

Lucas: no cause to refer 'Father F' to police in 1992

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TONY EASTLEY: After an ABC Four Corners program was aired on Monday the Catholic Church has reopened inquiries into what has been seen as a botched investigation into allegations of sexual abuse of boys by a priest in the 1980s.

The priest, known as Father F, was accused of sexually abusing altar boys in Moree and Parramatta in New South Wales. One of the priest's alleged victims, REDACTED later committed suicide.

Three senior priests investigated the claims, but no evidence was forwarded to police despite the fact Father F made admissions of serious criminal behaviour in a 1992 meeting with the three officials.

One of those officials was Father Brian Lucas who's now the general secretary of the Australian Catholic Bishops Conference.

Father Brian Lucas, thanks for joining us on AM. What happened at that meeting in 1992 at St Mary's Cathedral in Sydney when you, John Usher and Wayne Peters met with now known as Father F?

BRIAN LUCAS: I think to understand the context of that meeting we have to understand that Father F, as we are calling him, had been charged with respect to an offence involving REDACTED and that case had been dismissed.

Following that he was then working in the Parramatta diocese and there other rumours and innuendo and there was a still a fair bit of notoriety around the Armidale area with respect to the dismissal of that court case.

The Bishop of the time, the new Bishop, Bishop Kevin Manning was very anxious about this, suspended him and then asked us as a panel to interview him in order to try and establish whether there was a basis for him being dismissed from ministry.

TONY EASTLEY: Okay, let me stop you there. So did Father F then admit, as Four Corners has revealed this week, to molesting five altar boys in Moree around the age of 10 or 11?

BRIAN LUCAS: My recollection is not as specific as that. There was a very generalised discussion with him. He was certainly very, very cautious not to incriminate himself and very, very careful not to name any names.

On that basis of course except for the name of REDA which was the case that was dismissed, we had no basis on which we could take the matter further to the police and what I'd want to say now of course to those victims, any of those young men, is that I would strongly urge them to take their complaint to the police so that justice can be done.

TONY EASTLEY: Now in an excerpt from that report it says that he admitted over a period of approximately 12 months he fondled the genitals of each of these boys and performed oral sex on them. This was done on about a monthly basis over a period of 12 months. Is that report correct?

BRIAN LUCAS: As I said my recollection doesn't go to that level of detail.

TONY EASTLEY: But generally speaking, I think you've said that this Father F admitted he'd been a naughty boy or a bad boy.

BRIAN LUCAS: I think it was than he'd been a bad boy. This is criminal and wicked behaviour but to take the matter further with the police of course you need to have some names of who these men were and those men today ought to go to a police station and report this abuse so that justice can be done.

TONY EASTLEY: Now a lot of people listening would say that if someone came up to them and pointed at someone and said that person has admitted to criminal and wicked behaviour, their first reaction would be to say oh I'm going to go and tell the police about this.

BRIAN LUCAS: Well, you can go and tell the police and you walk into the police station and you say this person has said something. The police say well who is the victim, we say I don't know who the victim is. They go to the person and say tell me about this and he says no comment, where does the matter go?

TONY EASTLEY: But isn't that a matter for the police to decide on the wicked and criminal behaviour, not for the Church to decide?

BRIAN LUCAS: No, it is a matter for the Church to have something to take to the police. The police already knew this man. It wasn't as though they didn't know who he was and you can't have a prosecution Tony, without a prosecution witness.

TONY EASTLEY: But again, I put it to you that it is the matter for the police to find the prosecution witness, it is a matter for them to investigate. If the priest has said to you one way or another I've been guilty of criminal and wicked behaviour, isn't that enough?

BRIAN LUCAS: He is not saying it in those terms and this is the difficulty we've

got in trying to extrapolate 20 years later precisely all of the detail of a three hour conversation. Most of the emphasis in that meeting of course, was trying to persuade him that he needed to resign from priesthood.

Our task was to be able to advise the Bishop which is what we did that he was not a suitable man to remain a priest ...

TONY EASTLEY: Alright, you ...

