

# Report tells bishops to make abuse rules conform to canon law

LONDON – An independent commission has urged the Catholic bishops of England and Wales to bring their child-protection measures in line with the Code of Canon Law amid fears that false allegations are driving priests away from working with young people.

Produced by a commission headed by Baroness Cumberlege, a member of the House of Lords, the report published July 16 warned the bishops that “persistent and tenacious” fear among the clergy over malicious accusations of abuse needs to be addressed urgently.

The report, called “Safeguarding With Confidence,” said many priests believe the system brought in five years ago after several high-profile clerical abuse cases is loaded unjustly against them. The report was the result of the first five-year review of the bishops’ 2002 child protection policies.

Many priests believe the procedures treat them as if they are guilty as soon as an accusation has been received – even if the police later find there is no basis for the accusation, several priests told Catholic News Service. They said they are often immediately evicted from their homes, then spend years unable to practice their ministry while undergoing a series of grueling psychological “risk assessments.”

Sometimes action has been taken against priests without telling them what exactly they have been accused of and who has made the allegation, both of which are in breach of canon law.

The report, which has 72 recommendations with the goal of implementing a single, uniform set of child protection policies in the church, insisted that the protection of children in the church must remain paramount. But it also addressed a “damaging tension that has driven a wedge” between the bishops and priests who feel they are being hung out to dry to save the skins of their superiors.

It said the church risked a “serious reversal” of some of the gains it had made in tackling child abuse if it failed to deal with tensions within its own ranks over the issue.

It urges the bishops to restore confidence by applying to the Vatican for a decree, or “recognitio,” to bring their child protection measures into line with canon law. A

similar territorial provision was granted to the U.S. bishops in 2002.

"A strong and vocal lobby of priests now believes that the system for dealing with allegations against them leaves them exposed and vulnerable and is a breach of canon law and natural justice," said the report.

"They believe they can no longer count on the support of their bishop (or) congregational leader because they perceive the system to be weighted against priests," it said.

"This has both eroded the trust between priests and bishops and between religious and congregational leaders and has engendered a fear among the clergy (including those in formation) of the false or malicious allegation - a fear which is tenacious and persistent despite there being no evidence of any upturn in the numbers of allegations made against priests," it said.

Figures released in June by the Catholic Office for the Protection of Children and Vulnerable Adults revealed that in 2006 police in England and Wales investigated 41 allegations of abuse in the church, which resulted in one conviction.

However, 24 allegations immediately resulted in no further action, suggesting that the majority of the allegations were unfounded.

Baroness Cumberlege sits on the Conservative Party benches of the British Parliament's House of Lords. From 1992 until 1997, she served in the government of Prime Minister John Major as a junior health minister. She had been commissioned to produce national reports on nursing and maternity services for two governments before undertaking the review of the child protection in the church.

Baroness Cumberlege told CNS in an interview July 13 that she was confident the Vatican would grant a "recognitio" because Monsignor Charles Scicluna, promoter of justice at the Vatican's Congregation for the Doctrine of the Faith, personally had assured her that "what we are proposing in no way conflicts with canon law."

In a statement released July 13, Cardinal Cormac Murphy-O'Connor of Westminster, president of the Bishops' Conference of England and Wales, said the review had been "thorough, painstaking and independent."

"Later this year, we will make a more formal response to the commission's findings once the best way forward has been discerned," he said.

Among its other findings, the commission identified a view held by some in the church that child protection policies and procedures are "too long, overly bureaucratic and impenetrable," and lacking in theological and spiritual context.

It said that “some resistance to change and a fear and suspicion that the authority of the leadership is being undermined has impeded the delivery of consistently good – let alone excellent – safeguarding arrangements.”

There should also be “much more” focus on safeguarding vulnerable adults, the report added.