

Personal Submission: Strengthening child sexual abuse laws in NSW

Purpose of my submission:

I am writing this submission in respect of *10.18 The Royal Commission recommended the new offence should have the following features: ...There should be no exception for the clergy or for knowledge or suspicions formed (or that should have been formed) on the basis of a religious confession.*

I am writing from my personal experience of having heard and been asked to keep confidential the “confession” of a Roman Catholic Priest regarding the work he did to cover up the paedophile activities of a Presbyterian Minister, also known to me.

I write to highlight the damage that can be done, not only to those who are the victims, but also to those who hear these stories. Not only are they forced to hear these stories alone but they must carry these stories for life even after the perpetrators have died.

While both of the men involved have died, I have de-identified this account to protect their family and friends who are unaware of their history and activities.

Context and relationships:

The events were the result of a decades-long set of inter-denominational friendships which began during my ordination training to be a Presbyterian Minister where I graduated with a Bachelor of Divinity (Hons.) in 1995. I was an adult student in my thirties and during both my studies and in the years that followed I developed close friendships with a senior Catholic priest (TJ) as well as a prominent Presbyterian minister (CS) and a small cohort of other clergy.

I don't wish to cast aspersions on these types of relationships and friendships in general as they are most often positive and healthy. Not only that, but they are also vitally important in providing much needed peer support for and between clergy who undertake a role that often has long hours, high demands and few external support structures or people to turn to who understand the role and its demands.

What was said and what I now carry:

Some months after the death of CS (with whom I had lived as a “boarder” in his church presbytery during the 1990's), I was visiting and staying with the TJ at his house as due to a terminal illness he needed friends to stay overnight in case he required immediate hospitalisation.

During this visit he asked if I would hear his “confession” about his role in looking after CS while he was dying and acting as his Executor.

As he began, he said, "I know we have both left the church, you more than me, but the commitments we made then and the relationship we had and have as brothers religious, confreres together... remains: This is confidential. I am telling you priest to priest."

He told me about the "orphanage" in Thailand which CS had regularly visited and for which his parish had raised significant funds was in fact a "hotel for paedophiles" including clergy from around the world; that the operator had been investigated some time earlier but managed to avoid being prosecuted. He linked this to my questions about CS looking more ill / ill at ease than usual some months earlier.

He said the parish was unaware about CS's activities and did not know where their money was going.

He explained how, as CS was in the hospital, he had searched the house for child pornography and other illegal material and how he had put everything in one place ready to be destroyed as soon as he died. When they happened, he said he had "taken a drill" to all the hard drives, external drives, usb's etc. as well as shredding all other evidence and dumping everything "very far away".

Then he finished.

I think he thanked me – I can't remember.

Impact of the above

If I had known what I know now, I would have walked out and told him to keep his burden, that it was his to hold and his alone. That whatever our shared history and friendship I had no responsibility for sharing this load with him and that in covering CS's crimes up, he was just as complicit in the terrible crimes against those children. That what he was about to do was a misuse of power.

But we never really know what is about to happen and we always want to do the right thing for a friend, especially one who is dying with months left to live.

And, if I am honest – I was a bit flattered. There were many other people he could have chosen, most of whom were still in the church. So I said yes, I would keep it confidential.

From that night, our friendship was a charade. I visited when I had to, I replied to his emails politely and expressed empathy to mutual friends who were hurting as the end of his came closer; but I was just waiting for his life to finish.

I thought when he died I would be rid of it but I'm not.

I remain deeply affected by what I know and the ways in which I was coerced into not acting on the information especially at the time when I might have been able to do some good.

Every time I see an article on child sexual abuse, I feel a deep sense of guilt for not acting when I was told; for not informing the police in case they might have retrieved some of the photographic materials, forced TJ to talk, searched his house in case he kept something or

still had some of the material he had sent me when trying to implicate and silence me, or even if they had not been able to prosecute the men behind it then perhaps they could have saved one or more of the children. I don't know what but it would have been better than this.

Having spoken to a number of current and ex-Catholic clergy as well as clergy from other denominations, this is an unspoken problem.

It is, for want of a better term, a collateral damage no one seems to think about. Yet it is real and it causes harm to both current and ex-clergy.

Why this applies to allowing Priests to break the seal of the confessional:

It is time to allow Priests to break the seal of the confessional and report sexual abuse.

Firstly and most importantly to protect those primarily affected,

Secondly, to give those hearing the confession an opportunity to help those who have been harmed and also to unburden and heal.

While it is possible for clergy to talk to other clergy, where a church body has no mandated reporting policy, this only shares the information and does nothing to alleviate the actual burden nor does it address the issue of justice and action.

Because there is no way out for current clergy, both those held in but rigid church law nor those ensnared by less rigid but equally labyrinth moral codes within other denominations there is no language to express the damage caused by holding these secrets.

Clergy hearing such stories, often with a great deal of detail, are expected to act as if we are not "personally affected", as if the information merely flows through or past us and that we are simply the conduit or facilitator.

Firstly, on a purely human level – simply acting from one's heart for the greater good of the world, standing on the side of the oppressed and acting with justice – this isn't, or at least should not be, possible.

And if, as some say it is, not only possible but the way it is supposed to be, is this not evidence of the damage that such processes and structures do?

These processes bind the empathy, love and moral actions of good people so they become weakened and unable to respond, not only in the face of such horrific disclosures but also in the full knowledge there are children who have been and might yet be hurt.

Within my training there was a clear injunction to 'speak truth to power': We need hear and speak this truth.

Hearing the confession of a paedophile is difficult but not necessarily damaging if there is the opportunity to help them heal and change.

But hearing and being silenced just adds another victim to crime and another layer to the secrecy.

The Church is wrong: There is no room for ongoing secrecy around these confessions. Breaking the confessional seal will not only potentially save children but it will help those who have to hear these crimes as well.

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