

Philip Gilligan
philipgilligan@lineone.net
p.a.gilligan@bradford.ac.uk

Philip Gilligan
p.a.gilligan@bradford.ac.uk

Some Context

- Incidence
- Additional and specific impacts / Religion as an aid to recovery / Ambivalent feelings

Some Rhetoric

- What Dioceses claim they will do

A Reality

- What the Diocese of Salford appears to have done and not done in one case and how it responds to queries about this

Philip Gilligan
philipgilligan@lineone.net

Context

- Child sexual abuse by clergy is widespread, but probably no more so than in other groups of men
- Victims are both male and female, but majority of victims are male cf. other groups of perpetrators
- Victims often disclose many years after the events

Philip Gilligan
philipgilligan@lineone.net

- As in other cases of CSA, vast majority of 'known' cases are never taken to court and perpetrators are not convicted

- Precise data about prevalence, convictions, etc hard to establish (e.g. parish priest reported in media as 'retired school teacher')

Philip Gilligan
philipgilligan@lineone.net

28 December 2007 – researching for Furness and Gilligan (2010), SF asked COPCA for information on numbers and proportions of priests, etc relevantly convicted and subsequently laicised, since 1994.

2 January 2008 - Adrian Child, Acting Director of COPCA replied "I'm afraid that I am not able to help you with your queries at this time. Data from 1994 to 2001 was not held centrally Data from 2001 to the present is contained within the Annual Reports, yet this does not fully capture all activity... it is an area I would wish to look more closely at later on in the year."

Philip Gilligan
phillgilligan@lineone.net

1995-99 inclusive, 21 Catholic priests were convicted of sexual offences against children.

(2 were tried and acquitted; ten were charged but the charges were dropped; 63 were investigated but never charged; and six were given a police caution.)

(Independent Catholic News, see <http://www.indcatholicnews.com/news.php?viewStoryPrinter=13769>)

COPCA (2002 – 2007) reports showed 4 laicisations 2002-2006 inclusive (0 in 2002; 2 in 2003; 2 in 2004, 0 in 2005 and 0 in 2006) (see COPCA annual reports 2002 – 2007 available via 'Documents at www.csas.uk.net/)

Philip Gilligan
phillgilligan@lineone.net

Churches and other religious groups and religious beliefs may offer help and assistance in recovery

(Milgrom and Schoener, 1987; Armstrong, 1991; Kennedy, 1995; Crompton, 1996; 1998; Flynn, 2008; Farrell, 2009).

Philip Gilligan
phillgilligan@lineone.net

Particular aspects of Christian teaching may be extremely unhelpful to victims

(Milgrom and Schoener, 1987; Armstrong, 1991; Kennedy, 1995; Crompton, 1996; 1998; Flynn, 2008; Farrell, 2009).

Philip Gilligan
phillgilligan@lineone.net

Churches etc offer some abused children and adult survivors sanctuary and new opportunities to move-on and emerge from the trap of self-blame

Philip Gilligan
ph@gilligan@lineone.net

Doyle (2006)

Reassurance provided by religion?

God loves you
whoever you are

Philip Gilligan
p.a.gilligan@bradford.ac.uk

Doyle, C. (2006) (3rd Edition) *Working with abused children: from theory to practice*, Basingstoke, Palgrave Macmillan quotes

Parkinson (1993, p95) – “A firm belief and conviction can help survival.”

Perkins and Jones (2004) – “religiosity” is a protective factor for adolescents who have been physically abused.

Philip Gilligan
p.a.gilligan@bradford.ac.uk

Seidman and Pedersen (2003) – religious belief is a protective factor for children in adverse and oppressive circumstances.

Doyle (2001) – interviewees identified religion and religious groups as enhancing ability to cope with abusive experiences.

Philip Gilligan
p.a.gilligan@bradford.ac.uk

Grotberg, E, (1997)

15 resilience factors include

8. The young person believes in a power greater than seen

Philip Gilligan
p.gilligan@bradford.ac.uk

... aspects of Christian teaching can be unhelpful
For e.g. emphasis on:

- endurance/forgiveness
- worship of a male deity
- notion of perfect fatherhood

Philip Gilligan p.gilligan@bradford.ac.uk

• 'God' - "integral within the abuse"
(Farrell, 2009: 39).

