not a predatory activity, it is a sexual activity that the Catholic Church does not condone". There are those who rightly charge that the Church is being hypocritical, that is, tolerating and even rewarding personal sexual hypocrisy at the highest levels *providing outward fealty* is displayed to central control. (ROS vol III)

As long as the Catholic Church denies, lies about and practices this continuing deceit and hypocrisy, the more likely those who are part of the gay clerical culture will be subject to blackmail.

A culture of deceit and denial

Bishops, in collusion with their Archbishop and in obedience to the Vatican **knowingly traffic pedophile and pederast priests interstate and around the globe**. They absolve themselves from responsibility and obligation to obey state laws, and to report their knowledge of crime within their ranks to local authorities. Instead they obey Canon Law and the Vatican ruling that requires them to report any sexual abuse that involves a minor to the Congregation for the Doctrine of Faith. Scandal to the church must be avoided at all costs and the darkest secrets of their criminal brethren buried. Certainly we know there has been **plenty of organised crime**: plenty of organisation and crime aplenty.

We have in this country, in this state, prelates who believe in absolutely nothing. They are imposters and pretenders who fail to display any Christian virtue, let alone Catholic. In their haste to climb the ecclesiastical ladder anything that gets in their way simply becomes collateral damage. We have seen comments in the media from these wily prelates who **minimise the criminality of child sex crimes as wrongdoings and misdeeds**, who shirk from their own culpability and responsibility, and who seek to deflect the blame to other areas of society, such as the media, the whistle blowers and sometimes the victims themselves. We have heard George Pell proclaim through rubbery lips the latest spin in defence of the church: We didn't understand the harm this would do to children. The word "crime" once again fails to materialise or threaten his conscience. And in a fit of protest, when the Royal Commission was announced: We object to being described as the only cab on the rank. Well George, you're right - there are plenty of other bishops, archbishops and cardinals around the world who also share **that** shame. And clerical sex abuse survivors have been reminded quite frequently in one form or another not to "dwell crankily on old wounds" or to descend into "idle gossip".

Then there are people who I would refer to as **willing dupes and useful idiots**. These distractions or diversions are trotted out from time to time

by the hierarchy, usually when a brighter than normal spotlight is flashed in the church's direction, to provide some fortification or barricade between the bishops and an angry and questioning public and media. Some of them have been employed to be prolific apologist letter writers or columnists to newspapers, or spokespeople on radio and TV. Some are nuns to suggest there exists a softer more feminine, caring and sharing, motherly side of the Church. Some are installed as "fixers", not without reasonable legal qualifications for the job, but who may enjoy a bit of extra cash for their retirement.

Whatever way you look at it.....

They are fighting to cover up.

Their energy is expended to secrete, not to reveal.

The so-called transparency and accountability proclaimed by bishops are simply words.

Let's name them for what they are — outright lies. It's part of the culture of deceit.

Deceit at Vatican Level

Former Pope Benedict, in his previous life as a cardinal and a Vatican official, spent 10 years as head of the Congregation for the Doctrine of Faith. **For 10 years every child sexual abuse report from around the globe came to his desk!** Yet in 2010 while visiting Scotland and asked for his response to the child sex abuse problem he replied:

"These revelations were for me a shock and a great sadness. It is difficult to understand how this perversion of the priestly ministry was possible," he told reporters. "How a man who has done this and said this can fall into this perversion is difficult to understand."

He added, "It is also a great sadness that the **authorities of the church** were not sufficiently vigilant and insufficiently quick and decisive in taking the necessary measures."

Benedict not only claims to be powerless, but also claims ignorance of his own Church's history! After all, clerical sex abuse in his church has only been going on for more than 1700 years!! The truth about this problem dates back to 306 AD when the first Church document was issued evidencing widespread sexual abuse by clergy – a document issued in the Council of Elvira, that stated that priests who had sexual relations with boys were to be deprived of communion even on their death beds. The clerical abuse problem also played a key role in the Reformation 500 years ago.

