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Tuesday 30th April 1996

The Most Reverend Kevin Manning
Bishop of Armidale
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My Lord,

Re: Sexual Abuse by Clergy

Further to my letter of April 22nd, some of the concerns I expressed then have already been addressed in the pastoral letter on sexual abuse by priests and religious (April 24). (I was in Cairns for some lectures over the week-end and met privately with Bishop Jim Foley and he gave me a copy.)

However I do have a major concern remaining, the problem of misprision by the Bishops and religious leaders themselves or by those to whom they entrust the handling of these matters.

N. 3 comes close to the matter, but it refers only to making "suitable case studies".

There is no statement in the document by the Bishops that it is a grave error by a person in authority, to whom the report of a crime is made, to conceal that knowledge. It is an even greater error not to ensure that the danger of further incidents by the alleged perpetrator is not averted.

The fourth paragraph refers to when guilt is established. But there is a prior point at which an allegation has been made and there are reasonable grounds for believing that it may be true and hence that the alleged victim or other potential victims may continue to be at risk.

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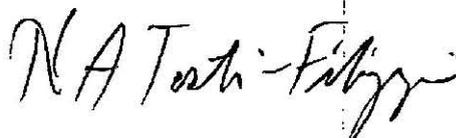
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This is the matter about which I have expressed concern about the responses made on behalf of the Church by Fr Brian Lucas in which he seems publicly to have been at least equivocal on this matter, and in so doing has put in jeopardy the very different issue of the protection of the legal status of priests in regard to their upholding the sacred seal of the confessional. He has confused, in the public mind at least, the role of the priest as confessor and the role of the priest as an authority to whom a victim appeals.

The failure of the bishops to deal with this issue at least in principle leaves them in a position of not having answered the major public fear, the fear that reports to priests or bishops of such a crime, and the likelihood of an alleged perpetrator's further crime, may not be reported to the civil authorities for appropriate action to be taken.

Yours sincerely,



Nicholas Tonti-Filippini