

### 3.

#### **Sliding panels. A background study of the secular and ecclesiastical developments relating to the sexual abuse of minors in the Roman Catholic Church in the Netherlands (1945-2010).<sup>1</sup>**

Dr R.S.B. Kool

#### *Reason for this study and background*

##### *Introduction*

The start of the 21st century saw a stream of accusations concerning the sexual abuse of minors in the *Roman Catholic Church*. Victims in the United States, but also in Western Europe (in particular Ireland and England) told how they had been abused by priests and members of religious orders in Catholic communities and establishments, in particular in boarding schools.

Similar accusations of sexual abuse by priests and members of religious orders in the Roman Catholic Church in the Netherlands were unleashed a few years later, in 2010, backed up by exhaustive reports in the media. The number of complaints submitted to *Hulp & Recht* (Help & Justice), an organization set up by the Dutch bishops and the Conference of Religious in the Netherlands (KNR), soon became so great that this organization could no longer deal with them properly.<sup>2</sup> The Dutch Conference of Bishops and the KNR therefore asked the prominent Dutch politician W.J. (Wim) Deetman, the former minister of Education and mayor of The Hague, in March 2010 for advice about the advisability of setting up an independent inquiry into this matter. After he had concluded that such an inquiry was indeed called for, the *Commission of inquiry into sexual abuse in the Roman Catholic Church in the Netherlands* headed by Deetman himself (referred to from now on as the Commission of Inquiry) was set up in May 2010.

The Commission of Inquiry had the task of mapping the nature and extent of the reported sexual abuse and of viewing it in the context of the wider structures of responsibility within the Catholic Church at the time. The Commission had to consider the past (what happened?), the present (why is there a flood of complaints about sexual abuse right now?) and the future (what lessons can be learned?). The inquiry had two components: 1. an empirical study (an inventory of the complaints made, how they were dealt with and their interpretation) and 2. a sociological and historical study (the nature of the social discourse on sexuality at the time and the relationship between this and the thinking about sexuality within the Catholic Church and 'culture of silence' about the sexual abuse of minors reported there).<sup>3</sup> The present background study is part of the second component of the inquiry, the sociological and historical study.

## *The objective of the study, the question posed and the structure of the study*

### *Objective*

The objective of this background study is to offer the Commission of Inquiry the opportunity to reach an informed conclusion about the criminalization of sexual abuse within the Catholic Church by viewing it in the light of the developments in thinking about sexuality among politicians and in society at large in the period 1945-2010.

### *Point of departure*

This background study has been written on the basis of the assumption that sexual abuse by priests and members of religious orders in the Dutch Roman Catholic Church should be judged in the light of secular regulations. This choice is implicit in the plan of the inquiry formulated by the chairman of the Commission of Inquiry and approved by the Conference of Bishops and the KNR.

Seen from this perspective, the provisions of Book II, Title XIV of the Dutch Penal Code (*Wetboek van Strafrecht*, abbreviated Sr from now on) play a key role in this background study. Particular attention will be paid to article 249 of this Code, which states that a breach of trust by any person placed in a position of responsibility for the care, education or supervision of a minor, or in a position of authority over a minor, shall be punishable by law. Developments in legislation, jurisprudence and policy in the period 1945-2010 will be described against the background of social views about the criminalization of sexual abuse. First of all, however, a brief description will be given of political and social thinking in the years before the Second World War and the criminal legislation arising from this. This is needed for a good understanding of the way the political and social discourse on sexuality (and in particular on those forms of sexuality that are open to penal sanctions) has developed in the period 1945-2010.

However, this description of secular regulations is not enough for our purposes here. History teaches us that there is interplay between ecclesiastical and secular thinking about criminal sexual conduct. In fact, the present-day sexual discourse is based on interaction between social and ecclesiastical views about what is and what is not permissible in the field of sexuality. Seen from a historical perspective, these two worlds have never been completely separate but have been subject to mutual influences. It is important to consider this interaction here, with special reference to its influence on secular developments.

### *Question posed*

On the basis of the above considerations, the question posed in this study may be formulated as follows:

‘What developments have taken place in secular and ecclesiastical thinking about the criminalization of sexual abuse of minors in the period 1945-2010, and how are these developments related to one another?’

#### *Structure of the background study*

This background study is divided into two chapters. The first comprises the introduction, while the second contains a description of sexual legislation in historical perspective divided into five periods and showing a major change in thinking about the criminalization of sexual abuse of minors. Finally, Appendix 1 gives an overview of Dutch sexual legislation and the problems that occur in this context when it comes to dealing with the abuse of minors.

#### *Method of investigation*

This background study has been performed as a desk study. Apart from secular sources, sources concerning and provided by the Catholic Church have been consulted. These last-mentioned sources include some provided by the Commission of Inquiry.

#### *Sexual abuse of minors in historical perspective*

##### *Perspective*

This chapter gives a historical overview of the development of the criminal legislation on sexual offences and the changes that have taken place in this legislation, especially in the period between 1945 and 2010. It should be realized, however, that the post-war developments were the fruit of previous events. A brief description of the period before the Second World War will therefore be given first, going right back to the introduction of the initial legislation on sexual offences, which was included in the Dutch Penal Code of 1886.

It must be stated first of all that the sexual abuse of minors is as old as mankind. What varies in the course of time is the social perception of this phenomenon and the measures taken to deal with it.<sup>4</sup> However, it was not until victims of secular sexual abuse came forward in the 1980s to tell what had happened to them that the scope and seriousness of the problem became clearly apparent. From that moment, the fight against sexual abuse became one of the regular political priorities in the campaign against criminality. But victims of sexual abuse within the church still kept silent, with very few exceptions. It was not until 2010 that the state of affairs in this sector was revealed in the Netherlands.

To make it clear what was going on here, the secular and ecclesiastical developments relating to the sexual abuse of minors are discussed in parallel in this study, starting with the historical development of concepts of the criminalization of sexual abuse. When the sexual abuse of minors was made a punishable offence, this sent out a very clear signal that such sexual contacts conflict with what society as a whole regards as acceptable sexual behaviour. It is important to form a view of how this norm took shape in the recent past, and how it was enforced. It is clear however that it was not enforced everywhere – and certainly not in an ecclesiastical setting. The flood of testimonies coming from victims of sexual abuse in the Catholic Church makes this very evident.

Nevertheless, neither those who took advantage of the young people entrusted to their care while they performed their tasks within the Church nor their superiors can have been unaware of the secular norm. After all, the legal standards concerning the criminalization of sexual abuse were strongly influenced by Catholic thinking about sexuality, thanks to the leading position of the Catholic Church in Dutch society from the end of the 19<sup>th</sup> century. What was this Catholic discourse, and why did it prove so ineffective in its own circles? What structures led to the apparent unwillingness to bring the sexual abuse within the Catholic Church out into the open, or even to the tendency to deny its existence, while at the same time the Church did so much to control the sexual life of the Catholic laity? Was there awareness of the nature and scope of the internal problems that led to such abuses? To permit an answer to these questions, the historical development of the thinking about criminal sexuality, and in particular the sexual abuse of minors, as laid down in the Dutch Penal Code is described in five successive sections of this study. The social and political developments underlying these standards are considered against the background of the social position of the Catholic Church in the various periods distinguished and the influence it had on the legislative process.

#### *1886-1945: In the beginning*

A good understanding on criminal legislation on sexual matters must be based on consideration of the underlying ideas about sexuality that were current in society. After all, the provisions of Title XIV of the Dutch Penal Code were not plucked out of the air but are the result of views on the various forms of sexual intercourse as they crystallized out in a long historical process going back to the rise of ‘modern’ society as this manifested itself from the 17th century in Western Europe. Specific ideas about sexual intercourse had developed at that time in Western Europe under the influence of far-reaching changes in socioeconomic conditions. The main perceived idea was the need to control sexuality so as to maintain the demographic balance against the background of the prevailing socioeconomic climate. Sexual intercourse involved the risk of unwanted births, and in order to control this risk sexual intercourse was subjected to a system of social rules through which society could exert an influence on sexual contacts.<sup>5</sup>

However, the Industrial Revolution led to sweeping changes in the structure of Western European society in the course of the 19<sup>th</sup> century. Traditional divisions between classes were broken down, and communities crumbled under the pressure of urbanization. The control of sexual intercourse that had originally been based on 'practical' considerations was now seen in the light of a sexual discourse that regarded sexuality as 'suspect' because of its libidinal nature and in need of far-reaching social control. Under the influence of the rising middle classes, sexuality was increasingly regarded as belonging within the framework of marriage and middle-class morality.<sup>6</sup> The physical aspects of life were increasingly subject to taboos, culminating in 19<sup>th</sup>-century Victorian mentality. At the same time, childhood came to be seen as a separate part of life, screened off from sexuality. This development was linked with the rise of the nuclear family. These middle-class sexual morals were closely in line with the sexual discourse that had long been preached within the Catholic Church. Opinions are divided about the relationship between these two sexual discourses in the Netherlands (the sector covered by the present study).<sup>7</sup> No matter what the facts of the case are in this respect, it remains true that a large part of the middle classes still identified strongly with organized religion so that civil and ecclesiastical values and norms blended to form a single all-inclusive model of human life.<sup>8</sup>

It was against this background that the first national Dutch Penal Code, including the provisions on sexual offences given in Title XIV, was introduced in 1886.<sup>9</sup> The provisions on sexual offences clearly reflect the largely liberal tendencies of the legislator at this time. Sexuality was regarded first and foremost as a private matter, and the law-maker was reluctant to make specific forms of sexuality an offence. Only what were considered as acts of gross public indecency were deemed to be punishable offences. The existence of blind spots in this political discourse is shown by the almost complete disregard of the sexual abuse of minors in the penal code. The law-maker took the position that sexual abuse, with the exception of a few homosexual contacts with minors, did not exist in the Netherlands.<sup>10</sup> However, a number of major scandals in England and France at the end of the 19th century made this position no longer tenable. The pendulum swung in the opposite direction, and the protection of minors against sexual abuse became one of the spearheads of criminal legislation in this field.<sup>11</sup>

This may be taken as the starting point for the departure from liberal principles that led to the revision of sexual legislation in 1911. Consensus was reached in the years leading up to this date that there was a need for penal sanctions to protect minors against sexual abuse. But that was not all: while the political debate seemed to concentrate on the moral well-being of minors, much wider moral concerns played a role in the background. Policy-makers felt that education and reform in this field should not be seen as an individual question but was a matter in which the 'pillars' of Dutch society should draw up guidelines.<sup>12</sup> [Dutch society from the mid-nineteenth to the mid-twentieth century has often been described as 'pillarized', in the sense that many important social structures such as political parties, schools, hospitals and the media were duplicated for the various religious and non-denominational groups in the country, the total of such provisions for a given group being referred to as a 'pillar' – *Translator*.] Particularly the Catholic pillar was put on a high state of alert, since a large part of the Catholic population at

that time lived under poor socio-economic conditions and was at risk of descending into poverty.<sup>13</sup>

At the same time, support for the liberal attitude to sexual legislation dropped rapidly, even among the Liberals. In fact, there were few differences of opinion at the time about what constituted 'the good moral life'; where people differed was on the extent to which departures from good morals should be regarded as a criminal offence. The growing political concerns about the increasing urbanization and what was seen as the associated moral decline of the lower classes in the period leading up to 1911 generated wide political support for tightening up the relevant sections of the penal code and having recourse to penal sanctions when this seemed to be called for.

As a result of all these developments, Dutch sexual legislation underwent substantial modification in 1911.<sup>14</sup> The new law came to be described as the confessional morality offensive. This description is however misleading.<sup>15</sup> The proposed legal changes were the result of long-term developments: the question at the time was not whether the State should intervene in these matters, but the extent to which the State should intervene.<sup>16</sup> The confessional parties to this debate made frequent reference to Christian moral teachings.<sup>17</sup> While it is true that this gave rise to heated exchanges between the confessionals on the one hand and the Liberals and Socialists on the other, there was complete political agreement about the need for government intervention. The ferocity of the parliamentary rhetoric had more to do with the perceived need to put one's own political label on the statements made than with any real difference of opinion. It should not be forgotten that confessional views received wide support from all classes at the time.<sup>18</sup> While the need for government intervention was propagated by the upper levels of the pillars, their views received strong grass-roots support.<sup>19</sup> It was generally felt that marriage and a good family life were the ideal bulwarks against sexual degeneration.<sup>20</sup>

These views formed the basis for the Suppression of Immorality Act (*Wet ter bestrijding van de zedeloosheid*), which was passed in 1911.<sup>21</sup> Two important issues require comment in this connection.

The first is that homosexual contacts with minors were made a criminal offence, as laid down in article 248bis Sr (repealed in 1964). This change in the law was brought about at the personal initiative of minister of Justice Regout,<sup>22</sup> and reflected the view promulgated by Catholic moral teachings at the time that homosexuality must be regarded as a mortal sin. It is not clear from the Parliamentary papers whether Regout was also referring to sexual (or homosexual) abuse in an ecclesiastical setting in this context. It is a fact, however, that the Catholic hierarchy was already aware of such contacts at this time.<sup>23</sup> Church documents dating from that time mentioned warnings against 'special friendships' that were believed to occur in boarding schools and seminaries.<sup>24</sup> It is not clear whether the church leaders were talking about consensual sexual contacts that were regarded as undesirable<sup>25</sup> and/or to the sexual or homosexual abuse of minors. The latter was only referred to in passing and in implicit terms.<sup>26</sup> It is clear in any case

that the Catholic Church had strong objections to homosexuality, in any case to its practice.<sup>27</sup> For example, the activities of the Dutch Scientific Humanitarian Committee (*Neederlandsch Wetenschappelijk Humanitair Komitee*, abbreviated NWKH, an early gay rights lobbying group) was criticized in very forceful terms by the Catholic Church.<sup>28</sup>

The other issue that requires comment is the classification of the seduction of minors of unblemished behaviour as a criminal offence, as laid down in article 248ter Sr at the time.<sup>29</sup> This came about at the instigation of the Liberals and the Socialists. The objective was to supplement the provisions concerning abuse in the context of relationships of dependency as laid down in article 249 Sr. It was felt that minors of unblemished behaviour, in particular girls, had to be protected against sexual intimacies forced on them by men on whom they were economically dependent but where there was no legal relation of authority in the sense of article 249 Sr. There was some apprehension, especially among the Liberals, concerning the risk of blackmail in such cases, but it was felt that this did not outweigh the need to protect the minors in question. This provision was important because it marked acceptance in practical terms that sexual relations could be forced on someone not only by force or the threat of force, but also by manipulation of de facto relationships.<sup>30</sup>

The main lines of the legislation in this field were set by the legal amendments of 1911. There were only minor changes to this legal structure in the years leading up to the Second World War. For example, the provisions concerning pornography and traffic in women were tightened up in 1927 (article 240, 240ter and 250 Sr).<sup>31</sup> However, the amendment to articles 248ter and 249 Sr, which came into force in 1936, is more relevant to the issues discussed here.<sup>32</sup> This amendment was once again motivated by concerns regarding the moral corruption of minors. The amendment to the Act was based on recommendations from a commission containing representatives of the Dutch Society for the Protection of Children (*Nederlandsche Bond tot Kinderbescherming*) and the Dutch Criminal Jurisprudence Association (*Vereeniging tot Strafrechtspraak*).<sup>33</sup> This commission recommended that the list of types of perpetrators given in the first two sections of article 249 Sr should be replaced by the formula 'with minors over whom the guilty party exercises authority on a legal or de facto basis'. While this recommendation was not followed, it does reflect once more the desire to make the criminalization of sexual abuse dependent not only on legally based relations of authority but to extend it to include de facto dependency relationships.<sup>34</sup> However, the scope of article 249 Sr was extended by inclusion of the categories step-parent, foster-parent and public official, and by omitting from this article the requirement that the victim should make a complaint against the perpetrator.

The proposed changes to the law also included widening the scope of article 248ter Sr. The prohibited acts are no longer restricted to sexual intercourse, but now also include other forms of sexual contact. Moreover, abuse by a perpetrator who is in a position of de facto authority over the victim was now covered by the provisions of this article. The reason why the widening of the scope of this article was approved while this was not the case with article 249 Sr is that here the prohibited seduction is that of a 'minor of unblemished behaviour'. This condition was inserted in 1911 in order to prevent blackmail of decent citizens by malicious young people who are only

out to make money. This restriction was not included article 249 Sr, so inclusion of the prohibition of abuse by one who has de facto authority over the victim could give rise to a risk of blackmail here, which is not the case in article 248ter Sr. Finally, the penalties imposed in article 248ter Sr were raised.<sup>35</sup>

It seems clear from the above that there was considerable concern in both secular and ecclesiastical circles in the years leading up to the Second World War about a drop in public morals, especially among the youth. There seem to have been good grounds for this concern, in view of the steady rise in the number of sexual offences and the over-representation of Catholics in the crime figures. It is not clear whether this was a self-fulfilling prophecy, in the sense that the increased concern about public morals led to increased vigilance and more prosecutions, which in their turn led to a rise in recorded crimes. What is clear, however, is that the number of recorded sexual offences, in particular acts of indecency with minors (article 247 Sr) and sexual abuse within the context of dependency relationships (article 249 Sr), increased up to the 1950s.<sup>36</sup> The proportion of these offences committed by Catholics was constantly above the national average, which was a matter for concern within the Catholic Church. Ways of countering this moral decline were sought through making the legal penalties for these offences more severe, but also by setting up an interventionist family policy – including a wide-ranging pastoral network within the Catholic Church. Catholic attention at that time was entirely focused on the ‘threats from the wider society’: possible sexual abuse by priests and members of religious orders was not a priority. In fact, internal problems were recognized – though not as much as they should have been – and were dealt with internally as far as possible. Sexual abuse of minors by the clergy was euphemistically referred to as ‘inappropriate behaviour’,<sup>37</sup> while homosexual contacts between members of the clergy were called ‘inappropriate friendships’.

The solution to these homosexual contacts at seminaries and associated mental health problems among priests, those training for the priesthood and members of religious orders was sought in the setting up of psychiatric and psychological treatment services. While this approach does show a certain shift in the Church’s thinking about homosexuality, at least about how it should be handled,<sup>38</sup> the efforts made to deal with the internal problems of ‘moral decline’ compare very unfavourably with the enormous efforts the Catholic Church devoted to the moral welfare of Catholic laity.<sup>39</sup> At the same time, the view gained ground that sex crimes should be regarded as symptoms of a ‘disease’, and treated as such. This idea proved useful in Catholic circles, where it had become clear that traditional pastoral care was no longer able to cope with moral problems and the associated sexual issues, especially in the field of marriage.<sup>40</sup> This led to the growth of a large, professional Catholic mental health service in the 1930s.<sup>41</sup>

Apart from homosexuality, this pastoral care focused in particular on young people and their sexuality, and on sex-related marriage problems. Less attention was paid to the mental health problems of priests and monastics and the sexual abuse these problems gave rise to. The main stress here was on making sure that the ‘dirty washing’ was not hung up in public,<sup>42</sup> and on looking for internal methods of treatment and suitable therapists. Hanneke Westhoff refers in this connection to the prevalent culture of religious institutions, enclosed by secure barriers to permit communal life governed by rules of confidentiality and care for one another. There was



awareness of mental health problems, which might or might not be sex-related, within such communities, but in fact there was little scope for the confidentiality and caring spirit needed to help people through these problems. The specific, limited nature of this religious education left traces in pastoral practice, which was all too often characterized by denial, impotence and concealment.<sup>43</sup>

But it was not only the Catholic Church that kept silent: the victims of sexual abuse did not tell the outside world about their experiences either in those years. The Catholic pillar of Dutch society had a very strong, religiously tinted sense of community at that time, and there was no place within this structure for public accusations of sexual abuse against people in a position of authority within the Church.<sup>44</sup> Nor was there any collective opposition to the interventionist demographic policy adopted by the Catholic Church, with its strict rules about sexuality. Nevertheless, there were a few scandals concerning sexual abuse by the clergy in these years. The most notorious of these was the 'Oss affair', which involved local notables as well as clergy. It is characteristic of the political relations prevailing at that time, and in particular of the strong position of the Catholic Church, that the Catholic minister of Justice Carel Goseling intervened personally to shut down the police investigation into the matter. Nevertheless, tentative attempts were made in Catholic circles in the early 1930s to redefine ideas of sexuality. However, as Westhoff puts it, these attempts were still 'a question of extreme caution, not to say diffidence'.<sup>45</sup>

#### *1945-1960: From confessional restraint to practising liberty*

As far as ideas about the criminalization of sexual abuse are concerned, this period may be divided into the years from the end of the Second World War to the mid-1950s and the years after that, which formed the prelude to the far-reaching changes in social climate that took place later. The superficial 'easy-going lethargy' of the 1950s concealed incipient changes in the force field of society that would manifest themselves in the 'dynamic' 1960s.<sup>46</sup> These changes did not lead to amendment of the sexual legislation, however; that had to wait till the next period, when the new ideas about sexuality had crystallized out.

In fact, it seemed unlikely in the years immediately after the Second World War that ideas about sexuality would change radically – on the contrary. These were years of reconstruction, when everyone expressed the wish to return to 'the pre-war world'.<sup>47</sup> There were frequent references to 'the people' as a kind of social organism.<sup>48</sup> The pre-war idea of 'pillarization' of Dutch society was taken up again in an attempt to recover from the chaos and disorganization of the War years.<sup>49</sup> The Catholic pillar, with its strong hierarchic organization, was particularly successful in regaining its leading social position.<sup>50</sup> Once again, concern was expressed in Catholic circles about 'moral degeneration and immorality', resulting in an urgent appeal for 'spiritual renewal' from the Dutch episcopate.<sup>51</sup> Westhoff senses 'an atmosphere of renewed obedience' in these years.<sup>52</sup> Attention is particularly focused on women, and (once again) on the youth.<sup>53</sup> It was feared that the bonds of marriage would be loosened and that the number of divorces would rise.<sup>54</sup> The first Catholic marriage bureaus were set up in these years, in an attempt to turn the tide.<sup>55</sup>

But sexual life within marriage was not the only cause for concern: there were increasingly frequent reports of worries about immoral behaviour of young people.<sup>56</sup> The main focus here was on working youth, in particular on 'factory girls'.<sup>57</sup> The fact was that the changing socio-economic circumstances in the post-war years offered women, and in particular girls, alternative chances to the traditional option of marriage (which still involved dependency on the husband).<sup>58</sup> Moreover, women had got used to performing traditional male tasks while the men were away during the War, and once having tasted equality they were unwilling to relinquish it after the war. Apart from these worries about women and young people, homosexuality was once again a cause for concern in Catholic circles.

Signs that Catholic thinking about sexuality was changing started to become evident from the mid-1950s or even slightly before that. Sharp-sighted observers, such as the Catholic psychiatrist Kees Trimbos, noted the first indications of the anti-authoritarian thinking and the liberalization of sexual norms that would become much more marked in the following years. The rise of the welfare state meant that people had less need of support in daily life from the institutions that had long played such an important role in traditional Dutch 'pillarized' society.<sup>59</sup> The increasing industrialization and the accompanying rise in living standards led to increasing individualism. Catholic youth in particular were no longer prepared to accept the straitjacket of Catholic moral teachings or the all-encompassing rules imposed on them from above.<sup>60</sup>

This trend towards democratization in society became increasingly strong as the 1960s approached. A call for openness and participation went up in Catholic circles too. It became increasingly clear that traditional pastoral care with the priest as the central figure was no longer able to provide the support the Catholic laity needed in dealing with the problems in the field of marriage and sexuality they were struggling with. There was no doubt that changes had to be made in response to the changing social conditions.<sup>61</sup> New ideas from outside the Catholic pillar were imported into Catholic circles thanks to the social involvement of influential, progressive Catholic intellectuals and their contacts.<sup>62</sup> They were supported by a group of socially progressive young priests, whose influence within the Catholic Church was growing. Although these activities did not lead – at least, as yet – to modification of the official Catholic moral teachings, the new ideas did gain more and more ground in pastoral practice, while the Dutch episcopate turned a blind eye to these developments and seemed to be receptive to the wish for democratization and the underlying idea that the laity could be trusted to deal responsibly with the changes that were under way.<sup>63</sup>

Some voices of dissent were also heard, however. Not everyone agreed with the call for renewal raised from the mid-1950s by the progressive intellectual Catholic vanguard. In particular, this discussion of Church authority and Catholic moral teachings often gave rise to existential heart-searching among 'normal' Catholics. But there was also polarization at the upper levels of the Catholic Church.<sup>64</sup> There was a high degree of division and mutual mistrust among Catholics – both the clergy and the laity – in the Netherlands at this time.<sup>65</sup> Rome also followed the developments with a critical eye,<sup>66</sup> which led one bishop to warn against pitching expectations too high.<sup>67</sup>

The opposition from Rome could not turn the tide of Catholic opinion in the Netherlands, however. The tone of Dutch Catholic pastoral work changed slowly but surely. Attention focused on issues which, though difficult, could at last be discussed openly such as aspects of marriage where Catholic moral teachings – in particular the prohibition on the use of contraceptives – could give rise to problems. It even became possible to discuss the issue of homosexuality – though this did not go as far as permitting homosexuality in practice.<sup>68</sup> For example, the Pastoral Bureau for people with problems relating to homosexuality was founded in 1958,<sup>69</sup> and the Centre for Catholic Psychiatric Preventive and After-care Services (*Centrum Katholieke Psychiatrie Voor- en Nazorgdiensten*, CKPVN) in 1959. Unlike the case in the past, homosexuality was no longer regarded as a sin against the divine laws of nature but as a disease that could be treated.<sup>70</sup>

There was trouble behind the scenes, where great concern was expressed about ‘nervous breakdowns among the clergy’ and ‘irregularities’ in the seminaries.<sup>71</sup> The main issue was homosexual contacts between students but there were also other mental health problems, not necessarily related to sexuality. Orders were given for a far-reaching study of mental health problems among the young men training for the priesthood at the seminaries. It was hoped that this investigation of the ‘regimen’ in the seminaries would give a better understanding of the quality requirements to be made on the candidates for the priesthood and on the authenticity of their vocation.<sup>72</sup>

Opinions differed on how to deal with these problems. Those who had had homosexual contacts were often obliged to undergo treatment. The more relaxed attitude to the homosexual orientation of members of the Catholic laity did not extend to the clergy, to whom the strict principles of moral theology still applied.<sup>73</sup> Nevertheless, the Catholic hierarchy in the Netherlands was somewhat more flexible in its approach to the sexual and homosexual problems experienced by the clergy.<sup>74</sup> It was accepted without stating this in so many words that some priests and members of religious orders were homosexually oriented, and ways of dealing with this were sought that were more flexible than in the past.<sup>75</sup> From the end of the 1950s, voices went up in Dutch medical circles in favour of ‘specialized mental health care’, for example via the setting up of a number of specialized discussion groups throughout the Netherlands.<sup>76</sup> Treatment, where indicated, was carried out ‘in-house’ by carefully selected psychiatrists and psychologists, who were expected to be aware of the special requirements that were characteristic of the religious life, and to have an understanding of the problems that could arise from them.<sup>77</sup>

Apart from the concern about these ‘irregularities’ in the seminaries, there was also concern at this time about reports of sexual abuse of minors by priests and members of religious orders. Unlike the case with the homosexual contacts between members of the clergy, no measures were taken to deal with these abuses and there was no systematic support for the persons

concerned. The fact that there was some awareness of the existence of such sexual abuse, if not of the full scope of it, appears from evidence that some church administrators at a local level set up 'personal' archives on such matters.<sup>78</sup> The corrective measures taken were usually limited to 'getting rid' of the perpetrator, often by transferring him to another location where he was not infrequently able to continue his abuses. In some cases, however, the perpetrator was subjected to treatment – which could take drastic forms.<sup>79</sup> It is clear that the preferred approach was to deal with the problems internally, without the involvement of the secular authorities. Although a relatively large number of priests and members of religious orders were convicted of sexual abuse in these years, the absolute numbers remained low.<sup>80</sup> Later, when the storm broke in 2010, there would be a large number of reports of abuse dating back to these years.<sup>81</sup>

Although the culture of silence and the practice of dealing with problems internally was the main reason for the small number of criminal convictions, the attitude of the criminal authorities should also be mentioned in this connection. They were not exactly active to respond to reports of sexual abuse in ecclesiastical circles in these years.<sup>82</sup> Nor were they any more active when it came to sexual abuse within the home. While many offences involving indecent acts (article 247 Sr) and abuse within dependency relationships (article 249 Sr) were recorded, most of the cases that were prosecuted concerned abuse performed by third parties. There was no real recognition of the full extent of the sexual abuse occurring in families at this time, as there was to be later in the 1980s. The main focus was on 'external threats' in the shape of public forms of indecency such as indecent exposure ('flashing') – known in Dutch by the picturesque term *potloodventen* (selling pencils) (article 239 Sr) or inducing minors to take part in indecent acts (article 248ter and 247 Sr).

The reticence of the criminal authorities seems to have been motivated by unwillingness to become involved in church or family matters, combined with insufficient awareness of the nature and scope of the problems involved.<sup>83</sup> When convictions did follow in cases of sexual abuse, the penalties imposed were often mild and/or partly suspended. Moreover, priests or members of religious orders who were convicted were usually given a position in another parish or boarding school at the end of their sentence.

Indications that the ecclesiastical and secular authorities were aware of the sexual abuse occurring at this time, in particular in Catholic schools, may however be found in circulars sent out by superiors, such as that from the General Superior of the *Friars of Tilburg* in 1954, which gave instructions on how to deal with minors in teaching situations and which mentioned the existence of sexual abuse by friars.<sup>84</sup> The problem was that the demand for Catholic education exceeded the supply at this time, and unqualified teaching staff were hired in an attempt to cope with this situation. However, the appointment of these lay brothers and sisters did lead to risks, especially because the recruitment policy laid more stress on quantity than on quality. For example, some lay brothers could be hired who had been dismissed from other positions for indecent behaviour. But even those for whom this was the first teaching position might go off

the rails due to lack of proper training.<sup>85</sup> There were no checks on the recruitment policy, as the Catholic boarding schools were autonomous organizations.

But the national authorities, who also had an interest in ensuring the quality of education, failed to carry out quality checks here.<sup>86</sup> That did not mean that there were no concerns about the risk of sexual abuse in schools. The existence of such concerns appears from the commission extended by the ministry of Education, Art and Science to Kempe and co-workers in 1956 to inventory the practices related to the removal of teaching qualifications from persons who had been convicted of sexual abuse, and recommendations concerning such removal of teaching qualifications.<sup>87</sup> The reports of this study contain data taken from the ministry's register, including details of convictions for sexual abuse of minors in Catholic schools. The researchers' remit was to consider the possibilities of rehabilitating those convicted of sexual abuse after the end of their sentence, in particular of getting them back into teaching again.<sup>88</sup>

The objective was to provide a firm basis for responses to the decision of a Provincial Executive to remove teaching qualifications on the grounds of criminal conviction for sexual abuse.<sup>89</sup> Such removal of teaching qualifications was permanent – with the proviso that the possibility of restitution of the qualifications existed. Kempe et al. were asked to evaluate the possibility of rehabilitation and the associated issue of restitution of the teaching qualifications. The cases they described related mainly to sexual abuse by teachers; the religious affiliations of the perpetrator were only referred to incidentally.<sup>90</sup> Be that as it may, the reports reflected great concern for the possibility of abuse by teachers. Though Kempe et al. stressed that teaching qualifications should only be removed on the grounds of actual sexual approaches, the behaviour considered included acts that in the opinion of the rapporteurs could easily escalate into sexual abuse, such as play-fighting with a minor, taking a minor on one's lap, laying a minor across one's knees or sitting too close to a minor in the classroom.<sup>91</sup> It was strongly recommended that the teacher should never be alone with the minor, especially if he was supposed to be giving the latter sex education. The strictness of the views about what was and what was not morally acceptable at that time is clearly reflected by the statement by Kempe et al. that even if there was no question of sexual abuse, or of any intention to commit sexual abuse, the kind of actions they listed made the person concerned unsuitable to be a teacher since they created 'irregular interpersonal relationships'.<sup>92</sup> Kempe et al. were very critical of the assessment practices of the Provincial Executives in question, which they described as 'a disordered trial-and-error approach without any logical line'.<sup>93</sup> They believed that there was too much dependence on the opinion of the judge<sup>94</sup> and, when an application for reassessment and restitution of the teaching qualifications was being considered, on the insufficiently well-based opinion of psychiatrists concerning the risk of re-offending.

The striking aspect of the way sexual abuse of minors was dealt with in these years is the low level of attention paid to the victims. The approach was functional, which means that it was mainly focused on the interests of the ecclesiastical institutions concerned. Similarly, the underlying psychological problems were largely dealt with from the perspective of moral

theology. The perpetrator was regarded in his capacity as a priest or member of a religious order, and the objective was to find ways of avoiding further sexual aberrations and of dealing with the resulting problems now and in the future. Reference was rarely made to the consequences of the sexual abuse for the victims. Where scandals arose, they were suppressed as quickly as possible.

Looking back on the period immediately after the War, this may be characterized as a time of recovery leading to the first steps towards democratization, which the Catholic Church found difficult to deal with. Neither implicit obedience to the moral teachings of the Catholic Church nor unquestioning respect for the authority of the church could be taken for granted any longer. The economic growth and the rise in the standard of living led to gradual reduction in concerns about moral degeneration, as a result of which the former 'pathological obsession' with sex gave way to 'calm vigilance'.<sup>95</sup> Though there was no official relaxation of Catholic moral teachings, the rough edges were smoothed in practice as the pastoral climate became milder. In retrospect, these years may be seen as the prelude to social revolt. It would not be quite accurate to call this the calm before the storm, but the fresh wind blowing through the 1950s is nothing in comparison with the violent headwind faced by the Catholic Church, and in particular its views on sexual morality, in subsequent years.

#### *1960-1970: A short-lived Catholic spring*

Far-reaching changes in social thinking about the relationship between the individual and all kinds of authorities took place in the 1960s. Technological developments, increases in scale and growing scope for individualization offered people unheard-of room for personal growth and led to calls for individual autonomy, in the Netherlands as in many other countries throughout the world.<sup>96</sup> The various segments of pillarized Dutch society were fast losing the control over the daily life of their members that was once so taken for granted, continuing the process that had started in the 1950s.<sup>97</sup> Group identity was replaced by individualism and a rejection of norms imposed from above, which in its turn led to a gradual decline in concern about moral standards in society.<sup>98</sup> The pillars that had once been the most powerful were the ones where the reaction was greatest. In line with this, the once so dominant Catholic Church quickly lost much of its social authority.<sup>99</sup> This had its effect on the priesthood: not only was there a drop in the number of vocations, but it was clear that the clergy found it difficult to adapt to their new working conditions. Priests felt isolated and overburdened, partly because the number of lay assistants who had relieved them of much of their work in the past was also falling.<sup>100</sup> Although the problems facing the clergy were much more wide-ranging than issues of sexuality alone, the question of the obligation of celibacy was raised once again in this and subsequent years.

This discussion about celibacy as a precondition for priesthood reflected the major changes that had taken place in society's views about sexuality in these years, which by far exceeded those experienced in the past both in nature and in scope. A crucial factor here was that, now the contraceptive pill was freely available, sexual intercourse no longer necessarily led to a high risk

of pregnancy and birth.<sup>101</sup> In combination with the expansion of economic possibilities, women had for the first time in history the chance of breaking with their traditional role of childbearer and mother.<sup>102</sup> It should be noted that, contrary to what is often thought, there was no general 'liberalization' of sexuality at this time. While members of the upper classes were freer in their sexual activity than before, other sections of society showed no substantial change.<sup>103</sup> There was however in general more scope for sexual diversity. It was not so much that new forms of sexual activity appeared, but existing forms became more visible.<sup>104</sup> After all, there has always been sex before marriage; but thanks to the free availability of contraceptives, this no longer had undesirable consequences.<sup>105</sup> Much the same may be said of homosexuality: this had been practiced for ages, but now no longer had to be kept secret thanks to the more relaxed views on sexuality held by society. This should however not be taken to mean that the taboo on homosexuality in Catholic circles suddenly ceased to exist. On the contrary, homosexuality would continue to be regarded as a disease by Catholic thinkers until well into the 1960s.<sup>106</sup>

Nevertheless, the Dutch Catholic laity was still showing signs of increasing opposition to the moral teachings emanating from Rome, which they regarded as too strict. The Dutch Catholic hierarchy, in particular the bishops, showed some understanding for this desire for a more relaxed approach. For example, the progressive bishop Bekkers of Den Bosch stated in one of his monthly spots on the TV programme *Brandpunt* (produced by the Catholic broadcasting association KRO) that the use of the contraceptive pill was a matter that the faithful had to decide for themselves, on the basis of their individual conscience.<sup>107</sup> Another case that gave rise to a great deal of comment and aroused considerable expectations was the publication of the book *Nu is het tijd* (Now is the time) in 1963, which carried the message that use of the contraceptive pill was permitted for Catholics. The book had been translated from an American original and the Dutch version had a foreword by the influential Catholic psychiatrist Kees Trimbo, who supported this point of view.<sup>108</sup>

In the meantime, Pope John XXIII had decided to hold a Second Vatican Council, preparations for which were in full swing. The Second Vatican Council was held from 1962 to 1965, and had as its theme the position of the Catholic Church in a changing world.<sup>109</sup> The Dutch episcopate was not closely involved in the run-up to the Council, leaving the preparations to a number of lay organizations. This turned out not to have been a very fortunate decision, since the policy proposals put forward by these organizations in a series of documents known as the *Series Prima* did not meet with the approval of the Dutch episcopate, or – which was probably more important – of the Vatican. The episcopate therefore drafted new background documents and proposals, which were submitted to the Second Vatican Council.<sup>110</sup> Despite the need for the Dutch bishops to step in and correct the original submission to the Council, the initial willingness to place the preparations for the Council in the hands of lay organizations showed the fundamental willingness of the Dutch episcopate to steer a progressive, democratic course in the 1960s.<sup>111</sup> However, the view put forward by the Dutch episcopate that Catholic identity in the secular world was no longer a matter to be determined exclusively by the Church, and that the latter should therefore relax its grip on the faithful and allow laymen a greater role in

shaping the course things should take, was not welcomed in Rome.<sup>112</sup> The course would have to be corrected.

One topic that requires particular discussion here is that of celibacy. The question of whether celibacy should be retained as a condition for priesthood preoccupied Catholic minds a lot in these years. As mentioned above, the liberalization of secular sexual morals led to the expectation that celibacy within the Church would be abolished.<sup>113</sup> Some even believed they could find evidence for this in official documents.<sup>114</sup> It appears that the Dutch episcopate was prepared, on the basis of the results of a national opinion poll held among priests and members of religious orders, to put the case in Rome for abolition of the obligation to celibacy.<sup>115</sup> A record number of Dutch priests and members of religious orders decided to pre-empt the official announcement of a change in the Church's position on this point in the 1960s, and left in order to live with a partner.<sup>116</sup>

It became clear as the end of the 1960s approached, however, that the Vatican was not about to change its standpoint on this matter. In his encyclical *Sacerdotalis Caelibatus* from 1967, Pope Paul VI argued against the idea that celibacy was the cause of the sexual aberrations manifested by priests and members of religious orders. The problem was not celibacy, but incorrect selection procedures applied to candidates for the ministry; it followed, therefore, that the solution was to tighten up the selection procedures.<sup>117</sup> Problems arising from celibacy or other requirements of the religious life should be dealt with by appropriate treatment, including psychiatric treatment, which should preferably be provided in-house.<sup>118</sup>

This message from the Pope was not welcomed on all sides. For example, the Dutch National Pastoral Council stated early in 1970 that it was against continuation of the obligation to celibacy for priests and believed that celibacy should no longer be a precondition for the ministry.<sup>119</sup> However, the conservative position of the Vatican had already been confirmed in a second encyclical *Humanae Vitae* from 1968 which included a statement of the Vatican's views on birth control. This once again revealed that the rulers of the Catholic Church were not prepared to give up their traditional position. Use of the contraceptive pill remained prohibited for Catholics; the only means of birth control that was permitted was periodic abstinence.<sup>120</sup> Pope Paul VI reaffirmed this doctrine in 1971 and criticized the results of the Second Vatican Council, which he regarded as too liberal. His fiercest criticism was reserved for excessive freedom of sexual morals, which he believed could only lead to a 'ravaging eroticism' that threatened human love.<sup>121</sup>

In retrospect these were turbulent years, both in the social domain and in that of the church. Surprisingly little happened in the field of legislation, however. This was hardly surprising in view of the vast changes in thinking about sexuality, including those aspects that fell within the ambit of the criminal law, that took place in this period. They had to crystallize out before they could have an impact on criminal legislation. Many such changes in the law would be made during the next period. It should however be noted that the Catholic Church did a great deal of ground-



breaking work in preparation for the lifting of the legal ban on the sale of contraceptives, which took effect in 1971. It is true that the proposal for this change in the law came from the minister of Justice at that time, the Socialist Ivo Samkalden, but it was the progressive Catholic secretary of state for Health Aloysius Bartels who had put the ruling laid down in article 451ter Sr that the sale of contraceptives was a criminal offence on the political agenda for reconsideration.<sup>122</sup> The preparatory work by Bartels led to the Bill put before Parliament by Samkalden, who did not stay long enough in his post to see the Bill become law. Nor did his successor Teun Struycken (minister of Justice 1966-67). This task was left to the next minister of Justice Carel Polak, who also regulated the sale of contraceptives from vending machines.<sup>123</sup> It may be noted in conclusion that the number of convictions for indecent acts (article 247 Sr) continued to remain at a high level.