BRIAN LUCAS: The Bishop suspended him and that was the end of that matter.

TONY EASTLEY: You said you needed him to resign, how long did Father F stay in the priesthood?

BRIAN LUCAS: He was suspended immediately. There was a lot of confusion in the media Tony between him being suspended from priestly ministry and what is called technically a laicization. Laicization in those days was a very, very difficult procedure in church law that really required the cooperation of the priest.

Fortunately in more recent years the Vatican has relaxed those rules and a Bishop can now laicize a man unilaterally.

TONY EASTLEY: But how long was it before he was kicked out of the Church effectively?

BRIAN LUCAS: No, no he was kicked out of the Church, he was kicked out of ministry in 1992. The formal question of his status, whether we call him a cleric or we call him a layman is really quite irrelevant to the question of protecting young people.

What protects young people is to take him out of ministry so that he can't rely on his position in public ministry to have access to young people.

TONY EASTLEY: I think it took 13 years for him to be laicized or whatever the term may be.

BRIAN LUCAS: The 13 years to have him laicized is quite irrelevant. Laicization is simply the question in internal church law about whether you call him a priest or call him a cleric. What protects young people is the fact that he is taken out of ministry and that happened in 1992.

TONY EASTLEY: So just for the record, an admission by Father F, albeit vague, was made at that meeting that you attended. Father F said he'd committed serious crimes but didn't go into specifics yet you and the other two priests present did not think it was worthy of referring this to the police?

BRIAN LUCAS: The procedure we have these days Tony is now very different where we are in a much better position to refer things to the police even though we don't have that level of detail, that protocol has been established. If wasn't the protocol that was established in 1992 and the view I took was that without some specific detail of who a victim is, there was little that could be taken to the police.

TONY EASTLEY: The meeting was in 1992. As I understand it since 1990 it has been illegal to conceal evidence of serious criminal offences in New South Wales.

BRIAN LUCAS: That's true. I am well aware of section 316 and ...

TONY EASTLEY: So by not reporting what was said to you and two other priests broke the law did you?

BRIAN LUCAS: No, no there was no concealment at all and you have to remember Tony ...

TONY EASTLEY: No, I'm not saying you concealed, you just didn't go to the police and report it.

BRIAN LUCAS: Because the victims are the ones who have to go to the police and report. It is very difficult for the police to prosecute anybody without a statement from a victim. We had no name of a victim and even as I understand today, unless someone has gone to a police station in the last few days, those victims whatever number there are, themselves have still not gone to the police and I'd urge them, I'd urge them to do that.

TONY EASTLEY: But it is against the law if you conceal the evidence, you don't have to be the victim.

BRIAN LUCAS: No, but we had no evidence to conceal.

TONY EASTLEY: Well, you had the evidence of Father F who'd said he'd actually done something wrong.

BRIAN LUCAS: But done something wrong to whom? You can't have a prosecution without the name of a victim.

TONY EASTLEY: Hm, it's a moot point I guess.

BRIAN LUCAS: And that's the problem Tony and I very much understand and I very much respect the way you are putting these questions and that is the dilemma we have and fortunately, in the light of these sorts of experiences and

more so in the light of the experience of victims who come to the Church but then refuse to go to the police, our professional standards office has established a protocol where these matters can be presented for the purposes of the police gathering intelligence and for that reason I think we are much better served now than we were in 1992.

TONY EASTLEY: Do you wish you'd handled it differently now?

BRIAN LUCAS: Look, in hindsight we always learn. There is no doubt about that.

TONY EASTLEY: Is that a yes?

BRIAN LUCAS: Well, it is not so much a yes. You can only do what you can do at the time when you make the judgement. If a set of circumstances arose today, I don't think we would have had that sort of interview with him.

TONY EASTLEY: And it wasn't handled all that well then?

BRIAN LUCAS: Well, I don't know whether you ever handle anything in life as perfectly as you wished you could.

TONY EASTLEY: Father Brian Lucas, thanks for joining us this morning on AM.

Father Lucas, who's now the general secretary of the Australian Catholic Bishops Conference.