• Victims' beliefs may cause them to see suffering as redemptive and encourage acceptance of abuse

(Kennedy, 2000; 2003) following Carlson Brown and Parker, 1989 and Redmond in Manlowe 1995).

• "There is a strong Christian message that the adult is not to be questioned" and that God is male (Kennedy, 2003: 3).

Philip Gilligan
philipgilligan@liveone.net



Victims of abuse find it incredibly difficult to understand why it is that God/Jesus did not protect them. They blame God/Jesus for their abuse. It's quite something to feel betrayed by your human family, but really huge to feel betrayed by an all-powerful deity.

(Kennedy, 2003, p 4).

Philip Gilligan
p.gilligan@bradford.ac.uk

Often repeated pattern of victims not disclosing abuse, until they are mature adults; sometimes waiting until their parents have died or until separate and public disclosures have been made by others.

Philip Gilligan
philpgilligan@lincsone.net


30 years after the event, asked about his decision to come forward to the Police, one victim said,



It's something I had to do. It's not been easy. I'll never know the true effect it's had because it has stolen my childhood. It has stolen my education. I don't know what I would have gone on to be. It's like it was just yesterday. (BBC, 2008)

Philip Gilligan
philpgilligan@lincsone.net

Fully committed? Rhetoric and reality in response to priests convicted of abusing children: one parishioner's experiences in the Roman Catholic Diocese of Salford.

Philip Gilligan
philpgilligan@lincsone.net

Some Rhetoric 

 Background Information 

Rhetoric v. Reality


Philip Gilligan
phillipgilligan@lineone.net

- All information shared about third parties is either already *in the public domain* or has been supplied by others *without requests for any restriction*
- Copies of all letters, etc available electronically at <http://caads.blogspot.com/>

Philip Gilligan
phillipgilligan@lineone.net

- One parishioner's experience in one diocese in a particular faith community
- Representative?
- Real!

Philip Gilligan
phillipgilligan@lineone.net

 Some Rhetoric 1994 to 2010

Philip Gilligan
phillipgilligan@lineone.net

"It is essential that the Paramountcy Principle of protecting children is maintained. This demands a regime of vigilance by informed and responsible people who are concerned about the alleged abuser and anyone making allegations."

Child abuse : pastoral and procedural guidelines ; a report from a working party to the Catholic Bishops' Conference of England and Wales on cases of sexual abuse of children involving priests, religious and other church workers, 1994.

Philip Gilligan
philpgilligan@lincsone.net



"We now commit ourselves to implementing the Final report"

(Leeds, 15 November 2001, 1200hrs)

Catholic Bishops' Conference of England and Wales (see

<http://www.cumberlegecommission.org.uk/>

Philip Gilligan
philpgilligan@lincsone.net



BISHOPS' RESOLUTION: THE FINAL NOLAN REPORT

The Catholic Bishops' Conference of England and Wales makes the following Resolution with regard to the Final report of the Independent Review on Child Protection chaired by Lord Nolan.

1. We wish to express our gratitude and deep appreciation to Lord Nolan, to the members of the independent committee he chaired, and to all those who contributed in any way to the work of the review on Child Protection in the Catholic Church in England and Wales.

2. At our last meeting in April 2001, we discussed the Review's First Report with Lord Nolan and members of his committee. We unanimously resolved to establish the framework of arrangements that report recommended, and appointed an implementation team to take forward those recommendations that required action at national level. Since then, plans have gone ahead for the establishment of the national child protection unit. This unit will have offices in Birmingham, under a management board to be chaired by the Archbishop of Birmingham. The selection process for the Director of this new unit is underway and an appointment is due to be made next month.