### *1970-1985: Sexual liberation and its drawbacks*

This period may be divided into two parts: the years up to 1980, which were characterized by a liberal climate and the pursuit of democratization, and the years after 1980 when the main focus was on the restoration of social values. In the field of criminal law relating to sexual offences, the main stress was on the fight against sexual violence – in particular the sexual abuse of minors – and a growing awareness of the necessity to consider the needs of the victim. The Catholic Church saw further developments in the field of the emancipation of the individual, though the church's views on sexuality remained unchanged.

To begin with what happened in the Church, it may be stated that the line that had been laid down in previous years was continued: the rate of secularization was speeded up and accompanied by growing participation of the laity, while at the same time attempts were made to restore traditional Catholic norms and values.<sup>124</sup> The spirit of the times within the Catholic Church in the Netherlands and in other countries may be characterized as ecumenical.<sup>125</sup> However, this trend and the underlying progressive course of the Dutch episcopate, expressed through the actions of the Pastoral Council among other things, were not welcomed in Rome. Rome hoped to turn the tide in the Netherlands by appointing the conservative Ad Simonis as Bishop of Rotterdam in 1970 and the equally conservative Joannes Gijssen as Bishop of Roermond in 1972.<sup>126</sup> But these appointments only served to increase the polarization of the relations between Rome and the Netherlands, and within the ranks of the Dutch episcopate.<sup>127</sup>

Nevertheless, the winds of change that had blown so strongly in previous years were easing off now.<sup>128</sup> The drop in the number of vocations and the increasing number of priests resigning from the ministry forced the Church to make use of the services of an increasing number of lay pastoral workers, who started to play an increasingly important role within the Church.<sup>129</sup> In the meantime, Rome was becoming so worried about the developments in the Dutch Catholic Church that a special synod for Dutch bishops was convoked in 1980.<sup>130</sup> The Vatican was concerned not only by the progressive views on sexuality held by Dutch Catholics but also by the related rise in the number of lay pastoral workers. Rome emphatically wished to see work within

the Church performed by trained Catholic priests, who complied with the obligation of celibacy. Both issues, the obligation of celibacy and the question of the number of lay pastoral workers, were discussed at the synod.

While recognizing the importance of 'healthy affectivity' and the existence of the problem of 'affective integration' (sexual contacts between priests and lay persons), the church authorities were in no mind to abolish the obligation of celibacy.<sup>131</sup> The possibility of following 'a kind of third way (...), which involved living in an ambiguous state somewhere between celibacy and marriage' was also rejected.<sup>132</sup> This outcome was criticized in progressive circles, on the grounds that the remedies proposed were too internally oriented, and more in particular that the sexual problems generated by celibacy in religious communities were being covered up once again.<sup>133</sup> Although this criticism, which was characterized as 'radical', met with little response, it does show awareness of the sexual problems encountered in Catholic institutions in these years,<sup>134</sup> and of the problem of the sexual abuse of minors. While it cannot be said that there was wide-spread public awareness of these problems at the time, a number of cases did occur which were as far as possible covered up by the Catholic Church authorities.<sup>135</sup> It would take until the early 1990s until the bishops began to pay serious attention to such problems. It may be mentioned that other circles, outside the ranks of the episcopate, were trying to find an answer to the personal sexual problems facing priests and members of religious orders, in particular the problems linked with a homosexual orientation.<sup>136</sup>

This was in line with secular developments, which were characterized by wide-spread public acceptance of homosexuality.<sup>137</sup> A motion to decriminalize homosexual contacts with minors (article 248bis Sr) was submitted to the Dutch Parliament a few years earlier, in 1967. After advice had been received from the Health Council of the Netherlands (*Gezondheidsraad*), the motion to annul article 248bis Sr was carried without a division in 1971.<sup>138</sup> This does not mean that there was general acceptance of homosexuality. On the contrary, homosexual contacts were still regarded with a certain suspicion, in particular because of a feeling that they could lead to the corruption of minors.<sup>139</sup> There was however greater tolerance towards homosexuality. A positive image of sexuality prevailed in these years, in any case in progressive circles: sex was perceived as liberation and was no longer seen as necessarily linked with marriage or other types of relationship.<sup>140</sup> The tolerance did not however extend to paedosexuality, which was still more or less a taboo topic,<sup>141</sup> though some progressive circles were trying to remove the prejudices against this form of sexuality.<sup>142</sup> While this was not a generally accepted view, the conviction with which some progressive thinkers presented paedosexuality as a perfectly 'natural' form of sexual contact seems remarkable today, even in the light of the liberal views that held sway at the time. The Dutch Association for Sexual Reform (NVSH) was the main channel through which these views were propagated in the 1960s.

It became clear in the early 1970s, however, that there were differences of opinion about the social acceptability of paedosexuality within the ranks of the NVSH. This was reflected by the 'Uncle Harry affair' of 1973,<sup>143</sup> which concerned the advice published in 'Sekstant', the

newsletter of the NVSH, by one of the newsletter's editors who went under the pseudonym of 'Ome Harry (Uncle Harry) in response to a query from a mother as to how she should deal with the sexual contact between her husband and the latter's 10-year-old step-daughter. She was told that such acts were perfectly normal, indeed natural,<sup>144</sup> and was further advised above all not to report the matter to the police as this would only be harmful for all concerned. This advice led to internal conflicts within the management of the NVSH, and a few years later to the dismissal of 'Uncle Harry'. While this affair illustrates the relative openness with which the issue of paedosexuality could be discussed in certain progressive circles,<sup>145</sup> it also shows that there were differences of opinion about the practice of paedosexuality even in these circles.<sup>146</sup> In the long run, even the broad-minded NVSH found this issue too hot to handle. It may be noted in this context that the NVSH had previously asked Edward Brongersma, the leader of the paedosexual movement, to resign from its Board. The NVSH would later express its regret for this decision in a note published in 1980, where it explained that the priority at the time had been to boost the respectability of the gay movement. It had been thought that establishing a link between homosexuality and paedosexuality would get in the way of this objective.<sup>147</sup>

Although the Sexual Revolution was elitist in its external manifestations, it cannot be denied that sexuality became much more significant as a component of individual identity in these years.<sup>148</sup> Nevertheless, it was still subject to certain forms of discipline. Some authors see the new rules of behaviour as just another form of sexual repression. While the old sexual morality enforced certain actions and penalized others, individuals could now be called to account for a lack of self-discipline.<sup>149</sup> It is true that a wider range of sexual contacts are now permitted, but their 'rightness' is made dependent on mutual consent and consultation. Others believe that thinking about sexuality had undergone a substantive change, and see this new way of thinking as an aspect of modern civil society.<sup>150</sup> This tendency towards individualization and apparent sexual self-determination had major consequences, especially for women. When the consequences of this liberal sexual morality for women became clear in the 1980s, this led to a strong reaction from them.

But even before the 1970s, despite the apparent liberalization of sexual morals, traditional worries about moral decline continued to smoulder like an underground forest fire. At a political level, these concerns were largely focused on the issue of pornography.<sup>151</sup> This led in 1970 to the setting up of the Advisory Committee on Revision of Moral Legislation (*Adviescommissie Herziening Zedelijkheidswetgeving*), better known as the Melai Commission after its second chairman.<sup>152</sup> The commission's first report, on film censorship, appeared in 1970 already; the second, proposing that pornography (article 240 Sr) and public indecency (article 239 Sr) should be made criminal offences, followed in 1973.<sup>153</sup> After the minister of Justice at the time, Dries van Agt, turned down the recommendations of this second report, the Melai Commission discontinued its deliberations for a while but produced a third report, on prostitution and procuration, in 1977.<sup>154</sup> This led to the submission of a Bill on the decriminalization of pornography.<sup>155</sup>

Although liberal views on sexuality were gradually becoming suspect, especially in cases where there was an unequal balance of powers between the parties concerned so that an element of compulsion entered the picture, the sexual abuse of minors was still not really seen as problematic. The perceived right to sexual autonomy meant that the authorities were reluctant to get involved in such relationships. It was against this background that the NVSH proposed in 1978 that the age limits for consensual sexual contacts should be abolished; only sexual contacts not entered in freely by one of the parties should remain a criminal offence.<sup>156</sup> A petition to this end was even submitted to Parliament by a number of progressive lobby groups.<sup>157</sup>

The turbulent political developments in the Netherlands during this period (there were five different Cabinets between 1971 and 1981, with control passing from the confessional parties to the Socialists and back) made life difficult for the Melai Commission and delayed the production of its final report, which did not appear until 1980. This fourth and last report dealt with serious sex crimes, focusing on the criminalization of sexual contacts with minors. It may be seen in retrospect that this report was written at the watershed between two eras: the 1970s with their liberalizing views on sexuality and the 1980s that were characterized by the protection of vulnerable groups and the restoration of traditional values.<sup>158</sup> The final report of the Melai Commission got a critical reception: it was suspected that the proposals it contained did not offer sufficient guarantees of protection of minors against undesired sexual contacts forced on them in some way. The report was sent to a large number of social organizations for their comments. The responses showed that while there was now a consensus in favour of the liberalization of sexual contacts with minors, it was also felt that stronger safeguards against abuse had to be created. A Bill was drafted for presentation to Parliament taking these comments into account. However, the press release accompanying this Bill was not well formulated: it stated that sexual acts with minors would in future 'no longer be regarded as criminal offences in all cases'. While this in no way implied that all sexual contacts with minors could now be undertaken with impunity, this unfortunate formulation was enough to fan the smouldering flames of political disagreement with the proposals laid down in the final report of the Melai Commission. As a result, the Bill was withdrawn.<sup>159</sup>

It must be concluded in retrospect that the proposals of the Melai Commission did not get the reception they deserved. While it is true that the commission's final report did propose a certain degree of decriminalization of sexual contacts with minors, these proposals were accompanied by safeguards that were certainly no less stringent than those offered by the criminal law at the time. It must be admitted, however, that the commission did approach the question of the criminalization of sexual contacts from a perspective that differed from the usual one until then. The Melai Commission started from the premise that the free will of individuals – even young individuals – should be respected in sexual as in other matters.<sup>160</sup> That implied that criminal sanctions should be used sparingly, but also that the necessary protections should be built into the system where indicated. It follows from this point of view that criminal sanctions should be based not on sexual contact as such but on the way in which this came about, in particular on any infringement of the free will of the young person concerned. This is why the commission made use in its proposals of the term 'to induce to', which is described as: 'to employ measures

that will lead the victim to engage in sexual acts that he or she would not have committed spontaneously'. The commission added that the only requirement for criminal conviction in such cases should be 'a demonstrable causal relationship between the measure taken by the perpetrator and the acceptance or commission of the act by the victim'.<sup>161</sup> It was further proposed that there should be 'differentiation according to the nature of the sexual relation' and the attendant risks that the minor concerned would be placed in a position of inequality.<sup>162</sup> On the assumption that an adult is normally in a predominant position in dealings with a young person, the commission further demanded that the former should exert great discretion in undertaking sexual relations with minors.<sup>163</sup>

One important point in this context is that the Melai Commission deliberately excluded article 249 Sr from its proposed amendments to the criminal legislation in this field. In other words, the liberalization of sexual contacts with minors did not apply to sexual contacts occurring within a relationship of dependency. In such cases, the commission believed that there were 'certainly grounds for further measures aimed at the protection of young people'.<sup>164</sup> The commission did however consider that the scope of article 249 Sr should be restricted somewhat by lowering the age limit in question from 21 to 16. The commission further maintained the absolute ban on penetrative sex with minors less than twelve years of age in its proposals.

The facts reviewed above make it clear that the proposals of the Melai Commission were in line with the spirit of the time and at the same time also provided possible victims with an adequate level of legal protection.<sup>165</sup> Nevertheless, the Bill based on the commission's final report was shelved and a long period of heated discussion on the necessity for specific changes to the sexual legislation followed. It was not until 1988 that an amended Bill was submitted to Parliament; the content of this later Bill would turn out to be largely in line with the final report of the Melai Commission.<sup>166</sup>

In the intervening years, the feminist movement developed into a player to be reckoned with in the political field. It influenced the legislative process and public policy regarding the criminal law. Unlike the situation in the early 20th century, when the feminist movement was limited in scope and had no desire to challenge the whole body of middle-class morality, the second wave of feminists were highly critical of the prevailing sexual morality which they regarded as fundamentally patriarchal. This was a logical consequence of the continuing liberalization in public thinking: when the right to sexual self-determination was opened up for public debate, so was the pain and suffering caused by the sexual revolution.<sup>167</sup> Feminism had a strong influence on thinking about sexuality, which was perhaps not shared at all levels of society but which was certainly welcomed in the political field. Jan Remmelink, a professor of criminal law who revised the Dutch Penal Code in the period from 1971 to 1996, described this feminist influence as a 'powerful counter-current'.<sup>168</sup> This does not imply that there was an abrupt change of course in the thinking about sexuality, but only that the consequences of the liberalization of sexual morality that had already taken place were thought through.<sup>169</sup> The initial euphoria about the liberation of female sexuality was followed by a realization among women that the Sexual

Revolution had not changed the sexual dominance of men. Indeed, the fact that sexual acts could now be performed for pleasure with little or no risk of adverse consequences only reinforced the image of the sexual availability of women. The debate about sexuality focused on power relationships, with special reference to male/female inequality. These new insights highlighted the undesirable aspects of the liberalization of sexuality. In fact, the supposed freedom to engage in sexual contacts was illusory for many in view of their social position.

Another decisive development took place at this time: the victims of sexual abuse found the courage to come forward with their stories. The first Dutch book on this topic appeared in 1979.<sup>170</sup> Although this struggle to assert the rights of victims became a movement in its own right, it did have common interests with the fight against sexual violence by the feminist movement. It should be noted, however, that the recognition of the sexual abuse of minors as a social problem could not become an independent historical fact before the emancipation of the child as an individual with its own legal rights – independent of parents, independent of the family – had been accomplished. Of course, this recognition, like the opposition to sexual violence against women, must be seen in the light of the opposition to traditional power structures and the built-in superiority of the male that began to take root in the 1980s.<sup>171</sup> This explains why public interest was initially focused on the sexual abuse of girls. It was not until later, when a gender-neutral approach to sexual violence took hold, that there was greater awareness of the homosexual abuse of boys.<sup>172</sup> It is illustrative of this trend that adult female victims of sexual abuse started to reveal their experiences earlier, in the early 1990s, before the general problem of sexual violence had come under the spotlight.<sup>173</sup>

As far as can be seen, there was a certain interaction between secular and ecclesiastical developments in this field, though the views expressed by various churches were less extreme.<sup>174</sup> The documents consulted in the present study show that concern about the possibility of the sexual abuse of minors by members of the clergy continued unabated during this period. As mentioned above, and probably in connection with this, the issue of celibacy came up for discussion in the 1960s. Hopes were even raised for a short time during the Second Vatican Council (1962-1965) that the Church's view on celibacy and the use of contraceptives might be relaxed.<sup>175</sup> It did not take long, however, for the old hard line to reappear.<sup>176</sup> The Catholic Church had had such a long-standing tradition of laying down the law on matters of sexual and other ethics that it found it difficult to adapt easily to the social developments of the 1960s and 1970s. As a result, the Church lagged behind the rest of the world in this field, while continuing to demand that the faithful live up to their moral responsibilities.<sup>177</sup>

#### *1985-2010: Continuing worries about morals*

From 1985 onwards, the issue of sexual abuse of minors was never off the political agenda. The government introduced a large number of policy measures after studies by Draijer<sup>178</sup> highlighted the sexual abuse of a substantial number of women and girls.<sup>179</sup> Moral panic broke out on several occasions in subsequent years. Some cases centred around instances of supposed sexual

abuse the existence of which was never definitively proven, but there were also cases of real, extensive sexual abuse.<sup>180</sup> All these cases attracted a great deal of publicity and fuelled further concerns regarding the sexual abuse of minors.

Then in 1988 something unexpected happened: the then Minister of Justice Frits Korthals Altes announced that he was not going to implement a comprehensive review of the sexual legislation but would limit himself to minor amendment of the existing law. The reason given was that there was insufficient social support for a major revision. Moreover, he feared that adopting the new legal terminology that had been proposed in this field would make it more difficult to prove that offences had taken place and would thus lead to reduced legal protection, while the objective of the amendments had been precisely to improve the protection offered.<sup>181</sup> The minister considered it better to retain the established terminology and not to carry out a comprehensive review of the law at this time.

This policy change did not endear him to the women's movement – on the contrary. They saw his adherence to the existing sexual legislation as a perpetuation of the patriarchal notions that had formed the foundations of this area of the law since the early 20th century. From their perspective, the decision not to carry out a comprehensive review meant that the opportunity for critical analysis of the underlying concepts in terms of an unequal balance of power had been missed.<sup>182</sup> They were not solely concerned with the unequal balance of power between men and women in this connection, but also with that between adults and minors.

Korthals Altes did not give in to this pressure, however, and in 1988 he submitted a new Bill embodying only limited amendment of the law. Alongside the removal of the 'extra-marital' clause in article 242 Sr and the extension of articles 243, 247 and 249 Sr to include the sexual abuse of patients or clients, article 246 Sr would also be amended to state that sexual abuse involving penetrative sex would incur heavier penalties.<sup>183</sup> The mixed response to this Bill and the political changes taking place at this time means that this Bill also failed to become law.

When the confessional/Socialist coalition (referred to by Dutch political commentators as the 'Roman-red' cabinet) led by Ruud Lubbers and Wim Kok was formed in 1990, the idea of revising sexual legislation was once again put on the agenda. Minister of Justice Ernst Hirsch Ballin took a different approach to the issue than his predecessor. Although both considered the question of protection to be important, Hirsch Ballin was in favour of a wider solution focused more on moral principles.<sup>184</sup> Thus, the Bill he submitted to Parliament in 1990 embodied wider protection of minors against sexual abuse than the 1988 Bill. The changes included the introduction of the term 'other act' (*andere feitelijkheid*) in articles 242, 246 and 248 Sr; the phrasing of the descriptions of the various offences in a gender-neutral form (so that they applied to offences against male as well as female victims, particularly in cases involving rape); making sexual abuse of persons who are unable to determine their wishes on the subject criminal offences (articles

243 and 247 Sr); removal of the 'extra-marital' proviso in articles 242 and 246 Sr<sup>185</sup> and heavier penalties in article 246 Sr for cases where the assault involved sexual penetration. The descriptions of offences relating to minors were also written in a gender-neutral form and the archaic phrase "carnal knowledge" was replaced by "sexual penetration".<sup>186</sup> It may be noted that this Bill was not handled very elegantly during its passage through Parliament, partly due to the differences of opinion about the extent of the legal protection to be offered. Despite these differences of opinion, it was clear that all political parties more or less supported the idea that penal intervention was needed for the protection of minors. The Bill, which was passed in 1992, was imbued throughout with a wish to improve the protection against undesired sexual contacts offered in particular to vulnerable individuals, including minors.

The partial amendment of sexual legislation first heralded in 1988 was thus extended to become a thorough revision of the law in this field in 1992. The end result represented a merging of confessional and liberal standpoints. On the one hand, there were certain clearly liberal aspects to the Bill, for example the stress on consensus, so that it is not the sexual contact as such but rather the violation of free will which constituted the offence. On the other hand, the law contained a confessional emphasis on protection and other governmental interventions related to the aforementioned changes. It was clear that the provisions of the Bill were based on a shared set of fundamental moral principles concerning sexual autonomy and protection, even though individual views on these matters may have differed.<sup>187</sup> The bottom line was that sexual encounters should be consensual, and legal intervention was warranted only in cases where the circumstances gave reason to believe that free determination of will could not have taken place.<sup>188</sup> It was this last point in particular which was developed in greater detail by the introduction of the concept of 'other acts', through which the legislator gave the judge room for discretion in determining the penalty for given sexual offences in the light of the circumstances of each particular case.<sup>189</sup> Sexual abuse of minors was covered by the provisions concerning 'indecent acts'.

Minor amendments were made to the law in this field from time to time in the years after 1992.<sup>190</sup> The common ground was the aim to ensure greater protection against sexual abuse, in particular for vulnerable parties including minors. Related questions, such as extension of the period of limitation, were occasionally dealt with. This period was extended by the ruling that it should only start when the victim had reached the age of 18.<sup>191</sup> Another example was the abolition of the requirement included in articles 245, 247 and 248a Sr that the victim must make a complaint against the perpetrators; this was replaced by the victim's right to be heard.<sup>192</sup> In many cases, however, the focus was on improving the phrasing of the description of the offence, for example clarifying the definition of seduction (article 248a Sr) by removing the condition that the underage victim must be of unblemished behaviour,<sup>193</sup> and removing the stipulation [to perform indecent acts] 'with him' so that physical sexual contact was no longer needed to constitute seduction.<sup>194</sup> At the same time, the liability for child pornography (article 240b Sr) was increased by raising the age limit to which the law applies from 16 to 18 years, and also by rendering the possession etc. of virtual child pornography a criminal offence. These changes were introduced in 1994, while 'ordinary' pornography was decriminalized at the same



time.<sup>195</sup> Along the same lines, being present during any screening of child pornography was rendered a criminal offence through an addition to article 248c Sr.<sup>196</sup> As in article 248a Sr (the criminal seduction of a minor) the requirement concerning knowledge of the age of the victim was extended in article 248c Sr in 2005, so that henceforth it was sufficient to be able to demonstrate that the perpetrator knew, or had good reason to suppose, that he was dealing with a minor.<sup>197</sup> In addition to extending the aggravating circumstances applicable to article 248c Sr, the remote possession of digital child pornography (article 240b Sr), sexual corruption of a minor (article 248d Sr) and online grooming (article 248e Sr) were all criminalized.<sup>198</sup>

This series of amendments at the national level gave a clear signal that the fight against sexual abuse was high on the Dutch political agenda; the call for improvement in the legal protection of minors was at a historic high.<sup>199</sup> These years also saw comprehensive political efforts at the international level to afford minors protection against all forms of sexual abuse, which were expressed through treaties and, at the European level, through EU directives and rulings of the European Court of Human Rights (ECHR). This trend has continued right up to the present day, with a continual stream of international regulations stipulating that the national governments of Member States must invest in an adequate and effective system of protection against sexual abuse, particularly relating to minors.<sup>200</sup> This ceaseless international ‘offensive’ had far-reaching consequences for national criminal legislation: governments were obliged to amend their national laws to a greater or lesser extent to ensure that they complied with the minimum standards laid down in the international directives. This caused increasing limits to be placed on the autonomy of national governments and led to extensive control of criminal legal procedures to ensure that the law is enforced in an active, effective manner to protect against sexual violence, in particular offences against children.

A similar process is to be found in the jurisdiction of the European Court of Human Rights (ECHR), which has led to the establishment of so-called ‘positive obligations’. The ECHR stipulates that national governments must offer ‘effective and adequate protection’, even in the case of violations affecting the mutual relations between citizens.<sup>201</sup> A particular obligation to guarantee the protection of minors is stipulated – especially in cases of sexual abuse, where the use of criminal sanctions is indicated.<sup>202</sup> Apart from clear specification of the applicable penalties, active enforcement (due diligence) is called for here.<sup>203</sup>

This is subject to the condition that the national government was aware, or could reasonably have been expected to be aware, of the sexual abuse in question.<sup>204</sup> When that is the case, the right to be protected against inhumane treatment but also the right for one’s personal life to be protected, outlined in articles 3 and 8 of the European Convention on Human Rights respectively, place national governments under a strict obligation to incorporate the relevant measures into national legislation and to enforce them. It is important to mention here that the ECHR increasingly supports the stipulations of other conventions, in particular the influential Convention on the Rights of the Child. However, the ECHR also takes changing social views on criminal sexual behaviour into account in its judgments. It goes without saying that such

judgments should be based on a system of shared norms and values, including the view currently held that sexuality should be independent of power levels and should be consensual,<sup>205</sup> though by definition this requirement does not apply to the sexual abuse of minors.

It may be noted in this connection that the political discourse calling for active protection of potential victims, leading to obligations on governments and in particular on legal authorities, has had its critics. It has been suggested in particular that these requirements may lead to 'overloading' of the criminal law, making it difficult to enforce international guidelines through legal action at the national level<sup>206</sup> Although this issue will not be further addressed here, it may be noted that the critical limit does seem to have been reached by now.<sup>207</sup>

Be this as it may, it seems clear that the trend towards protection of minors against all forms of sexual abuse and the resulting obligations on the system of criminal law to define and enforce the penalties for such offences have become a fact of life for everyone in the period in question. The question now is how this secular discourse relates to that within the Catholic Church. It has been shown that the Catholic authorities were long aware of the existence of sexual abuse within the Church. Nevertheless, it seems to have lagged behind the secular authorities in the measures taken to prevent the sexual abuse of minors. What steps were taken by the Catholic Church to combat the sexual abuse of minors during this period, and how were they related to the general developments that took place within the Church in these years?

As regards the latter point, there were major changes in many aspects of the Catholic Church in the period under review – except in the Church's vision on sexuality. Catholic individuals enjoyed increasing emancipation from the 1950s, culminating in the creation of pluriform norms and values within the church. This was an irreversible process to which the Dutch Catholic Church contributed at all levels, including the episcopate. These changes peaked – at least for the moment – in the postmodernism of the 1990s, where greater emphasis was placed on individual spirituality and a new enthusiasm for ecumenically inspired religious norms and values emerged. Traditional systems of religious belief, in particular reflected in membership of religious orders and congregations as well as vocations to the priesthood, became much less popular and made way for secular belief systems.<sup>208</sup> In contrast to the state of affairs before the Second World War and in the years shortly thereafter, the Church has ceased to present itself and its role in promoting social integration in terms of a single clear profile based on Catholic norms and values, but rather as a more differentiated entity which left room for individuals' own belief systems.<sup>209</sup>

As regards sexuality, however, the strict taboos on this topic and the bar on speaking freely about sexual matters impeded change in this field. Paradoxically, it was the steadfast belief in the truth of Catholic moral teachings on sexuality among the higher levels of the hierarchy that

led to problems in the first place, and made the search for a solution all the more difficult.<sup>210</sup> The Catholic Church was aware of this issue. The consequences of celibacy and the inadequate preparation of young men for life as a priest or member of a religious order, leading the way to countless potential uncontrolled deviant practices – which could not be discussed and were therefore simply covered up – had often been highlighted in the past. For example, the Conference of Bishops discussed in 1989 the advisability of setting up a national centre to which all cases of sexual abuse could be reported. This discussion was sparked by a sexual abuse case, details of which had leaked out. In line with the traditional approach of dealing with scandals in-house, the Conference decided that any cases which arose should be dealt with by the individual diocese; this decision was confirmed in 1992.<sup>211</sup> Further studies, some of which was carried out within the framework of the investigation by the Deetman Commission, unearthed relevant documents that had been hidden away in confidential archives. In line with procedures that were common at the time, documents contained in such archives were periodically destroyed after which the archives in question were built up again.

Irrespective of how it dealt with its own internal problems, the Catholic Church did pay attention to the growing problem of sexual abuse within secular relationships of dependency. When such problems arose in the context of pastoral work, it was realized that ways of dealing with them had to be devised, and instructions to this end were drafted in the early 1990s.<sup>212</sup> The next step was the recognition of the sexual abuse of female parishioners by pastoral workers: an internal memorandum on this topic appeared in 1992,<sup>213</sup> closely followed by a memorandum from the episcopal Women and Justice committee dealing with similar matters.<sup>214</sup> Finally, however, the speculations and complaints about sexual abuse of minors by members of the clergy penetrated the walls of the Dutch Roman Catholic Church. This was inevitable, after so many reports of extensive sexual abuse scandals within the Catholic Church appeared in other countries.<sup>215</sup>

Once again, just as in the past, it was progressive Catholic organizations that took the lead in raising awareness of these matters. For example, prompting by the Association of Religious Priests in the Netherlands (SNPR) in 1993 led to publication of a memorandum for the General Superiors of Catholic religious orders detailing how to handle accusations of sexual abuse against members of their orders.<sup>216</sup> However, just as in the secular domain, it proved to be no longer possible to turn the tide of public disclosures of sexual abuse violations. The first major court case brought by a Dutch Catholic layperson was held in 1994. This was followed by a stream of reports of sexual abuse committed in Dutch Catholic boarding schools in the past. The first public initiative – the establishment of the church-based organization *Hulp & Recht* – followed in 1995. A procedure for dealing with accusations of sexual abuse was set up to support its operations. This organization was regarded with some distrust, however, as it was not independent but was governed by canon law and set up by order of the bishops and the superiors of religious congregations.<sup>217</sup>

It is clear that there was considerable concern among the leaders of the Catholic Church in the 1990s about the rising number of complaints and the possible consequences this trend could

have.<sup>218</sup> It would later appear that a number of complainants were bought off around this time; this led to the so-called Aegon affair in 1999.<sup>219</sup> The criminal legal consequences were also considered, however. A memorandum was drafted in 1998 on whether the church was obliged to report sexual abuse committed by a priest or member of a religious order. This issue was related to a previous amendment to canon law (which was not repealed until 1983), on the grounds of which it was not permitted to make reports to the secular authorities without the approval of the leadership of the Church. The memorandum stated, correctly, that the Catholic Church was not obliged to report offences except in cases of rape (article 160 of the Dutch Code of Criminal Procedure – abbreviated Sv). It is not this conclusion that was noteworthy, but rather the additional statement that offences should not be reported prematurely. The reason given was that care should be taken not to sully the good name of the priest or member of a religious order in question while the case was under investigation.<sup>220</sup> This was in line with the strategy adopted by the Congregation for the Doctrine of the Faith, according to which all cases where sexual abuse, however serious, was reported had to be investigated internally in the first instance – and indeed settled internally wherever possible. This policy was only revised in 2010, after which all cases were to be reported directly to the public prosecutor.

It was not until 2001 that the Vatican officially acknowledged the existence of the sexual abuse of minors within the Catholic Church.<sup>221</sup> Pope John Paul II himself addressed this issue on World Children's Day in July 2002, when he urged young believers not to be discouraged by the faults of some individuals within the Church. In the Netherlands, the leadership of the Catholic Church was repeatedly embarrassed by the increasing publicity surrounding the question of sexual abuse.<sup>222</sup> In the wake of the scandals that emerged in Ireland in 2003, a growing number of reports of sexual abuse appeared involving the Dutch Catholic church. From that time onwards, the issue could no longer be kept under wraps and the scandal escalated.

The Catholic Church was still trying to deal with all cases internally, but the need to create more transparent procedures did become recognized. For example, a protocol was created in 2005 for inquiry into the antecedents in cases of sexual abuse. To prevent perpetrators of abuse simply being moved on to another position, as had often happened in the past, members of the clergy wishing to move to another position within the Church were henceforth required to obtain a statement from their General Superior or bishop that that to the best of their knowledge, the individual concerned was not guilty of sexual abuse.<sup>223</sup> The procedure for dealing with complaints of sexual abuse was also extended in October 2007; from that date, it applied to all those with paid or unpaid positions within the Catholic Church and also to victims of sexual abuse who had since died. Some years later, the period of limitation in canon law was extended from ten to twenty years, and persons with intellectual or physical impairment were grouped together with minors for the purposes of reports of sexual abuse within the Catholic Church.<sup>224</sup> In 2010, the leadership of the Dutch Roman Catholic Church finally accepted the need for an independent inquiry, and appointed the Commission of inquiry into sexual abuse in the Roman Catholic Church in the Netherlands (the Deetman Commission).<sup>225</sup> It was clear that the Catholic Church's strategy of 'cover-up and suppression of the facts' was a thing of the past.

## *Summary*

This background study was performed in response to the growing number of reports of sexual abuse occurring within the Catholic Church in the recent past. It set out to examine how the criminalization of this sexual abuse can be assessed from a historical perspective. Developments in both the secular and ecclesiastical domains, and the interplay between them, have been considered. The investigation was carried out as a desk study, making use of both publicly accessible sources and sources obtained through the Commission of Inquiry not accessible to the public.

Although the principal aim was to describe the social developments that took place in the post-war period (1945-2010), the preceding years are considered too as they had an important influence on conceptions of criminal sexual behaviour in the post-war years. A good understanding of the thinking about criminal sexual behaviour from 1945 to 2010 thus requires an insight into what happened prior to that period.

Five periods were distinguished for the purposes of this study. In each of these periods, a certain change in thinking about criminal sexual behaviour took place, which may or may not have had an impact on secular and ecclesiastical ideas on the matter. In the interests of brevity, however, these periods will be grouped together in three sections: firstly the period from 1886 to 1945 together with the period between 1945 and 1960; secondly the period from 1960 to 1970 together with the period between 1970 and 1985; and finally, the period from 1985 until the present day.

### *The periods 1886-1945 and 1945-1960*

During this period, the first national Dutch Penal Code came into force; this included sections on sexual offences. However, these provisions were already based on outdated social conceptions at the time of their implementation; as a result, the Dutch Penal Code was then revised shortly thereafter. Social thinking on the topic of criminal sexual behaviour at this time was more or less in line with thinking within the Church; both were based on a strictly functional conception of sexuality. On the one hand, this was related to the social need to limit the expression of sexuality in order to maintain the demographic balance of society. On the other, the prevailing normative discourse promoted strict standards of middle-class morality and sexual repression. There was little awareness of the sexual abuse of minors. There could be said to have been some 'subliminal' concern, related to more general worries about moral degeneration resulting from the rise in industrialization. This concern became generalized, spreading across the whole political spectrum and leading to an expansion of the sexual legislation in 1911. The most salient point here is probably the fact that homosexual relations were made a criminal offence. Although support for this move was limited, it was closely allied to the view held within the Church that homosexuality was a mortal sin. More nuanced messages emerged from Catholic circles in later years, but even then there was no acceptance of homosexuality as a form of sexual expression. On the contrary, the real development here was that homosexuality became regarded as 'disease' that could be treated. It was therefore decided to establish a dedicated Catholic therapeutic set-up to deal with this and other psychological problems existing within the church establishment. However, no one at that time concluded that there might be a connection between the psychological and sexual problems among the clergy and the possibly widespread sexual abuse of minors within the Catholic Church. That is not to say that there was no awareness that such things were going on, but they were seen as incidental occurrences and dealt

with as such. The main focus, both in society as a whole and in the Church, was preventing the moral depravation of the lower classes, in particular by setting up guidelines for married life and thus avoiding any associated sexual problems. This close agreement between the secular and ecclesiastical discourses should come as no surprise, since Dutch society was highly 'pillarized' (exhibited extensive socio-religious compartmentalization) in the pre-war period. The way of life expected of the individual citizen depended strongly on the 'pillar' to which he or she belonged. The Catholic pillar was very strong and had a great influence on the lives of all Catholics, no matter to which social class they belonged.

This picture of compliance with church values and middle-class morality prevailed until shortly after the Second World War, although some opposition to this compartmentalized society did grow during the 1930s – also among Catholics. However, after the terror and upheaval of the War years, there was first and foremost a need to restore traditional norms and values after the War.

This search for peace and quiet thus led to a short-lived 'renaissance' of pillarized society, with a particular resurgence in the strength of the Catholic Church which seemed, through its 'incorruptible' norms and values, to offer certainty in unsettled times. However, a longing for liberalization and individualization was smouldering under the surface of society. Once people had tasted freedom, the tide could not be turned forever. The dissatisfaction with strict Catholic norms and values, with particular reference to contraception, which had first reared its head in the 1930s, made itself felt once again. Another key factor was the changing position of women, who in the wake of the rebuilding of the economy wanted to free themselves finally from the traditional image, strongly influenced by the church, of the woman as mother. At the same time, the Catholic intellectual elite were strongly opposed to the strict hierarchy that existed within the Church, just as they had been in the late 1930s. There was a renewed general striving towards democracy.

This impulse towards greater democracy, first seen in the mid-1950s, grew throughout the 1960s. Class differences were becoming less pronounced thanks to economic growth and higher welfare. The youth played quite an influential role here. Although there was no clear-cut youth movement, it was evident that younger people were demanding more space and wanted to escape from the influence of the Catholic Church. At the same time, however, other progressive Catholic groups also insisted that the Church hierarchy had to be made more democratic and that Catholic morality needed to be liberalized. The main topic of discussion was the obligation to celibacy, but homosexuality – including homosexuality among the clergy – was also debated. The leadership of the Dutch Catholic Church was receptive to the societal drive for regeneration. The Dutch episcopate in particular displayed a progressive attitude at this time – very much at odds with the position of the Vatican, it may be noted.

This position of the Dutch episcopate roused expectations that celibate priests would soon be a thing of the past but also that the excessively strict Catholic morality might also be relaxed in other ways, with special reference to the Church's ban on the use of contraceptives. One of the high points of this drive towards ecclesiastical liberalization, which in hindsight would prove to be short-lived, was the televised broadcast by then Bishop Bekkers of Den Bosch who declared that the decision as to whether to use the contraceptive pill was a matter for the individual's conscience. (After this

programme, the contraceptive pill came to be known colloquially in the Netherlands as 'Bekkers' candy'; see endnote 107.) There were also hopes that celibacy might be abolished. This seemed like a realistic expectation in the early 1960s, but signals from the Vatican soon made it clear that this was not to be. As a result, an increasing number of priests withdrew from the ministry and there was a further decline in the number of young men applying to train for the priesthood.

Despite this liberalization of thinking, there was still a lack of attention to the issue of the sexual abuse of minors both at a secular and at an ecclesiastical level. There were once again indications that some people were aware of the problem at that time. For example, the ministry of Education, Art and Science initiated a study of the removal of teaching qualifications due to criminal conviction for sexual abuse. A substantial number of clergymen were among the perpetrators identified. The Catholic Church, however, still kept to the tried and tested approach of cover-up and suppressing the facts. Scandals were settled in-house, without official involvement of the legal authorities. Just as in previous years, however, care was provided for members of the clergy with psychiatric needs, which was understood to include those who had made 'inappropriate friendships' in the seminaries. The possibility that this 'spiritual crisis' might sometimes lead to deviant sexual contacts with minors was once again not recognized.

#### *The periods 1960-1970 and 1970-1985*

During these years the political response to criminal sexual behaviour oscillated between *laissez-faire* and repression. Within the church, the changes which had been initiated in earlier years continued: there was increasing secularism but also a search for new, less formal ways of spiritual expression. The biggest changes, however, occurred in the secular domain. Thanks to the widespread availability of the contraceptive pill and the widespread disregard of the Church's ban on its use, there was no longer any functional need for self-control. In contrast to what is widely thought, however, this was not a time of collective sexual licence. Such behaviour was only found in the progressive elite: the rest of society still stuck to the old sexual mores, by and large.

Increasing welfare and a blurring of class distinctions led to the development of emancipated, mature citizens who were critical of authority. This had an impact on the thinking about criminal sexual behaviour. There was a call for less government involvement in this field: it was held that people should largely be allowed to regulate their own sexual behaviour, and lack of consensuality should be the only reason for involving the legal authorities. This move towards more liberal thinking concerning sexuality prompted a re-evaluation of the question of sexual contact with minors, though this attitude was not shared by all. Nevertheless, the taboo around paedosexuality was broken down, with the Dutch Association for Sexual Reform (NVSH) acting as the main body voicing progressive views in this field. This was not a true marriage of minds, however, as the apparent tolerance to paedosexuality in theory was not matched in practice. There were still objections to the practice of paedosexuality, even from within the NVSH. These were partly due to an underlying fear that public expressions of support for paedosexuality would lead to renewed stigmatization of homosexuality.