Yet in those few utterances, Benedict has divorced himself not only from responsibility but reality! His disingenuousness about the "shock and sadness" is reflective of a very deep pathology that resides in the heart of the church hierarchy. Benedict talks about the sexual abuse inferno surrounding him, as though he is on the outside looking in merely as an observer! Who **are** the authorities of the church **if Benedict, then the reigning pope, is not one of them?**

Whether he was pushed or jumped, it's little wonder a helicopter ride to a waiting palace proved more appealing!

His predecessor Pope John Paul II was no better. His response to sexual corruption was, and I quote, "**keep quiet, deny, apologise if necessary, and when in doubt, attack the messenger**"! (pg 280, Vows of Silence)

It seems our local prelates had a good teacher. None less than an infallible pope!

In a closer look at the murky and shadowy world which is the Vatican, one treacherous and poisonous prelate, Cardinal Sodano, stands out as the unmistakable link to the scandals that have dogged the past two papacies. Attempts to investigate two high profile cases involving Austrian Cardinal Hans Groer, who abused his students and monks, and Marcial Maciel, a prolific abuser over 6 decades of seminarians, women and children, including his own, were blocked by Sodano, who holds the title of Dean of the College of Cardinals and previously was Secretary of State under Pope John Paul II. Cover-ups at the Vatican level had Sodano's dirty fingerprints all over them.

In Sodano's Homily delivered at the recent conclave which elected Pope Francis, it's astonishing he didn't choke on his pious words: "At the same time today, we implore the Lord, that through the pastoral solicitude of the Cardinal Fathers, He may soon grant another Good Shepherd to his **Holy** Church. In this hour, faith in the promise of Christ sustains us in the **indefectible** character of the church. Indeed Jesus said to Peter: "You are Peter and on this rock I will build my Church, and the gates of hell shall not prevail against her."

Holy? Indefectible? The gates of hell have already prevailed in the corruption of the leadership of the Catholic Church! And the circus of electing a new puppet, albeit a momentary distraction for the world, will not solve their problems.

Ok let's get back to the lies!

We have bishops who lie to popes to protect themselves, and popes who lie to the world to protect the church!

And why not? With the lies and corruption exposed, there's nothing left to sell! And the river of money will dry up!

It's all about the money

There's possibly no better example that demonstrates the importance of money to the Catholic Church than the story of the Legions of Christ and Marcial Maciel. Millions of dollars poured into the Vatican from the order while they completely ignored the ever increasing number of sexual abuse cases against Maciel bubbling to the surface. It's a story spanning 6 decades.

They called him the "Devil in disguise"

Maciel founded the order in 1941 and through fundraising drives raised millions of dollars, which enabled the order to open universities and seminaries all over the world. He controlled an annual operating budget of \$650M and courted friendships with the rich and famous, including politicians.

Maciel was also a particular favourite of Pope John Paul II, who exulted him as a holy man and visionary. The pope also favoured him because the money was flowing into the Vatican. Maciel was as connected as you could get in Rome and he got that way by giving money to people - including a \$90,000 bribe to Cardinal Martinez Somalo, who was at the time the head of the congregation who should have investigated his crimes.

Behind closed doors Maciel lived a secret life. He abused dozens of his legionaries and would visit the monasteries and insist on being masturbated or having sex with one of the boys. He had at least 2 secret mistresses and 4 children, and he abused some of them too. Even when reports started to surface in the press about Maciel, **John Paul II didn't investigate him, he celebrated him! The money kept pouring in!**

Cardinal Angelo Sodano, aforementioned ruthless Vatican faction leader and one who is as morally, politically and financially corrupt as anyone could possibly be, protected Maciel and was handsomely rewarded. Sodano also ensured that any investigations into Maciel's crimes were

stopped. Pope John Paul II knew about the crimes but sat on his hands. After all, Maciel was his favourite son. It's all about the money.

The rivers of cash continue to flow to the Vatican every week.

And rivers of tears flow from survivors, their families, friends and communities around the world. Their tears would fill oceans.

Some more unholy alliances

We've always considered separation of Church and State important in this country. One only needs to look at the adverse effects on countries where clericalism, of one creed or another, rules. During the Howard era of politics, then Archbishop of Sydney George Pell enjoyed considerable political sway and outspokenness, and there was no secret about the mutual admiration between he and John Howard. Another high profile cleric, former Anglican Archbishop Peter Hollingworth, was sworn in as Governor General, although for a brief period due to mishandling of sex abuse in his **own** church.