Philip Gilligan
philpgilligan@lincsone.net



3. We now commit ourselves to implementing the Final report, published on 17 September 2001.

Its recommendations build on and develop the arrangements which dioceses have put in place in recent years, following the publication of our pastoral and procedural guidelines in 1994. They complement and reinforce one another and constitute a single programme of action. A number of the recommendations in this Final Report, such as those relating to the establishment of the National Child Protection Unit, can be and are being implemented now. Once the National Unit is up and running, it will issue guidance on best practice which will enable a number of the more detailed recommendations at diocesan and parish level to be implemented consistently throughout the country.

4. We have been encouraged by the determination that many religious congregations present in England and Wales have already shown in their positive response to the publication of the Nolan Report. It is vital that the Report's recommendations are implemented fully and quickly by all religious congregations as well as by all dioceses. Acting together with the religious congregations we aim, as soon as possible, to put in place a single set of policies, principles and practices across the Church.

Philip Gilligan
philpgilligan@lincsone.net



Recommendation 1

The Catholic Church in England and Wales should become an example of best practice in the prevention of child abuse and in responding to it.

Philip Gilligan
philpgilligan@lineone.net



Recommendation 4 The Church should adopt this policy statement:

The Church recognises the personal dignity and rights of children towards whom it has a special responsibility and a duty of care. The Church, and individual members of it, undertake to do all in their power to create a safe environment for children and to prevent their physical, sexual or emotional abuse. The Church authorities will liaise closely with statutory agencies to ensure that any allegations of abuse are promptly and properly dealt with, victims supported and perpetrators held to account.

Philip Gilligan
philpgilligan@lineone.net



Recommendation 77 (Nolan, 2001, 3.5.32, p44).

As a general rule, clergy and lay workers who have been cautioned or convicted of an offence against children should not be allowed to hold any position that could possibly put children at risk again. The bishop or religious superior should justify any exceptions to this approach publicly (for example, by means of a letter to be read out in churches at Mass).

Philip Gilligan
philpgilligan@lineone.net



Recommendation 78 (Nolan, 2001, 3.5.32, p44).

If a bishop, priest or deacon is convicted of a criminal offence against children and is sentenced to serve a term of imprisonment of 12 months or more, then it would normally be right to initiate the process of laicisation. Failure to do so would need to be justified. Initiation of the process of laicisation may also be appropriate in other circumstances.

Philip Gilligan
philpgilligan@lineone.net



Cumberledge (2007) suggests that all but 4 recommendations of Nolan had been fully implemented.

Philip Gilligan
philpgilligan@lineone.net



40. The Idea of a National Selection Board for candidates should be considered for adoption if implementation of Recommendations 34 to 37 fails to secure uniformity of approach.

60. The NCPU should draw up a policy on whistle blowing in the context of concerns about child abuse.

80. Mistakes and lapses should be acknowledged (publicly if necessary), recorded, reported (as appropriate) and rectified wherever possible. If the mistake indicates that systems need to be changed, then that should be done.

82. A brief user-friendly leaflet should be prepared by the NCPU for wide distribution within parishes explaining the policies and practices that the Church has put in place.

Philip Gilligan
philpgilligan@lineone.net

“there can be no going back to a pre Nolan mindset; no relinquishing of the values implicit in Nolan; no reversing of the thrust of the work in this challenging area.” (2.6, p18)

Philip Gilligan
philpgilligan@lineone.net



“The duty of the Bishop or Congregational Leader, following a conviction or caution for a criminal offence, is straightforward and documented in national policies”. (4.42, p 66)

Philip Gilligan
philpgilligan@lineone.net



18 July 2008 Pope Benedict XVI told a congregation in Australia that included Bishop Brain of Salford,

I would like to pause to acknowledge the shame which we have all felt as a result of the sexual abuse of minors by some clergy ... I am deeply sorry for the pain and suffering the victims have endured and I assure them that, as their pastor, I too share in their suffering. These misdeeds, which constitute so grave a betrayal of trust, deserve unequivocal condemnation.

(<http://www.guardian.co.uk/world/2008/jul/20/catholicism-australia?qusrc=ss&feed=worldnews>)



Philip Gilligan
phillipgilligan@lineone.net

On the plane to Sydney, he had said

"It must be clear, it was always clear from the first centuries that priesthood, to be a priest, is incompatible with this behaviour..."