In the meantime, calls from society for reassessment of sexual legislation led to the setting up of the Advisory Commission on Revision of Moral Legislation (Melai Commission) in 1970. This commission produced four reports over the years, only the last one of which (appearing in 1980) is relevant here. This concerned the penalties for serious sexual crimes, including the sexual abuse of minors. Fortune

did not smile on the Melai Commission: the period of its activity coincided not only with a major change in the thinking about what constituted criminal sexual behaviour, but also with numerous cabinet changes. This ultimately caused its final report, which proposed an integral revision of sexual legislation, to be shelved. When sexual legislation was finally revised, following several further cabinet changes, many of the changes made to the law turned out to be closely in line with those suggested by the Melai Commission.

In the meantime, political consensus on the form sexual legislation should take proved elusive. The feminist movement, which had become highly active and influential and by the early 1980s had set its sights on tackling sexual violence, was an important player in these discussions. After an initial period of euphoria, women had become aware of the drawbacks of sexual freedom, namely the idea of the sexual availability of women and the unchanged underlying balance of power between men and women. The feminist movement demanded a review of the patriarchal basis of sexual legislation. This demand was not initially met; it was decided that a partial amendment to the law would suffice. This led to great outcry from the feminists.

Feminist demands gained further support in the early 1980s, however, when numerous victims of domestic sexual abuse came forward with their stories. The two movements, though differing in their aims, joined forces to yield a compelling appeal to the authorities to work out an effective policy for protecting women and girls against sexual violence. It was no longer possible to deny that sexual violence, in particular the sexual abuse of minors within relationships of dependency, was an extensive and serious social problem.

Even at this stage, the realization that systematic sexual abuse of minors was taking place within the Catholic Church was not getting through to the general public. Although the existence of these offences was now widely acknowledged within a 'limited circle', this awareness had not yet extended to the main mass of the Catholic faithful, let alone society as a whole. Social and political attention was primarily focused on secular sexual abuse, in particular on domestic sexual abuse. At that time, there was simply not enough motivation for the secular authorities to join forces with the Catholic Church to investigate occurrences of sexual abuse. It is impossible to determine whether, and to what extent, suspicions of such abuse arose in the secular domain at this time. The separation between the (Catholic) church and the state probably made it difficult for the secular authorities to carry out investigations and to intervene where necessary. In addition, the fact that victims of sexual abuse generally reported such cases to the ecclesiastical authorities – if at all – and that the events complained of had usually taken place in the past, contributed to the criminal legal authorities' lack of awareness of the sexual abuse of minors within the Catholic Church. It would later become clear that financial settlements were reached during this period (and in previous years) to avoid cases of sexual abuse within the Catholic Church becoming public. The fact that the leadership of the Dutch Catholic Church knew, or at least suspected, the nature and extent of the problem is clear from the proposal made at the time to set up a nationally coordinated approach to cases of sexual abuse within the Catholic Church. In the end, however, it was decided to maintain the existing strategy: problems were to be dealt with at a local level, preserving the autonomy of the episcopate and the religious congregations.



### *The period 1985-2010*

Meanwhile, it was no longer possible to ignore the call for legal intervention in cases of sexual abuse of minors. This issue had spearheaded thinking about criminal legislation, at both a national and an international level. On the Dutch scene, this led not only to the creation of a broad governmental policy but also to changes in sexual legislation. One important aspect of this was the criminalization of the sexual abuse of minors, but all changes had one thing in common: they were based on the right to physical and psychological integrity and offered protection against all forms of sexual violence with the aid of the necessary statutory instruments – in particular criminal sanctions. The fundamental point was that sexual contacts should be consensual: sexual relations brought about through violence, threats of violence or other forms of manipulation based on underlying power differences between perpetrator and victim must not be allowed. This sentiment has been echoed for many years in the legal rulings, conventions, directives and jurisprudence that apply in this field.

These changes in secular thinking about the criminalization of sexual behaviour did not, however, have any immediate impact on the position of the Catholic Church in this domain. In fact, when it became clear that the problems in this field could no longer be denied, a strategy of cover-up and suppression of the truth was adopted. The Church did not start to take remedial action until it became clear that the problems were common knowledge. But even then, the Catholic Church failed to take full responsibility for the sexual abuse that had occurred within its walls. It tried to distinguish this sexual abuse from 'real' sexual abuse, or at least to 'redefine' the status of the victim. An attempt was made to claim that the entire Catholic Church had been victimized by these scandals: not just the real victims but also other believers and in fact the Catholic Church as an institution had suffered as a result of these events. Their 'belief' in living up to Christian values had been violated by those who had been made responsible for their pastoral care. Moreover, the measures that were taken were aimed at limiting the damage to the Church's public image, and followed the strategy of dealing with such controversial issues away from the public eye. In line with this policy, the Dutch Catholic Church set up the organization *Hulp & Recht* in 2005 to deal with the incoming reports of abuses. It became clear by 2010 that this body was unable to stop the growing flood of complaints and deal with them adequately. The leadership of the Dutch Catholic Church realized that it would have to agree to a public inquiry. This led to the establishment of the *Commission of inquiry into sexual abuse in the Roman Catholic Church in the Netherlands* (the Commission of Inquiry), chaired by Wim Deetman, in May 2010.

## Appendix 1. Notes on Title XIV of the Dutch Penal Code (Sr)

This appendix describes the structure of Dutch criminal legislation dealing with sex crimes and related offences, and defines the various offences falling under this heading. In fact, only the offences classed as sexual abuse are discussed here. Although article 249 Sr deals specifically with this topic, Dutch criminal legislation dealing with sex crimes is structured in such a way that sexual abuse can also be prosecuted under the heading of other offences. Some comments are also made on proof in criminal law and the problems that may occur when sexual offences, in particular the sexual abuse of minors, are committed within the context of relationships of dependency.

### *Relevant provisions*

The relevant provisions are included in Book II, Title XIV, of the Dutch Penal Code, under the heading 'Offences against morality' (*Misdrijven tegen de zeden*). This concept refers mainly to sexual morality, but the title also includes some non-sexual 'offences against decency'. Sexual offences are traditionally divided into the following three classes: 1. indecency (indecent exposure and pornography, including animal pornography), 2. breaches of trust (sexual contacts with young people and others in a relationship of dependency) and 3. offences involving deprivation of freedom or violence (rape and assault). Sexual abuse may fall into the second or third of these categories, depending on the form it takes. The offences discussed here are defined in articles 242, 244, 245, 247 and 249 Sr. The other offences dealt with in Title XIV fall outside the scope of the present study.

### *Culpability and intent*

In all the offences considered here, it is important to determine the culpability or degree of blameworthiness of the perpetrator, and also to establish whether the act in question was committed with intent. The degree of culpability, and the intent, of the perpetrator in a given case must be determined on the basis of the nature of the act committed, the harmful consequences arising from it and the intention or willingness of the perpetrator to cause these consequences at the time of the act.<sup>226</sup>

In general, offences can be associated with different degrees of culpability: the act in question may be committed purposefully, knowingly, recklessly or negligently, these different gradations representing successively lower degrees of culpability. In the first case, the perpetrator is aware of the possible consequences of his act and it is his conscious object to cause these consequences or in any case to perform that act. In the second case, he knows that the act may produce the consequences in question and he performs the act in this knowledge though it may not be his intention to cause the consequences. The two lowest degrees of culpability, recklessness and negligence, do not apply in the case of the offences considered here. It should be noted that the Supreme Court of the Netherlands (*Hoge Raad*) sets stringent requirements on the proof of intent in the offences considered here. It must be shown that the perpetrator was aware of the nature and consequences of his act, and had acted accordingly. If the perpetrator pleads not guilty, it may be possible to establish intent on the basis of the circumstances of the case, but the external details of

the acts – or the significance that would be attached to them by an average person – are not sufficient to establish intent. If the perpetrator can show that, in contrast to the construction to be put on the facts at first sight, he was not aware that the sexual contact was committed under duress or was of an immoral nature, intent cannot be proved and he must be judged to be not guilty. In other words, a person can only be convicted of sexual abuse if the judge concludes on the basis of the evidence provided by the Public Prosecutor and the other facts arising during the sitting of the court that the perpetrator did commit the act of which he is accused, and he did so intentionally. In the case of sexual abuse, this means that it must be demonstrated that the perpetrator used coercion in the form of violence or the threat of violence, or manipulations of other types, to bring the sexual contact about, or at least that he was aware that the sexual contact would be regarded as unacceptable on the basis of prevalent social views. This is reflected in the descriptions of the offences in the various articles of the Dutch Penal Code considered here by the use of terms such as ‘compel’ (article 242 Sr), ‘commit’ (article 244 Sr), ‘lewd or immoral acts’ (*ontuchtige handelingen*) (article 245 and 247 Sr) and ‘lewdness’ (*ontucht*) (article 249 Sr).

### *Objective requirements*

In some cases, it is not necessary to prove culpability or intent, but simply to show that certain ‘objective requirements’ are met. For example, when dealing with the sexual abuse of children or of others in a relationship of dependency, the legislator considers protection of the victim to be more important than demonstrating the intent of the perpetrator. This leads to the inclusion of an age requirement in articles 244, 245 and 247 and mention of the status of the victim in article 249 Sr. The claim by the perpetrator that he was not aware of the age or status of the victim is not generally admissible as a defence.<sup>227</sup> This implies that the perpetrator is expected to do his best to ascertain the age of the young person concerned. As regards knowledge of the existence of a relationship of dependency, there is no room at all for error on the part of the perpetrator, since these are legally defined statuses of which the perpetrator must be aware on the basis of his position in the family or his employment in a school or care institution.

### *The system underlying Title XIV*

It is important to understand the underlying logic of the legislation on sexual offences, as this has an impact on the charging procedure. It should be stated first of all that article 249 Sr does not override the other articles under this title (i.e. in legal terminology, it is not a *lex specialis*). It has its own grounds, which differ from those of the other articles under this heading, and may be regarded as a kind of tailpiece of the legislation in this field. As regards the other articles, a given instance of sexual abuse of minors may fall under the provisions of more than one article. This can happen in two different ways: 1. there may be different degrees of culpability, each one governed by particular provisions and with its own burden of proof; 2. there may be concurrent offences.

The first case represents a kind of precautionary approach involving the use of primary and subsidiary charges. For example, the perpetrator may be suspected of having used force to compel the victim to engage in certain sexual acts, but the prosecutor is not sure that the violence can be legally proved beyond reasonable doubt. In this case the perpetrator will first be charged under article 242 Sr, which carries the heaviest penalties. To deal with the possibility that this offence cannot be proved, a subsidiary charge will be entered of contravention of the provisions of article

245 Sr, the performance of lewd acts involving sexual penetration. If the prosecutor fears that it may not be possible to provide sufficient evidence for this offence either, for example of the fact that actual sexual penetration took place, a third charge – subsidiary to that mentioned above – may be made of contravention of article 247 Sr, the performance of indecent acts not involving sexual penetration. It is then up to the judge to determine, on the basis of the evidence provided by the public prosecutor, which of these offences can be legally proven beyond reasonable doubt. He may not decide on the subsidiary charge until it has been determined that the primary charge cannot be proven.

Another possibility is that the act with which the perpetrator is charged comprises more than one offence. This is said to be a case of concurrent offences based on a single act (*eendaadse samenloop* in Dutch); according to the provisions of article 55 Sr, the offence attracting the highest maximum penalty is then overriding. A case of this type that often occurs is that involving the sexual abuse of a minor within a relationship of dependency. If for example the perpetrator is charged with compelling a minor to engage in penetrative sex and it is mentioned in the charge that the minor was in a relationship of dependency, article 242 Sr overrides article 249 Sr (assuming that both offences can be proved). This does not mean that the judge cannot take the existence of the relationship of dependency into account when determining the sentence if the perpetrator is found guilty; it is up to his discretion whether to do so or not.

It may happen that what was initially thought to be a case of concurrent offences based on a single act turns out not to be so. For example, a perpetrator is charged under articles 242 Sr and 249 Sr, but one provision of article 242 Sr cannot be proven. In that case, the judge may find the perpetrator guilty of contravention of article 249 Sr. This presupposes that all relevant provisions of both articles were included in the charge.

Finally, yet a third possibility is what is known as concurrent offences based on multiple acts (*meerdaadse samenloop* in Dutch). This is governed by the provisions of article 57 Sr. This means that a perpetrator commits two separate criminal offences at the same time. This is the case for example if an adult uses force to compel a minor to engage in sexual contact in public, and this act is observed by a third party. This is not only an offence under the provisions of article 239 Sr (public indecency) but also one under article 242 Sr (rape). If found guilty, the perpetrator will be given a single sentence equal to the sum of the penalties for the two individual offences, with the proviso that the total sentence may not exceed the maximum penalty for a single offence plus one-third.

#### *Detailed description of the individual offences*

##### *Article 242 Sr*

Article 242 Sr deals with the offence of rape, and runs as follows:

‘He who through violence, the threat of violence or some other means compels someone to engage in acts consisting of or including the sexual penetration of the body is guilty of rape and is punished by a prison sentence of at most twelve years or a fine of the fifth category.’

Rape is characterized by penetrative sex performed under duress. The penetration in question is not restricted to vaginal and/or anal penetration, but also includes oral contact such as a French kiss or oral contact with the vagina or body parts in the immediate vicinity of the vagina.<sup>228</sup> This broad interpretation of ‘sexual penetration’ might lead to the conclusion that article 242 Sr is widely applicable. The strict requirement set by the Supreme Court of the Netherlands on the interpretation of the term ‘compels’ means that this is not the case, however. In order to prove compulsion, it must be shown that the perpetrator knew that the victim did not wish to engage in the acts in question. While this is often evident from the means employed by the perpetrator, problems may arise when the victim’s resistance to the perpetrator’s acts is insufficiently evident, since then it cannot be proved that the perpetrator was aware that the victim was acting under compulsion.<sup>229</sup> The situation often becomes more complicated when the compulsion was brought about by ‘other means’. While the law used to define rape as an act performed with violence or the threat of violence, it has been stipulated with effect from 1992 that the compulsion can also consist of other, less visible forms of manipulation. This may consist of all kinds of psychological pressure applied by the perpetrator, or of which the perpetrator is aware and from which he profits. Whether this was so must always be determined by the judge with reference to the circumstances of the case. The fact that the victim was mentally vulnerable may be relevant here, if the perpetrator was aware of this and understood that this vulnerability made it difficult or impossible for the victim to engage in consensual sex.<sup>230</sup> But the existence of actual dependency can also be a basis for concluding that there was compulsion by other means, for example where a minor seeks pastoral aid from a priest or a member of a religious order and the resulting relationship of care is misused to perform sexual acts.

Where it is clear that such problems of proof may arise, it may be advisable for the prosecutor to enter a subsidiary charge of contravention of article 245 Sr (lewd acts involving penetrative sex). It may be noted that such sexual acts may also fall within the scope of article 249 Sr. In view of the involvement of compulsion, however, the latter possibility is only used as a safety net.

#### *Article 244 Sr*

This article contains an absolute prohibition on penetrative sexual contacts with minors below the age of twelve years, and runs as follows:

‘He who commits acts consisting of or including the sexual penetration of the body with someone under the age of twelve years is punished by a prison sentence of at most twelve years or a fine of the fifth category.’

The basis for culpability in this case is the physical and mental immaturity of the victim. It may be noted that the sexual acts in question need not be committed under compulsion: the perpetrator is still guilty when the victim agrees with them, or even takes the initiative himself. If the acts are performed within a relationship of dependency as referred to in article 249 Sr, the latter article may also be applicable; but since article 244 Sr carries the heavier penalty, this is overriding.

### *Article 245 Sr*

Article 245 Sr relates to minors between the ages of twelve and sixteen years. The guiding principle here is that young people in this age-range are allowed to be sexually active, but they are still regarded as vulnerable in such contacts and must be protected against abuse. To this end, this article states that the commission of 'lewd acts' (*ontuchtige handelingen*) is a criminal offence, and runs as follows:

'He who commits lewd acts outside matrimony consisting of or including the sexual penetration of the body with someone who has reached the age of twelve years but has not yet reached the age of sixteen is punished by a prison sentence of at most eight years or a fine of the fifth category.'

This article refers to penetrative sex with minors aged between twelve and sixteen years. Such acts are a criminal offence if they are at odds with the socio-ethical norm, in other words with the prevalent views in society about what is acceptable and what is unacceptable as regards sexual contacts with minors aged between twelve and sixteen. This clearly involved a normative assessment based on consideration of the facts of the case. The age difference, whether or not the minor consents to the act and the existence of a certain affective relationship will generally be taken into account here. However, the act in question may be judged to be a 'lewd act' even though there was no compulsion of the minor, since the main objective here is to protect minors, even against seduction where the minor is the active agent

A relevant case in the context of sexual abuse in an ecclesiastical setting might conceivably involve a boy aged between twelve and sixteen who feels that he is homosexual, and has difficulty in coming to terms with this fact and/or deciding whether he should 'come out'. If he consults a priest or a member of a religious order about these problems and the latter allows a sexual relationship to develop within this pastoral relationship of dependency, article 245 Sr may be applicable. Once again, this may involve concurrent offences based on a single act, where article 249 Sr is also applicable.

It is appropriate to pause for a moment here to consider whether it is always desirable to bring criminal charges in such situations. In any case, article 245 Sr does not exclude the bringing of criminal charges concerning consensual sexual contacts between an adult and a minor. If such contacts occur within an ecclesiastical setting, there is little room for doubt that society will judge these contacts to be unacceptable. But situations could be imagined where such contacts are accepted by society – for example when a young priest or member of a religious order becomes emotionally involved with a member of his flock who is not much younger – though still young enough to be a minor in the eyes of the law. In such a case, it may be doubted whether it is appropriate to bring charges – at any rate before the minor concerned has been given the opportunity to give his opinion on the matter. In fact, article 167a Sv states that the public prosecutor must hear the opinion of the minor in question – although there will in general be no legal consequences if the public prosecutor fails to comply with this obligation.

### *Article 247 Sr*

This article is the counterpart of article 245 Sr, but relates to non-penetrative sexual acts not only with minors but also with other types of vulnerable individuals. Non-penetrative sexual acts with such persons are stated to be criminal offences. The wording is as follows:

‘He who commits lewd acts outside matrimony with someone whom he knows to be in a state of unconsciousness, reduced consciousness or physical incapacity or to be suffering from such arrested development or mental disorder that he is unable to determine or communicate his wishes in this matter or to offer resistance to such acts or with someone below the age of sixteen years, or who persuades the latter to commit or allow such acts outside matrimony with a third party, is punished by a prison sentence of at most six years or a fine of the fourth category.’

Here again, protection of the minor is the main consideration. The perpetrator’s intention in committing the act in question is not relevant. What is decisive is whether society as a whole would consider the act to be ‘lewd’ or indecent. The fact that the perpetrator’s intention is at odds with this view can at most be taken into consideration when determining the sentence. Such situations occur for example when an adult – often one of the parents – examines the minor’s sexual organs to check whether they are intact. But situations are also known where inappropriate sexual acts were performed in the context of what is purported to be informal sex education – for example, where a father took the opportunity of a sleep-over by his under-age son’s girl friend to teach his son the facts of life by subjecting the girl to a physical examination. A similar situation is conceivable in a pastoral setting, where inappropriate acts can be performed on the pretext of sex education or a check on physical hygiene. It should be noted that neither physical contact nor repeated acts are necessary to constitute an offence under this article. Furthermore, the offence may consist in omission rather than in commission, as in the case when a male adult did not stop an under-age girl from holding his sexual organs.<sup>231</sup> Finally, evidence of compulsion of the minor is not necessary to prove the offence.<sup>232</sup>

The term ‘outside matrimony’ is included to ensure that sexual acts performed by minors under sixteen years of age who have married with Royal dispensation are not classed as a criminal offence.

### *Article 249 Sr*

Article 249 Sr occupies a special position in the legislation on sexual offences. The acts covered by this article are regarded as offences not because of their objectionable nature and/or because they could harm the victim, but because of the infringement of a functional responsibility the perpetrator bears for the victim. The legislator words these considerations as follows:

1. He who commits lewd acts with his under-age child, step-child or foster child, his pupil, a minor entrusted to him for care, education or supervision or his under-age servant or subordinate is punished by a prison sentence of at most six years or a fine of the fourth category.

2. The same punishment is meted out to the following persons:

1° the official who commits lewd acts with someone who is under his authority or is entrusted or recommended to his supervision;

2° the administrator, physician, teacher, official, supervisor or servant in a prison, state institution for the protection of children, orphanage, hospital or charitable institution who commits lewd acts with an inmate of the institution in question;

3° the healthcare or social care worker who commits lewd acts with someone who has entrusted him- or herself to his care as a patient or client.'

This article has been expanded several times. The last was in 1992, when the third clause of the second section (referring to healthcare and social care workers) was inserted. It will be clear that the legislator is aiming at wide protection here. In line with this, the various terms used in this article are interpreted widely as a rule.<sup>233</sup> The article covers both penetrative and non-penetrative sexual acts. The law uses the term 'lewd acts' (*ontucht* in Dutch), which includes both forms. The nature of the act may however be taken into consideration when determining the sentence.

This article is eminently applicable to the sexual abuse of minors in an ecclesiastical setting, since the victim is usually a 'minor entrusted to him [i.e. the priest or member of a religious order] for care, education or supervision'. Such situations are usually widely interpreted, on the basis of the facts of the case. Court decisions referring to sexual abuse in a secular setting have established that strict requirements need not be made on the legal relationship between the perpetrator and the victim, or the official qualifications of the former. This means for example that the article also applies to unauthorized 'therapists',<sup>234</sup> and that it is not required that the parent or guardian who entrusts the minor to the perpetrator is aware of the sexual acts performed with this minor.<sup>235</sup>

Since the basis for the culpability in this case is the misuse of the underlying relationship of dependency, it is not relevant whether the victim assents to the sexual contact – or even whether he took the initiative. The basic principle here is that the existence of a relationship of dependency makes it legally impossible to assent to the acts complained of. If the relationship of dependency is ended, for example if the victim is no longer a patient of the perpetrator (who is assumed to be a doctor in this case), article 249 Sr does not apply to any subsequent sexual contact.

### *Problems of proof*

In order to convict someone of a criminal offence, it must be proved in law beyond reasonable doubt that the accused committed the act or acts described in the charge, and that these acts constitute a criminal offence. Such proof may be difficult to deliver in the case of sexual offences, since the acts of which the perpetrator is accused are in general committed in private between him and the victim, without any other witnesses. However, the criminal law does not allow someone to be convicted on the basis of a single witness statement (article 342, section 2 Sv). When the accused pleads not guilty, which is often the case, the statement by the victim must be supplemented by other evidence, which must have a certain 'intrinsic value': it is not enough for a third party to state that the victim



told him or her about the sexual offence, since this is only hearsay evidence – which is also relevant, but only to provide back-up for more tangible evidence. What is needed is independent evidence to supplement the victim's statement, which may be used to deduce the perpetrator's intention. This supplementary evidence may take the form of a statement by a third party who actually observed the alleged sexual contact. Medical or forensic reports that support the victim's statement may also be useful, but whether they provide the necessary evidence will depend on the extent to which they yield independent confirmation of the victim's statement. For example, if the victim states that he was compelled to engage in sexual contact by physical violence and the medic report provides evidence of bruising, this does not disprove the claim made by the accused that what took place was rough sex to which both parties assented.

It may be noted that recent decisions of the Supreme Court of the Netherlands, and of lower courts on the basis of this jurisprudence, tend to make more stringent demands on the minimum evidence required to establish the existence of a sexual offence. Unlike the case in the past, a statement by the victim supported by medical reports or the statements of character witnesses attesting to the reliability of the victim's statement are no longer considered sufficient.

## Appendix 2

### List of abbreviations

CAPER	Central advisory agency for priest and members of religious congregations ( <i>Centraal Adviesbureau voor Priesters en</i>	orders or <i>Religieuzen</i> )
ECHR	European Court of Human Rights	
HR	Supreme Court of the Netherlands ( <i>Hoge Raad</i> )	
KNBGG	Catholic National Centre for Mental Health Care ( <i>Katholiek Bureau voor Geestelijke Gezondheidszorg</i> )	<i>Nationaal</i>
KNR	Conference of Religious in the Netherlands ( <i>Konferentie Nederlandse Religieuzen</i> )	
KVC	Catholic Charitable Association ( <i>Katholieke Charitatieve Vereniging</i> )	
LJN	case number on the jurisprudence website <a href="http://www.rechtspraak.nl">www.rechtspraak.nl</a>	
NVSH	Dutch Association for Sexual Reform ( <i>Nederlandse Vereniging</i>	<i>voor Sexuele Hervorming</i> )
PINK	Pastoral Institute of the Roman Catholic Church in the Netherlands ( <i>Pastoraal Instituut van de Nederlandse Kerkprovincie</i> )	
SNPR	Association of Religious Priests in the Netherlands ( <i>Stichting Nederlandse Priester Religieuzen</i> )	
Sr	Dutch Penal Code ( <i>Wetboek van Strafrecht</i> )	
Sv	Dutch Code of Criminal Procedure ( <i>Wetboek van Strafvordering</i> )	

## **Research literature on the sexual abuse of minors in the Roman Catholic Church**

### **A study**

Dr W. Langeland, The Hague, 2011

## Contents

1	Introduction
1.1	General
1.2	Search strategy
1.3	Remarks concerning the literature
2	Prevalence of sexual abuse of minors within the Roman Catholic Church
2.1	Introduction
2.2	Research based on reports made to official agencies and support organizations
2.3	Aselect surveys of Roman Catholics
2.4	Aselect surveys of the general population
2.4.1	Aselect surveys of the Dutch population
2.5	Conclusions
3	Nature and circumstances of sexual abuse in the Roman Catholic Church
3.1	Introduction
3.2	Nature of sexual acts
3.3	Duration and frequency
3.4	Use of force, coercion, rewards and 'grooming' techniques
3.5	Location and circumstances
3.6	Characteristics of the victims
3.6.1	Gender
3.6.2	Age
3.6.3	Family background
3.6.4	Other forms of traumatization
3.7	Characteristics of the perpetrators
3.7.1	Gender of the perpetrators

3.7.2	Number of victims and number of perpetrators
3.7.3	Position / function of the perpetrator
3.8	Conclusions
4	Reported psychological complaints and symptoms
4.1	Introduction
4.2	Reported complaints and symptoms
4.2.2	Reported effects of institutional abuse
4.3	Conclusions
5	Cultures of silence surrounding the sexual abuse of minors and the response of the Roman Catholic Church to allegations, complaints and reports
5.1	Introduction
5.2	Non-disclosure by the victim
5.2.2	Reasons for non-disclosure
5.2.3	Changing attitudes to sexual abuse
5.3	Response of the Roman Catholic Church to allegations of sexual abuse
5.4	Results of empirical research
5.5	Conclusions
6	General conclusions

#### Annotated literature list

Appendix 1	Overview of official reports (further to investigations by church or governmental Commissions of Inquiry) since 1990
Appendix 2	Overview of main studies and respondent groups
Appendix 3	Overview of symptoms and conditions reported in research on sexual abuse of minors in the Roman Catholic Church; systematic reviews and meta-analyses offering evidence to support a link between such symptoms and childhood abuse.

# 1.

## Introduction

### 1.1 General

This appendix presents the results of a comprehensive study of national and international research on the sexual abuse of minors in the Roman Catholic Church. This study was originally conducted as part of the preparations for the academic investigation undertaken by the Commission of Inquiry into Sexual Abuse in the Roman Catholic Church (“the Commission of Inquiry”) which examined the nature, extent and circumstances of such abuse during the period 1945 to 2010. The Commission of Inquiry also considered the responsibilities and response of the church authorities.

This literature study was conducted in accordance with the terms of reference set out in the ‘Proposal for an investigation of sexual abuse in the Roman Catholic Church’, and in particular the section covering empirical research and the responsible reporting of data.<sup>236</sup> Accordingly, the current document seeks to answer the following questions:

Prevalence, nature and circumstances:

- What is known about the prevalence (extent) of sexual abuse of children and adolescents who have been entrusted to the care of the Roman Catholic Church? (Chapter 2)
- What is known about the nature and circumstances of the sexual abuse of minors within the Roman Catholic Church? (Chapter 3)

Psychological health:

- What is known about the nature and seriousness of (current) psychological complaints and symptoms suffered by the victims of sexual abuse in the Roman Catholic Church? (Chapter 4)

Cultures of silence at the individual level and that of church authorities:

- What is known about any ‘cultures of silence’ surrounding the sexual abuse of minors in the Roman Catholic Church? Have those who experienced abuse during childhood since spoken out about it? If so, to whom? How were their accounts received? (Chapter 5)
- What is known about the response of the Church to complaints and allegations? (Chapter 5)

The inventory of research literature covers the period 1945 to 2011. Past researchers have applied various definitions of ‘sexual abuse’, and hence varying criteria when deciding whether or not an incident should be classified as abuse. Some, for example, consider the age difference between the offender and the victim, the existence of any position of authority, the nature of the sexual acts concerned (indecent exposure, offering access to pornography, sexual advances, physical contact) and the degree of force or coercion applied. In determining whether a source should be included in this review, the author has largely ignored the criteria stated above. Rather, this study is primarily concerned with the sexual abuse of minors by persons connected with the Roman Catholic Church, or in the specific context of the Church and its institutions. Accordingly, the (alleged) perpetrators may be ordained priests or other clerics, brothers in a religious order, pastoral workers affiliated with

a church institution, or any number of lay persons: a verger, youth group leader, organist or choirmaster for example. The sole criterion is that the person concerned was in some way involved in the Roman Catholic Church and its activities.

This appendix is divided into six chapters. Chapter 1 describes the search strategy adopted and offers some remarks about the information found. In Chapter 2, attention turns to the (estimated) prevalence of the sexual abuse of minors in general, and that within the Roman Catholic Church in particular. Chapter 3 describes the existing research literature on the nature and circumstances of sexual abuse, while Chapter 4 offers an overview of research dealing with the psychological complaints reported by victims. Chapter 5 describes research findings with regard to 'non-disclosure' and 'late disclosure' (why victims failed to speak out at the time of the abuse), together with a summary of the empirical data relating to response of the Roman Catholic Church to allegations of abuse. The author's conclusions are presented in Chapter 6.

### Terminology

In keeping with the main body of the report, this section refers to a person who commits abuse as the 'perpetrator', whereby this should generally be understood to mean the *alleged* perpetrator. The term 'offender' is reserved specifically for those who have been tried and convicted of a criminal offence. However, it should be noted that not all the publications cited observe the same distinction.

We use the term 'victim' to refer to anyone who has experienced any form of (sexual) abuse. Again, the sources cited may use other designations such as the 'survivor' of abuse.

The term 'extrafamilial abuse' refers to abuse committed by someone who is not related to the victim, while 'intrafamilial' refers to that committed by a member of the victim's family. This term is used in preference to 'incest'.

The literature uses various terms to indicate that the perpetrator of abuse holds (or held) some church office: 'priest abuse', 'clergy abuse', 'abuse by clergy', 'clerical abuse' and even 'sanctuary molestation'. In our discussion of the literature, we generally adhere to the term 'clerical abuse'.

Finally, the titles of all publications (articles, papers, contributions to books, etc.) are given in their original spelling. In our discussion, however, we use standard British (UK) spelling. This leads to an inevitable inconsistency in the use of words such as 'paedophile/pedophile' and 'offence/offense'.

## 1.2 Search strategy

The study involved making an inventory of current research literature which deals with the prevalence, nature and circumstances of the sexual abuse of minors within the Roman Catholic Church, the psychological complaints reported by victims, the 'culture of silence' and factors which prompted victims not to speak out, and the church authorities' response to cases or allegations of abuse.

Relevant literature (in English) was sought by means of search queries in academic databases such as OVID-Medline and PILOTS, the latter being maintained by the National Center for Post-Traumatic Stress Disorder, Washington D.C. In addition, articles were sought further to references and citations

in the publications already discovered. Academic articles, research reports, books (or relevant chapters) have been included in the inventory, but dissertations and articles published in journals which are not readily available in the Netherlands are not. The reports of comparable Commissions of Inquiry in other countries have been included only if based on academic or scientific research. A full list of sources can be found in Appendix 1.<sup>237</sup>

Publications relevant to the Commission of Inquiry's report were selected using various search queries: 'clergy child sexual abuse', 'clerical sexual abuse', 'clergy sexual misconduct', 'child sexual abuse', 'extrafamilial child sexual abuse', 'institutional abuse', 'religion-related child sexual abuse', 'religion-based child sexual trauma', 'sanctuary molestation', 'religious abuse', 'religious victimization', etc. Combinations of search queries were used to refine the results. For example, the Medical Subject Heading (MeSH term) 'child sexual abuse' was combined with 'priest or nun' and/or 'catholic', 'perpetrators'.<sup>238</sup>

The database 'hits' were then checked for relevancy and possible duplication before being selected for inclusion, based on either the abstract or the full text. Many sources had to be read in full since the abstract did not make clear exactly how the authors had defined 'sexual abuse'. This is particularly true of the literature which examines the nature and prevalence of sexual abuse.<sup>239</sup>

### 1.3 Remarks concerning the literature

On close inspection, we found that many publications are somewhat speculative and theoretical in nature, rather than being based on sound academic research. This is particularly true of the literature published prior to 2000. There is a limited body of literature which relates directly to the sexual abuse of minors in the Roman Catholic context and which is based on any large-scale empirical research. A significant number of articles, books and reports are concerned with sexual abuse at any age ('lifetime abuse') or with sexual harassment within adult pastoral relations.

From 2003 onwards, we see an increasing number of empirical studies conducted by independent researchers, i.e. those having no connection with, or involvement, in the church itself. These studies include the large-scale surveys conducted in Ireland and the United States. The literature list has been annotated to include a brief description of the nature and content of each source, together with the affiliations of the authors.

The methodological quality of the empirical studies varies. Where shortcomings exist, they are generally caused by samples which are too small, a lack of any clear account of the selection criteria, an inadequate definition of the term 'sexual abuse' and the lack of a control group. The samples vary widely in size and characteristics. Some studies are based on as few as four cases while others examine several hundred. The usual controls expected in an academic study have been applied in only a few instances. The significant variation in the definition of 'sexual abuse' and in the research methodologies must be taken into account when attempting to interpret the research findings. Appendix 2 therefore offers information about the cases and respondent groups on which the main studies and their findings based. Some studies are not confined to one particular aspect of the sexual abuse of minors. For example, studies examining prevalence generally include some information



about the nature of the abuse. Not all additional information falls within the scope of the current report.

A number of studies are concerned with specific groups, such as victims who have sought professional help or have received treatment in some therapeutic institution, those involved in litigation, and known offenders as identified by police records. In studies which are based on direct or third-party reports, there is a high degree of sample (self-) selection, which can lead to statistical bias and distortion of the resultant data. A study based on the reports made to counselling services, for example, is likely to be biased because these reports relate only to the more serious or problematic cases. Reports made to the police or judicial authorities represent only a small proportion of the overall number of cases, and therefore provide no accurate indication of prevalence. (See Draijer & Langeland, 1989; Wolters *et al.*, 1982 for an account of the situation in the Netherlands.) Research of this nature therefore provides little useful knowledge about the (much larger) number of cases which have escaped the attention of the civil authorities or other official organizations. In particular, they offer little or no insight into the prevalence of sexual abuse of minors within the Roman Catholic Church, which is the focus of the current report.

A number of studies rely on information which has been reported by victims many years after the alleged incidents. Again, this information may be distorted. The respondents may apply different definitions when reporting their experiences. Some may be inclined to exaggerate those experiences or later effects. Conversely, some may believe that what they suffered at the hands of the alleged perpetrator falls short of the researchers' definition of sexual abuse. It is possible that events have been forgotten or memories repressed. When assessing the research samples which rely on (recent) reports of experiences in the past, we must allow for the possibility of both under-reporting and over-reporting. It is possible that later experiences will alter recollections of earlier events. There may have been a shift in the victim's outlook, standards and values over time, whereupon experiences which were seen as unimportant or even positive many years ago now take on a negative significance. Even a person's mood at the time of answering questions can affect his or her perception of past events. All such factors serve to restrict the validity and reliability of the information provided. The resultant bias is inevitable and inherent in this type of study (see Finkelhor, 1979; Draijer, 1990). Until recently, the literature devoted little attention to these limitations. It is nevertheless essential to remember that research can provide only an indication of the nature, prevalence, incidence and circumstances of the sexual abuse of minors in the Roman Catholic Church. It cannot support any firm statements.

Finally, we note that there is very little empirical data relating to the various types of recollection of sexual abuse.<sup>240</sup> There is no information about the degree to which memories of alleged abuse re-emerge at a (much) later date, whether spontaneously or as the result of therapy: the phenomenon known as 'recovered memories'.<sup>241</sup> This information is essential if we are to determine the reliability and validity of the data.

## 2.

### The prevalence of sexual abuse of minors within the Roman Catholic Church

#### 2.1 Introduction

What is known about the prevalence of sexual abuse committed against minors entrusted to the care of the Roman Catholic Church? To what extent has such abuse actually been reported?

Very little reliable information is available about the prevalence of sexual abuse of minors entrusted to the care of Catholic institutions or parishes.<sup>242</sup> Where figures do exist, they are not directly comparable. They relate to different groups, and there is significant variation in both the definitions and the research methods applied. What acts constitute actual sexual abuse? At what age does a 'minor' become an 'adult', and how can the relationship between victim and perpetrator be categorized? Indications of the prevalence of abuse largely rely on selective samples such as the records of reports made to the Church itself, to the civil authorities or to official support organizations. There are far fewer studies which rely on a representative sample of the general population.

Similarly, figures relating to sexual abuse by adults who are not related to the victim ('extrafamilial abuse') are reported in various ways, most often based on the number of incidents or the number of victims. Researchers have applied different definitions to the term 'authority figure' (see Bolen, 2000).<sup>243</sup> Direct comparison and correlation of the research findings is therefore virtually impossible. Any assessment of prevalence is further complicated by the inconsistencies in the presentation of data which classifies both perpetrators and offenders. Very few studies draw a clear distinction between the sexual abuse of minors and that of adults. Similarly, few distinguish between intrafamilial and extrafamilial abuse, whereby it would also be appropriate to classify the authority figures on whom the victim was dependent: teachers, parish priests, doctors, employers, care staff within an institution, etc. Information about the religious background of perpetrators, the precise setting of the abuse and the religious nature (or otherwise) of that setting is also extremely sparse.

As we have already noted, a number of caveats must apply to studies which rely entirely on reports of sexual abuse made to official counselling organizations or civil authorities (see also Draijer, 1985). In the former case, one major limitation is that staff must first determine that sexual abuse has indeed taken place in order for the case to be included in the study. Research based on the records of the police and judicial authorities suffers a similar restriction in that the figures rely on the victims' willingness to make a formal complaint. As a result, the data provided by such studies says little about actual prevalence. It is possible that only those cases which have attracted suspicion, or in which the victim has the courage to speak out, find their way into the official records. Large-scale surveys of the general population suggest that cases actually reported to the authorities or social support organizations represent a mere fraction of the actual prevalence of abuse: the 'tip of the iceberg'. (See Russell, 1983; Draijer & Langeland, 1989; Wetzels, 1998; Priebe & Svedin, 2008). Studies based on official figures consistently produce (far) lower estimates of the prevalence of abuse than those based on self-reporting. We therefore offer two examples which illustrate the existence of a 'dark figure' and the causes of the differences between estimates. (The term 'dark figure' is used by criminologists and sociologists to refer to the number of cases of a particular offence, in this case sexual abuse, which go unreported or undiscovered.)

Studies involving a respondent group of adult women suggest that between 6% (Russell, 1983) and 6.9% (Draijer & Langeland, 1989) of cases of extrafamilial sexual abuse of young girls were reported to police at the time. The Dutch study further concluded that most reported cases fit a certain stereotype, with 'minor' incidents such as indecent exposure at one end of the scale, and far more serious cases such as rape by a stranger at the other (Draijer & Langeland, 1989). Only two of the thirty cases examined involved sexual abuse committed by authority figures: a police officer and a teacher.

Studies with a respondent group of children and adolescents give a very similar picture. A telephone survey conducted in the United States in 1995 found that the actual prevalence of abuse was likely to be nine times higher than indicated by the official records (Finkelhor, 1998). Another study examining the prevalence of child abuse, this time based on a telephone survey of mothers, was conducted in the state of North Carolina. Here, the number of cases reported by the mothers was fifteen times greater than that shown by the official records (Theodore *et al.*, 2005).

To gain a better understanding of the number of unreported cases of sexual abuse, and hence a (more) valid estimate of its prevalence, we must also look at data derived from representative sampling of the general public.

