



When the Lid Is Lifted

Brendan Daly writes about the ramifications for the church of the Royal Commission Report on Abuse in Care.

THE ROYAL COMMISSION Report on Abuse in Care included physical, emotional, mental and sexual abuse. The report was released on 24 July 2024 and the figures are appalling: it is estimated that of the 655,000 people in care between 1950 and 2019, between 114,000 and 256,000 were abused. The Commission reported there were 592 perpetrators of abuse in the Catholic Church who had abused 1,296 victims – these 592 perpetrators included 14 per cent of the New Zealand clergy during the time covered by the inquiry. The report notes there are systemic factors behind this abuse and Catholic leaders have been neither accountable nor transparent about the abuse they knew of.

Report Recommendations

The Commission made 138 recommendations including: a new police unit to investigate and prosecute cases of abuse and neglect in care; a national care strategy to prevent and respond to abuse and neglect in care; an apology from

the Pope; public honours, memorials and street names of abusers be changed; the Bishop of Christchurch to deal with St John of God so that new victims are properly able to complain and be cared for, and that all victims receive compensation from the new redress scheme; Archbishop Paul Martin is to ask for an apostolic visitation in Papua New Guinea to deal with potential abuse by the St John of God order there; all people in care need to have a system of independent advocates; that there be mandatory reporting of abuse, even including from religious confessions.

Of these recommendations, there is only one that cannot be accepted; the church will not agree to the violation of the seal of confession.

The Catholic Church leaders have been given two months to agree to join Puretumu Torowhānui, the new redress system, once it is established. There is the potential for losing their tax-exempt status if they fail to agree. It has been recommended that changes be made

to ACC to provide tailored compensation for survivors of abuse and neglect.

The report recommends that the Church implement the 95 holistic redress recommendations in the interim report on redress. The recommendations include: giving effect to Te Tiriti o Waitangi in appointments to all positions; and that all policies and procedures include respect for Māori and Pacific cultures, as well as for all people with disabilities.

Establish Independent Care Safe Agency

A major recommendation is to establish an independent Care Safe Agency with wide powers including vetting carers and clergy before they enter ministry. The church entities will have to report annually to this body. All entities providing care will need to ensure they have appropriate complaints policies and procedures, and a centralised database of complaints and disclosure of incidents of abuse. Each individual report or claim of abuse must be notified to this Care Safe Agency.

Clergy and religious in future are to have performance appraisals and independent supervision. They, and all staff, are to have training and professional development so that codes of conduct and policies are properly observed and implemented.

Abuse procedures must be set in place, including that: standdown

procedures are required for those in religious ministry who are subject to complaints; if a complaint of abuse is substantiated, the person in religious ministry is to be permanently removed from ministry; where there are convictions for abuse, clergy are to be dismissed from the clerical state and all members of religious institutes are to be dispensed from their vows; there is to be a national register of people in religious or pastoral ministry with a substantiated complaint or conviction; there is to be a risk assessment of persons in congregations with a conviction or a substantiated complaint of abuse.

Record Keeping

The report requires: records to be kept for 75 years; provision of safety measures around private areas such as confessional boxes; an annual report from church entities on implementing the recommendations.

Catholic Response

People are shocked that this abuse could happen and be perpetrated for so long. Catholics feel anger at the perpetrators who have done so much damage to people and who were masquerading in roles that called for respect and privilege.

Pope Francis understands these feelings. He said in Hungary in April 2023: "The abuser is an enemy. Each of us feels this because we empathise with the suffering of

the abused ... even talking to the abuser involves revulsion; it's not easy. But they are God's children too. They deserve punishment, but they also deserve pastoral care."

Catholics, including priests, feel betrayed that leaders of religious institutes and bishops were guilty of the most profound clericalism and covered up this abuse and allowed it to continue.

Abuse has been a crime in canon law for most of the church's history. However, church leadership has often been anti-canon law, resulting in leaders excusing abuse as a moral fault and not dealing properly with the crimes. It seems that no religious brothers were dismissed from religious institutes for sexual abuse crimes before 2020 and only two priests were dismissed from the clerical state. This is a dramatic statement of the abdication of responsibility. It is ironic that a secular government commission is telling the church to implement its own law.

In Pope Francis's encyclical *Fratelli Tutti* (2020), he reflects on the parable of the Good Samaritan: "The story of the Good Samaritan is constantly being repeated ... leaving great numbers of the marginalised stranded on the roadside. The priest and Levite pass by in nervous indifference." This shows that belief in God and the worship of God are not enough to ensure that we are actually living in a way pleasing to God. A believer may be untrue to everything that his faith demands of him, and yet think he

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is close to God and better than others."

The revelations of abuse in New Zealand and elsewhere have had a gigantic impact on church attendance and practice. Many are left wondering about the future of the church and its survival.

Jesus promised to be with the church until the end of time (Matthew 18:20). It is also good to remember a gospel incident which parallels people leaving the church. In John 6 Jesus teaches about the Eucharist, which is central to the life of the church. Many of the crowds were leaving Jesus because of his teaching about eating his body and drinking his blood. Jesus says to his disciples: "Do you also wish to go away?" Peter replies: "Lord, to whom shall we go? You have the words of eternal life." ♦

The Temptation in the Wilderness by Briton Rivière (1840-1920)
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