In an article in *The Age* last year written by Jane Cadzow entitled "Our Man in Rome", Opposition Leader Tony Abbott claims Pell is "one of the greatest churchmen that Australia has seen" and that he has sought Pell's "counsel on important matters" on more than one occasion. And Pell was equally proud to point out **his** connectedness with those in positions of power and influence, and revealed that Abbott wasn't the **only politician** who sought his advice.

Briefly, on issues concerning money, Pell also boasted that renovations to his new digs in Rome cost \$30 million, which he considers an investment, although one could regard it a drop in the ocean when BRW reported in 2006 the Catholic Church's revenue for the previous year was **\$16.2 billion, all tax-exempt.**

According to Cadzow, Pell's tilt at the top job of pope has been hampered "by a lingering whiff of a scandal" - one that has never been tried in a court of law - but in a **church-appointed inquiry in 2002. And we all know you don't hold an inquiry unless you already know the outcome!**

No sooner had Pell stood aside than Prime Minister Howard publicly defended Pell and expressed confidence in his character.

And, **without waiting for the judge's decision**, his friend Tony Abbott also rushed to Pell's defence declaring that "it should not surprise any Christian that there would be people who want to make **unfair, wrong, mischievous, and malevolent accusations** against the strongest and most public Christian of the time." "**I'm more than ready to accept Pell's testimony**", he trumpeted. When the inquiry was completed Pell claimed, to any listening ear, to be exonerated. To the contrary, independent commissioner Alec Southwell QC found both witnesses' testimony equally credible.

A few years earlier in 1997, Tony Abbott insisted on providing a character testimonial for another Catholic cleric, who was **subsequently struck off by the Vatican**. He described Father X, who was found guilty of indecent assault of a 15 year-old altar boy by a Wollongong magistrate (although later successfully appealed against the conviction) as a "**beacon of humanity**". He also described Father X as "**an extremely upright and virtuous man. I..... liked his maturity - intellectual, social and emotional.**"

The fact that the Vatican laicized Father X with haste, at least by Vatican standards, when they have been slow or reluctant to do this in thousands of other cases around the world, even when the priest has been charged on more serious crimes or been sent to jail, raises some serious questions. Was X's laicization performed because of Vatican knowledge about other sexual abuse claims against him, or was the hasty move to get X out of the church (and out of the country to America), to silence him in order to protect one or more other identities, given that there have been a significant number of clerical abuse allegations and prosecutions in the Wollongong district? The church knows it all, they have all the paper work. **The Congregation for the Doctrine of Faith knows it all.**

But on an even more serious note regarding this case, we have a **Federal MP, Tony Abbott, who has told the court what a good bloke Father X was**. And Abbott was prepared to provide this character reference in spite of having no connection to Nestor since their seminary days.

And this is the man who wants to be our next Prime Minister.

Equally disturbingly, the **district court judge who heard the appeal, and quashed the conviction, bears a name that raised for me significant questions about his judicial independence** - the magistrate in the original trial described the abuse as "a gross breach of trust" and imposed a sentence of 16 months jail.

Further north, in the Newcastle and Maitland district, Detective Chief Inspector Peter Fox found it untenable to remain quiet about cover-ups by others in positions of power while dealing with child sexual abuse by clergy. He disclosed to Tony Jones on *Lateline* that the evil of paedophilia in the Catholic Church was the worst he had heard. In this one district alone, he told Jones the scale of the problem - **400 victims, 14 clergy charged, 6 catholic teachers convicted, 3 priests currently on trial.**

Fox also revealed the existence of a well-organised ring of paedophile clerics from adjoining parishes, who used parish money for their defence costs as well as destroying and removing evidence.

"I can testify from my own experience the Church covers up, silences victims, hinders police investigations, alerts offenders, destroys evidence and moves priests to protect the good name of the Church."

A further telling and explosive statement by Fox:

"There is so much power and organisation behind the scenes that police don't have the powers to be able to go in and seize documents and have them disclose things to us"

Why **don't** the police have the power to seize? **Who or what** is stopping them?