The following paragraphs present the estimates of extent based on reports made to the authorities (par. 2.2), those based on general surveys of Roman Catholics only (2.3), and those based on random surveys of the entire Dutch population (2.4).

## 2.2 Estimates based on reports made to the authorities and support organizations

Given the limitations of research based solely on reports made to official authorities or social support organizations, it is appropriate to examine three large-scale studies in detail. Studies based on smaller samples are expressly excluded. A fourth study provides an estimate of the extent of sexual abuse, based on reported cases of the types of abuse which have emerged only recently: the possession and distribution of online child pornography, internet 'grooming' (befriending and gaining the confidence of children with the intention of committing a sexual act) and the international trafficking of children for sexual purposes. The four studies show some differences in methodology, the period covered, and the resultant data. It is therefore difficult to make any direct comparison of the resultant data. Moreover, the data says very little about the prevalence of the sexual abuse of minors within the Roman Catholic Church, offering only an indication of the number of cases reported to official authorities, to social support organizations or to the Church itself. The explanatory notes set out the manner in which each study has attempted to arrive at an reasonably accurate estimate of the prevalence of sexual abuse committed against minors by (clerical) authority figures. The findings of each study are also explained where necessary.

### 1. The John Jay College study

Researchers in several countries have attempted to establish the prevalence of the sexual abuse of minors within the Roman Catholic Church. Those countries include the United States (Terry, 2008).

The study described here was conducted by researchers from John Jay College between 2004 and 2006. It was based on an analysis of reports made to the Roman Catholic Church itself during the period 1950 to 2002, as recorded in the files. The study is therefore restricted to known cases in this particular context. Data was gathered from 97% of the dioceses, and from 64% of the religious orders and congregations active in the United States.

This study defines 'prevalence of abuse' as the number of regular and secular priests against whom allegations of sexual abuse against minors had been made during the period 1950 to 2002 (Terry, 2008). Four per cent ( $n = 4392$ ) of all priests ( $n = 109,694$ ) working in the United States during this period had been accused, at least once, of sexually abusing a person aged under eighteen.<sup>244</sup> During the research period, 10,667 persons had submitted an official complaint to the Roman Catholic Church alleging the sexual abuse of a child or adolescent by a priest. There were 143 priests accused of committing abuse in two or more different dioceses. There were no significant differences between dioceses in terms of the percentage of allegations in each. In addition to those victims who had made an official complaint to church authorities, the study identified over three thousand victims who had not done so. This group was excluded from the study results. The prevalence of abuse arrived at by the John Jay College study, based on official complaints alone, is therefore a significant underestimate of the actual scale on which the sexual abuse of minors was taking place within the Roman Catholic Church during the period concerned. The number of incidents described in the complaints showed a rising line during the 1960s, peaked in the 1970s and then declined throughout the 1980s. The number of incidents alleged to have taken place in the 1990s was broadly similar to that forty years earlier. However, some two thirds of the complaints were submitted after 1990 (see Smith *et al.*, 2008). Of these, one third were not investigated because the priest concerned was no longer alive.

The John Jay College study also examines possible explanations for the distribution of incidents over time. The researchers note that, in the first instance, it is not known whether the general social and cultural changes seen in the United States between 1960 and 1990 influenced the prevalence of sexual abuse within the Roman Catholic Church (Smith *et al.*, 2008). However, this is indeed the period in which the majority of the reported incidents took place.<sup>245</sup>

Based on the findings of this study, Marcotte (2008) suggests that the influence of social factors should be considered alongside that of individual factors such as the psychopathology of the perpetrators. Social factors would include the nature of life as a cleric (priest or brother) within the Roman Catholic Church, as well as the external cultural changes. Marcotte draws attention to the figures which show that the majority of incidents took place between 1960 and 1979. He also attaches some significance to the age of the perpetrator at the time of the first reported incident ('onset') of abuse. Based on these figures in combination, he suggests that the 'socialization' of the clergy which took place between 1950 and 1969, whereby priests and members of religious orders began to take a more active role in society, may go some way towards explaining the peak in the number of incidents.

## 2. Bottoms *et al.*

Another study which provides some indication of the prevalence of sexual abuse is that conducted in the United States by Bottoms *et al.* in 1995. It involved a (written) survey of approximately 19,000 professionals who had provided psychosocial support to one or more abuse victims during the 1980s. The study was restricted to those cases in which victims had actively sought professional help. The respondent group formed a stratified sample of almost six thousand (n = 5998) clinical psychologists<sup>246</sup>, over seven thousand (n = 7381) psychiatrists<sup>247</sup> and just under six thousand (n = 5896) clinical social workers.<sup>248</sup> During the first phase of the project, over two thousand (n = 2136) professionals who had treated at least one case of ritual or religious child abuse (termed 'abuse during childhood') were identified. The second phase involved collecting information about the abuse itself. In almost every case, the victim had known and trusted the perpetrator. Of those cases of abuse committed by a 'member of the clergy' (n = 177, 8.3% of the total), 94% had involved acts of a sexual nature. Here, the term 'clergy' refers to priests of all denominations, including rabbis, ministers, etc. Other cases involved abuse committed in a religious setting, such as church school or childcare centre, but not necessarily by a member of the clergy. Over half of all cases of clerical abuse identified by this study involved a 'Catholic' perpetrator and victim, although Catholics make up only some 25% of the North American population. However, it should be noted that the study's definition of 'Catholic' also included members of the Greek and Russian Orthodox Churches. Whether this results in any bias (e.g. a higher response in areas with a relatively high concentration of Catholics or of professionals in institutions which specialize in providing assistance to Catholics) is not clear.

Although based on a selective sample, the estimate of the prevalence of abuse produced by Bottoms *et al.* is valuable, not least because there is a dearth of research information about the prevalence of sexual abuse in Roman Catholic educational and health care institutions. Research which is based solely on reports made to official authorities and support organizations does not as a rule offer any useful insight into the prevalence of abuse in such institutions because the records use the standard category 'church-based institution' with no details of the denomination concerned (Gallagher, 2000).

249

Research which specifically examines 'institutionalized children' offers somewhat more information about the extent of sexual abuse of minors within institutions.<sup>250</sup> Most studies are concerned with the nature of child abuse and neglect (e.g. Rosenthal *et al.*, 1991), whereby they may also include cases of undesirable sexual contact between the young residents themselves. In some cases, the research is more concerned with the consequences of abuse and neglect in terms of the child's development (e.g. Sigal *et al.*, 2003). Only very close scrutiny of such publications reveals whether the information they present relates to institutions which fall under the responsibility of the Roman Catholic Church, and whether the alleged perpetrators are themselves Catholic and working at the institution in some official capacity. A notable exception is the significant body of academic literature about the *Enfants de Duplessis* affair,<sup>251</sup> in which all the crèches, orphanages and other institutions involved were indeed Roman Catholic (Sigal *et al.*, 1999, 2003; Perry *et al.* 2005a, b, 2006).

### 3. Loftus and Camargo

Another study which provides a useful basis on which to estimate the prevalence of sexual abuse of minors within the Roman Catholic Church is that by Loftus and Camargo (1993). Over a period of 25

years, the authors collected information relating to 1,322 priests who had attended a Canadian private clinic which specialized in treating psychiatric problems.<sup>252</sup> In this study, 8.4% (n = 111) of the priests reported having engaged in sexual contact with a person aged under nineteen. Almost all members of this group (98.2%) were Roman Catholic priests. They were asked to state their main area of responsibility within the Church: parish work (57.7%), 'helping' (7.2%), education (18.9%), two or more such domains (4.5%) and other (unspecified) activities (11.7%). Much of the information provided by the study therefore relates to religious and secular priests working in the context of the parish.

#### 4. Burgess *et al.*

We conclude this section with a brief discussion of a study which provides an indication of the number of 'authority figures' and members of the clergy who have come to the attention of police and judicial authorities further to the possession and distribution of online child pornography, 'grooming' or an involvement in trafficking children for sexual purposes. From a database of 285 convictions reported in the media, Burgess *et al.* (2008) selected one hundred cases in which the profession of the defendant was known. According to the criteria applied by the authors, 73% held a 'position of authority', whether as a professional (41%), teacher (22%), member of the clergy (7%) or a member of the armed forces (3%). Of the remaining cases, 24% were classified as employees and 3% as students. Because this was a selective sample and the denomination of the clergy is not stated, this study does not provide any information about the prevalence of sexual abuse of minors in the specific context of the Roman Catholic Church.

Although the statistics relating to the prevalence of the sexual abuse of minors within the Roman Catholic Church are based on different criteria and definitions, whereby direct comparison is extremely difficult, it is nevertheless clear that such abuse has not been particularly widespread.

We now consider the studies in which the respondent group is an aselect sample of Roman Catholics.

#### 2.3 Aselect surveys of Roman Catholics

What information about the prevalence of sexual abuse within the Church can be gleaned from aselect (random) samples of Roman Catholics? Of particular relevance are the responses given in two surveys of men and women who work or are otherwise active within the Roman Catholic Church in the United States. In one large-scale survey (n = 1810) of Roman Catholic adults (priests, members of religious orders and lay members), 24% of respondents claimed to have experienced sexual abuse when under the age of eighteen. Childhood abuse committed by a priest was reported by 2.2% of all respondents, by 3.3% of male respondents and by 1.7% of female respondents (Rossetti, 1995). In another extensive survey of female members of a religious order (n = 1164), 18.6% of respondents reported having been sexually abused when under the age of eighteen (Chibnall *et al.*, 1998; Duckro *et al.*, 1998). In almost 10% of these cases, the abuse took place in the church context, the perpetrator being a priest, priest in formation, ordained brother or lay brother (6.0%), while 3.2% of all reported incidents involved a female perpetrator. The study states that the overall prevalence of sexual abuse committed by a priest or member of the religious community (male or female) is 1.6%,

a figure very similar to the 1.7% which Rossetti reports for Roman Catholic nuns. Of course, it must be remembered that the definition of 'perpetrator' differs between the studies, since the latter is not confined to ordained priests or brothers.

The main significance of these surveys lies in their ability to reveal the prevalence of sexual abuse among the American Catholics in the respective samples. To gain a full impression of the actual prevalence of sexual abuse of minors in the Roman Catholic Church requires control data drawn from representative samples of the entire population.

## 2.4 Aselect surveys of the general population

There have been a number of studies undertaken in various countries to examine the prevalence of sexual abuse, especially that committed by adults against minors. Once again, however, these studies provide little or no information about the sexual abuse of minors within the specific context of the Roman Catholic Church. This is due to the way in which the empirical studies classify the perpetrators of abuse. Very few studies offer detailed information about the relationship between the perpetrator and victim. Rather, they apply a number of general categories such as 'relative', 'acquaintance' and 'stranger'. In some studies, the category 'acquaintance' is indeed subdivided into 'authority figures' (teachers, priests, doctors, employers, school staff) and 'others' (neighbour, classmates, parents of friends, friends of parents, etc.).

The American National Survey (n = 1145) by Finkelhor *et al.* (1990, discussed in Bolen, 2000) concludes that almost half of the perpetrators of abuse against young boys and girls were some form of 'authority figure'. However, no further details are given.

In a British survey (Cawson *et al.*, 2000) among a random sample of young people aged 18 to 24 (n = 2869), 0.3% reported having been sexually abused by an 'authority figure' in childhood. Here, this category was defined as 'priests, religious leaders, youth workers and teachers'.

There have been very few prevalence studies in which the researchers have gathered information about the religious denomination of the perpetrators. As a result, they are unable to offer a reliable estimate of the prevalence of sexual abuse within the Roman Catholic Church in particular.

In the Sexual Abuse and Violence in Ireland (SAVI) study, based on a random sample of adults (n = 3120), the perpetrator group of 'authority figures' is subdivided into 'religious' and 'non-religious', but the 'religious' category is not specified by denomination (McGee *et al.*, 2002). This study found that 5.8% of male respondents and 1.4% of female respondents had been sexually abused by 'a religious minister or religious teacher' when aged seventeen below. A secondary analysis of reported cases of abuse which took place during the period 1940 to 1980 reveals that 1% of incidents (thirty cases) took place in a Roman Catholic setting. In two such cases, there was no actual physical contact: one involved taking nude photographs of the victim, while the other was limited to sexual innuendo or lewd suggestions (Goode *et al.*, 2003).<sup>253</sup> All eight incidents reported by female respondents involved (alleged) sexual abuse by a priest. Of the incidents reported by male respondents (n = 22), just over half (n = 12) alleged abuse by an ordained priest. In the other ten cases, the perpetrator was a male working in the educational setting, possibly as a (lay) member of a

religious order. The majority of the reported incidents (17 of the 22 involving a male victim and 5 of the 8 with a female victim) took place between 1960 and 1970.

As noted above, information about the religious denomination of the perpetrators is rarely included in the prevalence studies. The same omission applies to the victims. Even where such information is available, there have been very few studies which examine whether the (extrafamilial) sexual abuse of minors is any more common in the Roman Catholic Church than in other denominations. To date, there is absolutely no evidence to suggest that this is the case (see Bagley, 1989).

To clarify and illustrate the statistical limitations of studies in which the respondent group is a sample of the general population (whether random or select), it will be useful to examine a number of studies conducted in the Netherlands.

#### 2.4.1 Aselect surveys of the Dutch population

The likely prevalence of sexual abuse of minors by adult non-family members is revealed by the results of a number of aselect surveys conducted in the Netherlands, among both adult and child respondents.

Timmerman (2003) surveyed almost three thousand students ( $n = 2808$ ) attending 22 randomly selected Dutch secondary schools. Some 18% reported 'unwanted sexual experiences' involving school staff during the previous year. These experiences included either physical contact or inappropriate conduct, both verbal and non-verbal. Unwanted sexual experiences were reported more frequently by female respondents (24%) than by males (11%). The alleged perpetrators included teachers, mentors, a school principal, a school doctor and a caretaker.

A study by Lamers-Winkelmann *et al.* (2006) involved a stratified random sample of students ( $n = 1845$ ) in the first four years of secondary education drawn from fourteen schools. The study found the prevalence of sexual abuse to be 7.9% (7% extrafamilial and 2.3% intrafamilial). A greater number of incidents were reported by girls (12%; 10.7% extrafamilial) than by the boys (3.3%; 2.8% extrafamilial). No information on the perpetrators was collected.

Vennix (1984) performed a random stratified survey of Dutch adults ( $n = 272$  women and 257 men). Two female respondents reported 'sexual contact' with an authority figure prior to the age of sixteen. One incident involved a priest, the other a youth group leader. Only one case of sexual contact with an authority figure, a female youth group leader, was reported by the male respondents. This survey examined sexual contact in general, and not necessarily 'unwanted' contact.

In the 'Netherlands Mental Health Survey and Incidence Study' (NEMESIS), sexual abuse under the age of sixteen is reported more frequently by female respondents (10%) than by their male counterparts (4%; see Verdurmen *et al.*, 2007). However, 81% of the cases reported by male respondents involved an extrafamilial perpetrator compared to only 61% of those reported by female respondents. The study does not state the precise relationship between victim and perpetrator, distinguishing only between 'abuse by a family member' and 'abuse by others'.



In the general population survey conducted by the Rutgers Nisso Group in 2009 (n=3145 men and 3283 women), the number of women reporting childhood sexual abuse (20%) once exceeds the number of men doing so (4%). Here, 'childhood' is defined as under the age of sixteen (Bakker *et al.*, 2009). Of the incidents reported by women, 73% involved a perpetrator who was personally known to the victim (family member or acquaintance); the figure for men is only slightly lower at 71%. The available categories were: neighbour, fellow member of a sports or leisure club, (ex-)partner, father, mother, brother, other relative, friend, passing acquaintance, fellow pupil, colleague and 'other'. Sexual abuse within the setting of a voluntary organization (such as a sports, leisure or youth club) was reported by approximately 0.2% of male respondents and 0.5% of female respondents (De Haas *et al.*, 2009).

More specific information about the relationship between perpetrator and victim in cases of extrafamilial sexual abuse of minors can be gleaned from a national survey of 1054 women aged between twenty and forty (Draijer, 1988, 1990). In this study, 280 respondents reported sexual abuse by non-relatives prior to the age of sixteen, of which thirty cases (10.7%) involved an authority figure (Langeland & Van der Vlugt, 1990). All incidents involved physical contact. The breakdown of the authority figures concerned is: teachers (n =15), doctors (n = 6), employers (n = 5), clergymen (n = 2 of whom one was a Catholic priest) and others (n = 2). The two cases of clerical sexual abuse therefore represent 0.7% of the total, compared to 5.4% for teachers and 2.1% for doctors or other care providers. From the (unreported) qualitative data, we learn that one of the teachers was actually a teacher of religious education who is known to have been an ordained member of a religious order. As a result, the proportion of incidents reported by female victims and involving a member of a religious community becomes 1.1%. In two of these three cases, the perpetrator was Roman Catholic.<sup>254</sup> This means that, of the total of 1054 female respondents, the proportion able to report sexual abuse by an official of the Roman Catholic Church is somewhere in the order of 0.2%. This figure includes only cases of extrafamilial sexual abuse. Among the other named perpetrators are a church verger and a church organist (who also gave music lessons) but it is not known whether these people performed their duties within a Roman Catholic parish or institution as opposed to some other denomination. It is also possible that a member of the clergy has been classified as a 'relative' (he could after all be the victim's uncle or cousin) or as a 'friend of the parents'. In another study, one male respondent opted to classify abuse committed by a priest under the heading 'friend of parents', since it was the close relationship that the priest had developed with the parents that had given him unrestricted access to the victim in the first place. These examples once again illustrate the limitations of the available information.

The results of the general surveys of the Dutch population, some of which have a more representative sample than others, vary considerably. Moreover, it is not possible to make any direct comparison because of the diverse definitions of 'sexual abuse'. Some studies have included unwelcome sexual advances, lewd suggestions, indecent exposure, etc., while others restrict themselves to actual physical contact. Some studies include unwelcome sexual contact with a peer (a person of approximately the same age), while others consider only cases in which the perpetrator is an adult or significantly older than the victim. The wider the definition of sexual abuse, the higher the prevalence figures will be. To complicate matters yet further, the studies apply different methodologies and examine different periods. Some take young people as their respondent group; others ask adults to recall their childhood experiences. It therefore becomes virtually impossible to make any accurate assessment of the prevalence of sexual abuse within the Roman Catholic Church

based on the studies described thus far. This is largely due to a lack of information which reveals whether, and to what extent, the perpetrator's relationship with the victim relied on his position within the Roman Catholic Church.

To conclude this section, it is appropriate to mention the National Prevalence Study for Child Abuse and Maltreatment (NPM-2005; Van IJzendoorn *et al.*, 2007; Euser *et al.* 2010), even though it does not rely on a general randomized survey of the entire population. Rather, it has a respondent group of over 1100 professionals involved in child health and welfare, and draws on statistical information provided by the national *Advies- en Meldpunt Kindermishandeling* (Child Maltreatment Advisory and Reporting Centre). The focus of the study was the current prevalence (in 2005) of various types of child abuse, neglect and maltreatment in the Netherlands. Given the classification of the perpetrator's relationship with the child (biological parent, other member of household, others), the study does not provide any data relating to sexual abuse by authority figures, whether in the context of the Roman Catholic Church or elsewhere.

Figure 1 (below) is a summary of the results of the aselect surveys with adult respondent groups (see par. 2.4 and 2.4.1). The first column lists the author(s), year of publication, the country, size of sample, the survey method used and the definition of sexual abuse applied. The second column shows the percentage of respondents reporting sexual abuse by a church official or authority figure. The final three columns show the percentages of respondents reporting sexual abuse by a member of the clergy, a teacher or a doctor or other (care) provider.

Figure 1: Prevalence of sexual abuse of minors by (clerical) authority figures as reported in aselect surveys of adults

Authors/year Country, N/Method Type of experience and age criteria	Authority figure	Clerical	Teacher	Doctor/care provider
Russell (1983) USA N = 930, Interviews C ≤ 18 years	F: 17%			
Badgley <i>et al.</i> (1984) Canada N = 2008, Tel. interviews NC + C ≤ 21	M + F: 1.0%			
Wyatt (1985) USA N = 248, Interviews NC + C ≤ 21	V: 3.6%			
Finkelhor <i>et al.</i> (1990) USA N = 2626, Tel. interviews	M+F: 13.8%			

NC + C ≤ 21				
Langeland & V.d. Vlught (1990) Netherlands N = 1054, Interviews C ≤ 16	F: 2.8%	F: 0.3% (RC 0.2%)	F: 1.3%	F: 0.6%
Cawson <i>et al.</i> (2001) UK N = 2869, Interviews NC + C ≤ 17	M+F: 0.3%			
McGee <i>et al.</i> (2001) Ireland N = 3120, Tel. interviews NC + C ≤ 17	M: 22.0% F: 16.0%	M: 5.8% F: 1.4% [M+F; RC 1.0%*]		
Pieters <i>et al.</i> (2010) Belgium N = 2014, Tel. interviews or online C ≤ 18	M: 27.3% F: 6.7%	M: 27.3% F: 6.7%		
% = percentage of reported sexual abuse within the survey N = sample size M = Male, F = Female NC = no contact, C = contact RC = Roman Catholic * Goode <i>et al.</i> (2003)				

As noted elsewhere in this section, the results of the surveys are subject to a number of caveats. Percentages are based on respondents' self-reporting, whereby there could be some degree of under-reporting (see Widom & Morris, 1997). The studies apply various definitions of sexual abuse and various age criteria. However, this summary clearly reveals that the sexual abuse of minors by authority figures, including clergy, is not merely incidental in nature and neither is it confined to any one country. The most detailed figures suggest that between 0.3% and 5.8% of all reported cases of the sexual abuse of minors involve a perpetrator who holds some religious office or professional affiliation with a church, not necessarily the Roman Catholic Church. The prevalence of clerical abuse within the Roman Catholic Church is therefore lower, and can be estimated to be between 0.2% and 1%.

## 2.5 Conclusions

We began this chapter by asking what is known about the extent and prevalence of sexual abuse of minors entrusted to the care of the Roman Catholic Church. On what scale is such abuse reported?

Based on the literature described in this chapter, we can answer these questions as follows:

- Prevalence figures based on self-reporting vary according to the exact research methodology.
- Estimates of the prevalence of the sexual abuse of minors within the Roman Catholic Church rely on different avenues of approach. Some studies focus on the perpetrators or offenders, others on the victims who contact authorities or social support agencies. Yet others draw their information from the records of the dioceses, orders and congregations. There have been surveys in which the respondent group is made up entirely of Roman Catholics, and those which rely on a random sample of the entire population. Some surveys address adults, others are conducted among children and young people themselves.
- Although the studies conducted to date preclude any direct comparison of results (they rely on different data-gathering methods applied to different periods) there is one general conclusion to be drawn: the sexual abuse of minors within the Roman Catholic Church is *not* a widespread or common phenomenon.
- An American study which focused on the offenders and perpetrators of abuse suggests that 4% of Roman Catholic priests have committed some form of sexual act with a minor. There are some grounds to assume that this figure may be an underestimate, since it is based solely on the official complaints submitted to church authorities.
- Estimates of the prevalence of abuse within the Roman Catholic community as a whole (including priests, members of religious orders and laypersons) indicate that 3.3% of men and approximately 1.6% of women report having experienced some form of childhood abuse.
- Surveys examining the prevalence of sexual abuse within the entire population rarely examine the precise context of the abuse. One exception is an Irish study in which 1% of respondents reported sexual abuse in the specific context of the Roman Catholic Church.
- Reliable figures which reveal the prevalence of sexual abuse in Roman Catholic institutions (such as orphanages, schools and youth organizations) are not available.

3.

## The nature and circumstances of sexual abuse within the Roman Catholic Church

### 3.1 Introduction

This chapter examines the nature and circumstances of sexual abuse within the Roman Catholic Church, as revealed or suggested by the current literature. The acts of abuse described by victims are extremely diverse, as are the circumstances in which they take place. This chapter therefore aims to distil a general impression of the main features of the abuse itself, such as the nature of the sexual acts, duration and frequency, the use of force, coercion, seduction or reward, the location, and the relevant characteristics of both the victims (gender, age at the time of the first incident, family background, other stressful experiences) and the perpetrators (gender, accomplices, number of victims, office or function within the Church).

Once again, the international research examining the nature and circumstances of the sexual abuse of minors within the Roman Catholic Church varies widely in content and form. Information is largely based on surveys or studies of victims, perpetrators and offenders. In some cases, the incidents of abuse described represent a subset of the overall sample. A limited number of studies are specifically concerned with sexual abuse within the Roman Catholic Church.

Quantitative information, albeit somewhat lacking in depth and detail, can be drawn from three survey-based studies (Rossetti, 1995; Chibnall *et al.*, 1998; Goode *et al.*, 2003), five studies based on an analysis of reports and complaints (Bottoms *et al.*, 1995; John Jay, 2004, 2006 and Terry, 2008; Perry *et al.*, 2005a; Carr *et al.*, 2009, 2010) and a further five studies of perpetrators who underwent treatment or were processed by the judicial system (Loftus & Camargo, 1993; Haywood *et al.*, 1996; Camargo, 1997; Langevin *et al.*, 2000; Sullivan & Beech, 2004). Some qualitative information can also be drawn from seven small (clinical) studies of victims or others confronted by sexual abuse (McLaughlin, 1994; Fater & Mullaney, 2000; Mart, 2004; Ponton & Goldstein, 2004; Van Wormer & Berns, 2004; Isely *et al.*, 2008; Colarusso, 2009). A brief account of these studies is given in Appendix 2.

There have been few attempts to compare or collate the various research findings. Because the data has been processed in various ways, comparison is again very difficult. It is therefore impossible to state whether the qualitative information gives a true picture of the situation; the degree of statistical bias is unknown. It is possible that the sample selection is confined to the more problematic cases and excludes individuals who experienced some form of sexual abuse but who have not sought help. Moreover, it is unclear whether the findings of international studies accurately reflect the situation in the Netherlands.

Despite these limitations, the studies provide an adequate basis on which to form an overall impression of the nature and circumstances of sexual abuse within the Roman Catholic Church.

The following paragraphs describe the main characteristics of incidents of sexual abuse in the Roman Catholic Church, as reported by the various studies. To place this information in context, it is set alongside information about nature and circumstances of the sexual abuse of minors in general, and that committed by authority figures and/or holders of a church office (regardless of denomination) in particular.

### 3.2 Nature of sexual acts

Both quantitative and qualitative information about the nature of the sexual acts or events which can be labelled 'abuse' is available.

The Irish national survey (Goode *et al.*, 2003) states that 28 of the 30 (93.3%) reported incidents of abuse involved actual physical contact<sup>255</sup>. Two of these 28 cases involved some form of penetration.

The American study based on complaints made to the Roman Catholic Church itself states that 57.3% of incidents involved inappropriate touching under the victim's clothing (John Jay 2004, 2006; Terry, 2008). The other acts described include inappropriate touching over the victim's clothing (56.8%), undressing the victim (27.5%), oral contact by the perpetrator (27.3%) and penetration or attempted penetration (25.1%). The study also notes some cases of 'paraphilic behaviour'<sup>256</sup> such as sadomasochism or urolagnia. Some form of penetration (oral, vaginal, anal) is reported in 3280 (34%) of cases. The majority of perpetrators committed more than one type of abusive sexual act. This study is based on an analysis of the complaints made to the Roman Catholic Church, as recorded in the church authorities' own files. There is likely to be some negative distortion whereby more serious forms of sexual act do not appear in the records.

Quantitative information about the nature of sexual acts committed within institutions run by Roman Catholic orders and congregations in Ireland is also available. Just under a quarter (24%) of respondent's in the study conducted by Carr *et al.* (2009) reported inappropriate touching or (mutual) masturbation; 18.6% claim oral, vaginal or anal penetration took place, while 6.9% report attempted penetration. A small number of reports (3.2%) relate to incidents in which there was no actual physical contact.

The available qualitative information about the nature of sexual acts relies on four small-scale clinical studies ( $n = 4 < 26$ ). Ponton and Goldstein (2004), who examined the cases of 26 male victims of sexual abuse committed by Roman Catholic priests, state that 50% of incidents involved (but were not necessarily confined to) oral contact, while 31% involved attempted or actual anal penetration. In a study of nine male victims of sexual abuse by Roman Catholic priests, Isely *et al.* (2008) report incidents involving inappropriate touching, mutual masturbation and oral sex. Fater and Mullaney (2000) carried out a study of seven male victims of three clerical perpetrators, two of whom were Roman Catholic priests. The findings relate chiefly to serious forms of abuse such as anal penetration. The findings of the qualitative studies of adult male victims, which cite various sexual acts, correspond with those of the research literature on the sexual abuse of boys (e.g. Holmes & Slap, 1998). One of the very few clinical accounts of female victims of sexual abuse within the Catholic Church states that the nature of the sexual acts concerned varied from inappropriate contact over the clothing and forced touching of the perpetrator to oral, vaginal and anal penetration (Colarusso, 2009). This study relates to the childhood experiences of four sisters, who were abused in each other's presence by the same priest over the course of several years.

Given that most information about the nature of the sexual acts is derived from selective samples, the only firm conclusion it supports is that those acts were indeed varied in nature.

### 3.3 Duration and frequency

Little information about the duration and frequency of sexual abuse is available.

The John Jay College study, based on an analysis of complaints made to the Roman Catholic Church, reveals that just over a quarter (29%) of reports relate to a single, isolated incident (John Jay College, 2004). In the majority of cases, the abuse took place on two or more occasions. This study examines both the duration of the abuse suffered by the victim and the duration of the abusive behaviour on the part of the perpetrator (Terry, 2008).<sup>257</sup>

The Irish study, which relies on a random sample of the general population, reveals a higher proportion of single incidents (Goode *et al.*, 2003). In this survey, 10 of the 22 reported cases of abuse involving a male victim (45%) and five of the eight cases involving a female victim (62%) were restricted to a single occasion.

The study examining abuse in institutions run by Roman Catholic orders and congregations in Ireland reports the average duration of abuse as 2.83 years (SD = 0.99; Carr *et al.*, 2009). The frequency of abuse varies from once only (10.5%), two to ten times (18.6%), eleven to one hundred times (16.6%), to over one hundred separate incidents (9.7%)

The information about the duration and frequency of sexual abuse is derived from four qualitative studies. Ponton and Goldstein (2004), whose study examined a group of 26 adult or adolescent male victims of abuse committed by a priest, found the average duration of such abuse to be two years (varying from a single incident to an involuntary sexual relationship conducted over the course of eighteen years). Frequency varying from once only to multiple incidents is also reported in the other qualitative studies examining male victims (Fater & Mullaney, 2000; Isely *et al.*, 2008). The four female victims in Colarusso (2009) report regular sexual abuse over an extended period of four years.

The information allows us to conclude only that the sexual abuse of minors within the Roman Catholic Church (and its institutions) can take place over a protracted period, but this is not always the case.

### 3.4 Use of force, coercion or reward; grooming

It is important to examine the use of all forms of seduction, deception, force, coercion or authority in detail. Such factors may have a significant influence on the victim's emotional response to the abuse, and hence its longer-term consequences (see Draijer, 1990; Holmes & Slap, 1998). Survey-based research (Langeland & Van der Vlugt, 1990) and clinical studies (e.g. De Jong *et al.*, 1983) reveal that the use of various forms of seduction, coercion and physical force is more common in cases of extrafamilial abuse committed against female victims. Actual physical force was reported in 26.2% of the cases involving a stranger, compared to 12.6% of cases in which the offender was known to the victim (Langeland & Van der Vlugt, 1990). The likelihood of actual or threatened physical force in cases involving young male victims appears to be directly related to the age of the victim and the gender of the perpetrator (see Holmes & Slap, 1998). Force, or threatened force, is more often seen in cases involving older victims and those in which the perpetrator is male.

Information about the use of force, coercion or reward in incidents of sexual abuse within the Roman Catholic Church varies in content and quality, which both seem to depend on the methodology and sample selection. The John Jay College study (2004) concludes that 20.9% of reported incidents involved some form of reward such as money, gifts, alcohol, drugs, permission to stay up late, extra leisure time, a visit to the cinema, etc. Rewards and/or 'socializing with the family'<sup>258</sup> were found to be more common than the use of force (Terry, 2008). Threats were usually of a psychological rather than physical nature. These findings are similar to those of a study of police records of incidents of clerical abuse (Firestone *et al.*, 2009).

Three of the studies considered above support similar conclusions. The fourth study offers no information about this particular aspect. The priest who sexually abused the four female subjects of the Colarusso study (2009) applied psychological techniques (authority), verbal threats and actual physical force. In this case, there was no attempt to win the trust and confidence of the victims before the abuse actually began. Rather, the perpetrator successfully gained the trust and confidence of the girls' parents, and hence unrestricted access to the children themselves. Threats, deception and manipulation are reported by Fater and Mullaney (2000) in their study of seven male victims of three clerical perpetrators. Ponton and Goldstein (2004) report that physical force was applied in approximately half of the 26 cases of abuse by Roman Catholic priests examined in their study, while there was some form of psychological pressure or coercion in all cases.

At this point, it is appropriate to consider the phenomenon of 'grooming': the process whereby a paedosexual plans his or her abuse carefully in advance, befriending potential victims, manipulating them to take part in sexual encounters and isolating them from their family and friends (Elliott *et al.*, 1995; Lawson, 2003; see also Knoll, 2010). Research confirms that paedophiles, both within and beyond the Church, have successfully 'groomed' children by offering them affection, attention and friendship (Saradjian & Nobus, 2003; Sullivan & Beech, 2004).

Several theoretical publications examine the psychodynamics of grooming, defining it as a form of emotional seduction (Salter, 1995). Both terms refer to the process by which a perpetrator skilfully manipulates a child into a situation which facilitates sexual abuse, while at the same time the child is less likely to disclose the abuse to others. One component of this process is 'befriending', which entails cultivating a special (emotional) bond with the child. The groomer will lend a listening ear, encouraging the child to talk about doubts and uncertainties which may well include matters of a sexual nature. The groomer is also likely to offer various rewards: outings, sweets, etc. To stress the exclusivity of this relationship, the groomer will attempt to distance the child ever further from his or her parents. If there is no father in the family, he may gradually attempt to fill that role. He may also try to normalize deviant or unusual sexual behaviour ("this is all part of your sexual education"). Grooming processes have been noted in clinical observations and studies of the victims of sexual abuse, including that committed in the context of the Roman Catholic Church.

McAlinden (2006) suggests that 'grooming' is often not confined to the intended victim, but targets the family and the local (church) community. In the case of 'institutional grooming', the perpetrators are generally working in a profession which brings them into regular contact with children. Seduction, deception and manipulation are used to conceal the sexual abuse going on within the institution, and to exert control over the victims (see Colton *et al.*, 2010). Even those members of the



institution's staff who are not actively involved in the abuse are drawn into this process, whereby their silence is assured (Green, 2001; Sullivan & Beech, 2002).

Based on the above findings, we may conclude that the manner in which children are enticed into sexual contacts can vary greatly.

### 3.5 Location and circumstances

The international literature examined for the purposes of this report reveals that sexual abuse within the Roman Catholic Church takes place in many different settings. The findings of two studies based on reports and complaints (Bottoms *et al.*, 1995; Terry *et al.*, 2008), and various clinical studies (e.g. Mart, 2004 and Colarusso, 2009) are broadly similar. All are concerned with the situation in the United States. The John Jay College study concludes that most incidents of abuse (41%) take place in the priest's own home. Other possible settings are the church itself (16%), the victim's home (12%), a holiday home (10%), the school (10%) or in a car (10%) (See Terry, 2008). These figures correspond with those given by Bottoms *et al.* (1995).

Although the American studies conclude that most incidents of abuse take place in the priest's own home, this is not borne out by findings of the Irish survey (Goode *et al.*, 2003). The disparity may be because the American studies focus on abuse in the parish context, while a significant number (45%) of the cases examined by Goode *et al.* involve abuse in an institutional setting. A notable conclusion of the Irish study is that almost three quarters (72.7%) of the 22 cases of abuse reported by male victims took place in the school. Of the remaining incidents, 18.2% took place in a church, swimming pool, at home or outdoors, while 9.1% took place in a vehicle. Of the incidents involving a female victim, 37.5% took place in her home. Other locations cited are the perpetrator's workplace, the confessional, a public building, an institute and leisure facility.

Information about the circumstances of the abuse can be derived from clinical studies such as Mart (2004) and Colarusso (2009). There are indications of a correlation between the circumstances and the child's age and gender. Two examples are given below. Here, the circumstances differ in terms of the presence of other children at the time of the abuse.

- Colarusso (2009) describes the serious sexual abuse of four girls (sisters), committed by a Roman Catholic priest over the course of several years. The perpetrator had unrestricted access to the victims; he was frequently invited into their home and was entrusted with the care when the parents were away. He abused each victim in turn, in the presence of the other sisters, doing so in the family's own home, in the car or on the beach. The parents were devout Catholics who attended church regularly. They regarded the priest as a dedicated Man of God who had devoted his life to the service of others. The parents often invited him to Sunday lunch. They felt honoured to have him in their home, and were misled

into thinking that their daughters were in safe hands. The time that the girls spent with the priest was seen as useful in 'instilling high moral and religious values'. Sexual matters were never openly discussed in the home.

- Mart (2004) describes the circumstances of the sexual abuse involving 25 male victims, and specifically how the perpetrators were able to secure the cooperation of their victims. Many of the study subjects had been altar boys, or were otherwise involved in various activities organized by the Roman Catholic Church. Most could be described as shy and withdrawn. They had difficulty in mixing with other boys of their age, preferring more cerebral pursuits such as pondering philosophical and religious questions. A significant number of these victims report that, at the age of twelve or thirteen, they were given individual sex education by the person who later abused them, often prompted by questions they themselves had asked. This created the ideal circumstances and opportunity for sexual abuse. According to the author, the priest's position as 'sex education counsellor' to these boys enabled him to select and groom those who were struggling with inner sexual conflicts or doubts regarding their own sexuality.

### 3.6 Characteristics of the victims

This section offers a full summary of the available research data relating to the gender and age of the victim at the time of the first incident ('onset') of sexual abuse. We also consider the family background of the victims, insofar as relevant information is included in the research. This is followed by an examination of any other difficult or stressful experiences, whether in childhood or at a later date, again based on the findings reported in the various studies.

#### 3.6.1 Gender

The form and content of information relating to the gender of victims varies according to the type of sample on which the relevant study is based. Four of the studies relate primarily to male victims: the analysis of reports and complaints made to Roman Catholic Church authorities (John Jay College, 2004, 2006), a study focusing on Roman Catholic institutions (Perry *et al.*, 2005a), a survey of (practising) Roman Catholics (Rossetti, 1995) and a general population survey (Goode *et al.*, 2003).

The John Jay College analysis shows a gender breakdown of 81% male and 19% female victims. The study of Roman Catholic educational institutions reveals a significantly higher proportion of reported incidents involving male victims (Perry *et al.*, 2005a). A study by Tzeng and Schwarzin (1990) examined over ten thousand reported and proven incidents of sexual abuse. It concludes that 2.0% of these incidents were committed in the institutional setting by a member of staff, 1.7% against a male victim and 0.3% against a female victim. However, the religious denomination of the institutions and perpetrators is not stated.

In the Rossetti survey of practising Roman Catholics (1995), the male respondents claiming to have been sexually abused by a priest in childhood (defined as under eighteen) outnumbered the female

respondents by two to one. Similarly, men accounted for 73.3% of the alleged incidents of sexual abuse reported by Goode *et al.* (2003).

The research focusing on the perpetrators and offenders of abuse confirms that most of their victims were male. The Loftus and Camargo study (1993) examined a large group of priests (n =1322) who had been referred for psychiatric treatment. It found that 96% of the relevant incidents of abuse involved a male victim. In another study, the thirty Roman Catholic priests among the perpetrator group were significantly more likely to direct their abuse towards boys and adolescent males than those in a control group of 39 perpetrators which did not include members of the clergy (Haywood *et al.*, 1996). This finding is supported by Sullivan and Beech (2004), a study of 41 male perpetrators in professions which brought them into contact with children (over half were Roman Catholic priests or members of a Catholic order). Of this group, 73% had abused a male victim. In this respect, however, there is no significant difference between Catholic clerics and their counterparts of any other denomination. In the two groups combined, 79.2% of abuse cases involve a male victim, and only 20.8% a female victim (Langevin *et al.*, 2000).

