

Royal Commission

Submission June 2016

To whom it may concern

I write this response as a man who is Catholic by choice, a father of eight children, and a lecturer in Theology at a Catholic University.

With all Catholics, I have been shocked, appalled, dismayed and angered by the accounts of sexual abuse and misconduct by clergy and other representatives of my Church. Any normal human being would be appalled, but Catholics have even more reason to be upset because we know these incidents contradict the teachings of the Church which we try so hard to live.

I have been greatly encouraged by the establishment of a Royal Commission into such abuse and misconduct, particularly because the terms of the inquiry make it clear that the Royal Commission is focussed on the protection of children and the efficacy of institutional responses. With all good Catholics we have followed and prayed for the Commissioners, that the results be just and that the end result be a safer, more responsible and a purer Church and society.

The first reason for this submission is that some suggestion has been made that, among the factors that contribute to abuse and the covering up of abuse, are the general categories of "Catholic doctrine" and "Canon Law", implying that these may have somehow contributed to abuse and/or institutional failure in Catholic institutions.

We can avoid the impossibly large task of summarising the vast volume of material included under the somewhat vague designation of 'Catholic Theology', by noting emphatically that there is no doctrine or teaching of the Catholic Church that would ever promote, excuse, tolerate or fail to prosecute anyone who harms or even attempts to harm a child, teen or adult person. There is no status or office in the Church, doctrine or Canon Law, that would excuse an offender/abuser from censure and prosecution *if* the doctrine and law were correctly adhered to by the officers of the Church. From Christ's own words, through history to this very day, Church teaching has insisted on much higher standards of behaviour and integrity in its clergy and officials than it has demanded of anyone else. There is no theological argument that might excuse any lapse in this expectation. It is Catholic theology, in fact, that insists that the local bishop has the responsibility, and the authority, to hold his priests accountable to these high standards and to act swiftly if there is any risk of further harm being done. Canon Law spells this out quite clearly, for example in The Procedure in the Removal or Transfer of Pastors (Cann. 1740 - 1752), where procedures are laid out for the swift and proper removal of priests from active duty and/or any further opportunity to offend.

This is precisely why all good Catholics are so upset about the crimes and neglect that have come to light. Not because Catholic theology or Canon Law are, in some way, to blame for these heinous circumstances, but because it has been revealed that officers of the Church have failed to adhere to Catholic teaching and have neglected to act as Canon Law requires. The reason Catholic authorities can (and should) be held legally accountable for their actions and/or neglect precisely *because*, had they

acted according to Catholic teaching and Canon Law, a significant proportion of the awful crimes committed could have been prevented.

To blame Catholic teaching in this case is not only absurd, it is counterproductive. Church officials who have failed to act are doubly guilty in that they have not only violated civil responsibilities in relation to the protection of minors but that they have also abandoned and even contradicted Church teaching and Canon Law in doing so. Allowing any one of these people to plead that their culpability is lessened in any way because 'Church teaching or Law made me do it' would be to permit, we believe, a grave miscarriage of justice. Just as it would be a grave mistake to allow anyone to pretend that all Catholics of goodwill in any way approve or encourage such abominable things by virtue of our commitment to Catholic teaching.

The second reason for this submission is that, while we applaud and encourage the Commission to hold the institutional arms of the Church accountable for any negligence, we are profoundly distressed that the only institution which is the focus of a "summary hearing" is the Catholic Church, when many other institutions seem to have been overlooked in this aspect of the Commission's response, (at least in the documented schedule of the Commission to date.) If the Commission focusses specifically on the Catholic Church but ignores the larger proportion of cases and institutions brought to light in its investigation which occur in other institutions, it faces the risk of its good and necessary work being seen as a sectarian witch hunt, rather than a legitimate call to all persons and institutions to uphold and demand the highest standard of safety and accountability across the nation.

Submitted with respect

Peter Holmes

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