Fox also claimed that the cover-up went to the highest levels of the Catholic Church and that an Archbishop and two other clerics are implicated.

We can draw some conclusions from these statements by Fox, and the example of the Father X case: that the tentacles of bishops, archbishops and cardinals reach into every agency of power - the police force, the judiciary (with whom the church retain very close links and hold a Red Mass day each year), governments and politicians, the media and other spheres of power and influence. Throughout the decades the crimes of clerical sexual abuse could not have been smothered and the spot fires extinguished **without the interference and willing co-operation** of persons in other agencies of power.

Ray Mouton, the lawyer hired by the Church to represent Gauthier, the first US Catholic priest to be indicted on child sexual abuse charges, elucidates in his fictional account, "In God's House", how the power structure works between the church and other agencies of power. It is a novel about truth, not facts, where Bishops, cardinals and popes, like the criminal priests, act out of a deep, dark, dangerous pathology that presents a great danger to society. They are men who purport to be men of God, but abandon morality for legality.

Church's political power broker: "It doesn't matter who that family has as a lawyer. We can control the district attorney and the press. We just need a lawyer to go to some meetings with the DA on behalf of the priest. A few meetings with the DA and it will be all over with. We elected Sean Robinette as DA and re-elected him 3 times. **He owes us**, and Robinette is not about to indict a Catholic priest, and **embarrass** Bishop Reynolds."

When asked how the media was going to be kept out:

"Son, even The New York Times won't piss on the Pope."

"It's been a damn secret for over a year and it can continue to be a secret till hell freezes over. **The church keeps all our secrets, son, and we can damned well keep theirs.**"

And on maintaining the silence of victims when more victims of the same priest emerged:

"No priest in the United States has ever been prosecuted in open court before a jury for sex crimes against children. No bishop or diocese has ever been dragged into court because of the sex crimes of a priest. And none of that is going to happen here. Not on my watch. We bought the first six claims, sealed the settlements. We buried the cases in the vault of the courthouse. And we will buy and bury these eleven claims too."

So who does the buying?

Patrick Wall, previously known as "the fixer" and sent all over the US to extinguish any scandal surrounding sex abuse by priests by settling with victims and extracting secrecy agreements, explains in detail the operations he undertook on behalf of the church:

"The sexually abusive priest has to be removed, his stuff has to be completely removed, and then there's another guy placed in there..... to make sure the normal life of the parish continues. I thought I was going there to uncover the crime, to heal the wounds. I thought it was pastoral care. Comforting the afflicted is what we were ordained for. **But the people sending me in obviously had ulterior motives.** They would give you authorisation up to \$250,000 just to settle a case **if you could get a confidentiality order.** In 1995 we had a budget of \$7M just to handle various problems of childhood sexual abuse."

"In the Catholic mindset you don't sue the church."

When asked if part of his brief was to report these things to the local authorities, Wall replied "Never. That's the worldwide policy, to snuff out scandal."

And that was precisely the job description of Melbourne's Mr Fixit, Peter O'Callaghan QC - to snuff out the scandal, pay out the victims, shut them up, deter them from reporting to police and at the same, gather the information for the Church. O'Callaghan was employed by the Archdiocese of Melbourne, as part of the Melbourne Response set up by Pell, as a purportedly **independent** commissioner and a vehicle for victim compensation. O'Callaghan in reality was an employee of the Melbourne Archdiocese and was effectively wearing two hats, and possibly three.

Firstly, taking evidence from the victim to determine compensation.

Secondly, hearing defence evidence, or confession, from the alleged offender, if still alive.

Thirdly, passing on information to the church about offenders who, in his legal experience, would certainly face a jail term. This would then enable the Church to move the priest to another country to avoid prosecution.

This set-up was seriously flawed from the start, but consistent with the Church's primary objective to control and contain the criminal information about their predatory clerics.

Finally, a quote from Father Gerald Fitzgerald, founder of The Servants of the Paraclete:

"We are amazed to find how often a man, who would be behind bars if he were not a priest, is entrusted with the care of souls"

Note: Father X is Father John Nestor