It has been suggested that this preference for sexual contact with males is due to the fact that priests and members of religious orders have traditionally had greater access to boys and adolescent males (altar boys, boarding school pupils, seminary students, members of youth clubs) than to girls (Clark, 2006). Moreover, fewer questions will be asked if priests invite boys to accompany them on some outing than if they were to ask girls to do so. (Such questions were nevertheless raised by the investigative journalists of the Boston Globe in 2002). This hypothesis is supported by the conclusions of a paper about the characteristics of paedophiles (Murray, 2000) which states that the greater frequency with which male perpetrators select male victims does not necessarily reflect a clear motive or sexual preference (Sullivan & Beech, 2004), but could be simply a question of greater opportunity for unsupervised access.

Bottoms *et al.* (1995), a study based on an analysis of reports made to professional counselling services, does not support the contention that most victims are male. It finds an almost equal gender split in those cases in which the perpetrator is a Roman Catholic priest (or member of a Catholic order): an average of 1.38 female victims per perpetrator compared to 1.21 male victims. The reason for this significant disparity in the findings is not clear.

The qualitative studies examining victim groups provide very little information about the gender split, since most are concerned solely with males or solely with females.

### 3.6.2 Age

There is some variation in the ages of victims at the time of the first incident of abuse, which seems to have some correlation with gender. The John Jay College analysis suggests that boys are more likely to be abused at a later age than girls (John Jay, 2004, 2006). This finding is confirmed by those studies which examine the abuse experiences of both male and female victims (such as Finkelhor, 1979; Vennix, 1983; Baker & Duncan, 1985).

The John Jay College study reports that the majority of victims (51%) were aged between 11 and 14 at the time of the onset of abuse. Just over a quarter (27%) were aged between 15 and 17; 16% were

aged between 8 and 10, while 6% were aged 7 or under. Bottoms *et al.* (1995) found an average age of 9.71 years (SD not stated) at the time of the sexual abuse later reported to counselling services. The study by Chibnall *et al.* (1998) examines abuse among female members of religious orders and reports an average age of 8.7 years at the time of the first incident (SD = 3.8).

In their qualitative study of 26 male victims, Ponton and Goldstein (2004) found the average age at the time of the first incident to be 12, the youngest victim being 5 years old and the oldest 17.

A study examining institutional abuse in Ireland (Carr *et al.*, 2009) reports that the average age at the time of the first incident was 10.73 (SD = 2.87).

### 3.6.3 Family background

Five of the seven qualitative studies (Fater & Mullaney, 2000; Mart, 2004; Ponton & Goldstein, 2004; Van Wormer & Berns, 2004; Isely *et al.*, 2008) include information about the family background of the victims in order to clarify the context in which the abuse took place. It should be remembered that this is selective information, gathered retrospectively. The survey-based studies provide no information about this aspect.

A study of the literature concerned with the victims of sexual abuse in the Roman Catholic Church, and in particular the information about their family circumstances (limited though that may be), creates the impression that most families were faithful Catholics, and some extremely devout. The influence of the Church in family life was evident. Obedience, sin, confession and forgiveness were important themes. Daily activities, including the schooling of the younger members of the family, were very much intertwined with the family's faith. Some families (specifically parents) received emotional, spiritual and sometimes financial support from the Roman Catholic Church. It was in this context that children could be seduced or 'groomed' for the purposes of sexual abuse (see Wind *et al.*, 2008).

At the same time, we also see a certain need for emotional support on the part of the children who were later abused. Many formed part of a family which could, to some degree, be termed dysfunctional. They received little attention or affection in a less-than-nurturing environment. Such circumstances can lead to greater vulnerability, whereupon these children became more susceptible to abuse. Draijer (1988) presents the 'vulnerability hypothesis' which contends that children who do not receive enough attention and affection from their parents, because they are emotionally distant or literally absent, are more likely to seek the attention and affection of others. In some cases, it is the children themselves who are absent or distant, because they attend a boarding school. In either case, it is more likely that they will gratefully respond to those who offer them the warmth and attention they do not receive at home. The 'replacement' parent then exploits the relationship to commit sexual abuse. It is possible that perpetrators do select more vulnerable children as their potential victims; they appear less resilient. Perhaps they seem particularly shy, withdrawn or lonely. They may blame themselves for whatever takes place. These children are less likely to confide in their parents, who are absorbed in their own personal or domestic problems. It may be that these children no longer feel part of the family having spent so much time away at boarding school. In many cases, the schools themselves are isolated, insular communities.

This picture of devout families combined with the child's need for emotional support from other adults is described by Bera (1995). Based on clinical observations, Bera identifies two groups of boys who have the victims of clerical abuse (not necessarily by Catholic priests). The first group comprises boys whose families are very actively involved in church life and who therefore have great faith in both the church and those who hold a church office. The second group comprises those from problem families. The two groups are not mutually exclusively: the literature reveals examples of victims who fall into both categories.

The information about family background offered by each of the five qualitative studies of victims can be summarized as follows.

Based on clinical observations, Mart (2004) states that almost all the 24 male victims of abuse in his study were from families in which at least one parent was a devout Roman Catholic. Religion formed a very important component of family life.

The clinical study by Ponton and Goldstein (2004) provides information about the family background of 21 of the 26 male subjects: 42% stated that they had grown up in a warm, close family, 23% were from an 'intact' family but described their parents' relationship as emotionally detached; 19% reported physical maltreatment and/or a serious degree of dysfunctionality, while 12% stated that their father was absent throughout their formative years.

Seven of the nine male victims interviewed for the qualitative study by Isely *et al.* (2008) described their family background as 'typically Catholic' (see also Wind *et al.*, 2008). Eight described their parents' relationship as 'emotionally detached'. They further reported a lack of attention from their fathers. None of the nine interviewees reported any family history of mental health problems. Most had served as an altar boy at their local Roman Catholic Church. All had been instilled with their parents' firm belief in the infallibility of the clergy, whom they were encouraged to respect. To receive attention from an adult, particularly one in a position of trust and with an important social status, was something very special for some of these boys. The combination of a yearning for emotional support from an adult and deep respect for the representatives of religion could, contend Isely *et al.* (2008) have resulted in the boys becoming more susceptible to attention and expressions of affection. Another factor which may have made them more receptive to sexual advances was the naivety of children with regard to all sexual matters.

Fater and Mullaney (2000) report that the seven male victims in their study, all abused by three clergymen, remember themselves as being 'different' to other children. They were quiet, vulnerable and longed for attention from the priest. Many describe their father as distant, an alcoholic or a workaholic. The men in this study believe that they had been carefully selected by their abusers.

In the qualitative study by Van Wormer and Berns (2004), concerned with nine female victims of abuse by Roman Catholic Church officials, all had either lost their father when very young or had been emotionally cut off from him.

It is unclear whether the information derived from the five qualitative studies supports the 'vulnerability hypothesis'. It is largely based on clinical observations or very small samples. Not one of the studies included a control group. It seems likely that factors which lie beyond the victim's control, such as the motives and background of the perpetrators (see Whitaker *et al.*, 2008), as well as pure

chance, play a greater role in prompting sexual abuse than any differences in the victim's family background.

### 3.6.4 Other forms of traumatization

The literature confirms a correlation between various forms of child maltreatment and other significant life events, whether in childhood or in later life. We must be extremely circumspect in attributing specific psychopathological conditions to experiences of maltreatment, including sexual abuse. To gain a full understanding of the impact of abuse, it is necessary to consider other unpleasant and stressful experiences, such as abandonment, affective neglect, physical abuse and suchlike. The risk of psychological damage increases when someone has experienced a combination of these forms of child abuse. Retrospective studies also reveal a link between the seriousness of the maltreatment and the complexity of the symptoms or the psychiatric comorbidity<sup>259</sup> (e.g. Levitan *et al.*, 2003; Briere *et al.*, 2008). Maltreatment and abuse aside, spending one's early years in an institution can stifle the child's development of the ability to feel and show affection in a safe manner (see Johnson *et al.*, 2006). As a result, there is a higher risk of psychological problems in later life (see Bowlby, 1988; Rutter, 2006).

This section offers a general impression of the degree to which the victims of abuse in the Roman Catholic Church report other forms of (sexual) traumatization.

One of the conclusions of the Irish Ryan Commission (2009), reiterated in the Murphy Report (2009), is that sexual abuse cannot be viewed in isolation from physical and emotional abuse. The degree to which victims have experienced other forms of traumatization at the hands of Roman Catholic clergy has never been subject to a systematic study. The information that is available is relatively sparse, or relates to later experiences of sexual violation. Little is known about the victims' exposure to physical and/or emotional abuse during childhood. Researchers studying the Enfants de Duplessis case established that sexual abuse in the Quebec institutions run by Roman Catholic orders in the 1940s and 1950s was accompanied by other forms of traumatization (Perry *et al.*, 2005, 2006). The witness statements cite physical maltreatment by staff (98.7%), emotional neglect (96.2%), exposure to violence against others (81.3%), verbal abuse by staff (67.1%) and physical neglect (63.3%).<sup>260</sup> The perpetrators were for the most part lay staff rather than Catholic nuns or peers (fellow residents of the same or similar age). The reported frequency of these other forms of traumatization is based on a selective rather than a representative sample. Nevertheless, the study reveals the context of physical abuse and neglect in which many of the children grew up.

Studies based on reports and complaints provides information about the prevalence of other forms of traumatization. Carr *et al.* (2010) presented a short validated questionnaire about other traumatic experiences to a sample group of 121 persons who had reported institutional abuse to the Irish Commission to Inquire into Child Abuse.<sup>261</sup> Over a third (38%) of those respondents who could recall the time when they were still living at home reported at least one incident in the family context, 36% reported two different forms of traumatic event, 20% reported three different forms, while 15% could recall four different types of traumatic event. A very small number (3%) reported all five forms of abuse and neglect listed on the questionnaire. We must remember that the information gleaned by this study does not provide a reliable indication of the actual prevalence of other forms of

traumatization among the victims of the abuse of minors within the Roman Catholic Church. However, it does confirm that there were frequent traumatic events outside the Roman Catholic context as well. This is an important finding, since it complicates every attempt to establish a causal link between sexual abuse in the Roman Catholic Church and the psychopathology of the victims.

There is one clinical study which reports on the prevalence of other forms of traumatization, and those in combination with multiple experiences of sexual abuse in particular. None of the nine interviewees in the qualitative study by Isely *et al.* (2008) reported earlier experiences of sexual abuse in childhood. Only one of the 25 in the study by Ponton and Goldstein (2004) reported sexual abuse committed by another person *after* an episode involving a priest. As stated above, 19% of these men reported physical abuse or serious dysfunction within the family context. Van Wormer and Berns (2004, p. 54) quotes a woman who was first abused by her stepfather as a child, and later by a Father. She describes the impact of these experiences: "I know what it's like to be a victim in a church and outside a church. It is different. When it's done in a church... it holds even more power over you. As horrific as my abuse was at the hands of my stepfather, with [the priest], I had to piece together my soul. [...] You are not only raped physically and emotionally, but when someone messes with your spirituality, you are in for a whole lot of problems."

There is also some limited information based on quantitative research. A survey of nuns and novices in Catholic orders found that almost one third had suffered abuse at the hands of one or more perpetrators before the age of eighteen (Chibnall *et al.*, 1998). The respondents who reported multiple episodes of abuse (i.e. committed by several perpetrators at different times) were also significantly more likely to report later experiences of unwanted sexual behaviour than those who had not been abused.<sup>262</sup> Sexual harassment in the workplace (the religious setting) was reported by 15.3% of this group, compared to 7.9% of the others.<sup>263</sup> Sexual harassment by other (female) members of the order was reported by 17.5% (against 10%)<sup>264</sup> while other forms of sexual traumatization (including rape, date rape and molestation) were reported by 20.2% of the multiple victim group compared to 12.6% of the others)<sup>265</sup>. The respondents who had been sexually abused as a child by a priest or member of a religious order (of either gender), reported having been harassed more often than those who had been abused by a layperson (31.6% against 13.7%).<sup>266</sup> The value of this study is that it provides information about the prevalence of other forms of sexual traumatization in a specific Roman Catholic subpopulation in the United States.

Based on the foregoing, it is clear that current knowledge about other forms of traumatization is limited. It is therefore important to gather further information about other traumatic or stressful childhood experiences, including physical and emotional abuse or neglect within Roman Catholic institutions, as well as experiences of abandonment, emotional neglect, physical abuse or sexual traumatization in contexts other than the Roman Catholic Church.

### 3.7 Characteristics of the perpetrators

This section considers the information currently available about the gender of the perpetrator, the number of perpetrators involved in any one incident (or series of incidents) of abuse, and the position or function of the perpetrator within the Roman Catholic Church.

Information relating to the characteristics of perpetrators is largely drawn from the studies we have already examined, which may be based on victim reports, an analysis of complaints made to church or civil authorities, or on victim samples. Not all studies distinguish between Roman Catholic perpetrators or offenders and others. Some fail to state the perpetrator or offender held clerical office or whether this was germane to the abuse. Not all differentiate between abuse against minors and other types of sexual offence. A direct comparison of the resultant information is therefore not possible. Moreover, the studies do not state whether the victim was formally entrusted to the care of the diocese or religious order to which the perpetrator or offender belonged. This limitation also applies to the general population surveys described in par. 2.4.

### 3.7.1 Gender

Most studies are concerned with (the victims of) male perpetrators. The percentage of female perpetrators has not been ascertained with any degree of certainty.<sup>267</sup> The John Jay College (2004) analysis of reports and complaints made to the Roman Catholic Church found that the majority (80%) of perpetrators were male. Because most of the information in this study was drawn from the diocesan records, there is likely to be some statistical bias: there are no female priests in the Roman Catholic Church.

The available information about female perpetrators is based on small samples and few studies consider their personal characteristics. Moreover, the samples are extremely select: women who were identified by the Chibnall *et al.* (1998) study of nuns and novices, and women whose activities have been investigated by the authorities (Elliott, 1994; Travers, 2006).<sup>268</sup> The majority of the victims considered by these studies are also female. Chibnall *et al.* (1998) determined that 3.2% of the reported cases of sexual abuse against an adult member of a religious order involved a fellow nun as the perpetrator. Elliott (1994) studied 95 female victims of sexual abuse and found that 11% of cases involved a female perpetrator, not necessarily a member of a religious order. None of the 32 cases in which the victim was male involved a female perpetrator. The low number of female perpetrators is reflected by the Dutch police statistics. In 1998, there were 1770 prosecutions for sexual offences against minors. Only 3.4% of defendants were female (Bijleveld *et al.*, 2000).

Little is known about the characteristics of the perpetrators of 'institutional abuse'. Most information has been gathered as part of official investigations prompted by media revelations. There has been very little empirical research. The various studies considering the Enfants de Duplessis affair found that most perpetrators were lay members of staff, rather than nuns or fellow residents of the institutions concerned (Perry *et al.*, 2005a). Moreover, most perpetrators were male.

### 3.7.2 Number of victims and number of perpetrators

Most information about the number of victims abused by each perpetrator or offender is provided by the John Jay College study. We can also draw information about the number of victims from the study of perpetrators undergoing treatment. In both cases, the information is selective since all these perpetrators are known to the authorities. There could be a bias towards the more serious cases, in which there have been more allegations and more victims.



The John Jay College study is based on an analysis of reports and complaints made to the Roman Catholic Church itself. It shows that slightly over half (55.7%) of the priests concerned were subject to just one formal accusation,<sup>269</sup> 26.9% attracted two or three complaints<sup>270</sup>, 13.9% were named in connection with between four and nine incidents,<sup>271</sup> while 3.5% (n = 149) were implicated in ten or more incidents. The latter group was responsible for abusing almost three thousand (n = 2960) children, or 26% of the total number of victims who made a formal complaint. Among the perpetrators who attracted between ten and nineteen complaints, the average duration of abuse was 18.10 years (range 5 to 41 years). For those named in twenty or more complaints the average duration of abuse was 22.03 years (range 1 to 35 years). Perpetrators named in between ten and nineteen complaints first committed abuse after approximately four years in their position. Priests named twenty or more times did so within the first year. A greater proportion of those priests who were named only once were accused by a female victim and by victims aged between fifteen and seventeen. In these cases, complaints were less likely to claim actual penetration. The perpetrators attracting only one complaint were less likely to suffer from personality or psychological disorders than those named in several reports, and they were often more ready to admit their transgressions.

Based on an analysis of the John Jay College data, Perillo *et al.*, 2008 states that average number of victims abused by each priest was 2.7 (SD = 5.1). This figure rises to 3.4 (SD = 8.4) when potential victims of incidents not covered by the formal complaints are taken into consideration. Among a group of 4170 repeat offenders, the researchers identified the following risk factors for ongoing multiple abuse: age of the victim, age of the perpetrator, an exclusive preference for male victims and a history of traumatization in the perpetrator. The priests with multiple victims were generally younger at the time of the first incident of abuse, as were their victims. The duration of abusive behaviour was longer and the victims were more likely to be male. (See also Mercado *et al.*, 2008). There are no marked differences between the perpetrator groups in terms of the nature of the sexual acts or the manner in which they were solicited (Mercado *et al.*, 2008). Based on an analysis of those perpetrators who were brought to the attention of the police (i.e. an official report was compiled which may or may not have led to prosecution), Perillo *et al.* (2008) conclude that the risk factors for repeated abuse within the group of Roman Catholic abusers are broadly similar to those seen in the general population of sex offenders. However, this finding has not been empirically tested. The analysis by Tallon and Terry (2008), which was based on information drawn from the John Jay College study, distinguishes between perpetrators who favour a specific (type of) victim and those who select their victims at random. This study finds that the latter class of perpetrators tend to claim more victims over the course of time, show a greater tendency towards 'grooming' behaviour and are likely to start abusive behaviour at a younger age.

Also relevant is the information provided by Sullivan and Beech (2004) on the (estimated) number of victims per perpetrator. This study shows that the number of victims which the perpetrator is willing to admit to having abused rises significantly as treatment progresses.<sup>272</sup> The perpetrators in this study were classified by profession. At the commencement of treatment, the average number of victims admitted by those holding clerical office (predominantly Roman Catholic priests and brothers) was 15.23 (SD = 27.76). By the end of the treatment, this figure had risen to 43.65 (SD = 61.68). A similar increase was seen in the group of non-clerical perpetrators.

There is no information on the number of reported incidents within the Roman Catholic Church in which two or more perpetrators are implicated. However, a study of sexual abuse committed by care

providers reveals several cases in which the perpetrators conspired to prepare and carry out the abuse (Finkelhor *et al.*, 1988). Most such cases involve female perpetrators. Between 25% and 73% of the incidents concerned were committed in association with an accomplice, usually male (Finkelhor & Russell, 1984; Finkelhor *et al.*, 1988). An analysis of cases in which formal complaints of abuse by carers have been made to police (Moulden *et al.*, 2007) confirms this finding, as does a study of a cohort of 111 female sex offenders known to the judicial authorities in the Netherlands (Wijkman *et al.*, 2010).

Whether there are clusters of perpetrators, as opposed to those who always act alone, cannot be determined based on the available research data.

### 3.7.3 Position / function of the perpetrator

Research information on the precise relationship between perpetrators and victims is limited and is based on selective sources. In most cases, the literature does not state whether (all) victims were minors who had been entrusted to the care and responsibility of the perpetrator. Most information concerning the position or function of the perpetrators is drawn from the reports and complaints, and from the clinical studies of both victims and perpetrators.

The John Jay College analysis reveals that the majority (69%) of alleged perpetrators were secular (diocesan) priests, with other clerics accounting for 22% of the allegations. The functions most commonly encountered in the files are assistant pastor or curate (42%) and pastor (25%). When interpreting this information, we must remember that the analysis is largely based on the diocesan records rather than those of religious orders and congregations. There is therefore some statistical bias.

In their study of ritual and religious child abuse, Bottoms *et al.* (1995) identify cases in which abuse has been committed not only by Catholic priests, but by ministers of other denominations, youth group leaders, female members of religious orders, a 'medicine man' and a Greek Orthodox archbishop. In almost every case, the relationship between the perpetrator and victim was one in which the child knew and trusted the abuser.

The qualitative study by Isely *et al.* (2008) describes the perpetrators concerned as younger men, all of whom held a position of trust as an influential parish priest (pastor) or a teacher in secondary education.

In his study of 444 perpetrators undergoing therapy, Camargo (1997) provides information about the setting within which these perpetrators worked. The majority (54%) were active in a church parish, 22% worked in a school or other institute of education, 11% were involved in some form of care provision, 4% were active in two or more of these settings, and 9% in 'another' unspecified setting. In this American study, the majority of perpetrators (49%) fell under the direct responsibility of the diocese. Ordained members of religious orders form just over a third (38%) of the perpetrator group, while other members (lay brothers or priests in formation) account for 8%. There is an 'unspecified' category which accounts for 5% of the total.

The British study by Sullivan and Beech (2004) is one of the few which examines whether the perpetrators committed abuse in their role as church officials, i.e. whether that position gave them the necessary access to their victims. This study examined the cases of 41 perpetrators who had worked with children. Just over half ( $n = 21$ ) were Roman Catholic priests (fifteen working within a diocese and six in an order or congregation) and two brothers.<sup>273</sup> All had used their position and authority to make contact with their victims. Fourteen of the 21 priests were involved in education, while three had a primary care function within an institution or boarding school. The two brothers also worked in the boarding school setting. The majority of these perpetrators were aware of being sexually attracted to children before they embarked upon their chosen profession and career. Over half had chosen the profession specifically to gain access to children, or had allowed their predilections to influence their choice of posting.

The general population surveys provide very little information about perpetrators' positions or functions within the Roman Catholic Church. The Irish survey did however find that most cases of abuse against a female victim involved an (ordained) priest, while those against male victims involved both priests and members of the various religious orders (Goode *et al.*, 2003). The correlation seen between the holders of certain positions and the gender of their victims can be explained in terms of the setting in which the abuse would have taken place, namely the school. During the period under consideration, Irish boys were far more likely than girls to attend a boarding school, whereupon they would have had greater contact with the members of the religious orders which ran those schools.

Because all information relating to the position and function of the perpetrators relies on selective data, generalization is not possible. It is also uncertain whether the information drawn from international studies is applicable to the situation in the Netherlands.

### 3.8 Conclusions

This section addresses the question, 'What is known about the nature and circumstances of the sexual abuse of minors in the Roman Catholic Church?' We may summarize the conclusions as follows:

- The information concerning the nature and circumstances of the sexual abuse of minors in the Roman Catholic Church is extremely varied in content, form and presentation.
- The sexual abuse of minors in the Roman Catholic Church is an extremely complex phenomenon which can take place in various settings and circumstances.
- It is clear that sexual abuse not only varies in terms of the nature of the acts involved, their frequency and duration, and the gender and age of the victim, but also the way in which the perpetrator entices or forces the victim to engage in sexual contact.
- Sexual abuse cannot be seen in isolation from physical and emotional abuse.
- The majority of (reported) victims are male. There is a significant variation in the age of victims at the time of the first incident of abuse.

- The majority of (reported) perpetrators are male members of the church, often ordained priests.
- Information about both perpetrators and offenders is scant.
- It is not clear whether the findings of international studies also apply to the situation in the Netherlands.

## 4.

### Reported psychological complaints and symptoms

#### 4.1 Introduction

One of the questions raised by the Commission of Inquiry relates to the counselling available to victims, and in particular help for those with psychological problems. This is the ninth research question in the official remit, “What will help the victims of abuse most at this time?” To provide an answer, we have studied and collated information about the current level of psychological or other complaints among victims. An understanding of the nature and seriousness of those complaints is also relevant, whereupon we have sought information about the (current) psychological complaints and symptoms reported by, or diagnosed in, the victims of sexual abuse within the Roman Catholic Church.

Very little research has been conducted into the (current) psychological effects of the sexual abuse of minors in the Roman Catholic Church. Studies which have used validated questionnaires or diagnostic interviews to identify such complaints in a standardized manner are rare, as are longitudinal studies or those which include a control group. The studies which do indeed examine later psychopathology generally fail to provide information about other stressful or traumatic experiences, whether in childhood, adolescence or adult life. It is therefore not possible to make any firm statement about the causality of complaints. They may or may not be directly attributable to the abuse itself. Based on scientific research to date, sexual abuse in childhood, like other forms of maltreatment, is seen as a general and non-specific risk factor for psychological complaints (see the paper by Maniglio, 2009). It is appropriate to state that sexual abuse may well have pathological consequences, but those consequences are likely to remain limited in intensity (Rind *et al.*, 1998). This is due to the natural resilience of children.

Paragraph 4.2 offers an account of the current information on the nature and seriousness of psychological complaints and symptoms.

#### 4.2 Reported complaints and symptoms

Current knowledge about the effects of the abuse of minors in the Roman Catholic Church is largely derived from clinical observations and studies. The information is therefore based on (extremely) small and selective samples of those who have approached, or have been referred to, professional counselling services. It is difficult to establish any correlation between the seriousness of childhood abuse and the later consequences in terms of the victim’s mental health. Nevertheless, the current information does allow us to form an impression of the type of complaints and symptoms which are commonly reported by victims.

Six of the eight qualitative studies describe the complaints and symptoms reported by victims. These studies are concerned with long-term symptoms which are seen further to various forms of interpersonal traumatization in early life (see Herman, 1992; Draijer, 2003), and especially in cases of sexual abuse within a relationship in which the other party is in a position of authority or dominance, and where there has been actual physical contact (see the meta-analysis by Paolucci *et al.*, 2001).

Male and female victims report broadly similar effects, which include post-traumatic stress symptoms such as reliving the traumatic event, avoidance, dissociation, anxiety, low self-esteem, anger, frustration, social and relational problems, problems with intimacy, sexual problems, depression, suicidal ideation, feelings of alienation, and feelings of guilt and shame associated with the abuse itself (Fater & Mullaney, 2000; Goode *et al.*, 2003<sup>274</sup>; Mart, 2004; Ponton & Goldstein, 2004; Isely *et al.*, 2008; Colarusso 2009; see also Flynn, 2008; Fogler, 2008). Loss of spiritual faith and trust in the Roman Catholic Church have also been reported (McLaughlin, 1994; Fater & Mullaney, 2000; Goode *et al.*, 2003; see also Fuentes, 1999). Some male victims have reported problems relating to the development of their sexual identity (Isely *et al.*, 2008). The larger number of abuse incidents which involve homosexual contact during a certain stage of development – puberty – may explain why doubts about sexuality and sexual identity are experienced by men more often than by women (see Van Outsem, 1992; Dijkstra, 1995). The information on which such findings are based is selective: there may be some negative distortion. The studies do not expose the extent of abuse, the (gradations in) the seriousness of the consequences or the current level of complaints. Those victims of child abuse who have not experienced any significant negative effects in later life are, for obvious reasons, not represented in the clinical studies.

Alongside the information provided by the clinical studies, there is also some information drawn from general surveys of (practising) Roman Catholics. Although such surveys have a specific, select respondent group, the findings do form a valuable supplement to the limited knowledge we have about the long-term effects of sexual abuse.

Rossetti (1995) investigated the hypothesis that abuse in which the perpetrator represents a religious institution, either symbolically or in reality, plays a significant role in problems of faith, spirituality and religion. Rossetti compared three groups of adult Catholics: those who were not sexually abused as children ( $n = 1376$ ), those who were abused but not by a priest ( $n = 307$ ) and those who were sexually abused by a priest ( $n = 40$ ). Those in the latter group reported more problems in terms of their ability to trust the priesthood. A statistically significant negative effect with regard to general faith in God was noted among the female respondents but not among the men. Treatment was shown to have a marked effect. Those victims who had undergone psychotherapy ( $n = 152$ ) had significantly less trust in the priesthood, the Roman Catholic Church and God than those who had not received psychotherapy ( $n = 194$ ).

The female members of religious orders who reported childhood abuse in the study Chibnall *et al.* (1998) cited various effects, the most common being feelings of guilt and shame, anxiety, anger and depression. The respondents were classified according to the age at which they had first been abused: under six ( $n = 48$ ), between six and ten ( $n = 84$ ) or eleven and older ( $n = 62$ ). They were also classified according to the number of offenders who had abused them: one ( $n = 146$ ), two or more ( $n = 69$ ), and according to whether the abuse was extrafamilial ( $n = 79$ ) or a case of incest ( $n = 136$ ). Those who had been abused when aged under six, on several occasions and/or by a family member reported a significantly greater number of complaints, including insomnia, poor concentration, anger, confusion, depression, anxiety, suicidal ideation, difficulty in praying, a disrupted relationship with God, and a desire to leave the church and the religious life altogether.<sup>275</sup> The prevalence of complaints and symptoms in these groups is between twenty and thirty per cent higher than in the respondent group as a whole. The relatively small number of women who had been abused by a priest or a member of a Catholic order reported greater confusion and anger, and were more likely

to express the desire to withdraw from religious life than those who had been abused by a non-clerical perpetrator. Confusion as a response to sexual abuse by clerical perpetrators or within a Roman Catholic (institutional) setting was also reported by the male victims in the study by Briggs and Hawkins (1996), which focused on offenders who had been convicted of sexual offences against children.

These two studies were confined to sexual abuse in the Roman Catholic Church. However, the effect in terms of religious faith and trust in the Church is not confined to Roman Catholicism nor to sexual abuse as such. Such negative effects are also reported by studies examining the consequences of physical maltreatment in the religious setting, regardless of denomination (see Walker *et al.*, 2009).

#### 4.2.2 Reported effects of institutional abuse

Limited research has been conducted into the effects of sexual abuse committed against children and adolescents who were entrusted to the care of a church institution (see for example O’Riordan & Arensman, 2007). In Canada, Wolfe *et al.* (2006) performed a study of 76 men who had been the victims of physical and/or sexual abuse during their time at a church-run residential institution. The exact denomination is not stated. Of these 76 men, 42% met the diagnostic criteria for post-traumatic stress disorder<sup>276</sup>, 21% were found to be alcohol-dependent, and 25% suffered from some form of mood disorder. Over one third of the group experienced chronic sexual problems, while over half reported criminal behaviour. Because the study had no control group of men who had not experienced institutional abuse in childhood, it is not known whether these problems and symptoms are specific to the ‘survivors’ of institutional abuse. It is also unclear whether the psychological symptoms are the direct result of the experiences at the institution, or whether they are related to the victims’ circumstances prior to placement in the institution, such as the death of one or both parents, poverty, etc. Some members of the group may have been raised in an orphanage from birth. Research has shown that children who grow up in an institutional setting tend to show greater psychopathology in later life, and report more problems than those who spent their childhood in a family setting (e.g. Rutter *et al.*, 1990). There may be some over-reporting of psychological symptoms in the Wolfe *et al.* study, given that these symptoms were being recorded for the purposes of a compensation claim.

Another study which used validated measuring instruments to identify the long-term effects of institutional abuse is Carr *et al.* (2010). Of the group of adults (n = 247) who reported having been abused in a Roman Catholic institution, 81.7% met the diagnostic criteria for an anxiety disorder, a mood disorder, abuse of alcohol and/or drugs, or a personality disorder. Asked to complete the Briere and Runtz Trauma Symptom Inventory (1989), they reported a large number of abuse-related problems. The study also used the Experiences in Close Relationships Inventory (Brennan *et al.* 1998) which identified a high level of ‘insecure adult attachment styles’. In cases in which there was a cumulation of violent behaviour – e.g. both institutional abuse and maltreatment in the home – a greater number of trauma symptoms were reported. This study does not attempt to report the consequences of sexual abuse separately. Once again, the absence of a control group renders the implications of the findings uncertain. There may also be some negative bias (a preponderance of more serious symptoms) because several of the subjects were pursuing a compensation claim. The

study did not include a control questionnaire which would establish whether there had been any exaggeration of complaints and symptoms.

The series of Canadian studies examining the Enfants de Duplessis affair (Sigal *et al.*, 1999, 2003; Perry *et al.*, 2005b) used control groups matched for age, income and place of residence. The control group data was taken from an earlier health survey among a random sample of Quebec residents. The subject group comprised 32 adults who had spent part or all of their childhood in Catholic institutions. They were asked to complete the same standardized questionnaires as used in the previous health survey. A direct comparison of the resultant data is therefore possible (Sigal *et al.*, 1999). Overall, the victim group had a lower level of education and scored significantly lower for psychological wellbeing. They scored significantly higher on the scale for 'current distress'<sup>277</sup> and reported a significantly higher number of chronic psychosomatic complaints. No differences between the subject group and the control group were seen in terms of physical health. In a more recent and more extensive study (Sigal *et al.*, 2003) the victim group (n = 81) not only reported greater psychological distress and more psychosomatic complaints, but also a greater number of problems with intimacy, depression and suicidal ideation than the 'normal' control group (n = 243). The impact of trauma and other negative circumstances is shown to be greatest in those who had least natural resilience, termed 'childhood strengths' in this study (after Perry *et al.*, 2005b).

The Canadian studies are concerned with selective group of victims, selected at random from the membership list of an organized victim self-help group.<sup>278</sup> They make no attempt to report the effects of sexual abuse separately. There may be some negative bias in the information concerning psychological effects and current level of complaints, since some of the victims were preparing to sue the state, and probably also the church concerned, for compensation. The researchers did not collect control data which would reveal any over-reporting of complaints and symptoms. The level of complaints could have been elevated due to the stress of 'going public' about past sexual abuse.

Most of the information relating to the nature of the effects is derived from selective samples. The nature of the reported complaints and symptoms corresponds with that in the general literature on the sexual abuse of minors. A summary of the symptoms and conditions reported in studies of the effects of the sexual abuse of minors in the Roman Catholic context is given in Appendix 3. It includes notes to indicate whether any evidence supporting a link between these symptoms and childhood sexual abuse has been established by the systematic reviews and meta-analyses to date.<sup>279</sup>

The effect on the victim's spirituality and faith is frequently cited as a point for attention for those providing therapy or counselling (see Pargament *et al.*, 2008). A therapy module entitled 'Solace for the Soul' (Murray-Swank & Pargament, 2005) has been developed to address this specific effect. It is intended for use in combination with the tried and tested treatments for trauma-related symptoms.

#### 4.3 Conclusions

This section has addressed the question, "What is known about the nature and seriousness of (current) psychological complaints and symptoms in the victims of sexual abuse within the Roman Catholic Church?" The conclusions may be summarized as follows:



- The psychological problems reported by victims of sexual abuse in the Roman Catholic Church are diverse whereby opportunities to create a standardized classification are limited.
- There is very little information about the current level of complaints.
- It is difficult to determine whether complaints and symptoms are directly attributable to experiences of sexual abuse within the Roman Catholic context, or whether other factors, such as pre-existing psychopathology, a dysfunctional family or the stress of disclosing the abuse even as an adult, are at play.
- The studies available do not control or correct for response bias due to over-reporting ('maximization' or exaggeration) of the complaints and symptoms.

## 5.

### Cultures of silence surrounding the sexual abuse of minors and the response of the Roman Catholic Church to allegations of abuse

#### 5.1 Introduction

One of the Commission's research questions is "Was, or is, there a 'culture of silence' surrounding the sexual abuse of minors in the Roman Catholic Church in the Netherlands?" The term 'culture of silence' is used in the international literature to refer to the intentional concealment of abuse. A less academic term would be 'cover-up'. In this context, the word silence has two facets: silence on the part of the victim, and silence on the part of the church (or the specific church institution or organization). When considering silence on the part of church organizations and institutions, one research question must be how the relevant administrative authorities addressed their responsibility towards victims, and particularly underage victims. What action did they take to investigate complaints and deal with the alleged perpetrators to preclude further incidents?

The following paragraphs offer an account of the current research information.

#### 5.2 Non-disclosure by the victim

It is known that children often choose not to speak out about sexual abuse (see Paine & Hansen, 2002). How many victims concealed the fact that they were being abused at the time of that abuse? How long was the period between the last abuse incident and the moment that the victim first spoke about the abuse to others? What - or who - prevented victims from disclosing the abuse earlier? The literature on child abuse suggests that there can be an extremely long interval between the abuse and the victim's decision to talk about it (Smith *et al.*, 2000) or to report it to the official authorities (Connolly & Read, 2006). The research has shown that various factors are at play, including the age of the victim (young children are more likely to remain silent), the victim's level or development, his or her relationship with the perpetrator (late disclosure is more common where the perpetrator is a family member or acquaintance), shame, anxiety and fear of reprisals (see London *et al.*, 2005).

Knowledge of the culture of silence surrounding the sexual abuse of minors in the Roman Catholic Church at the level of the victims relies largely on information drawn from selective sources, i.e. qualitative studies, analyses of reports, and surveys among Roman Catholic clerics. Statistical data is drawn from surveys, both of persons reporting incidents and the general population of practising Roman Catholics, whereby the respondent group is relatively large. Valuable qualitative information about the background and dynamics of non-disclosure is drawn from the clinical studies.

It will be useful to consider the statistical data first. Of the thirty respondents who reported having been sexually abused in the large-scale Irish survey (Goode *et al.*, 2003), 43% had never previously spoken about the abuse to anyone; 30% told their parents or friends at the time, while 27% did so only many years later. Of those respondents who did tell their parents about sexual abuse in the school setting at the time, three recall that their parents contacted the school authorities. In one case the alleged perpetrator was removed from the school. In the other two cases, the abuse stopped. One of these cases was reported to the civil authorities 25 years later. These findings are

borne out by a study of official police reports relating to the sexual abuse of minors in Ireland (McGee *et al.*, 2002). We may therefore conclude that abuse by Roman Catholic priests and clerics was not a unique 'hidden problem' but it was indeed as invisible to society at this time as all other forms of sexual abuse of minors (Goode *et al.*, 2003, p. 92).

The study examining experiences of sexual abuse among female members of religious orders offers an indication of the number of victims who did not speak out at the time (Chibnall *et al.*, 1998). However, it does not provide any information about their reasons for non-disclosure. Almost a quarter of the respondents (23.6%,  $n = 51$ ) who reported having been abused in this study had not told anyone about it at the time. At the time of the study itself, the average age of these respondents was just under 63; they had kept the abuse secret for an average of 54.3 years ( $SD = 11.0$ ). Even those victims who had spoken of the abuse in the meantime had waited a long time to do so: the average period between the onset of abuse and disclosure by the victim was 24.7 years ( $SD = 17.4$ ). Victims who had been abused when under the age of six, those who had been abused by a family member, and those who had been abused by two or more perpetrators were significantly more likely to have told someone else. Of all victims who had previously disclosed the abuse ( $n = 165$ ), almost half (46.7%) were undergoing psychotherapy at the time of the study, or had previously done so (32.7%), and had discussed the sexual abuse with their therapist.

The findings of Chibnall's study correspond with those of the general population surveys examining (extrafamilial) sexual abuse (e.g. McGee *et al.*, 2002; Smith *et al.*, 2000, and for the Dutch situation, Draijer, 1988; Langeland & Van der Vlugt, 1990). Similar results are reported by a study of sexual abuse in the Anglican church (Parkinson *et al.*, 2010). The majority of respondents who reported having been abused as a child or adolescent had not spoken out at the time of the abuse and most had remained silent for many years. Some had never previously disclosed the abuse at all. The results of the clinical study by Ponton and Goldstein (2004), concerned with male victims of clerical sexual abuse, are very similar. Here, the average period between the onset of abuse and its disclosure was eighteen years.

The American study of reports and complaints made to the Roman Catholic Church (John Jay College, 2006) does not state the number of victims who told others at the time or who have done so since. However, the study does report the time that elapsed between the incident of abuse and the complaint being made to the church authorities. The researchers also examined the factors which influenced the delay in making the complaint (Smith *et al.*, 2008).<sup>280</sup> The complaints were classified according to when they had been submitted, with the two extremes being 'made soon after the abuse' and 'made more than 25 years after the abuse'. Approximately 10% of incidents had been reported within a reasonably short period, while 41% of incidents were reported to the Roman Catholic Church over 25 years later. There is no significant correlation between the delay in reporting and the characteristics of the victim (age, gender), the characteristics of the perpetrator (function, use of alcohol or drugs, circumstances in which there was contact with the victim) or the nature of the sexual acts. Where incidents had been reported within a reasonably short period, the complainants were generally the victim's parents, and it was less likely for there to be any bond of friendship between the family and the priest concerned. In most cases, the alleged abuse was reported by telephone or in a letter. Almost one fifth (19%) of the incidents reported within one year resulted in a diocesan priest being questioned about the alleged abuse. This figure may be subject to

some bias because most information made available to the researchers related to the dioceses rather than the religious orders and congregations.