(See <http://www.catholicculture.com/library/view.cfm?recnum=8303>).



Philip Gilligan
phillipgilligan@lineone.net

Benedict XVI, March 2010

"Conceal nothing, ... Openly acknowledge your guilt, submit yourselves to the demands of justice ...

... it must be admitted that grave errors of judgment were made and failures of leadership occurred."

See <http://www.guardian.co.uk/world/2010/mar/20/full-text-popes-letter-ireland>

Philip Gilligan
phillipgilligan@lineone.net

Benedict XVI, 11 June 2010

"Dear brothers in the priestly ministry We too insistently beg forgiveness from God and from the persons involved, while promising to do everything possible to ensure that such abuse will never occur again ..."

Philip Gilligan
phillipgilligan@lineone.net

Distributed Sunday 20 June 2010

Philip Gilligan
phillipgilligan@lincsone.net

Every year since 2002 the Catholic Church in England and Wales has made public the exact number or allegations made within the Church, the number reported to the police, the action taken and the outcome. No other organisation in this country does this. This is not a cover-up, it is clear and total disclosure. The purpose is not to defend the Church. It is to make clear that in the Catholic Church in England and Wales there is no hiding place for those who seek to harm children.

Philip Gilligan
phillipgilligan@lincsone.net

What of the role of Pope Benedict? When he was in charge of the Congregation for the Doctrine of the Faith he led important changes made to Church Law; the inclusion in canon law of internet offences against children, the extension of child abuse offences to include the sexual abuse of all under 18 years of age, the case by case waiving of the statute of limitation, and the establishment of fast-track dismissal from the clerical state for offenders.

Philip Gilligan
phillipgilligan@lincsone.net

See www.salforddiocese.org.uk/safeguarding/index.html
Mission ...
 To advise the Bishop on safeguarding issues. ...

Reports:

Resources

(1) The Nolan Report: A Programme for Action (September 2001) (pdf)
 Review of Child Protection in the Catholic Church England & Wales

(2) The Cumberledge Commission (2006)
 Review of the way the Catholic Church in England and Wales has responded to Lord Nolan's report 'A Programme for Action'.

Philip Gilligan
phillipgilligan@lincsone.net

Thomas Doherty

- Ordained 1970.
- Parish priest of St Joseph's, Todmorden (1991 to March 1997).
- Formerly worked in Bolton, Manchester and Stockport.

Philip Gilligan
philpgilligan@lincsone.net



- Arrested March 1997
- Sentenced February 1998 to 6 years imprisonment for five offences of indecency against a boy under 16

Philip Gilligan
philpgilligan@lincsone.net



See *Todmorden News*
27 March 1997
20 February 1998
27 February 1998

(Available on microfilm at
Todmorden Library and in
transcript at
<http://caads.blogspot.com/>).

Philip Gilligan
philpgilligan@lincsone.net

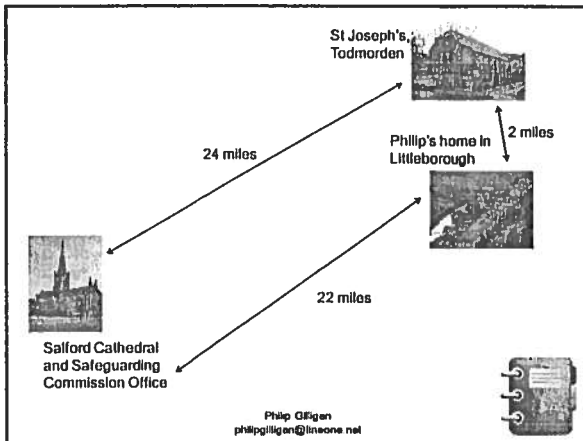


"PRIESTS saw Father Doherty's obscene photographs of a young boy months before telling the police. ... Three months passed before police were informed after the alarm was raised by Father Peter Hickford, a locum priest helping out at St Joseph's while Father Doherty was undergoing cancer surgery, in late December 1996.

