

## Book Review

### Briefing: The Holy See and the United Nations.

(2019). **Briefing: The Holy See and the United Nations.** London: Child Rights International Network.

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On 12 November 2012, Julia Gillard, then Australian Prime Minister, announced the Royal Commission into Institutional Responses to Child Sexual Abuse. At the time, Cardinal George Pell argued that the Catholic Church was 'no worse than other organisations' (Zwartz, 2012, p. 18). The final report of the Commission was presented to the Governor-General just over 5 years later, on 15 December 2017 (Royal Commission into Institutional Responses to Child Sexual Abuse, 2017).

In volume 16 of the final report, the Royal Commission (2017) reported that 15 of the 57 case studies were devoted to Catholic institutions, and that of the 4029 survivors who told of their abuse, 2489 (61.8%) were abused in Catholic institutions.

Abuse of children in Catholic institutions and the international scale of the problem are rarely out of the media. The media coverage has been even more extensive in 2019.

In February 2019, Pope Francis called a conference of nearly 200 delegates at the Vatican. The Pope convened Catholic leaders from around the world for the four-day meeting aimed at addressing the child abuse scandals that have plagued the church for many years (see, for example, Pullella, 2019).

Before the meeting even began, there were many concerns expressed that there would be little change. Professor Lytton, for example, who more than 10 years earlier wrote a book *Holding Bishops Accountable* (2008), stated in *The Conversation* that the church was still not prepared to take what he regarded as the 'essential step':

... providing a full and detailed accounting of their own role in concealing credible allegations of sexual abuse. (Lytton, 2019)

On the very day that *The Age* and other papers carried major stories of victims' criticisms at the conclusion of the papal summit (see, Miller, 2019), the suppression order on the trial of Cardinal George Pell was lifted. The following day the front pages of Australia's newspapers carried headlines such as 'Cardinal to

Convict' (Ferguson & Akerman, 2019), 'Pell Guilty' (Cooper, 2019) and 'Guilty as Sin' (Deery, 2019). These headlines were in large, block capital letters and the news stories ran for weeks.

These are indeed, as the present Archbishop of Melbourne stated recently, the 'darkest days' in the church's Melbourne history. In a speech, he described the church as standing on 'broken ground and crumbling edifices' (Ferguson, 2019, p. 11). According to Ferguson's report, Pell's name was not mentioned, but the Archbishop made it clear that 'the church was reeling' (Ferguson, 2019, p. 11) after the judgement.

These events made the almost simultaneous release of the briefing paper *The Holy See and the United Nations* by the Child Rights Information Network (2019) even more timely. The Child Rights Information Network (CRIN) paper notes that the United Nations examined the children's rights record of the Holy See in 2014 and made many recommendations to improve matters. However,

Five years on, research shows that Vatican authorities have not only failed to bring into effect the UN's recommendations, but in some cases actively undermined progress for children's rights. (CRIN, 2019, p. 2)

As the CRIN briefing paper notes, in 2014, the UN Committee on the Rights of the Child and the UN Committee against torture both issued recommendations:

... addressing access to justice for the countless victims around the world, as well as calling for reform in the church's internal procedures, which govern abuse prevention and child safeguarding, transparency in reporting, and accountability for abusers. (CRIN, 2014)

CRIN states that the briefing is released because the Holy See once again has not submitted the required information on time, thus delaying the 5-year review. The briefing paper notes that in the case of the 2014 review, the Holy See had submitted its documentation 14 years late (see also CRIN, 2014).

The paper then summarises what are described as 'some of the most despicable findings' CRIN has gathered (CRIN, 2019, p. 2). The first is that the church extraordinarily still does not have a 'zero tolerance policy on child sexual abuse' (CRIN, 2019, p. 2). One of the most appalling practices, widely used in Australia – the so-called 'geographical cure' involving transferring abusers 'from one parish to another or abroad' – is a practice of covering up crimes that are still not 'explicitly prohibited'.

The systematic 'lack of transparency' and 'strict secrecy rules' continue according to CRIN and:

... even if a country has mandatory reporting laws, the church often ignores or explicitly rejects these. (CRIN, 2019, p. 3)

There have been no reforms to ensure that bishops who cover up crimes are held accountable. Instead, there are 'non-binding guidelines' (CRIN, 2019, p. 3). Church officials, according to the Briefing Paper, have continued to obstruct justice and:

... in some countries have spent millions on lobbying to block law reform that would extend or ease statutes of limitations for child sexual abuse crimes. (CRIN, 2019, p. 3)

The briefing paper provides full details of the UN recommendations made to the Holy See and the subsequent action, or lack thereof. The briefing has grouped these recommendations into 10 broad categories: Accountability; Transparency; the Pontifical Committee for the Protection of Minors; Reform of Canon Law; Reporting Obligations; Protection and Prevention; Redress; Reporting Channels for Victims; Extradition; and Limitation Periods (CRIN, 2019, pp. 4–14).

This detailed analysis by the Child Rights Information Network powerfully demonstrates that too many children are still being subjected to a church-constructed *Hell on the Way to Heaven* as Foster and Kennedy (2010) so movingly described in their book.

As a 'survivor of child sexual abuse' wrote in *The Age* at the conclusion of the papal summit, the church has once again failed to 'take responsibility', failed to 'be accountable', failed to 'be transparent' and failed to declare 'zero tolerance' (Gogarty, 2019, p. 33). In the words of the briefing paper, the 'despicable' practices continue<sup>1</sup>.

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<sup>1</sup>Since this review was written, on 10th May, Pope Francis issued a new law requiring that clerical "sexual abuse and cover ups" be reported to the church, although there is no requirement to report to the police (San Martin, 2019).