Based on a study of the records of 24 convicted clergymen (of whom 70.8% were Roman Catholic priests), it seems that cases of sexual abuse which involve physical force or violence are reported less readily than those which do not (Langevin *et al.*, 2000). On average, the victims of violent abuse wait seven years longer to report it than those who are not subject to any physical coercion.<sup>281</sup>

### 5.2.2 Reasons for non-disclosure

To supplement the statistical data, there is some qualitative information which reports the reasons that victims give for not having spoken out earlier. In most cases, they have more than one reason: the expectation that their story will not be believed, or that they will be told that no one else would believe it so there is no point in pursuing the matter. Respondents also cite fear, anxiety, feelings of shame and guilt, and intimidation by the perpetrator who may make threats ('God sees all') or demand secrecy (Fater & Mullaney, 2000; Goode *et al.*, 2003; Mart, 2004; Isely, 2008; Colarusso, 2009). In some cases, the victims felt unable to discuss sexual matters with their parents (see for example Colarusso, 2009). These reasons are also cited by the literature on sexual abuse of minors in all contexts. Forced silence places the child under considerable emotional pressure. If he does not immediately resist the abuse on the first occasion, the perpetrator regards him as a willing accomplice. Responsibility for the abuse is then transferred to the victim himself ('you are dirty and wicked', 'you have sinned', 'you invited this'). The child becomes entangled in a web of secrecy, blackmail, threats, favours and rewards which only serve to reinforce the feelings of shame and guilt. Sometimes, perpetrators invoke the name of God as a strategy to maintain the victim's silence: 'God will punish you if you tell anybody' (Farrell & Taylor, 2000), while the perpetrator may also misuse the seal of confession (Goode *et al.*, 2003).<sup>282</sup> Such intimidation can be so pernicious that the victim no longer regards it as aversive. Rather, he becomes complicit and develops an inner resolve to conceal the abuse. The perpetrator's standing in the community (he is seen as a respected Man van God with an unquestionable authority) also serves to increase victims' feelings of shame and guilt, whereupon many do not dare to tell their family or anyone else about the abuse. The qualitative studies also cite a fear of the consequences of breaking the silence: the victim is afraid of being labelled 'homosexual' and the resultant ridicule and exclusion. He may fear the consequences for his parents: that they will lose their faith or attract opprobrium from other members of the church. The victim may also fear the consequences for the church itself, feeling that he must protect its reputation. Where the victim's parents are made aware of the abuse, they too may fear the consequences to the church should they report it (Briggs & Hawkins, 1996). Because the perpetrator is a priest, disclosure would damage the reputation of the Roman Catholic Church as a whole.

The inner conflicts which the sexual abuse has caused can also play a role in the decision to remain silent (Draijer, 1990). Fater and Mullaney (2000) suggest that some victims are actually attracted to the perpetrator – the priest – due to his charisma. They are eager to please him and yearn for his attention. A desire for approval, coupled with the idea that a certain type of behaviour will attract such approval, may encourage the victim to accept sexual contact, including penetrative forms, as a sign that the perpetrator likes and approves of him, even though that contact is later categorized as 'unwanted'. Tormented by fear, guilt and a feeling of having 'sinned', the victim is even more inclined to remain silent.

The clinical study by Isely *et al.* (2008) describes how victims can be wracked by uncertainty and confusion. Will the priest's abuse lead to 'hell and damnation' because it is a sin, or are they the 'chosen ones to receive God's love'? For many, it was inconceivable that a man of God could be guilty of abusing children. Guido (2008) uses the term, 'the unique betrayal'. The perpetrator is seen as God's representative and is a much respected person within the community. That is the nature of the clerical life: it 'goes with the turf'<sup>283</sup> Children come to believe that the sexual abuse is somehow his privilege: it is 'the will of God'. Eight of the nine men in Isely's study eventually told somebody else about their experiences of abuse, albeit after many years. Four first spoke about the abuse to a family member or friend, while four told a professional care provider.

The research literature on sexual abuse lists several other religious aspects (not necessarily exclusive to Roman Catholics) which may prevent victims from disclosing their experiences of abuse. They include the principles of 'forgive and forget', 'no sex before marriage', 'sin' and the 'loss of innocence and virginity' (see Sargent, 1989; Imbens & Jonker, 1992; Kennedy, 2000; Alaggia, 2001).

We began this section by asking whether there was (or is) a culture of silence on the part of the victims of sexual abuse. The research confirms that many victims did not tell anyone that they were being abused at the time. In many cases, this was their own choice: not all victims were under pressure to remain silent. Such secrecy is a common phenomenon and is not unique to the sexual abuse of minors within the Roman Catholic Church. For this reason, we can state that there was no 'culture' of silence on the part of the victims, as it was entirely unnecessary. Children and adolescents keep secrets: it is in their nature. At the same time, many victims choose to speak out many years later, some submitting official complaints to the authorities.

The following section is in the nature of a 'theoretical interlude'. It offers a general impression of the ease with which sexual abuse can be openly discussed, in the historical context of changing social and moral attitudes.

### 5.2.3 Changing attitudes to sexual abuse

It is unclear whether sexual abuse has become less of a taboo topic over time. The researchers of John Jay College have found nothing in the literature to suggest that it has (Smith *et al.*, 2008). However, surveys of the general public offer a somewhat different picture. One survey conducted in Ireland (McGee *et al.*, 2002) reveals that both men and women born between 1911 and 1970 have gradually become more willing to discuss their experiences of sexual abuse, including that involving actual physical contact. There is no comparable information relating to extrafamilial sexual abuse in the Netherlands. However, it is known that female victims of intrafamilial abuse committed between 1955 and 1980 were more willing to speak about it with others than their forebears (Draijer, 1990). Members of the younger generation were significantly more likely to inform someone else, such as their mother.

A number of researchers suggest that the increasing openness surrounding the topic of sexual abuse is the result of the marked changes in social and sexual moral values seen between 1950 and 1980 (Draijer, 1982, 1990). Those changes also affected the thinking about the negative consequences of sexual abuse, especially that committed against children and adolescents (Rush, 1980; Scheper-

Hughes, 1998). In the 1950s and 1960s, the terms 'child sex abuse' or 'sexual abuse of minors' rarely appeared in the literature (Olafson *et al.*, 1993; Satter, 2003).<sup>284</sup> When reporting on sexual contacts between adults and children, the notion of there being any 'abuse' was largely denied. Children were made out to be seductive, flirtatious and sexually oriented, whereby most participated wholly voluntarily in the sexual acts described (Bender & Grugett, 1952). Where any consideration at all was given to the consequences of what we now term sexual abuse, it was often in the sense that the 'sexually deviant' child would present a moral threat to others (Van Krevelen, 1953).<sup>285</sup> This denial of the negative effects of sexual abuse and 'blaming the victim' undoubtedly influenced the attitudes of the church authorities, as described in the 2003 study by Goode *et al.* (See also Scheper-Hughes, 1998).

It is possible that the greater openness surrounding the sexual abuse of boys, a trend which has become apparent in recent years, is the result of the greater attention which has been given to this aspect in the (academic) literature. Until the late 1980s, the focus of most clinical studies and other research was firmly on male offenders and female victims. The sexual abuse of boys remained a taboo subject even longer than that of girls. The mere possibility that boys could also be the victims of abuse was largely ignored, which created the impression that this form of abuse was extremely rare and that the risks to boys and young men were therefore negligible (Van den Broek, 1991). This myth seems to have been reinforced by the picture of men and boys held by society at large (see Gianotten, 1988). At the same time, male victims did indeed find it more difficult to put their experiences into words. 'Women talk about rape: boys don't have a word for that.' (Van den Broek, 1991, p. 4).

We now turn to the empirical research examining the response of the Roman Catholic Church to allegations of sexual abuse committed against minors.

### 5.3 The response of the Roman Catholic Church to allegations of sexual abuse

Much has been written about the Roman Catholic Church's response to allegations of sexual abuse committed by its members against child victims. Many media reports would have us believe that the church leadership, at various levels, was often aware of such allegations and perhaps aware that abuse was indeed taking place. Rather than reporting the matter to the judicial authorities, however, they chose to transfer the perpetrators to another house, school or institution where they could resume their activities with impunity.<sup>286</sup> It has been claimed that the Roman Catholic Church failed to take action because it feared for its reputation, or wished to avoid expensive litigation and compensation payments. According to the media, it devoted little or no attention to the victims. Jenkins (1996), describing the situation in the United States, reports that any negotiations with victims were conducted out of court and in strict secrecy, especially in the 1960s and 1970s. The reports of the Irish Commissions confirm the impression that church authorities were aware of actual incidents of abuse. The action they took in response did not place the interests of the victims to the fore, but rather the avoidance of any scandal which would harm the reputation of the Roman Catholic Church.<sup>287</sup>

Opinion polls of Roman Catholics in the United States reveal a critical attitude towards the Church's response to allegations of serious and long-term abuse of minors by members of the clergy (Isely,

1997). In July 1992, the Boston Globe commissioned a research agency<sup>288</sup> to conduct a telephone survey of Roman Catholics in Massachusetts, gauging their opinions about the Roman Catholic Church's response to allegations of sexual abuse committed against children who had been entrusted to the care of its parishes and institutions.<sup>289</sup> A total of 401 men and women were interviewed. Almost all (96%) were aware of recent news reports about sexual contact between priests and children. Almost three quarters (71%) believed that the Roman Catholic Church had attempted to conceal such incidents: there had been a deliberate 'cover up'. Over two thirds (69%) considered that the Church's response had been inadequate. Of course, a survey such as this reveals only public opinion. It does not provide any firm evidence of a 'cover-up'.

Sexual abuse in the Roman Catholic Church has received more publicity and prompted greater public opprobrium than abuse in other religions. Plante (1999) suggests that this is due to several factors, such as the Church's claimed moral authority, the closed character of the organization, and its defensive response to complaints (see also Scheper-Hughes & Devine, 2003).

Considering the causes of the 'culture of silence', McGrath-Merkle (2010) remarks that over-identification of priests with the church ('pseudo-speciation': the tendency to identify with equals at the expense of others) and the authoritarian culture of the Roman Catholic clergy both influenced the manner in which bishops and cardinals acted in this 'clerical abuse crisis' (see also Dale & Alpert, 2007).<sup>290</sup>

Alongside contentions that cases of sexual abuse were deliberately obfuscated, it is also claimed that some bishops were inclined to view the alleged offences in the light of the sixth commandment, 'Thou shalt not commit adultery', whereby they made no distinction between acts involving minors and those involving adults.<sup>291</sup> Subsequent disciplinary action was therefore based on the traditional approach of confession and absolution (see Doyle, 2003). The victim was seen as a 'passive source of temptation' and until the mid-1980s the focus was firmly on the transgression and transgressor rather than on the victim.<sup>292</sup> If the accused priest showed genuine remorse and contrition, he was merely transferred to another parish or house to remove him from the source of temptation. This has come to be known as the 'geographical solution' (see Goode *et al.*, 2003, p. 126-127).<sup>293</sup>

The foregoing account is largely based on media reports and the results of opinion polls. In most cases, the reports concerned the senior church administrators within the diocese, i.e. the bishops. Somewhat less has been written about the role of the leadership of orders and congregations. The following section provides a summary of empirical research concerned with the Roman Catholic Church's response to allegations of sexual abuse committed against minors.

#### 5.4 Results of empirical research

Relatively little is known about precisely how the Roman Catholic Church responded to allegations of abuse. The empirical data that is available is derived from analyses of Church files, a management survey among Roman Catholic bishops and delegates, and the version of events given by victims to professional counselling services. The data drawn from files and reports is not reliable: there can be omissions and distortion.

Research based on reports of the sexual abuse of minors within the Roman Catholic Church in the United States provides basic information about the victims and perpetrators, as well as some information about the response of the Roman Catholic Church (John Jay College, 2004, 2006). That response would seem to have varied from case to case (Terry, 2008). Because of the 'statute of limitations', only a very few perpetrators were actually brought to trial. Many accusations were made twenty or more years after the event, whereupon the priests concerned had either retired or died at the time that the file was compiled. The figures presented here are therefore based on the corrected analyses made in 2006, whereby the data excludes those priests who were no longer active when the report was added to the files. In late 2002, police were informed of the activities of 640 priests (14% of those against whom allegations had been brought). Of these, 226 were prosecuted, 138 convicted and 100 given a custodial sentence. In other words, approximately 3% of the accused priests were convicted and approximately 2% were imprisoned.<sup>294</sup> The records reveal considerably more cases in which the priests concerned were referred for treatment. Almost 40% of the alleged perpetrators (n = 1627) received some form of therapy; there were 3041 requests for treatment in the form of psychotherapy, specialized therapy for 'clergy sex offenders', specialized therapy for convicted sex offenders, other unspecified 'general' therapy, recidivism prevention or spiritual counselling. In other cases, the complaints were investigated but the priests concerned were not referred for therapy. Instead they were reprimanded, given medical or administrative leave, transferred elsewhere or dismissed from office. There are some cases in which no disciplinary action whatsoever is recorded. Caution must be exercised in interpreting this information. It is not always possible to determine whether the records are complete; there may have been some sanction which was not properly recorded. In any event, the nature of the information does not allow any evaluation of the manner in which disciplinary measures were matched to the seriousness of the alleged abuse. The article by Mercado *et al.* (2008) is relevant in this context. It demonstrates that priests who were subject to more than one accusation of sexual abuse were more likely to have been referred for treatment than those who faced only one allegation, depending on the seriousness of the abuse itself. In general, the greater the number of victims the more likely the church was to take action, and the greater the probability of the perpetrator being referred for treatment. The researchers note that the hypothesis which holds that priests known to have sexually abused children were subject to (frequent) transfers is not entirely borne out by the files. There is no significant difference in terms of the number or frequency of postings from one diocese to another, although there is some difference in the frequency with which priests were assigned to different duties within the diocese or parish.

The transfer of perpetrators whose abuse has been proven is also considered by the research examining priests undergoing therapy (Langevin *et al.*, 2000). This study further shows that it took longer for abuse committed by members of the clergy to come to the attention of the authorities, or to be reported by the victim, than other (non-clerical) abuse.<sup>295</sup>

A written survey of 102 Roman Catholic officials and 35 bishops in Ireland concludes that 45% of the officials and 18% of the bishops had never been required to consider a case of sexual abuse against minors (Goode *et al.*, 2003). The bishops were less satisfied with their own approach to allegations of the abuse than the officials. Based on interviews with seven victims and their families, information was gathered about the manner in which six specific complaints were dealt with. Four complaints were investigated promptly and swift action was taken. In the other two cases, the process was more protracted.<sup>296</sup> The families of the victims state that they found it very difficult to make a formal report of abuse to the Roman Catholic Church. In addition, both victims and their family members



reported significant feelings of guilt because they had reported the incidents to the Church itself rather than to the police or other civic authorities. As a result, other children may have been exposed to the risk of abuse.

There are a number of clinical studies focusing on victims which described the social response to the victim's decision to speak out about abuse. In some cases, this led to opprobrium and hostility rather than support on the part of the Roman Catholic Church. Colarusso (2009) reports the case of a female victim who informed a priest that she was being abused by one of his colleagues. His response was negative and dismissive: she must stop telling these lies or she would face hell and damnation. Van Wormer and Berns (2004) describe the case of a woman who spoke to her priest about the childhood abuse she had suffered at the hands of her stepfather. The priest betrayed her trust and exploited her vulnerability to abuse her himself. Briggs and Hawkins (1996) report a similar case in which a boy reported abuse by staff of his boarding school to the head of the institution, only to be abused by this man for several years thereafter. Two other boys reported abuse by a member of staff but no action was taken. Many years later, one of the boys made an official complaint against the man, who was duly convicted. In yet another case, a boy's parents reported that he had been abused by a priest to the church authorities, whereupon the priest was sent to 'a quiet place' for a few months until the storm had blown over.

Fater and Mullaney (2000) report that when abuse comes to light, both the victim's family and the Roman Catholic Church can respond with incredulity. In the study by Isely *et al.* (2008), five of the nine male victims reported being abused to officials of the Roman Catholic Church many years later, by which time they were adults. Three describe doing so as a negative experience which increased their mistrust of the Church. It must be remembered that the findings of such clinical studies are anecdotal in nature and have not been subject to any systematic control or evaluation.

## 5.5 Conclusions

This section has sought to answer a number of questions. Was (or is) there a 'culture of silence' surrounding the sexual abuse of minors in the Roman Catholic Church? How did the church authorities address their responsibility towards the victims? What measures were taken against the alleged perpetrators? The conclusions based on the research literature may be summarized as follows:

- The majority of victims choose to remain silent about sexual abuse, whereby there is no need for any 'culture of silence' on the part of victims.
- It is not unusual for complaints and (official) reports to be made many years after the events concerned.
- To date, there has been no systematic study or evaluation of the response of the Roman Catholic Church to complaints of sexual abuse against minors.

- The manner in which complaints are investigated varies greatly, as do the sanctions imposed on the perpetrator.
- It would seem that perpetrators were more likely to have been referred for therapy and counselling than face prosecution. Other measures include medical or administrative leave, a reprimand, transfer or dismissal from office. We also see cases in which no action was taken.

6.

#### General conclusions

Despite the limitations of the available information and the uncertainty which surrounds its interpretation, we can state that the sexual abuse of minors within the Roman Catholic Church is not a widespread phenomenon. Those incidents which have occurred vary considerably in nature and seriousness. Given the different definitions applied in the various studies, it remains extremely difficult to offer a scientific assessment of the prevalence and nature of sexual abuse within the Roman Catholic Church. The international studies and clinical observations suggest that boys are more likely to be the victims of this type of abuse than girls, and that most perpetrators are also male. To date, there has been no standardized assessment of the psychological effects of sexual abuse within the Roman Catholic Church. Many victims remain silent about the abuse, which clearly restricts opportunities for thorough research. The fact that reports and complaints are made many years later suggests that there is no organized 'culture of silence' on the part of victims. The Roman Catholic Church's response to allegations of abuse has been inconsistent, as have the measures taken against the perpetrators.

Further to this extensive review of the existing research literature, the various aspects of the sexual abuse of minors – prevalence, nature, circumstances, psychological effects and the difficulty experienced by many victims in talking about their experiences – can be refined to form questions for further research. In that research, it will be important to differentiate between different manifestations of abuse according to their seriousness.

## Annotated literature list

R. Allagia, 'Cultural and religious influences in maternal response to intrafamilial child sexual abuse: Charting new territory for research and treatment', *Journal of Child Sexual Abuse*, 10, pp 41-60 (2001).

This article presents the findings of a qualitative study of the influence of spiritual and religious beliefs on the response of ten mothers whose children were sexually abused by family members. Seven of the ten have a Roman Catholic background. The researchers also interviewed a number of professional counsellors. The article devotes attention to the role of Christian concepts such as forgiveness, sacrifice, hope and redemption in the non-disclosure of sexual abuse. Because the study is based on reports made to specialist (counselling) organizations, it is selective in nature. The author is a member of the Faculty of Social Work at the University of Toronto, Canada.

R. Badgley, H. Allard, N. McCormick, P. Proudfoot, D. Fortin, D. Ogilvie, Q. Rae-Grant, P. Gelinas, L. Pepin, S. Sutherland, [Committee on Sexual Offences Against Children and Youth], *Sexual offences against children*, Volume 1, Ottawa, Canadian Government Publishing Centre, 1984.

This is the report of the Badgley Royal Commission Inquiry, which was appointed to investigate the prevalence of child sexual abuse in Canada and whether national legislation at the time provided adequate protection. The Commission concludes that it did not: legislation showed a number of serious shortcomings. The report contains statistical data on the incidence and prevalence of sexual offences against minors.

C. Bagley, 'Prevalence and correlates of unwanted sexual acts in childhood in a National Canadian sample', *Canadian Journal of Public Health*, 80, pp 295-296 (1989).

A survey-based study.

A.W. Baker, S.P. Duncan, 'Child sexual abuse: a study of prevalence in Great Britain', *International Journal of Child Abuse and Neglect*, 9, pp 457-467 (1985).

This article presents the results of a survey (n = 2019; n = 970 male and n = 1049 female). All respondents were aged fifteen or above. The response rate was 87%. Twelve per cent of female respondents and 8% of male respondents reported having been sexually abused when aged under sixteen.

F. Bakker, H. de Graaf, S. de Haas, H. Kedde, H. Kruijer, C. Wijsen, *Seksuele gezondheid in Nederland 2009*, 2009.

This report presents the results of a recurring Dutch survey of persons aged 15 to 70, conducted by the Rutgers Nisso Group to examine various aspects of sexual health. The low response rate (20%) is a serious limitation of this study; many of those approached to take part declined to do so because they considered the subject matter too personal or were afraid that the survey would (re-)kindle negative emotions. Victims of sexual abuse may therefore be under-represented. The survey, conducted between December 2008 and March 2009, used an online questionnaire to examine themes such as relationships, STIs (including HIV/AIDS), birth control and sexual violence. Respondents were drawn from the Euroclix internet panel.

J. Bays, D. Chadwick, 'Medical diagnosis of the sexually abused child', *Child Abuse and Neglect*, 17, pp 91-110 (1993).

This article describes the history of the medical diagnosis of child sexual abuse. It includes a summary of statistics drawn from the clinical literature on the physical characteristics of abused children, compared to those who are known not to have been abused. At the time of publication, the researchers were on the staff of the Child Abuse Response and Evaluation Services Program, Emanuel Hospital, Portland, United States.

L. Bender, A.E. Grugett A.E., 'A follow-up report on children who had atypical sexual experiences', *American Journal of Orthopsychiatry*, 12, pp 825-837 (1952).

This article contends that the abused child himself or herself plays a significant role in enticing sexual contact with adults: "It was highly probable that the child had used his charm in the role of the seducer." (p 826).

W.H. Bera, 'Betrayal: Clergy sexual abuse and male survivors', in J.C. Gonsiorek (ed.), *Breach of Trust: Sexual exploitation by health care professionals and clergy*, pp 91-111, (1995).

This contribution is based on clinical observations by a psychologist and a family/relationship counsellor. It focuses on the dynamics of cases in which a member of the clergy has abused multiple male victims. The precise denomination of the clergy concerned is not given.

D.P. Bernstein, L. Fink, *Childhood Trauma Questionnaire: A retrospective self-report manual*, 1997.

This is an instruction manual for the Childhood Trauma Questionnaire (CTQ), now in worldwide use as the standard resource in scientific research into experiences of childhood abuse and neglect.

D.P. Bernstein, J.A. Stein, M.D. Newcomb, E. Walker, D. Pogge, T. Ahluvalia, *et al.*, 'Development and validation of a brief screening version of the Childhood Trauma Questionnaire', *Child Abuse and Neglect*, 27, pp 169-190 (2003).

This article describes the validation of an abridged version of the Childhood Trauma Questionnaire (see above). It has 25 items which examine the seriousness of experiences of psychotraumatization and neglect in childhood and adolescence (under the age of eighteen). The items cover five forms of such experiences: physical maltreatment, sexual abuse, verbal abuse, emotional neglect and physical neglect.

C.C.J.H. Bijleveld, R.F. Meijer, L. Prins, 'Verdachten van een pedoseksueel delict. Een verkenning op basis van politiegegevens 1998', *Justitiële Verkenningen*, 26, pp 119-147 (2000).

The title of this article translates as 'The suspects of paedophile offences: an exploration based on police data, 1998'. The authors are on the staff of the Scientific Research and Documentation Centre (WODC) at the Ministry of Justice and Security, representing its Department of Statistical Information and Policy and the Department of Research and Analysis respectively. The article examines the extent to which paedophile offenders are known to the police. It also offers an offender profile based on police records and the national HKS profiling system. It is not known whether the police database is 'clean', i.e. accurate and complete.

R.M. Bolen, 'Extrafamilial child sexual abuse. A study of perpetrator characteristics and implications for prevention', *Violence against women*, 6, pp 1137-1169 (2000).

The author is on the staff of Boston University in the United States. The first part of this article describes the methodological challenges in establishing the prevalence of extrafamilial sexual abuse. Although previous research indicates that this form of abuse is more common than intrafamilial sexual abuse, there are considerably fewer scientific or academic studies examining the exact nature of extrafamilial abuse. The second part of the article presents the results of a secondary analysis of data on extrafamilial sexual abuse, as derived from the random survey by Russell (1983).

B.L. Bottoms, P.R. Shaver, G.S. Goodman, J. Qin, J., 'In the name of God: A profile of religion-related child abuse', *Journal of Social Issues*, 51, pp 85-111 (1995).

This contribution is based on a large-scale survey of clinicians who treated victims of child abuse in the 1980s. It includes an analysis of the nature and consequences of child abuse committed by 'authority figures', including clergy and youth (welfare) workers. In 94% of the reported incidents there was some form of sexual contact or approach, while in over 50% of cases both victim and perpetrator were of a 'Catholic' denomination (including Roman Catholic, Greek Orthodox and Russian Orthodox). The sample is restricted to victims who had sought help. Moreover, the interpretation of the findings is complicated by the researchers' failure to distinguish between Roman Catholic perpetrators and those of other denominations. The study was funded by the American Center on Child Abuse and Neglect. At the time of publication, Bottoms was Professor of Psychology at the University of Illinois, Chicago. The co-authors were affiliated with the University of California, Davis, United States. See also Goodman *et al.* (1998).

J. Bowlby, *A secure base: parent-child attachment and healthy human development*, 1988.

This book is an anthology of eight lectures, most of which had been published separately as scientific papers. The focus is on the key points of attachment theory, backed by the most recent scientific findings at the time. Bowlby was a Child and Family Psychiatrist at the Tavistock Clinic in England.

K. Brennan, C. Clark, P. Shaver, 'Self-reported measure of adult attachment: An integrative overview', in: J. Simpson & W. Rholes (eds.), *Attachment theory and close relationships*, pp 46-76, (1998).

The authors describe the 36-item 'Experiences in Close Relationships Inventory (ECRI)' questionnaire, used to characterize the attachment style between adult partners. It includes scores for two dimensions: interpersonal anxiety and interpersonal avoidance. Using an SPSS algorithm, the resultant data can be categorized into four adult attachment styles.

J. Briere, M. Runtz, 'The Trauma Symptom Checklist (TSC-33): Early data on a new scale', *Journal of Interpersonal Violence*, 4, pp 151-163 (1989).

The authors present the preliminary findings of a 33-item Trauma Symptom Checklist.

J. Briere, S. Kaltman, B.L. Green, 'Accumulated childhood trauma and symptom complexity', *Journal of Traumatic Stress*, 21, pp 223-226 (2008).

The authors are on the staff of the Department of Psychiatry and Behavioral Sciences, Keck School of Medicine, University of Southern California, United States. The article presents the results of a study of female university students ( $n = 2453$ ) which sought a link between cumulative traumatization prior to the age of eighteen and the complexity of current psychological symptoms. The results showed a linear correlation between the number of forms of traumatization and the complexity of symptoms. It also showed this to be a general effect of cumulative trauma since the correlation remained even after correction for certain specific traumatic experiences.

F. Briggs, R.M.F. Hawkins, 'A comparison of the childhood experiences of convicted male child molesters and men who were sexually abused in childhood and claimed to be non-offenders', *Child Abuse and Neglect*, 20, pp 221-233 (1996).

This article describes experiences of childhood sexual abuse and the family backgrounds of two groups of male subjects: those convicted of a sexual offence against minors ( $n = 84$ ) and those who were themselves sexually abused in childhood but claimed to be non-offenders ( $n = 95$ ). The purpose of the comparison was to gain a greater insight into the motives of repeated abuse from the perpetrator's perspective. The article describes the nature and consequences of abuse, whether it was ever disclosed to others and, if so, their reaction. Both groups reported frequent abuse in the

context of the Roman Catholic Church, and specifically by clergy: offenders 13% and non-offenders 17% (the deviation is not statistically significant). The reported responses to sexual abuse in the Roman Catholic context, as opposed to other settings, include 'confusion'. The article examines the phenomenon whereby young victims often regard the first sexual contact not as 'unwanted' but as pleasant and enjoyable, particularly when it takes place in a context of attention and affection. The composition of the two groups is based on self-selection; there are differences in demographics. At the time of publication, Briggs and Hawkins were on the staff of the University of South Australia, Magill.

J. van den Broek, *Er zijn geen namen voor. Jongens als slachtoffer van seksueel misbruik*, 1991.

This book (the title of which translates as 'There are no names for it: boys as the victim of sexual abuse') was commissioned by the Men Against Sexual Violence Foundation. The intention was to reveal and draw attention to the consequences of sexual abuse suffered by male victims, dispelling misconceptions and lifting the taboo which surrounded the topic. The focus is on victims' own accounts of their experiences which, it was hoped, would spark recognition and support others who had yet to speak out. As a social worker, the author has considerable experience in cases of sexual abuse. He was also a lecturer in the theory and methodology of social work at Rijkshogeschool Groningen.

A.W. Burgess, M. Mahoney, J. Visk, L. Morgenbesser, 'Cyber child sexual exploitation', *Journal of psychosocial nursing and mental health services*, 46, pp 38-45 (2008).

Burgess, Mahoney and Visk are on the staff of the William F. Connell School of Nursing, Boston College, Chestnut Hill, United States. Morgenbesser is affiliated with Empire State College, State University of New York, United States. Their article describes the findings of a review of media reports on cases of child-related cybercrime over a period of two years. A core sample of one hundred such cases was selected. The profession or occupation of the perpetrators is not stated.

R.J. Camargo, 'Factor, cluster, and discriminant analyses of data on sexually active clergy: the molesters of youth identified', *American Journal of Forensic Psychology*, 15, pp 5-24 (1997).

The author is a clinical psychologist and research coordinator at Southdown, a residential treatment centre for clergy and members of religious orders (both male and female) in Ontario, Canada. This article presents the results of a number of analyses of clinical data relating to 1322 male clerics, with a particular focus on sexual behaviour. The research methodology was identical to that described in several earlier articles, including Loftus and Camargo (1993).

A. Carr, B. Dooley, M. Fitzpatrick, E. Flanagan, R. Flanagan-Howard, K. Tierney, M. White, M. Daly, J. Egan, 'Adult adjustment of survivors of institutional child abuse in Ireland', *Child Abuse and Neglect*, 34, pp 477-489 (2010).



This empirical study was commissioned by the governmental Commission to Inquire into Child Abuse (CICA) in Ireland. It supplements the report (generally known as the Ryan Report) which presents the commission's findings with regard to institutional abuse. The authors are on the staff of the School of Psychology at University College of Dublin and the HSE National Counselling Centre, Tullamore, Ireland. The sample was selected on the basis of reports of institutional abuse made to the Commission itself. Data was then gathered by means of questionnaires and personal interviews. Approximately half of the cases examined involved some form of sexual abuse. The study was primarily concerned with the psychological and psychosocial effects of the maltreatment suffered by young people in institutions such as boarding schools, children's homes and orphanages, towards whom those institutions owed a duty of care. A significant limitation of the study is that it did not include a control group with no experience of institutional abuse. Because a number of the study subjects were pursuing compensation, the results may show some negative bias.

A. Carr, E. Flanagan, B. Dooley, M. Fitzpatrick, R. Flanagan-Howard, M. Shevlin, K. Tierney, M. White, M. Daly, J. Egan, 'Profiles of Irish survivors of institutional abuse with different adult attachment styles', *Attachment & Human Development*, 11, pp 183-201 (2009).

This article describes the effects of institutional abuse (see above) classified according to the victims' attachment style.

P. Cawson, C. Wattam, S. Brooker, G. Kelly, *Child maltreatment in the United Kingdom: A study of prevalence of child abuse and neglect*, 2000.

This report describes a study into the prevalence of child abuse and neglect in the United Kingdom, based on a representative sample of young people aged 18 to 24. One part of the questionnaire dealt with unwanted sexual acts or advances. This is one of very few prevalence studies which report experiences of childhood sexual abuse committed by 'authority figures' and specifically members of the clergy.

J.T. Chibnall, A. Wolf, P.N. Duckro, 'A national survey of the sexual trauma experiences of Catholic nuns', *Review of Religious Research*, 40, pp 143-167 (1998).

The authors are members of the Department of Psychiatry Program for Psychology and Religion at Saint Louis University, Missouri, United States. The article reports the findings of a national questionnaire-based survey examining the prevalence and consequences of sexual traumatization among Catholic nuns in the United States. The researchers compiled their sample on the basis of replies to a 'mailshot' sent to religious communities throughout the country. The study was funded by a number of Catholic orders (including the Dominicans and the Franciscans), the Orscheln Industries Foundation Inc. and an anonymous donor. It represents the first ever prevalence study of sexual traumatization in the population of Roman Catholic nuns, and particularly abuse or harassment committed by clergy or other members of a religious community. The researchers examined whether certain characteristics of abuse experienced at an early age are related to

psychological effects and the subject's religious outlook in adult life. It is however difficult to assess the reliability of the data since the questionnaire used was not validated and no multivariate analysis was applied to establish the possible influence other factors such as neglect or dysfunctional family life. The response rate was 48.4%, with primarily the larger religious communities opting to take part. Accordingly, there may be some bias in the results. It is not known whether those communities in which the leadership was aware of, or even participated in, sexual abuse were less inclined to lend their cooperation.

S.J. Clark, 'Gay priests and other bogeymen', *Journal of Homosexuality*, 51, pp 1-13 (2006).

Clark is Assistant Professor of Psychology at Keene State College, New Hampshire, United States. This article presents an overview of the existing literature which seeks to establish a correlation between homosexuality and an elevated risk of paedophile tendencies, to include the actual abuse of underage boys. Clark argues that no such correlation exists and that contentions to the contrary are based on misconceptions.

C.A. Colarusso, 'The relentless past. The effect of chronic sexual abuse in childhood on fifty years of adolescent and adult development', *The Psychoanalytic Study of the Child*, 64, pp 320-350 (2009).

This article presents a detailed psychiatric evaluation of four adult women (sisters), further to litigation brought against the Roman Catholic Church in which it was alleged that, as children, they had been subjected to serious and prolonged sexual abuse at the hands of a Roman Catholic priest. The author, a practising psychoanalyst and Clinical Professor of Psychiatry at the University of California at San Diego, was called as an expert witness during the hearing. The article includes rich qualitative information about the nature and circumstances of the abuse sustained by the four claimants over the course of four years, some fifty years earlier. It discusses the effects of this ongoing traumatization on their mental development, as well as the options for treatment. Because the study relies on clinical observation rather than empirical research, the information is selective in nature.

M. Colton, S. Roberts, M. Vanstone, 'Sexual abuse by men who work with children', *Journal of Child Sexual Abuse*, 19, pp 345-364 (2010).

Colton is affiliated with the Regional Centre for Child and Adolescent Mental Health, part of the Institute for Neuroscience within the Faculty of Medicine at the Norwegian University of Science and Technology, and the Department of Child and Adolescent Mental Health, St. Olav's University Hospital, Trondheim, Norway. Roberts and Vanstone are both on the staff of the Centre for Criminal Justice and Criminology, Swansea University, Wales. The authors had noted a lack of knowledge with regard to those who sexually abuse children further to an involvement in education or voluntary work such as the Scout movement. The study examines the cases of eight adult men convicted and imprisoned for offences against a total of 35 children. It describes the characteristics of the offenders and their strategies: how they selected their victims, won their trust and ensured their silence.

D.A. Connolly, J.D. Read, 'Delayed prosecutions of historic child sexual abuse: Analysis of 2064 Canadian criminal complaints', *Law and Human Behavior*, 30, pp 409-434 (2006).

The authors represent the Department of Psychology at Simon Fraser University, Burnaby, Canada. The article is based on an analysis of 2064 complaints of sexual offences made several years after the events themselves, and examines the problems associated with criminal prosecutions commenced long after the abusive incidents were alleged to have taken place.

H.F.M. Crombag, H.L.G.J. Merckelbach, *Hervonden herinneringen en andere misverstanden*, 1996.

The title of this book translates as 'Recovered memories and other misconceptions'. It centres on the status of so-called recovered memories, whereby a person's recall of an event is repressed for many years only to re-emerge in later life. The authors, both professors of psychology, contend that no evidence exists to support any of the four common hypotheses for the existence of recovered memories. They present arguments based on scientific research.

K.A. Dale, J.L. Alpert, 'Hiding behind the cloth: Child sexual abuse and the Catholic Church', *Journal of Child Sexual Abuse*, 16, pp 59-74 (2007).

This article sets out the history of sexual abuse in the Roman Catholic Church, based on the empirical literature. Most sources relate to the fields of psychology and psychoanalysis, from which perspectives the authors attempt to explain sexual abuse by priests in terms of the structure and culture of the church rather than regarding the priest himself as a 'typical' sex offender. The article argues that there is very little difference between a priest who is accused of sexual abuse and any other alleged perpetrator. At the time of writing, Dale was a PhD student of psychology at New York State University, at which Alpert is Professor of Applied Psychology.

N. De Fuentes, 'Hear our cries: Victim-survivors of clergy sexual misconduct', in: Plante, T.G. (ed.), *Bless me father for I have sinned. Perspectives on sexual abuse committed by Roman Catholic priests*, pp 135-170, 1999.

This contribution describes nine concepts which are relevant to the 'victim-survivors' (both child and adult) of clergy sexual misconduct: definitions, prevalence rates and dynamics, risk factors, psychological and spiritual effects, subgroups of victims, secondary traumatization, recovery, the need for treatment and treatment options, aspects to be considered by therapists, the response to complaints and pastoral care, and recommendations for further research. The emphasis is on abuse within the context of the Roman Catholic Church. The content and its treatment may now be described as somewhat outdated. De Fuentes is a psychologist and consultant to the Archdiocese of Los Angeles, as well as Professor of Family Medicine at the University of Southern California School of Medicine, United States.

A.R. De Jong, A.R. Hervada, G.A Emmett, 'Epidemiologic variations in childhood sexual abuse', *International Journal of Child Abuse and Neglect*, 7, pp 155-162 (1983).

This article describes the characteristics of sexual abuse, based on data gathered as part of a clinical study of 463 girls who had approached or been referred to a counselling organization.

S. Dijkstra, 'Onderzoek naar seksueel misbruik van jongens', *Jeugd en samenleving*, 3, pp 115-127 (1995).

This article, the title of which translates as 'A study of the sexual abuse of boys', is based on a review of the existing literature and a survey held among Regional Institutes for Ambulatory Mental Health Care (RIAGGs) in the Netherlands, for which the response rate was 37%. At the time of publication, the author was a member of the Department of Women's Studies, Faculty of Social Sciences, Utrecht University, the Netherlands. The study was funded by the National Fund for Mental Health and the Public Health Fundraising Foundation (SVF).

T.P. Doyle, 'Roman Catholic clericalism, religious duress, and clergy sexual abuse', *Pastoral Psychology*, 51, pp 189-231 (2003).

Doyle gives a historical account of sexual abuse committed by Roman Catholic clergy, describing how the difference in status and power between the cleric and the lay follower may have contributed to the phenomenon. A priest, he contends, is seen as a 'Man of God' with an immutable and unquestionable authority. Doyle is a lawyer specializing in canon law and a curate with the US Air Force.

N. Draijer, 'Onzichtbaarheid van seksueel geweld', in: H. Acker, Rawie, M., *Seksueel geweld tegen vrouwen en meisjes*, 1982.

This is the report of the opening presentation of a conference held in Kijkduin (the Netherlands) in 1982. The original title was (in translation) 'How social institutions contribute to the invisibility of violence against women and girls', which was abridged to 'The invisibility of sexual violence' for the purposes of this publication. The paper examines the role of the research field, social services, police and judicial authorities in the forming attitudes towards sexual violence, with a focus on the relative positions of the sexes. The chapter does not consider the sexual abuse of boys.

N. Draijer, *De omgekeerde wereld. Seksueel misbruik van kinderen in het gezin*, 1985.

This report presents the results of a preliminary study into the nature, prevalence and consequences of intrafamilial sexual abuse, the purpose being to formulate recommendations for a full-scale research project. The author examines the methodology and results of a large number of studies,

conducted both in the Netherlands and elsewhere. Draijer's study was commissioned by the (then) State Secretary for Social Affairs and Employment, Annelien Kappeyne van de Coppello.

N. Draijer, *Seksueel misbruik van meisjes door verwanten. Een landelijk onderzoek naar de omvang, de aard, de gezinsachtergronden, de emotionele betekenis en de psychische en psychosomatische gevolgen*, 1988.

The title of this research report translates as 'Sexual abuse of girls by family members: a national study examining prevalence, nature, family backgrounds, emotional significance and the psychological and psychosomatic consequences'. At the time of publication, the author was affiliated with the Foundation for Scientific Research into Sexuality and Violence at the University of Amsterdam.

N. Draijer, *Seksuele traumatisering in de jeugd. Gevolgen op lange termijn van seksueel misbruik van meisjes door verwanten*, 1990.

This book (the title of which translates as 'Sexual traumatization in childhood: the long-term effects of the sexual abuse of girls by family members') is an extended version of the author's research report of 1988 (see above). It describes the background, form and implementation of his research project, and of course the results. The book includes a comprehensive bibliography.