There is a strong feeling amongst the Catholic community that many questions remain unanswered and that an investigation is needed. Father Hickford found the photographs of a young boy, which are too obscene to be in this newspaper, in Father Doherty's bedside cabinet while looking for clothes to take to him in hospital. He immediately went to his superior, Dean Leo Heakin of St John the Baptist Church, Burnley, and told him of the pictures. But Dean Heakin did nothing. Father Doherty left hospital at the end of December, made a good recovery and in March went on holiday with a man to Lanzarote. Concerned at this lack of action, Father Hickford then told four senior parishioners about his discovery and asked two of them to go with him to meet the acting head of the Salford Diocese, Monsignor Michael Quinlan.

The police were informed the same day, searched the priory and arrested Doherty when he returned from holiday."

Philip Gilligan
philpgilligan@lincsone.net



17 December 2007 –arrest of William Green, parish priest of Holy Family Roman Catholic Church, Wigan.

18 August 2008– Green convicted of 27 criminal offences against children aged between 8 and 15 years.

1 October 2008 Green sentenced to serve a term of imprisonment of 6 years. (See http://www.manchestereveningnews.co.uk/news/1068867_server1_notest_lalled).

1 October 2008 – Wrote to Bishop Terence Brain of Salford, referring to both Green and Doherty – Asked: **Will you be initiating the process of laicisation in the case of Father Green? What is Father Doherty's current Canonical status?** *No response*

Philip Gilligan
philpgilligan@lincsone.net

1 January 2009 – wrote to Bishop Brain of Salford repeating these questions, amongst others. **No response.** Copied letter to *The Tablet*.

6 January 2009 – Isabel de Bertodano, Home News Editor, *The Tablet*, reported on a conversation with Father Barry O'Sullivan, Safeguarding Coordinator.

Philip Gilligan
philpgilligan@lincsone.net

"I spoke to Barry O'Sullivan at the child protection commission and he says that Doherty has effectively been laicised - he's banned from ministry and from using his clerical title or dress. He's renting a house from the diocese but is apparently using his pension and sick benefit (he has cancer) to do that - he doesn't receive diocesan money. Green has been asked by the vicar general to apply for laicisation and has agreed to do so."

Philip Gilligan
philpgilligan@lincsone.net

15 January 2009 – Wrote to Bishop Brain reminding him of my unanswered questions and pointing out the opinion of the editor of *Canon Law Abstracts*. that “effectively laicised” doesn't really have any meaning’. *No response*.

1 March 2009 – wrote to Apostolic Nuncio, Archbishop Muñoz. He referred to a previous letter of 1 July 2008 in which he had advised that such issues are “the responsibility of the local Bishops”

3 April 2009 – wrote to Vincent Nicholls, newly appointed Archbishop of Westminster and former Chair of COPCA. On 9 April he advised that “Each Diocesan Bishop has full responsibility for the matters in his Diocese.”

Philip Gilligan
philpgilligan@lineone.net



May 2009 - *Keeping Connected* included letter from recently appointed (1 day per week) Child Protection Adviser saying “We do our utmost to ensure everyone – victim and alleged abuser – is treated with respect and dignity and **we follow the national policies and procedures.**” Wrote asking about Doherty and Recommendation 78.

22 July 2009 – Reply from Michael Devlin, Chair of the Diocesan Safeguarding Commission.

Philip Gilligan
philpgilligan@lineone.net



“In relation to the issue of
**laicisation of Father Doherty and
in respect of any financial
arrangements between the
diocese and Father Doherty, these
are not matters over which the
Salford Diocesan Safe Guarding
Commission has any authority or
responsibility”**

Philip Gilligan
philpgilligan@lineone.net



11 August 2009 – Replied noting that he had “finally confirmed that Doherty retains his canonical status as a priest and has not been laicised.”, questioning his interpretation of Nolan and asking for clarification of the position regarding Doherty's clerical title.