N. Draijer, 'Herinneringen aan traumatische ervaringen in de kindertijd', *Maandblad Geestelijke volksgezondheid*, 7/8, pp 707-727 (1996).

This article ('Memories of traumatic experiences in childhood') focuses on the question of whether it is indeed possible for memories of traumatic events to be repressed, only to re-emerge many years later. The author sets out the divergent standpoints of experimental psychologists and clinicians. At the time of publication, the author was a member of the Department of Psychiatry at VU University, Amsterdam.

N. Draijer, 'Diagnostiek en indicatiestelling bij (een vermoeden van) seksueel misbruik in de voorgeschiedenis', in: N. Nicolai (ed.), *Handboek psychotherapie na seksueel misbruik* (p 21-47), 2003.

This contribution to a manual on psychotherapy for victims of sexual abuse presents an overview of current knowledge with regard to the complaints and symptoms which may be related to sexual abuse, as well as current knowledge about their diagnosis and treatment.

N. Draijer, W. Langeland, 'Meldingsbereidheid bij zedendelicten met kinderen. Gegevens uit retrospectief onderzoek over de periode 1959-1976', *Justitiële Verkenningen*, 15, pp 34-56 (1989).

At the time of publication, the authors were affiliated with the Foundation for Scientific Research into Sexuality and Violence at the University of Amsterdam. They discuss the extent to which the cases of child abuse which are actually reported to the police accurately reflect the overall situation (in number and nature). The article is based on data gathered by a Dutch national survey examining the sexual abuse of girls (Draijer, 1988) which revealed the existence of a selective 'dark figure'. Cases are more likely to be reported where the perpetrator is not a close relative, and where the abuse takes a less serious form such as indecent exposure. In the case of intrafamilial sexual abuse, however, incidents are more likely to come to the attention of the police if they involve a father figure and more serious forms of abuse. The article is based on a retrospective analysis of judicial records covering the period 1959 to 1976 and was published in a journal of (criminal) law.

P.N. Duckro, J.T. Chibnall, A. Wolf, 'Women religious and sexual trauma', *Review for Religious*, 57, pp 304-313 (1998).

At the time of publication, the authors were members of the Program for Psychology and Religion, run by the Department of Psychiatry at Saint Louis University, Missouri, United States. The article presents the results of a national survey of Roman Catholic nuns. It does not describe the method applied, unlike the scientific publication by Chibnall *et al.* (1998; see above).

M. Elliott, 'Female sexual abuse of children: 'the ultimate taboo'', *Journal of the Royal Society of Medicine*, 87, pp 691-694 (1994).

This article describes 127 cases of sexual abuse committed by female perpetrators: 95 against a female victim and 32 against a male victim. None of the cases in which the victim was male involved a female member of a religious order as the perpetrator. In the majority of cases (62%) the perpetrator was the victim's mother. Other perpetrators were an aunt, sister, teacher or nun (11%), a grandmother (7%), stepmother (7%) or babysitter (13%). The description of the nature and characteristics of the abuse does not take the relationship between victim and perpetrator into account. Elliott is a psychologist and at the time of publication was retained by the Kidscape charity of London, England. The article is based on a chapter in the book *Female sexual abuse of children: the ultimate taboo*, M. Elliott (ed.) Harlow, Longman, 1993.

M. Elliott, K. Browne, J. Kilcoyne, 'Child sexual abuse prevention: what offenders tell us', *Child Abuse and Neglect*, 19, pp 579-594 (1995).

At the time of publication, the authors were affiliated with Kidscape, a London-based child protection charity. They interviewed 91 paedophile offenders to gather information about the methods used to select victims and gain their confidence. The interviewees were selected from treatment centres, prisons or special hospitals. Some were on remand awaiting trial. They reported seeking access to children through care activities such as babysitting. Grooming was also mentioned. The interviewees were asked to suggest ways in which children could be better protected against sexual abuse.

M. Euser, M.H. van IJzendoorn, P. Prinzie, M.J. Bakermans-Kranenburg, 'Prevalence of child maltreatment in the Netherlands', *Child Maltreatment*, 15, pp 5-17 (2010).

The researchers are affiliated with the Centre for Child and Family Studies at Leiden University, the Netherlands. This article presents the results of a Dutch replica of the National Incidence Study carried out in the United States (as described elsewhere by Van IJzendoorn).

K. Fater, J.A. Mullaney, 'The lived experience of adult male survivors who allege childhood sexual abuse by clergy', *Issues in Mental Health Nursing*, 21, pp 281-295 (2000).

In this article, the two academic researchers present the results of a phenomenological study of the experiences of seven adult male survivors of child abuse committed by three members of the clergy. Two were Roman Catholic priests, one of whom (was alleged to have) abused four boys, while the other had abused two boys. The study subjects were specifically selected, having responded to requests for information distributed among an established victim support network. The study therefore has an extremely limited scope. It presents very little information about the nature and circumstances of the abuse. Rather, the focus is on the significance which the victims attach to their experiences.

D.P. Farrell, M. Taylor, 'Silenced by God: An examination of unique characteristics within sexual abuse by the clergy', *Counselling Psychology Review*, 15, pp 22-31 (2000).

The authors of this article contend that priests employ a special 'grooming' technique to seduce their victims: a form of spiritual manipulation in which the name of God is invoked.

D. Finkelhor, *Sexually victimized children*, 1979.

This book discusses the results of a written survey of 530 female and 266 male college students aged 17 to 22 in New England, United States. The response rate was 92%. This was the first large-scale survey examining experiences of sexual abuse. The author devotes attention to the uneven 'balance of power' between victim and perpetrator, even going so far as to assume that this is to be seen in every case based on the differences in age, in authority and knowledge, and in the ability to articulate thoughts and feelings. Finkelhor contends that, given the uneven balance of power, a child is never able to consent to a sexual relationship, whereupon all contact is in the nature of abuse.

D. Finkelhor, 'A comparison of the responses of preadolescents and adolescents in a national victimization study', *Journal of Interpersonal Violence*, 13, pp 362-382 (1998).

At the time of publication, the author was on the staff of the University of New Hampshire, Durham, United States. He describes the findings of a national (telephone) survey in which two thousand children were interviewed about their experiences of various types of abuse and violence.

D. Finkelhor, G. Hotaling, I.A. Lewis, C. Smith, 'Sexual abuse in a national survey of adult men and women: prevalence, characteristics, and risk factors', *Child Abuse and Neglect*, 14, pp 19-28 (1990).

This article describes the results of a large-scale aselect survey (n = 2626) examining experiences of childhood sexual abuse in the United States. The survey was conducted in 1985 and relied on telephone interviews. The response rate was 76%. Respondents included both men (n = 1145) and women (n = 1481). This is one of the few studies which reports the percentage of abuse incidents committed by those holding a position of authority, including members of the clergy.

D. Finkelhor, D. Russell, D., 'Women as perpetrators: Review of the evidence', in D. Finkelhor (ed.), *Child Sexual Abuse: New Theory and Research*, pp 171-187, 1984.

This chapter provides an overview of the research data on female perpetrators, as available at the time of publication.

D. Finkelhor, L.M. Williams, N. Burns, *Nursery Crimes: Sexual Abuse in Day Care*, 1988.

This book reports on research into sexual abuse committed by professional care providers, with a particular focus on the staff of child day care centres.

P. Firestone, H.M. Moulden, A.F. Wexler, 'Clerics who commit sexual offenses: Offender, offense and victim characteristics', *Journal of Child Sexual Abuse*, 18, pp 442-454 (2009).

The authors are on the staff of the School of Psychology at the University of Ottawa, Canada. Here they describe their analysis of the Royal Canadian Mounted Police files on sexual offences and offenders. The first part of the article presents information about the offenders, victims and the nature of the offence(s). Three of the offenders considered were teachers at residential schools. The article then examines the differences between offences committed by an offender who claims only one victim, and those who commit abuse against two or more victims. For the purposes of the analyses, the authors select the most 'typical' case for each offender, using clearly defined selection criteria. Those responsible for multiple offences were most likely to commit the abuse in their own home, and their victims were often students at a residential school. In those cases with a single victim, however, that victim was often living at home with both parents. Although this study relies on a small and selective sample, it does provide useful information about certain aspects of sexual abuse.



R. Flanagan-Howard, A. Carr, M. Shevlin, B. Dooley, M. Fitzpatrick, E. Flanagan, K. Tierney, M. White, M. Daly, J. Egan, 'Development and initial validation of the institutional child abuse processes and coping inventory among a sample of Irish adult survivors of institutional abuse', *Child Abuse and Neglect*, 33, pp 586-597 (2009).

See also Carr *et al.* (2010). This article describes the development and validation of a questionnaire, the 'Institutional Child Abuse Processes and Coping Inventory' which was then used to survey 247 victims of child abuse. The authors conclude that the inventory provides an effective means of assessing the psychological process which characterizes the 'survivors of institutional abuse', as described by Wolfe *et al.* (2003).

K.A. Flynn, 'In their own voices: Women who were sexually abused by members of the clergy', *Journal of Child Sexual Abuse*, 17, pp 216-237 (2008).

In this article, Flynn presents the findings of her qualitative study of the manner in which 25 female victims of clergy sexual abuse (18 adults and 7 minors at the time of the abuse) perceive their symptoms of post-traumatic stress. Although Flynn did not conduct any diagnostic interviews, she opts to use the terms 'post-traumatic stress disorder' and 'complex post-traumatic stress disorder' when describing the reported symptoms. The author also devotes attention to changes in personal spirituality. Because the study does not distinguish between sexual abuse in childhood and that experienced as an adult, its relevance to the current report is extremely limited.

J.M. Fogler, J.C., Shiperd, S. Clarke, J. Jensen, E. Rowe, 'The impact of clergy-perpetrated sexual abuse: The role of gender, development, and posttraumatic stress', *Journal of Child Sexual Abuse*, 17, pp 329-358 (2008).

The authors of this article contend that the literature on 'clergy-perpetrated sexual abuse' reveals two distinct modal populations of victims: (underage) boys and adult women. They provide an overview of the literature examining post-traumatic stress symptoms following sexual abuse, and describe the role played by gender and the victim's development level at the time of the abuse in terms of the seriousness of later effects. The article also discusses evidence-based treatment options for post-traumatic stress disorder, and possible improvements to the current treatment programmes for both adult and child victims of 'clergy sexual abuse'. At the time of publication, Fogler was a research fellow working on a joint research programme for the Boston Medical Center and the National Center for Post-Traumatic Stress Disorder (PTSD) in the United States. Shiperd was a Staff Psychologist with the Women's Health Sciences Division of the National Center for PTSD and an assistant professor with the Department of Psychiatry at Boston University School of Medicine. Clarke and Rowe were research assistants in the department, for which Jensen conducted a randomized clinical trial into protocol-based PTSD treatment for traumatized female military veterans.

B. Gallagher, 'The extent and nature of known cases of institutional child sexual abuse', *British Journal of Social Work*, 30, pp 795-817 (2000).

This article credits Gallagher as a Senior Research Fellow at the Centre for Applied Childhood Studies, University of Huddersfield, Queensgate, England. He presents the findings of his study examining the extent and nature of institutional child sexual abuse, based on the reports to social service departments and the police in eight regions which, in terms of socio-economic variables, are representative of England and Wales. The article provides general information about the extent and nature of the incidents concerned. However, the precise denomination of the institutions is not stated, whereby it is not possible to deduce which, if any, are or were Roman Catholic. It is also unclear whether the information about the number and nature of reported incidents in England and Wales is relevant to the situation in the Netherlands.

W.L. Gianotten, 'Begeleiden van seksueel misbruikte jongens en mannen', *Bewegen & Hulpverlening*, 4, pp 282-292 (1988).

The title of this article translates as 'Counselling for sexually abused boys and men'. At the time of publication, its author was on the staff of the Department of Gynaecology and Obstetrics at Utrecht University Medical Centre. He sets out the underlying reasons for the under-reporting of sexual abuse involving male victims. This is partly due to the effects of 'male socialization', whereby boys are expected to show greater resilience and hence avoid seeking help. Because the male victims of abuse do not come forward readily, professional counsellors have far less experience in dealing with the specific consequences they face. The author calls for the professional field to devote attention to this aspect, and suggests ways in which counselling services can be made more effective by taking the 'male role' into consideration.

H. Goode, H. McGee, C. O'Boyle, *Time to listen: Confronting child sexual abuse by Catholic clergy in Ireland*, Dublin, 2003.

This study was conducted under the auspices of the Health Services Research Centre (HSRC), Department of Psychology, Royal College of Surgeons in Ireland. Goode is the centre's coordinator for clerical sexual abuse research, which is largely based on the lifetime prevalence study of Sexual Abuse and Violence in Ireland (SAVI; see McGee *et al.*, 2002). McGee is Professor of Psychology and the director of the HSRC, O'Boyle is Professor of Psychology and chairman of the Department of Psychology, Royal College of Surgeons. In January 2001, the Bishops' Commission on Child Abuse asked the Royal College of Surgeons to investigate the impact of sexual abuse by Catholic clergy on its victims and their families, the perpetrators and their families and colleagues, and on the parish and wider church community. This study is in three parts. The first is a national stratified survey (n = 1081) examining awareness, perceptions and attitudes (including the estimated prevalence of clerical child sex abuse, views of action taken by the church to address the problem, etc.). The response rate for this survey was 76%. The second part of the study involved in-depth interviews with a small (n = 48), select sample of persons with direct experience of this form of abuse. The group included seven victims, three family members, eight convicted offenders, five family members of these offenders,

three colleagues of the offenders, a (legal) advisor and twenty others representing both the clergy and the lay congregation. The third and final part of the study consisted of a 'management survey', conducted by post, of church officials and administrators: bishops, former bishops, provincials, priests, members of the orders and congregations, and relevant laypersons. The response rate was 67%. Other data was gathered by means of interviews. The book describes the results and findings of the study. It examines the manner in which the Church and others have responded to sexual abuse in a historical perspective, as well as the challenges involved in reconciling canon law, national legislation and governmental responsibilities when investigating and prosecuting cases of abuse.

L. Green, 'Analysing the sexual abuse of children by workers in residential care homes: characteristics, dynamics and contributory factors', *The Journal of Sexual Aggression*, 7, pp 5-24 (2001).

In this article, the author evaluates the process of 'grooming' and the ways in which perpetrators attempt to secure their victims' complicity and silence. Here, the main focus is sexual abuse by the staff of residential institutions. The article also examines the attitude of and towards colleagues who are not directly involved in any abusive practices. It considers the success of the perpetrator's techniques in the light of certain sociological theories, including Weber's 'rational-legal bureaucratic and charismatic power' and Goffman's theory of 'total institutions'. Green is Senior Lecturer in Sociology at Sheffield Hallam University, England.

J.J. Guido, 'A unique betrayal: Clergy sexual abuse in the context of the Catholic religious tradition', *Journal of Child Sexual Abuse*, 17, pp 255-269 (2008).

Guido is a Roman Catholic priest and a member of the Dominican order. He is also assistant professor of psychology at Providence College, Rhode Island, at which he is on the staff of the Personal Counseling Center and is Vice President for Mission and Ministry. He is also a member of the Advisory Board for the Protection of Children and Young People for the Diocese of Providence. This article describes how the tenets and traditions of the Roman Catholic faith can exacerbate the impact of sexual abuse committed by a member of the clergy.

S. de Haas, M. Cense, J. van Ditzhuijzen, W. van Berlo, *Seksueel overschrijdend gedrag binnen vrijwilligersorganisaties*, 2009.

This study (the title of which translates as 'Inappropriate sexual behaviour within voluntary organizations') was funded by the Ministry of Justice and Security, Research and Documentation Centre. The authors are consultants with the Rutgers Nisso Group. To estimate the prevalence of inappropriate sexual behaviour within voluntary organizations for children and young people, they conducted a secondary analysis of data taken from the recurring population study (see Bakker *et al.*, 2009).

T.W. Haywood, J. Green, 'Cleric serial offenders: Clinical characteristics and treatment approaches', in: L.B. Schlesinger (ed.), *Serial Offenders. Current thoughts, recent findings*, 2000.

In this contribution, the authors consider the prevalence of clerical abuse, as well as key characteristics of both the victims and the offences committed. The chapter includes a summary of the (then) current knowledge relating to the psychological and psychosexual characteristics of offenders, concluding with an evaluation of treatment protocols.

T.W. Haywood, H.M. Kravitz, L.S. Grossman, O.E. Wasyliv, D.W. Hardy, 'Psychological aspects of sexual functioning among cleric and noncleric alleged sex offenders', *Child Abuse and Neglect*, 20, pp 527-536 (1996).

Haywood, Kravitz, Wasyliv and Hardy are affiliated with the Isaac Ray Center, Rush-Presbyterian-St. Luke's Medical Center, Chicago, United States. Grossman is on the staff of the Department of Psychiatry at the University of Illinois College of Medicine, also in Chicago. The article sets out to test the hypothesis that there is a difference in the sexual behaviour shown by members of the clergy (here termed 'clerics'), and that of lay persons ('non-clerics') whereby standard controls were applied. The authors identify and describe a number of differences in the nature of the abuse committed by each group.

J.L. Herman, *Trauma and recovery*, 1992.

In this groundbreaking book, Judith Herman presents the results of her research into various types of violence, from domestic abuse to political persecution. She demonstrates the similarities between various forms of trauma, establishing links between personal traumatization and social traumatization (e.g. political oppression). Herman is both a researcher and a practising psychiatrist. She is Professor of Clinical Psychiatry at Harvard University Medical School and Director of Training at the Victims of Violence Program, run by the Department of Psychiatry of the Cambridge Health Alliance, Massachusetts, United States.

J.L. Herman, J.C. Perry, B.A. van der Kolk, 'Childhood trauma in borderline personality disorder', *American Journal of Psychiatry*, 146, pp 490-495 (1989).

This article describes the use of the 'Traumatic Antecedents Interview' in the clinical examination of psychiatric patients. The interview focuses on experiences of physical maltreatment, sexual abuse and domestic abuse, either as victim or witness. At the time of publication, the authors were on the staff of the Department of Psychiatry at Harvard University Medical School, United States.

W.C. Holmes, G.B. Slap, 'Sexual abuse of boys: definition, prevalence, correlates, sequelae, and management', *Journal of the American Medical Association*, 280, pp 1855-1862 (1998).

At the time of publication, Holmes and Slap were on the staff of the Center for Clinical Epidemiology and Biostatistics, University of Pennsylvania School of Medicine, Philadelphia, United States. In this article they present a review of the findings of various scientific studies examining the sexual abuse of boys, conducted between 1985 and 1997. All studies had been reported in peer-reviewed journals. The review covers a total of 166 articles which describe 149 samples.

P.J. Isely, 'Child sexual abuse and the Catholic church: An historical and contemporary review', *Pastoral Psychology*, 45, pp 277-299 (1997).

In this essay, Isely examines the increase in the public awareness of clerical sexual abuse prompted by revelations in the media. He points out that, despite ongoing press coverage and a number of high-profile trials, there has been very little scientific research focusing on the victims or offenders. Isely is a senior clinician with the Riverside Crisis Intervention Team, Norwood, Massachusetts, United States.

P.J. Isely, P. Isely, J. Freiburger, R. McMackin, 'In their own voices: A qualitative study of men abused as children by Catholic clergy', *Journal of Child Sexual Abuse*, 17, pp 201-215 (2008).

Isely (P.J.) is a counselling psychologist attached to Boston University. As a therapist, he specializes in treating the victims of sexual abuse. Isely (P.) is the Midwest Director of the Survivors Network of those Abused by Priests (SNAP), and is himself a victim of clerical abuse. He is now a clinical social worker and is involved in a residential treatment programme for the victims of 'clergy sexual trauma' at the Rogers Memorial Hospital, Madison, Wisconsin, United States. Freiburger is a psychologist who specializes in treating both the victims and offenders of sexual abuse. McMackin is on the staff of the Massachusetts Department of Public Health, based at Lemuel Shattuck Hospital in Boston, and is also a member of the Tufts University School of Medicine clinical faculty. The article presents the findings of a study of the (long-term) effects of sexual abuse committed against underage boys by Roman Catholic priests, as conducted by P.J. Isely in 1996. Data was gathered by means of in-depth interviews with nine adult males. This is one of the few studies which offer a clear description of the nature of the sexual abuse concerned. The article does not, however, explain how the interviewees were selected. Although the sample is small and selective, the resultant data is of good quality and useful. The article concludes with recommendations for treatment approaches.

M.H. van IJzendoorn, P. Prinzie, E.M. Euser, M.G. Groeneveld, S.N. Brilleslijper-Kater, A.M.T. Noort-van der Linden, M.J. Bakermans-Kranenburg, F. Juffer, J. Mesman, M. Klein Velderman, M. San Martin Beuk, *Kindermishandeling in Nederland anno 2005: De Nationale Prevalentiestudie Mishandeling van kinderen en jeugdigen* (NPM-2005), 2007.

This national prevalence study, known as the NPM-2005, was conducted at the request of the Ministry of Justice and Security, Scientific Research and Documentation Centre. Like the study by Lamers-Winkelmann *et al.* (2006), its aim was to provide some insight into the prevalence of various types of child maltreatment in the Netherlands. It sought to produce a reasonably accurate estimate

of prevalence (in 2005) based on data returned by 'informants' (n = 1100) in all parts of the country. These informants were professionals dealing with children in some capacity, whether in education, parenting support, legal assistance or socio-medical care. They were instructed in the use of the survey form, which called for detailed descriptions of the various forms of maltreatment observed. The study also relied on the official reports received by the seventeen Advisory and Reporting Centres for Child Abuse in 2005. The study reported the overall prevalence of child maltreatment to be in the order of 107,200 cases in 2005, which equates to approximately thirty cases in every one thousand children. The number of cases of sexual abuse was estimated to be in excess of 4700. Children who had been abused or maltreated prior to 2005, but not in 2005 itself, were excluded from the study. Given the use of official records, the likelihood of under-reporting and the selective nature of the sample, it is not possible to confirm the accuracy of the estimates.

A. Imbens, I. Jonker, *Godsdienst en incest*, 1992.

This book ('Religion and incest') presents the findings of a preliminary study which examined the manner in which a religious upbringing can influence perceptions, effects and coping strategies following one or more incidents of intrafamilial (incestuous) sexual abuse. The study was based on a selective sample of nineteen women. Data was analysed from the 'dominant relationship' perspective. In many cases, faith and religion somehow 'excuse' the offender and transfer blame and guilt onto the victims and their mothers. The book includes recommendations for pastoral care. This study was funded by KNR Projects in the Netherlands and the Ministry of Health and Welfare. Jonker is a historian who was herself the victim of child abuse within a Christian family. Imbens is a theologian.

L. Irish, I. Kobayashi, D.L. Delahanty, 'Long-term physical health consequences of childhood sexual abuse: A meta-analytic review', *Journal of Pediatric Psychology*, 35, pp 450-461 (2010).

The authors represent the Department of Psychology, Kent State University and the Center for Clinical and Translational Research, United States. This meta-analysis covers 31 studies examining six health-related aspects: general physical health, gastrointestinal health, gynaecology and reproduction, pain, obesity and cardiopulmonary health. A link between sexual abuse and complaints in all six areas was found.

P. Jenkins, *Pedophiles and priests: Anatomy of a contemporary crisis*, 1996.

Jenkins is Professor in History and Religious Studies, Pennsylvania State University, United States. This book presents a critical analysis of the public response to allegations of child abuse by Roman Catholic priests in the period since 1984. Chapters 2 to 5 describe the problem of clerical abuse, the context and the media interpretations. Chapters 6 to 9 are concerned with those victims who have pursued compensation and the various stakeholder groups, including church reformers, feminists, the legal profession and therapists. Chapter 10 presents the author's conclusions.

John Jay College, *The nature and scope of sexual abuse by Catholic priests and deacons in the United States, 1950-2002*, 2004.

In June 2002, the American Synod of Catholic Bishops commissioned a large-scale, independent study into the nature and scope of sexual abuse by members of the clergy, with particular reference to that involving underage victims. The study was conducted by the John Jay College of Criminal Justice at the City University of New York under the direction of criminologist Karen Terry. Her team was given full access to the files held by 97% of by the country's dioceses. Researchers were permitted to view the (anonymized) information pertaining to all priests against whom accusations of abuse had been made, and that pertaining to all their (alleged) victims. The final report of the study was completed in 2004, and a further report which included supplementary analyses was published in 2006. This study reveals a veritable wealth of information. In 2008, a special edition of the *Journal of Criminal Justice and Behavior* (Vol. 35, No., 5) was published, containing eight articles about the form and findings of the John Jay College study. (All articles are included in this literature list). A further report on 'Causes and Context' was published in May 2011. It should be remembered that the data is selective, being based entirely on complaints received by the Roman Catholic Church.

John Jay College, *The nature and scope of sexual abuse by Catholic priests and deacons in the United States, 1950-2002 – supplementary data analysis*, 2006.

See preceding entry.

R. Johnson, K. Browne, C. Hamilton-Giachritsis, 'Young children in institutional care at risk of harm', *Trauma, Violence & Abuse*, 7, pp 34-60 (2006).

This article offers a systematic review of the research literature dealing with how being raised in an institutional setting can affect the development of a child's cognitive ability, attachment patterns and social behaviour. It sets out the negative effects which have been observed, particularly in very young children. The underlying data was gathered in Europe between 1996 and 2003. The authors are on the staff of the University of Birmingham, England.

S.A. Jumper, 'A meta-analysis of the relationship of child sexual abuse to adult psychological adjustment', *Child Abuse and Neglect*, 19, pp 715-728 (1995).

The author is attached to the Department of Counseling at Loyola University of Chicago, United States. This meta-analysis covers 23 studies published between 1978 and 1991 and examining a total of 6878 individuals. The studies include clinical studies, community studies, student surveys and combinations of these target groups. The meta-analysis takes the methodological restrictions and opportunities into account. It focuses on three aspects: psychological symptoms, depression and low self-esteem. The correlation between sexual abuse and psychopathology is shown to be less marked in the student populations.

A. Kendrick, *Abuse of children in residential and foster care: A brief review*, 1998.

Kendrick offers a brief review of the research literature about the abuse and maltreatment of children in residential and foster care. He concludes that maltreatment and neglect are relatively common in these settings. Because there is no description of the methodology applied in each of the studies under discussion, the value of the information cannot be assessed.

M. Kennedy, 'Christianity and child sexual abuse- the survivors' voice leading to change', *Child Abuse Review*, 9, pp 124-141 (2000).

Kennedy is a specialist in Disability & Child Protection Training in England. In this article, she discusses the religious factors which may prompt victims to remain silent about sexual abuse. The 'Christianity' of the title refers to all denominations, including but not restricted to Roman Catholicism.

J. Knoll, 'Teacher sexual misconduct: grooming patterns and female offenders', *Journal of Child Sexual Abuse*, 19, pp 371-386 (2010).

Knoll is on the staff of the State University of New York, Upstate Medical University, Syracuse, and the Central New York Psychiatric Center, United States. In this article, he presents a review of the empirical literature dealing with female offenders in the educational setting, the current state of knowledge with regard to grooming patterns, and the possible warning signs of impending abuse. The dilemmas faced by teachers in recognizing cases of sexual abuse are discussed, as are prevention strategies.

A. van Krevelen, 'Problemen rondom de incest', *Tijdschrift voor Strafrecht*, 63, pp 132-142 (1953).

This article ('Problems surrounding incest') was written by a future professor of child psychology at Leiden University at a time when 'incest' was not quite the black-and-white issue it has since become. The article considers a number of cases, including that of Anneke, a 13-year-old girl who had accused her father of incest. Anneke was taken into care. "When we stop to think about this... we must seriously ask ourselves if the price that a girl exposed to incest must pay for her safety is perhaps not unreasonably high" (p. 140). Van Krevelen is referring to the emotional damage that separation can inflict on a child who is loyal to her parents.

F. Lamers-Winkelmann, N.W. Slot, B. Bijl, A.C. Vijlbrief, *Scholieren over mishandeling. Resultaten van een landelijk onderzoek naar de omvang van kindermishandeling onder leerlingen van het voortgezet onderwijs*, 2006.



This report on child maltreatment in the Netherlands, as reported by school-age students, was prompted by the dearth of statistical data about the extent and nature of the problem. The study relied on a stratified sample group and self-reporting to gauge both prevalence (the number of individuals who had ever been maltreated or abused) and incidence (the number of individuals who had been maltreated or abused during the past twelve months). Sexual abuse was one of a number of aspects examined in the survey. Between December 2005 and April 2006, a total of 1845 students in the first four years of secondary education at fourteen randomly selected schools were asked to complete a questionnaire. The overall prevalence of sexual abuse was found to be 7.9% (7% extrafamilial and 2.3% intrafamilial). Girls (12%; 10.7% extrafamilial) reported a higher level of sexual abuse than boys (3.3%; 2.8% extrafamilial). The study does not provide any information about the perpetrators.

W. Langeland, M. van der Vlugt, *Omvang, aard en achtergronden van seksueel misbruik van meisjes door niet-verwanten*, 1990.

This research report ('Prevalence, nature and background of the sexual abuse of girls by non-relatives') offers a retrospective impression of the nature of various forms of extrafamilial sexual abuse, including that committed by authority figures. It also provides some information about the family background of the interviewees. The data for this study was gathered as part of the national survey conducted by Draijer (1988). The study itself was funded by Stichting Kinderpostzegels Nederland, the Queen Juliana Fund and the National Prevention Fund. At the time, the authors were on the staff of the Foundation for Scientific Research into Sexuality and Violence at Utrecht University, the Netherlands.

R. Langevin, S. Curnoe, J. Bain, 'A study of clerics who commit sexual offenses: Are they different from other sex offenders?' *Child Abuse and Neglect*, 24, pp 535-545 (2000).

Langevin and Curnoe are members of the Department of Psychiatry at the University of Toronto, Canada, where Langevin has been closely involved in the forensic programme. Bain holds a post with the Division of Endocrinology and Metabolism (part of the same university's Department of Medicine). This study is an analysis of the records relating to 24 male clerics and 24 male non-clerical sex offenders, matched according to the nature of the offence, age, education and marital status. There is no matching based on religion: the majority (70.8%) of the clerics were Roman Catholic, as opposed to 29.2% of the non-clerical control group. All respondents and controls had been subject to a comprehensive assessment (further to criminal proceedings) during the previous five years. Both groups were compared against the total sample of sex offenders (n = 2125, this being the database from which the respondents and controls were also selected) in terms of sexual history and preferences, addiction problems, psychological or personality disorders, any background of violence, previous offences (not necessarily sexual), neuropsychological limitations and endocrinal abnormalities. The men were evaluated using a standard battery of tests. Most members of the clerical group (79.2%) had abused one or more boys, and hence 20.8% had abused one or more female victims. The researchers found several notable differences between the clerics and the non-clerics, particularly in terms of demographics (age, education) and in some characteristics of the

abuse itself. Despite these differences, however, the researchers concluded that it is possible and appropriate to evaluate clerical and non-clerical sex offenders using the same standard tests. The article does not explain the method used to select cases from the database, which at the time of the study contained records pertaining to 2125 sex offenders who had come to the attention of the authorities during the preceding thirty years.

L. Lawson, 'Isolation, gratification, justification: Offenders' explanations of child molesting', *Issues of Mental Health Nursing*, 24, pp 695-705 (2003).

Lawson is on the staff of the University of Arkansas for Medical Sciences (UAMS), College of Nursing, Little Rock, United States. This article presents a review of qualitative studies published between 1982 and 2001, examining the thoughts, behaviour and relationship patterns of paedosexuals. The review also examines aspects of grooming.

R.D. Levitan, N.A. Rector, T. Sheldon, P. Goering, 'Childhood adversities associated with major depression and/or anxiety disorders in a community sample of Ontario: Issues of co-morbidity and specificity', *Depression and Anxiety*, 17, pp 34-42 (2003).

The authors are on the staff of the Clarke Division of the Centre for Addiction and Mental Health and the Department of Psychiatry, University of Toronto, Canada. This study relies on data gathered by a community survey (n = 6597) in Ontario, Canada among individuals aged between 15 and 64. Psychiatric disorders were identified using the Composite Diagnostic Interview Schedule (CIDI). A multivariate analysis reveals that sexually abusive behaviour is linked to anxiety disorders and depressive disorders.

J.A. Loftus, R.J. Camargo, 'Treating the clergy', *Annals of Sex Research*, 6, pp 287-303 (1993).

Loftus is affiliated with St. Jerome's College, the University of Waterloo (Ontario) while Camargo is a research coordinator at the Southdown Treatment Centre, also in Ontario, Canada. This article sets out the research methodology and initial findings of a large-scale retrospective study of clerical sex offenders. The researchers analysed records pertaining to 1322 clerics who had received treatment at the Southdown Treatment Centre over a 25-year period.

K. London, M. Bruck, S.J. Ceci, D.W. Shuman, 'Disclosure of child sexual abuse. What does the research tell us about the ways that children tell?' *Psychology, Public Policy and Law*, 11, pp 194-226 (2005).

London and Bruck are affiliated with the Department of Psychiatry and Behavioral Sciences at Johns Hopkins University, Ceci with the Department of Psychology at Cornell University, and Shuman with the Department of Psychology at Southern Methodist University in Dallas, United States. This article presents a review of research concerned with ways to encourage disclosure on the part of victims of

abuse. It draws on two types of source: retrospective studies of adults who were abused in childhood, and clinical studies of (recently) abused children.

M.-P. Malouin, *L'univers des enfants en difficulté au Québec entre 1940 et 1960*, 1996.

This book presents the results of a historic (archive) study commissioned by the Canadian Religious Conference (CRC) in 1992, in response to allegations made by former pupils of institutions run by religious orders in the 1940s and 1950s. The study was intended to cast light on the context in which the leaders of such orders had made their decisions. Malouin approached the topic from three angles: the relationship between church and state, the relationships between social and societal organizations, and the dynamic of gender relationships between 1940 and 1960.

R. Maniglio, 'The impact of child sexual abuse on health: A systematic review of reviews', *Clinical Psychology Review*, 29, pp 647-657 (2009).

This 'systematic review of reviews' analyses the data from fourteen earlier reviews which cover no fewer than 587 studies of some 270,000 individuals. The author concludes that sexually abusive behaviour can be linked to a broad range of medical, psychological, behavioural and sexual disorders. However, the degree of correlation is low to moderate, depending on the type and size of the study sample. Sexual abuse must therefore be seen as a non-specific risk factor for psychopathology. Maniglio is a member of the Department of Pedagogic, Psychological and Didactic Sciences, at the University of Salento, Italy.

D. Marcotte, 'The role of social factors in the sexual misconduct of Roman Catholic clergy: A second look at the John Jay data', *Sexual Addiction & Compulsivity*, 15, pp 23-38 (2008).

Marcotte is on the staff of the Department of Psychology at Fordham University, New York, and is also linked with the University of San Francisco. In this article he presents a brief overview of the findings of the John Jay study (2004, 2006) with regard to the alleged perpetrators. Marcotte states that certain patterns are visible in the data which cannot be explained solely in terms of psychopathology. The majority of the incidents concerned took place between 1960 and 1979. The perpetrators were priests who had been ordained in their late twenties and first committed abuse when aged in their mid-thirties. The author contends that when seeking an explanation for the onset of abusive behaviour it is important to consider the social structure within the Roman Catholic Church between 1950 and 1969, as well as the cultural changes seen in America during this period. To attribute sexual abuse to the personal pathology of the alleged perpetrator is too simplistic. The patterns seen within the data suggest that the priests' contacts with minors should be seen not (only) as the result of individual behaviour or proclivities, but (also) as that of the priest's membership of a specific culture. In other words, the influence of social factors must also be taken into consideration.

E.G. Mart, 'Victims of abuse by priests: Some preliminary observations', *Pastoral Psychology*, 52, pp 465-472 (2004).

The author is a forensic psychologist. In this article he presents his clinical observations further to legal proceedings against the Roman Catholic Church in connection with sexual abuse by priests. The complainants, 24 men and one woman aged between 23 and 53, claimed that they had been abused in childhood and had now joined forces to sue the local archdiocese. The clinical information offered in this article is distilled from various sources including official records, clinical interviews and written questionnaires. The Four Traumatogenic Dynamics model (Finkelhor, 1990) was used to assist in the interpretation of the observations concerning the victims' premorbid personality as a risk factor for sexual abuse and the subsequent effects. The study is based on clinical observation rather than empirical research, whereupon the resultant information is selective. The author concedes that the reliability of the observations is questionable given the alleged victims' financial interests. In a number of cases there were clear indications that the individuals concerned were exaggerating their symptoms. They were therefore excluded from the study data.

A-M. McAlinden, "Setting 'em up': Personal, familial and institutional grooming in the sexual abuse of children", *Social & Legal Studies*, 15, pp 339-362 (2006).

McAlinden is on the staff of Queen's University, Belfast, Northern Ireland. In this article, he calls for greater attention to be devoted (by both society and the legal system) to the 'grooming processes' which precede child abuse, thereby restricting opportunities for a potential perpetrator to commit actual abuse. Government policy and criminal law do not, he contends, provide an adequate response to grooming because they fail to distinguish between an entirely innocent child-adult relationship and one which involves sinister ulterior motives.

H. McGee, R. Garavan, M. De Barra, J. Byrne, R. Conroy, *The SAVI Report – sexual abuse and violence in Ireland*, Dublin, 2002.

The primary objective of the Sexual Abuse and Violence in Ireland (SAVI) random study (n = 3118) was to arrive at an estimate of the prevalence and incidence of various types of sexual abuse within all age groups (children, adolescents and adults), for both male and female victims. At the same time, it considers the characteristics of both victims and perpetrators, the context in which the abuse takes place, the psychological impact and the pattern of disclosure. The study was conducted as a telephone survey. The response rate was 71%, which may be considered high. Sixteen per cent (16%) of male respondents and 20% of female respondents reported experiences of sexual abuse when aged sixteen or under. The research data is relevant to the current report because perpetrators are categorized whereby the 'authority figure' group includes a subcategory of 'members of the clergy'. A secondary analysis of the data on clergy abuse can be found in Goode *et al.* (2003). The study was performed by the Health Services Research Centre, Department of Psychology, Royal College of Surgeons in Ireland, and was co-funded by the Irish Department for Justice and Equality and the Department for Health and Children.

C. McGrath-Merkle, 'Generativity and the U.S. Roman Catholic bishops' responses to priests' sexual abuse of minors', *Journal of Religion & Health*, 49, pp 73-86 (2010).

The author is a member of the Department of Theology and Religious Studies, Catholic University of America, Washington D.C., United States. This article is a theoretical consideration of the psychological predispositions which led Roman Catholic bishops to respond to the 'the clerical abuse crisis' as they did. The clerical culture is examined in terms of Erickson's ideas on *generativity*, a concept which forms part of his 'Life cycle theory'. The author suggests that pre-existing tendencies coupled with an all-male, celibate environment and indoctrination during formation had led to deficits in psychological development, moral judgement and leadership capacity on the part of the bishops. This article draws on three earlier dissertations.

B.R. McLaughlin, 'Devastated spirituality: The impact of clergy sexual abuse on the survivor's relationship with God and the church', *Sexual Addiction & Compulsivity*, 1, pp 145-158 (1994).

The author is a hospital chaplain ('almoner') within the Archdiocese of Miami, Florida, United States. This article describes the result of a questionnaire-based survey of delegates to the Victims of Clergy Abuse Linkup (VOCAL) conference held in Chicago in 1992. Questionnaires were issued to all 250 people at the conference. The response rate was 17% (n = 43). The survey enquired into all forms of sexual abuse by clergy (not necessarily in the Roman Catholic Church and not confined to the abuse of minors). Of the 43 questionnaires which were properly completed and returned, 35 were submitted by Catholics (26 victims and 9 relatives or friends of victims). The other eight were submitted by members of a Protestant Christian denomination. This was one of the first studies of its type and the author reports some difficulty in gathering data. Some people regarded the questions as (too) personal or painful, perhaps giving the impression that the researcher had been influenced by the lack of confidence in the church and its priests seen elsewhere at the time. A further two questionnaires, produced by McLaughlin himself, were used to assess the impact of clerical abuse on the victim's relationship with God and the church. Of the 26 Catholic victims, 22 reported that the abuse had taken place during their childhood. The response rate of this study is low, which may have a significant effect on the results. It gathered very little information about the nature of the sexual abuse, whereupon there is scant opportunity to control the accuracy of the information provided. Moreover, because there was no control group it is not possible to state whether any negative impact on spirituality and church involvement can be attributed to the fact that the abuse was committed by a member of the clergy rather than a non-clerical perpetrator.