18 August 2009 – Michael Devlin replied “Thank you for your letter of the 11th August 2009. The contents are noted.”

Philip Gilligan
philpgilligan@lineone.net



15 January 2010 – wrote to Bishop Brain of Salford repeating these questions, amongst others. **No response.**

1 March 2010 - wrote to Bishop Brain of Salford in response to his Lenten pastoral letter, noting that he had not yet replied to my letters. **No response.**

Philip Gilligan
philpgilligan@lineone.net



25 April 2010 – Following , distribution of the *Statement by the Catholic Bishops of England and Wales* (22 April 2010), in which they recognise "the failings of some bishops and religious leaders in handling these matters" and assert that "The procedures now in place in our countries highlight what should have been done straightaway in the past" - wrote to Bishop Brain of Salford repeating these questions. **No response.**

Philip Gilligan
philpgilligan@lineone.net



Rhetoric

"Every year since 2002 the Catholic Church in England and Wales has made public the exact number or allegations made within the Church, the number reported to the police, the action taken and the outcome.

Bishops of England and Wales / Scotland (June 2010)



Reality

"Data from 2001 to the present is contained within the Annual Reports yet this does not fully capture all activity."

Adrian Child, Acting Director of COPCA (currently the director of Catholic Safeguarding Advisory Service (CSAS)), January 2008

Philip Gilligan
philpgilligan@lineone.net



Rhetoric

"If a bishop, priest or deacon is convicted of a criminal offence against children and is sentenced to serve a term of imprisonment of 12 months or more, then it would normally be right to initiate the process of laicisation. Failure to do so would need to be justified."

(Nolan, 2001: Recommendation 78)



Reality

6 letters to Bishop Brain of Salford (1 October 2008 to 25 April 2010) re. the process of laicisation in Doherty's case have, by 24 June 2010, elicited no reply whatsoever!

Philip Gilligan
philpgilligan@lineone.net



Rhetoric



Reality

He's renting a house from the diocese but is apparently using his pension and sick benefit ... to do that - he doesn't receive diocesan money." (Bertodano after speaking to O'Sullivan, 6 January 2009)

8 February 2009, PG sought clarification from Diocesan Finance Office commenting "Without such information, I shall be left simply to assume that my fear that Diocesan funds are being used to subsidise Thomas Doherty's housing costs are, in fact, well founded." "Your e-mail ... has been received and the contents noted." (Rev. Anthony J. Kay, Assistant Financial Secretary, 20 February 2009.)

Philip Gilligan
philpgilligan@lineone.net

In fact, Canon 384 says of a Diocesan Bishop that, "He is to have a special concern for the priests, to whom he is to listen as helpers and counsellors. He is to defend their rights and ensure that they fulfil the obligations proper to their state. He is also to see that they have the means and the institutions needed for the development of their spiritual and intellectual life. He is to ensure that they are provided with adequate means of livelihood and social welfare, in accordance with the law." (Emphasis added)

(Caparos, E., Theriault, M. and Thom, J. (eds.) (1993) *Code of Canon Law Annotated*. Montreal: Wilson & Lafleur ltée: 305

Applies to any priest who has not been laicised under Canon 290

(see <http://www.intratext.com/IXT/ENG0017/PY.HTM>)

Philip Gilligan
philpgilligan@lineone.net



Rhetoric



Reality

"in our recommendation we were concerned to make plain that there is a level of seriousness, as demonstrated by the criminal courts, at which we would expect the process of laicisation **always** to be begun." (Nolan, 2001: 2.10.19)

"The report does not and indeed cannot make laicisation of a priest mandatory" (Devlin, 22 July 2009)

Philip Gilligan
philpgilligan@lineone.net



Rhetoric



Reality

"I spoke to Barry O'Sullivan at the child protection commission and he says that Doherty has effectively been laicised - he's banned from ministry and from using his clerical title or dress." (Bertodano, I., Home News Editor, *The Tablet*, 6 January 2009)

"the term 'effectively laicised' doesn't really have any meaning" (Hayward, P., Editor, *Canon Law Abstracts*, 14 January 2009)

Philip Gilligan
philpgilligan@lineone.net



Rhetoric

Doherty is ***"banned ... from using his clerical title"***

(O'Sullivan quoted by Bertodano, 6 January 2009)



Reality

"Father Thomas Doherty
Father Doherty ...
Father Doherty ...
Father Doherty ...
Father Doherty ...
Father Doherty ...
Father Dougherty ..."
(Devlin, 22 July 2009)

Philip Gilligan
phillipgilligan@lineone.net



Rhetoric

Tasks of the Child Protection Management Team "include ...satisfying themselves that arrangements are made to safeguard the interests of children."
(Noian, 2001: Recommendation 51)



Reality

"In relation to the issue of laicisation of Father Doherty and in respect of any financial arrangements between the diocese and Father Doherty, these are not matters over which the Salford Diocesan Safe Guarding Commission has any authority or responsibility"
(Devlin, 22 July 2009)

Philip Gilligan
phillipgilligan@lineone.net



Rhetoric

"Mission ... To advise the Bishop on safeguarding issues."

Salford Diocese Safeguarding Commission webpage (20 August 2009)



Reality

"In relation to the issue of laicisation of Father Doherty ... these are not matters over which the Salford Diocesan Safe Guarding Commission has any authority or responsibility"
(Devlin, Chair, Salford Diocese Safeguarding Commission 22 July 2009)

Philip Gilligan
phillipgilligan@lineone.net



Rhetoric

"The duty of the Bishop or Congregational Leader, following a conviction or caution for a criminal offence, is straightforward and documented in national policies".
(Cumberlege, 2007, 4.42, p 68)



Reality

"Each Diocesan Bishop has full responsibility for the matters in his Diocese." Archbishop Vincent Nichols, 9 April 2009
"the responsibility of the local Bishops"
Apostolic Nuncio, Archbishop Muñoz, 1 July 2008

Philip Gilligan
phillipgilligan@lineone.net

Fully committed to

- Nolan?
- National policies?
- Initiating laicisation of priests convicted of a criminal offence against children and sentenced to serve a term of imprisonment of 12 months or justifying failure to do so?

Philip Gilligan
philipgilligan@lneone.net

An example of best practice in the prevention of child abuse and in responding to it?

Philip Gilligan
philipgilligan@lneone.net

- One parishioner's experience in one diocese in a particular faith community
- Representative?
- Real!

Philip Gilligan
philipgilligan@lneone.net

"Only by examining carefully the many elements that gave rise to the present crisis can a clear-sighted diagnosis of its causes be undertaken and effective remedies be found. Certainly, among the contributing factors we can include: inadequate procedures for determining the suitability of candidates for the priesthood and the religious life; insufficient human, moral, intellectual and spiritual formation in seminaries and novitiates;

Philip Gilligan
philipgilligan@lneone.net

a tendency in society to favour the clergy and other authority figures; and a misplaced concern for the reputation of the Church and the avoidance of scandal, resulting in failure to apply existing canonical penalties and to safeguard the dignity of every person. Urgent action is needed to address these factors, which have had such tragic consequences in the lives of victims and their families, and have obscured the light of the Gospel to a degree that not even centuries of persecution succeeded in doing." Benedict XVI, March 2010

Philip Gilligan
phillipgilligan@lineone.net

Plante (2002)

- Catholic priests answer to only one superior
 - Safeguards too dependant on the response of that particular individual
- “acting in a highly defensive manner and circling the wagons on this topic”**

Plante, T. (2002) *A Perspective on Clergy Sexual Abuse*, <http://www.assumption.edu/~tjplante.html>

Philip Gilligan
phillipgilligan@lineone.net

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Philip Gilligan
phillipgilligan@lineone.net

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Philip Gilligan
phillipgilligan@lineone.net

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Philip Gilligan
philipgilligan@lineone.net

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Philip Gilligan
philipgilligan@lineone.net

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Philip Gilligan
philipgilligan@lineone.net

Philip Gilligan
philipgilligan@lineone.net
p.a.gilligan@bradford.ac.uk

Philip Gilligan
p.a.gilligan@bradford.ac.uk