R.A. McMackin, T.M. Keane, P.M. Kline, (eds.), *Understanding the impact of clergy sexual abuse. Betrayal and recovery*, 2009.

The eleven chapters of this book had previously been published as articles in a special edition of the *Journal of Child Sexual Abuse* (Vol. 17, no. 3-4, 2008). They represent a selection of papers, refined and updated for publication, which were presented at a conference on the impact of clergy sexual abuse held in Boston in June 2005, at which particular attention was devoted to family relationships. Information from the various articles is included in the overview of literature in Appendix 1.

McMackin is on the staff of the Massachusetts Department of Public Health, Lemuel Shattuck Hospital in Boston and is a member of the Tufts University School of Medicine clinical faculty. Keane is Director of the National Center for PTSD (Behavioral Sciences Division) and Associate Chief of Staff for Research & Development at VA Boston Healthcare System. He is also professor of clinical psychology at the Boston University School of Medicine and vice chair of its Division of Psychiatry. Kline is an associate professor at Graduate School of Social Work at Boston College. During the five years preceding the publication of this book, all three editors had acted as advisers to the Archdiocese of Boston.

C.C. Mercado, J.A. Tallon, K.J. Terry, 'Persistent sexual abusers in the Catholic church. An examination of characteristics and offense patterns', *Criminal Justice and Behavior*, 35, pp 629-642 (2008).

This article forms part of the series spawned by the John Jay College study (qv). It presents the findings of a comparison between members of the clergy subject to a single allegation of sexual abuse, those with two or three allegations against them, those with four to nine allegations, and those implicated in ten or incidents of abuse. The comparison considers the characteristics of the perpetrator, the characteristics of the incident(s), the nature of the abuse and the response of the church and judicial authorities. The study is based on a subset of 3674 clergy for whom full perpetrator and victim information is available (83.7% of all data). The alleged incidents took place between 1950 and 2002. The sample groups were: perpetrators with one alleged victim (n = 1915); two or three (n = 1082), four to nine (n = 540) and those with ten or more victims (n = 137). Note that these groups were not defined using an empirical classification system. Most were diocesan priests. Those with a greater number of victims were generally younger at the time of the first incident of abuse, favoured younger victims, showed abusive behaviour over a longer period, and their victims were predominantly male. In terms of the church's response, the study indicates that action was more likely to be taken when a greater number of alleged victims was involved, and that such action generally took the form of a referral for treatment. The study found no clear differences in the nature of the sexual acts, or in the use of grooming, coercion or reward. It should be remembered that the data is selective, based entirely on complaints made to the Roman Catholic Church. Those complaints were in the nature of allegations and it is not known how many of the alleged perpetrators were actually convicted of any criminal offence.

H.M. Moulden, P. Firestone, A.F. Wexler, A.F., 'Child care providers who commit sexual offences. A description of offender, offence, and victim characteristics', *International Journal of Offender Therapy and Comparative Criminology*, 51, pp 384-406 (2007).

This article describes the distinguishing features of sexual offences committed by child care providers (e.g. the staff of crèches and child day care centres). The data is drawn from the Archival Violent Crime Linkage Analysis System (ViCLAS) of the Royal Canadian Mounted Police. It is therefore selective information, based solely on police reports. Although the records do not state the religious denomination (if any) of the work setting, the information offered by this study is valuable in that it offers an impression of the reported cases of sexual abuse committed by authority figures, and includes a substantial number of female offenders. Moulden and Firestone are on the staff of the

University of Ottawa, Ontario; Wexler is on the staff of the British Columbia Children's Hospital, Vancouver, Canada.

J.B. Murray, 'Psychological profile of pedophiles and child molesters', *The Journal of Psychology*, 134, pp 211-224 (2000).

Murray is a member of the Department of Psychology at St. John's University, Jamaica (New York State). This article considers psychological profiling of paedophiles and those who abuse young boys or adolescent males. The majority of perpetrators are men and are of various sexual orientations (heterosexual, homosexual and bisexual). The author contends that psychological profiling of perpetrators can be useful but often suffers from limitations in that most information is based on records or interviews with convicted perpetrators and the process does not make use of control groups.

N.A. Murray-Schwank, K.I. Pargament, 'God, where are you? Evaluating a spiritually-integrated intervention for sexual abuse', *Mental Health, Religion & Culture*, 8, pp 191-203 (2005).

Murray-Schwank is an assistant professor at the School of Education and Counseling at Regis University, Colorado, United States. Pargament is professor of psychology at Bowling Green State University, Ohio, United States. In this article they describe the 'Solace for the Soul' treatment programme which has been specially developed for the victims of clerical sexual abuse. It is intended to restore spiritual wellbeing and the connection with God.

D.A. Neumann, B.M. Houskamp, V.E. Pollock, J. Briere, 'The long-term sequel of childhood sexual abuse in women: A meta-analytic review', *Child Maltreatment*, 1, pp 6-16 (1996).

This article presents a meta-analysis of 38 studies examining the possible link between childhood sexual abuse and clinical ('As I') symptoms.

E. Olafson, D.L. Corwin, R.C. Summit, 'Modern history of child sexual abuse awareness: cycles of discovery and suppression', *Child Abuse and Neglect*, 17, pp 7-24 (1993).

Olafson and Corwin are affiliated with the Department of Psychiatry at Washington University School of Medicine, St Louis, Missouri. Summit is on the staff of the UCLA School of Medicine and the Harbor-UCLA Medical Center, California. This article is concerned with awareness of sexual abuse on the part of both the general public and the professional field. The authors demonstrate that there have been several 'cycles of discovery and suppression' over the past 150 years.

M. O'Riordan, E. Arensman, *Institutional child sexual abuse and suicidal behaviour: outcomes of a literature review, consultation meetings and a qualitative study*, 2007.

This report sets out a research strategy to identify risk factors and protective factors, with particular reference to the survivors of institutional abuse in Ireland. Based on the findings of an extensive review of the literary and a qualitative study of counselling and other social organizations, the report also offers recommendations for ways in which suicide prevention services can be improved.

R. van Outsem, *Seksueel misbruik van jongens*, 1992.

This book ('The sexual abuse of boys') was written for researchers and professional care providers, offering information about several important aspects of the sexual abuse of boys. It is based on a study of research literature on the nature, seriousness and effects of abuse, and the existing guidelines and protocols for counselling. The literature review was then refined and expanded to include experiences and best practice examples from the field.

M.L. Paine, D.J. Hansen, 'Factors influencing children to self-disclose sexual abuse', *Clinical Psychology Review*, 22, pp 271-295 (2002).

The authors are members of the Department of Psychology at the University of Nebraska-Lincoln, United States. In this article they present an extensive review of literature dealing with the factors which cause children to remain silent about sexual abuse. The review draws on both clinical and aselective studies.

E.O. Paolucci, M.L. Genuis, C. Violato, 'A meta-analysis of the published research on the effects of child sexual abuse', *The Journal of Psychology*, 135, pp 17-36 (2001).

This meta-analysis collates the results of research into the link between sexual abuse (committed by authority figures, including contact experiences) and psychopathology. It covers 37 studies (n = 25,367) conducted between 1981 and 1995 and considers six specific psychological outcomes: posttraumatic stress disorder (PTSD), depression, suicide, sexual promiscuity, victim-perpetrator cycle, and poor academic performance. The authors conclude that there is a significant link between abuse and these outcomes, with no differences between male and female victims. The analysis does not consider the possible influence of family background on later psychopathology. Paolucci and Genuis are on the staff of the National Foundation for Family Research, Calgary, Canada. Violato is a member of the Department of Applied Psychology at the University of Calgary.

K.I. Pargament, N.A. Murray-Swank, A. Mahoney, 'Problem and solution: The spiritual dimension of clergy sexual abuse and its impact on survivors', *Journal of Child Sexual Abuse*, 17, pp 397-420 (2008).

This article deals with the spiritual dimension of clerical sexual abuse. It first offers an impression of the negative impact of this form of abuse on individual faith and spirituality, before going on to suggest strategies whereby clinicians can broach the subject of spirituality during the treatment



process. Both Pargament and Mahoney are professors of psychology at Bowling Green State University, Ohio. See above for information on Murray-Swank.

P. Parkinson, K. Oates, A. Jayakody, *Study of reported child sexual abuse in the Anglican church*, 2009.

In 2004, the General Synod of the Anglican Church of Australia adopted a proactive approach to child protection, setting out a number of strategies to improve both policy and practice. As part of this process, the Synod's Professional Standards Commission requested a report on the number and nature of complaints of child sexual abuse by 'clergy and church workers', including volunteers, made during the period 1990 to 2008. Church schools and children's homes were excluded from this retrospective study which was based on archive research and personnel files. The overall aim was to gain information about the characteristics of the victims and perpetrators, the circumstances in which the abuse took place, and any patterns of abuse related to the age and gender of the victim. The authors were asked to suggest ways in which the Synod could do more to prevent sexual abuse in its dioceses. The study examined 191 complaints, involving a total of 135 offenders and 180 victims, as recorded by 17 of the 23 Anglican dioceses in Australia. It was therefore selective in nature. Not all cases could be analysed in full, either due to time constraints or because some files were not available. (They may have been in the possession of a lawyer further to an impending legal case). Questionnaires were submitted to the administrators of fourteen dioceses, while a research assistant was tasked with gathering the required information in the dioceses of Adelaide, Newcastle and Sydney (due to limited staff capacity). 'Many' questionnaires (no precise number is given) were only partially completed because not all required information could be found in the files. The researchers attempted to 'fill in the gaps' using other (unspecified) sources, but there remains a significant shortfall in data. As a result, the study covers most, but by no means all, reported cases. Although concerned with a different denomination, the information thus derived largely corresponds with that produced by studies examining clerical abuse in the Roman Catholic Church (e.g. the John Jay College analysis). The recommendations made by the researchers are mainly concerned with improving prevention strategies. The authors are on the staff of the University of Sydney, Australia (the Faculty of Law and the Department of Pediatrics & Child Health respectively).

P. Parkinson, K. Oates, A. Jayakody, 'Breaking the long silence: reports of child sexual abuse in the Anglican church of Australia', *Legal studies research paper* no. 10/82 (2010).

This paper is part of the study by Parkinson *et al.* (2009) which is based on archive research (see above.) Here, the authors describe patterns in reporting incidents of sexual abuse to the leadership of the Anglican Church of Australia: who actually makes the complaints, the regional distribution of the complains, the number of years between the incident and the complaint, the distribution of the reports over time, and the response of the church authorities. Just over three quarters (79%) of complaints were submitted by the victims themselves. Three quarters of the complaints were submitted after the year 2000, with a peak in 2003. The average period between the alleged incident and a complaint being made was 23.7 years (SD = 14.0). The period was significantly longer (average 25 years) where incidents involved a male victim, compared to those involving female victims 18 years;  $p < 0.01$ ). The church authorities investigated approximately 75% of the complaints; 42% were

(also) investigated by the police, and 4% by child protection agencies or one or more other official bodies. The church found half (50.3%) of all complaints to be grounded; 34.3% were adjudged 'inconclusive'. In three cases, the allegation was found to be 'erroneous'. Just over half (53%) of the 44 cases referred to the judicial authorities resulted in prosecution and conviction. In 19% of cases, the alleged perpetrator was transferred elsewhere or was subject to laicization ('defrocking'). In 52% of cases the victims were offered counselling or other assistance, while 36% of complaints resulted in the payment of compensation by the church.

A.D. Perrillo, C.C. Mercado, K.J. Terry, 'Repeat offending, victim gender, and extent of victim relationship in Catholic church sexual abusers', *Criminal Justice and Behavior*, 35, pp 600-614 (2008).

This article, which forms part of the John Jay College study, describes the findings of a comparison between clergy with only one allegation of abuse against them and those with more, subdivided into three categories: two or three allegations, four to nine, and ten or more. The comparison looks at the characteristics of the perpetrator and of the incidents, the nature of the abuse and the response of church and civil authorities. The focus is on the risk factors for repeat offending. It is based on a subset of 3674 clerical cases (83.7% of all data) in which full information about the perpetrator and victim is available. The incidents concerned took place between 1950 and 2002. The sample groups were: perpetrators with one alleged victim (n=1915); two or three (n=1082), four to nine (n=540) and those with ten or more victims (n=137). The majority of perpetrators were secular priests. Certain limitations should be noted in terms of certain variables (a prior history of victimization, behavioural problems, use of alcohol or drugs) which are not applied in a systematic manner in the analysis. There are inconsistencies in the data, drawn as it is from files which in some cases were compiled over fifty years ago. The analysis reveals few significant differences between the perpetrator groups.

J.C. Perry, J.J. Sigal, S. Boucher, N. Paré, 'Seven institutionalized children and their adaptation in late adulthood: The children of Duplessis (Les Enfants de Duplessis)', *Psychiatry*, 69, pp 283-301 (2006).

The background to this article and the affiliations of the authors are given under Sigal *et al.* (1999). Here, the authors present brief life histories of seven adults who formed part of the sample examined in Les Enfants de Duplessis (Perry *et al.*, 2005a, b), based on a 'natural history' approach. Alongside these individuals' negative childhood experiences and those of later life, the article clearly demonstrates their (survival) strengths. There is a focus on trauma and resilience. Sexual abuse is not treated separately, and there is no information about the role of religion in the children's lives. The article prompted seven responses from colleagues which draw attention to the possible influence of affective neglect and the absence of attachment figures on the physical and psychological development of the children.

J.C. Perry, J.J., Sigal, S. Boucher, N. Paré, M.C. Ouimet, 'Personal strengths and traumatic experiences among institutionalized children given up at birth (Les Enfants de Duplessis – Duplessis' children): I. Early experiences', *The Journal of Nervous and Mental Health*, 193, pp 777-782 (2005a).

This article forms part of a series dealing with the negative and traumatic experiences of the 'Enfants de Duplessis', and the impact of such experiences on their psychological health in later life. It centres on an account of early experiences in relation to the strengths developed by the individuals. The findings presented are based on the Traumatic and Protective Antecedents Interview, developed specifically for this study, which reveals a very high prevalence of physical maltreatment (96.2%) and emotional neglect (87.3%). Over half (57.1%) of respondents claimed to be the victims of sexual abuse. Most were male. The article lists the forms of traumatization most frequently experienced between the ages of seven and twelve, and those most common between the ages of thirteen and eighteen. The background to this article and the affiliations of the authors are given under Sigal *et al.* (1999). See also Sigal *et al.* (2003), Perry *et al.* (2005b) and Perry *et al.* (2006). This study is selective, being based on a sample of adults who had formed an organized group with a view to claiming compensation from the state and/or the church. It does however use a control group, matched for a number of variables such as age, income and place of residence.

J.C. Perry, J.J. Sigal, S. Boucher, N. Paré, M.C. Ouimet, J. Normand, M. Henry, 'Personal strengths and traumatic experiences among institutionalized children given up at birth (Les Enfants de Duplessis – Duplessis' children): II. Adaptation in late adulthood', *The Journal of Nervous and Mental Health*, 193, pp 783-789 (2005b).

This article forms part of a series dealing with the negative and traumatic experiences of the 'Enfants de Duplessis', and the impact of such experiences on their psychological health in later life. It focuses on the subjects' current mental health and their ability to function at the social and professional levels. The variables are established using standardized questionnaires. The members of the respondent group report a significantly higher number of psychiatric symptoms than those in a matched control group and the general population of Quebec, all of whom were assessed using the same method. The background to this article and the affiliations of the authors are given under Sigal *et al.* (1999). See also Sigal *et al.* (2003), Perry *et al.* (2005b) and Perry *et al.* (2006). This study is selective, being based on a sample of adults who had formed an organized group with a view to claiming compensation from the state and/or the church. It does however use a control group, matched for a number of variables such as age, income and place of residence.

J. Pieterse, P. Italiano, A-M. Offermans, S. Hellemans, *Ervaringen van vrouwen en mannen met psychologisch, fysiek en seksueel geweld*, 2010.

This paper (the title of which translates as 'Experiences of women and men with psychological, physical and sexual violence') presents the findings of a random survey (n = 2014) conducted in Belgium. The authors are on the staff of the Centre for Public Opinion Research at the University of Liège (Luik), Belgium. Respondents could choose how to complete the questionnaire: as a telephone interview or online. The response rate was approximately 47%. The purpose of the survey and subsequent analyses was to update the (statistical) information on violent offending, whereby the term 'violence' covers psychological, physical and sexual abuse. One module of the questionnaire was devoted specifically to experiences of sexual violence under the age of eighteen. The questionnaire did not ask for the perpetrators' religious affiliations, although the results do include an indicative figure for sexual violence committed by a teacher or 'superior' (in the sense of an

employer, manager or supervisor where the respondent was in employment when under the age of eighteen, perhaps alongside his or her studies.)

A.R. Piquero, N.L. Piquero, K.J. Terry, T. Youstin, M. Nobles, 'Uncollaring the criminal. Understanding criminal careers of criminal clerics', *Criminal Justice and Behavior*, 35, pp 583-599 (2008).

This article is based on the research conducted by John Jay College, examining the criminal careers of clerical perpetrators whose activities come to the attention of the police (22.6%). The article presents an analysis of a number of known risk factors, or 'predictors' which may influence the likelihood of a police investigation. The predictors cited include previous abuse, early onset of abuse and misuse of alcohol or drugs. The researchers also found that married clerics were more likely than unmarried clerics to evince a higher number of police investigations. The authors state that their findings correspond only in part with those of the general criminological literature. The outcome variable is based on official police records, which may result in some statistical bias since perpetrators whose activities have never come to the attention of the police are not included in the analysis.

T.G. Plante (ed.), *Bless me father for I have sinned. Perspectives on Sexual Abuse Committed by Roman Catholic Priests*, 1999.

This book is an anthology of seven essays (together with an introduction and summary by the editor) which together present a clinical agenda for professionals who deal with cases of sexual abuse committed by Roman Catholic clergy. The contents are now somewhat outdated. One of the recommendations is for improved screening methods to identify undesirable personality traits, combined with higher professional standards when dealing with priests who have, as the title has it, 'sinned'. At the time of publication, Plante was associate professor of psychology at Santa Clara University and was also affiliated with Stanford University School of Medicine, California, United States.

L. Ponton, D. Goldstein, 'Sexual abuse of boys by clergy', *Adolescent Psychiatry Annals*, 28, pp 209-229 (2004).

Ponton is a child psychiatrist and psychoanalyst who specializes in treating the victims of sexual abuse. She is also professor of psychiatry at the University of California, United States. Goldstein's affiliations are not stated. In this article, the authors describe the characteristics (nature of abuse and psychological symptoms) of 26 adolescent and adult male victims of sexual abuse committed by a member of the clergy. All victims had been subject to an evaluation by Ponton to gauge the seriousness of the abuse itself, and/or whether psychiatric treatment was required. The victims were referred to her by various parties, including the Archdioceses of California, lawyers involved in litigation against the church, doctors and other therapists, friends of the victims, and organized groups of abuse survivors. The clinical information presented in this article was gathered over a period of ten years. Its value lies in the fact that it was collected by means of diagnostic interviews.

G. Priebe, C.G. Svedin, 'Child sexual abuse is largely hidden from the adult society. An epidemiological study of adolescents' disclosures', *Child Abuse and Neglect*, 32, pp 1095-1108 (2008).

The authors are on the staff of the Department of Child and Adolescent Psychiatry at Lund University in Sweden. In this article they present the findings of their research into disclosure rates, disclosure patterns and the predictors of the non-disclosure of sexual abuse among a relatively large (n = 4339) sample of secondary school students. The results reveal a low rate of disclosure to professionals, and an even lower rate of disclosure to the civic authorities.

L. Raymaekers, E. Geraerts, H. Merckelbach, 'Hervonden herinneringen: de stand van zaken', *Tijdschrift voor Psychotherapie*, 34, pp 242-259 (2008).

This article describes research into two types of 'recovered memories': spontaneous recall outside the context of therapy, and the gradual recovery of memories of abuse during the course of professional treatment. The article explains the value of distinguishing between the two types of recovered memories to both clinical and legal practice. The study on which the article is based was funded by the Netherlands Organisation for Scientific Research (NWO). The authors are members of the Faculty of Psychology at Maastricht University, the Netherlands.

B. Rind, P. Tromovitch, R. Bauserman, 'A meta-analytic examination of assumed properties of child sexual abuse using college samples', *Psychological Bulletin*, 124, pp 22-53 (1998).

This article is based on a meta-analysis of 59 studies (n=15,584) in which the samples were made up of students in tertiary education. The study reports had been published between 1966 tot 1995. Here, the authors consider the effects of both sexual abuse and family environment factors such as affective neglect. Their analysis relates to eighteen specific psychological symptoms or indicators: alcohol misuse, anxiety, depression, dissociation, eating disorders, hostility, interpersonal sensitivity, locus of control, obsessive-compulsive symptoms, paranoia, phobia, psychosis, self-confidence, sexual functioning, social functioning, somatization, suicidal ideation and general wellbeing. The authors conclude that students who had suffered sexual abuse functioned at a lower level than the control group. (The term they use is 'slightly less well adjusted'). However, they found that the negative effects of misuse were 'neither pervasive nor intense', being non-significant in comparison with those of (family) environment factors. At the time of publication, Rind was on the staff of Temple University, Philadelphia, Tromovitch at the University of Pennsylvania, while Bauserman represented the University of Michigan, United States.

J.A. Rosenthal, J.K. Motz, D.A. Edmonson, V. Groze, 'A descriptive study of abuse and neglect in out-of-home-placement', *Child Abuse and Neglect*, 15, pp 249-260 (1991).

This article describes the key features of 290 reports of physical maltreatment, sexual abuse and/or neglect in 'out-of-home-placement', i.e. institutional or foster care. The definition of 'perpetrator' is

broad and includes the victim's peers (other children in the foster family, care home, etc.) Over a quarter (29%) of the reports alleged sexual abuse by a member of the institution's staff. Reports of physical abuse (resulting in actual injury) were most frequent in all settings, while those alleging neglect were least frequent. The article concludes with a number of recommendations for intervention and prevention. Because it is based entirely on reports, this study is selective. It does not state the religious affiliation (if any) of the institutions or settings concerned. At the time of publication, Rosenthal and Edmonson were on the staff of the University of Oklahoma. Motz worked for the Colorado State Department of Social Services, while Groze was a researcher at the University of Iowa, United States.

S.J. Rossetti, 'The impact of child sexual abuse on attitudes toward God and the Catholic Church', *Child Abuse and Neglect*, 19, pp 1469-1481 (1995).

This article presents the findings of a survey (n=1810) of American and Canadian practising Catholic adults, examining the effects of child sexual abuse (by clergy or others) on attitudes towards religion, the church, the clergy and the respondents' relationship with God. The general sample reveals prevalence figures for child sexual abuse by clergy against both male and female victims. The response rate was 25%. It is not known whether the response was selective. Rossetti is an ordained Roman Catholic priest and Executive Director of the Saint Luke Institute, Silver Spring, Maryland, a psychiatric clinic which specializes in treating Roman Catholic clergy.

F. Rush, *The best kept secret: The sexual abuse of children*, 1980.

The late Florence Rush was a noted feminist and, at the time of publication, a senior social worker with the New York Society for the Prevention of Cruelty to Children. In this book, she describes the tolerant attitude towards child sexual abuse seen throughout history.

D.E.H. Russell, 'The incidence and prevalence of intrafamilial and extrafamilial sexual abuse of female children', *Child Abuse and Neglect*, 7, pp 133-146 (1983).

At the time of publication, Russell was associate professor of sociology at Mills College, Oakland, California. The article presents the findings of her random survey (n= 930) of adult women in San Francisco, with data on the incidence and prevalence of both intrafamilial and extrafamilial sexual abuse. The study was funded by the National Institute of Mental Health and the National Center on Child Abuse and Neglect (NCCAN), of the United States Department of Health and Human Services, Washington D.C.

M. Rutter, D. Quinton, J. Hill, 'Adult outcome of institution-reared children: males and females compared', in: L. Robins, M. Rutter (eds.), *Straight and devious pathways from childhood to adulthood*, pp 135-157, 1990.

This contribution describes a follow-up study of the health of adult males who had spent their formative years in an institution (not for any behavioural reasons but because their parents were unable to provide appropriate care). This was a replica study of one conducted by the same authors among female respondents.

A.C. Salter, *Transforming trauma: A guide to understanding and treating adult survivors of child sexual abuse*, 1995.

Salter is a psychotherapist who treats both the victims and offenders of child sexual abuse. The main focus of the book is on the treatment of adults who experienced sexual abuse in childhood. The common theme of all nine chapters is 'What do we know about the perpetrators of child sexual abuse and what is the significance of this knowledge in terms of treating the victims?' The summary of current knowledge is accompanied by examples from actual practice.

A. Saradjian, D. Nobus, 'Cognitive distortions of religious professionals who sexually abuse children', *Journal of Interpersonal Violence*, 18, pp 905-923 (2003).

Saradjian is a clinical psychologist at the University of Sheffield. Nobus is senior lecturer in psychology and psychoanalytic studies at Brunel University (United Kingdom) and adjunct professor of sociology at the University of Massachusetts-Boston, United States. Here the authors present the results of a qualitative data-analysis (conducted using the grounded theory method; see Glaser & Strauss, 1967) among a group of fourteen selected male paedophiles in a residential treatment centre specializing in cognitive behavioural therapy. They describe ten categories of cognitive disorder shown by the subjects at various points in their career of abuse, including perceptions that the victims themselves desire and initiate sexual contact, denial, and minimization of the adverse impact on the children. The authors conclude that there is no difference between the cognitive disorders shown by the religious professionals in their sample and those of other offenders. Given the small sample size and lack of uniformity in data collection, this study should be regarded as an initial exploration.

N.M. Sargent, 'Spirituality and adult survivors of child sexual abuse: Some treatment issues' (p 167-202), in: S.M. Sgroi (ed.), *Vulnerable populations. Sexual abuse treatment for children, adult survivors, offenders, and persons with mental retardation*, Volume 2, 1989.

Sargent is a clinical psychologist who works with girls and adult women who have suffered sexual abuse. Her contribution describes the effects of sexual abuse on the spiritual development of young female victims, going on to describe a time-limited treatment module for groups known as 'Exploring my Spirituality'. Neither the study nor the treatment model relates exclusively to Roman Catholicism.

B. Satter, 'The sexual abuse paradigm in historical perspective: Passivity and emotion in mid-twentieth-century America', *Journal of the History of Sexuality*, 12, pp 424-464 (2003).

Satter is affiliated with the State University of New Jersey, United States. In this contribution she examines the fluctuating public and professional awareness of sexual abuse.

N. Scheper-Hughes, 'Institutionalized sex abuse and the Catholic church', in: N. Scheper-Hughes, C. Sargent (eds.), *Small wars: The cultural politics of childhood*, pp 295-317, 1998.

Scheper-Hughes is a cultural anthropologist and a professor at the University of California, Berkeley, United States. During the fieldwork for her first book *Saints, Scholars and Schizophrenics: Mental Illness in Rural Ireland* (1979) she identified a number of social factors which may be implicated in the relatively high numbers of young people with psychological problems. Those factors include physical and emotional maltreatment at school and at home. In this article she presents a number of risk factors and protective factors for sexual abuse, with particular reference to the role of the Roman Catholic Church and the clergy. Aspects considered include celibacy and sexual abuse, corporal punishment as a form of sexual abuse, and efforts to avoid scandals (alleged cover-ups).

N. Scheper-Hughes, J. Devine, 'Priestly celibacy and child sexual abuse', *Sexualities*, 6, pp 15-40 (2003).

This article is concerned with men who have taken the vow of celibacy yet sexually abuse children.

J. Sigal, M. Rossignol, J.C. Perry, 'Some psychological and physical consequences in middle-aged adults of underfunded institutional care in childhood', *The Journal of Nervous and Mental Disease*, 187, pp 57-59 (1999).

This article presents the findings of a preliminary study examining the psychosocial adjustment of middle-aged adults who had been among the 'Enfants de Duplessis'. As described elsewhere in this appendix, they had been raised in a Roman Catholic institution in the Canadian province of Quebec. They had been born at a time (late 1940s or 1950s) of limited public funding. Abortion was illegal. Unmarried pregnant women were brought to the cities to give birth, whereupon they were required to give up the baby. The children were placed in crèches, from where they would be sent to an orphanage at the age of six. The institutions concerned were run by various Roman Catholic orders and congregations, the children being cared for by nuns and lay (female staff). Underfunding meant that the children were given little or no formal education, and there was an atmosphere of affective neglect. The autobiographical accounts of former residents reveal that physical maltreatment and sexual abuse also took place. At the age of between twelve and fourteen, boys were set to work on farms or sent to 'reform schools'. They were paid very low wages, if they were paid at all, and suffered frequent physical and psychological abuse. At the age of fourteen, girls were set to work as domestic servants, often under similarly poor conditions. Despite their methodological limitations, the various studies of the Enfants de Duplessis over time are interesting in that they give an impression of the adaptive ability and current psychological health of the subjects. In this study, 31 adults of varying ages (45 to 68) were selected from a list of 112 members of a self-help group. The majority (75%) had been placed into care on birth, and a similar number had left the orphanage at



the age of fourteen. This group reported a higher level of stress and chronic physical complaints, together with a lower sense of wellbeing, than the control group (matched for age, income and place of residence). There may be some statistical bias due to pending compensation claims. It is not known whether the selected subject group is representative of all persons with an institutional upbringing. No data on any maltreatment, abuse or neglect is given for the control group. The authors are fully aware of these limitations. They could not gain access to the social service agencies' records due to legislative restrictions, while the Roman Catholic orders which had been approached were advised not to cooperate by their lawyers. All three authors are on the staff of the Jewish General Hospital, Montreal, Quebec, Canada: Sigal and Perry in its Department of Psychiatry, and Rossignol in the Centre for Clinical Epidemiology

J.J. Sigal, M. Rossignol, J.C. Perry, 'Unwanted infants: Psychological and physical consequences of inadequate orphanage care 50 years later', *American Journal of Orthopsychiatry*, 73, pp 3-12 (2003).

This article (see preceding entry for background and authors' credentials) presents the results of a comparison of a randomly selected group of Duplessis children (n = 81) against a matched control group drawn from the general population (n = 243) in terms of psychological and physical effects. The Duplessis group reports a significantly higher number of complaints and problems.

M.L. Smith, A.F. Rengifo, B.K. Vollman, 'Trajectories of abuse and disclosure: child sexual abuse by catholic priests', *Criminal Justice and Behavior*, 35, pp 570-582 (2008).

This article describes the findings of the 'Nature and Scope' study (part of the John Jay Report 2004, 2006) examining patterns of abuse by Catholic clergy and its disclosure, both over time and in terms of regional distribution. The article devotes particular attention to the period which elapsed between the incident and the time at which it was reported to church authorities. It also examines the factors which may influence the duration of non-disclosure. Because the underlying study is based entirely on complaints made to the Roman Catholic Church, the data is selective. Smith and Vollman are researchers at the John Jay College of Criminal Justice, United States. Vollman is also on the staff of the City University of New York Graduate Center, while Rengifo holds a post at the University of Missouri, St. Louis, United States.

D.W. Smith, E.J. Letourneau, B.E. Saunders, D.G. Kilpatrick, H.S. Resnick, C.L. Best, 'Delay in disclosure of childhood rape: Results from a national survey', *Child Abuse and Neglect*, 24, pp 273-287 (2000).

This study was conducted under the auspices of the National Crime Victims Research and Treatment Center, Medical University of South Carolina, United States, at which all authors were employed at the time of publication. Dean Kilpatrick was its principal investigator. The study was funded under a National Institute of Mental Health Training Grant. It involved a (random stratified) telephone survey of female respondents (known as the National Women's Study) examining traumatic experiences and their long-term psychological effects. In Wave II (n = 3220), 288 respondents reported one or more experiences of childhood rape (defined here as occurring before the age of eighteen). The

researchers examined this group for predictors of disclosure within one month of the sexual abuse incident. Over one quarter (28%) of respondents had never previously told anyone that they had been raped as a child; almost half (47%) had waited at least five years to do so. The results show that disclosure within one month is more frequent in the case of isolated incidents, those committed by a stranger, and among older child victims. It is not clear whether the findings can also be applied to male victims.

W.A. Stacey, S.E. Darnell, A. Shupe, 'How much clergy malfeasance is really out there? A victimization survey of prevalence and perceptions' (p 187-213), in: A. Shupe, W.A. Stacey, S.E. Darnell (eds.), *Bad pastors. Clergy misconduct in modern America*, 2000.

This contribution is concerned with the prevalence of sexual 'malfeasance' by members of the clergy and is based on the number of cases reported in the media and professional publications. The authors conclude that the problem is not confined to any particular religion or country, but is apparently inherent to the nature, circumstances and duties of the clerical profession.

J. Sullivan, A. Beech, 'Professional perpetrators: Sex offenders who use their employment to target and sexually abuse the children with whom they work', *Child Abuse Review*, 11, pp 153-167 (2002).

This paper explores the literature and research studies which examine institutional abuse and 'professional perpetrators' i.e. those who use their work to gain access to their victims. The underlying study was financed by the Lucy Faithfull Foundation, Wolvercote Clinic, Horton Hospital, Esom, England, with which Sullivan is affiliated. Beech is a member of the Department of Psychology at the University of Birmingham, England.

J. Sullivan, A. Beech, 'A comparative study of demographic data relating to intra- and extra-familial child sexual abusers and professional perpetrators', *Journal of Sexual Aggression*, 10, pp 39-50 (2004).

This article by the same authors was produced further to their work at the Wolvercote Centre, a treatment facility for male perpetrators of child sexual abuse. From the clients (n = 305) seen between 1995 and 2002, they selected a subgroup of 'professional perpetrators' (n = 41) who had sexually abused the children with whom they worked. These perpetrators were questioned about the nature of their offending and some their demographic information was compared with the other, non-work-related offenders to identify any significant differences between the two groups. Of the professional group, over half (n = 23) were members of the Roman Catholic clergy. This may be because the church is generally willing to pay the costs of treatment. The researchers found a number of differences between the groups, both in demographic characteristics (age, IQ), and in the nature and frequency of the abuse. There was no difference in treatment outcome.

P.M. Sullivan, J.F. Knutson, 'The association between child maltreatment and disabilities in a hospital-based epidemiological study', *Child Abuse and Neglect*, 22, pp 271-288 (1998).

At the time of publication, Sullivan worked at the Boys Town National Research Hospital (BTNRH), Omaha, and Knutson was a member of the Department of Psychology at the University of Iowa City, United States. Their paper is based on an analysis of the medical records of children admitted to BTNRH (the hospital wing of Father Flanagan's Boys' Home) between 1982 and 1992, intended to ascertain whether there was any correlation between physical disabilities and child maltreatment. The study was later expanded to include the medical records of 39,352 children, drawn from various databases including that of the state of Nebraska. The researchers found 6833 cases in which maltreatment or abuse had been reported. The alleged perpetrators of extrafamilial sexual abuse included a priest and 'several' professionals on the staff of institutions. (No absolute figures or percentages are stated.) The children who had been abused or maltreated showed a significantly higher number of disabilities than others. Moreover, those who had been the victim of serious forms of abuse were significantly more likely to show multiple disabilities. Because the study relied on an analysis of existing records, the data is selective.

J.A. Tallon, K.J. Terry, 'Analyzing paraphilic activity, specialization, and generalization in priests who sexually abused minors', *Criminal Justice and Behavior*, 35, pp 615-628 (2008).

This article is based on the 'Nature and Scope' component of the John Jay College Report (2004, 2006). It presents the results of analyses of alleged perpetrators, categorized according the age and gender of their victims. Two groups of perpetrators were compared: those who had 'specialized', targeting victims of a specific age and gender, and those who were (in the words of the abstract) 'versatile in their choice of victim'. Given the nature of the study, perpetrators who had abused only one victim were excluded. The data is selective, being based on reports and complaints. At the time of publication, Tallon was a student at the Graduate Center, City University of New York. Terry is principal investigator at John Jay College of Criminal Justice, New York, United States.

K.J. Terry, 'Stained glass. The nature and scope of child sexual abuse in the Catholic church', *Criminal Justice and Behavior*, 35, pp 549-569 (2008).

This article considers the findings of the 'Nature and Scope' component of the John Jay Report (2004, 2006), including information about the characteristics of the priests who were subject to allegations and those of the victims who made those allegations. The data is selective, being based entirely on complaints made to the Roman Catholic Church. At the time of publication, Terry was principal investigator at John Jay College of Criminal Justice, New York, United States.

K.J. Terry, A. Ackerman, 'Child sexual abuse in the Catholic church. How situational crime prevention strategies can help create safe environments', *Criminal Justice and Behavior*, 35, pp 643-657 (2008).

This article is also based on the 'Nature and Scope' component of the John Jay Report (2004, 2006). The authors describe prevention strategies based on the 'situational crime prevention framework' developed by Smallbone & Wortley (2000).

K.J. Terry, M.L. Smith, K. Schuth, J.R. Kelly, B. Vollman, C. Massey, *The causes and context of sexual abuse of minors by catholic priests in the United States, 1950-2010, A report presented to the United States Conference of Catholic Bishops by the John Jay College Research Team, 2011.*

This is the second report of the John Jay College researchers, published in May 2011. It draws upon various sources to offer an impression of the causes and context of the sexual abuse of minors by Catholic priests in the United States.

A.D. Theodore, J.J. Chang, D.K. Runyan, W.M.H. Hunter, S. Bangdiwala, R. Agans, 'Epidemiological features of the physical and sexual maltreatment of children in the Carolinas', *Pediatrics*, 115, pp 331-337 (2005).

This is a prevalence study of child maltreatment (physical and sexual abuse) in the states of North and South Carolina. It is based on a telephone survey of mothers. The results reveal that the number of cases reported to social services or civil authorities represent only a small fraction of the actual situation. The prevalence of physical maltreatment reported by the respondents was forty times higher than that revealed by the official records, while that of sexual abuse was fifteen times higher.

G. Timmerman, 'Sexual harassment of adolescents perpetrated by teachers and by peers: An exploration of the dynamics of power, culture, and gender in secondary schools', *Sex Roles*, 48, pp 231-244 (2003).

At the time of publication, Timmerman was a member of the Department of Pedagogy and Gender Studies at the University of Groningen, the Netherlands. She and her colleague Bajema were responsible for the first large-scale (n =2 808) study of sexual harassment (verbal, non-verbal and physical) in Dutch schools, committed by both teachers and peers (other students). The study was conducted in 22 randomly selected schools, of which 14 were in the Groningen region (response rate 52%) and the remainder in the Utrecht region (response rate 26%). The student respondents were all between fourteen or fifteen years of age. Slightly over half (55%) were female, and the majority (86%) were born in the Netherlands. Because the study also included verbal forms of harassment, the resultant incidence rate is not directly comparable with that reported by other Dutch studies.

N. Travers, 'A brief examination of pedophilia and sexual abuse committed by nuns within the Catholic church', *William & Mary Journal of Women and the Law*, 12, pp 761-778 (2006).

In this article, Nicole Travers examines how the attitude of the Roman Catholic Church towards female perpetrators and their treatment influences the nature and extent of child sexual abuse

within the church. The author also considers why abuse committed by nuns appears to attract far less media attention than that committed by male priests and clerics. She contends that the judicial system must acknowledge that female paedophiles do exist, and that there should be sanctions and treatment options specifically tailored to this group. At the time of publication, the author was a postgraduate student at the William and Mary School of Law, Williamsburg, Massachusetts.

O.C.S. Tzeng, H.J. Schwarzin, 'Gender and race differences in child sexual abuse correlates', *International Journal of Intercultural Relations*, 14, pp 135-161 (1990).

At the time of publication, the authors were on the staff of the Osgood Laboratory for Cross-Cultural Research at Indiana University-Purdue University, Indianapolis, the United States. They describe the influence of gender and race on the nature of 15,758 proven allegations of child sexual abuse reported between 1980 and 1986. The information is drawn from official records and is therefore selective.

P. Vennix, 'Incestueus of niet, wat maakt het uit', in: J. Frenken, C. van Lichtenburcht (eds.), *Incest: feiten, achtergronden en hulpverlening*, pp 129-140, 1984.

At the time of publication, Vennix was a practising psychologist affiliated with the Netherlands Institute for Social Sexuological Research (NISSO). In this article (the title of which translates as, 'Incestuous or not; what difference does it make?') he considers the prevalence rates for sexual experiences of children with adults, based on a random stratified sample of Dutch professionals and white-collar workers (the study uses the term 'middle class'). The majority of respondents were married or in a committed relationship. A total of 272 women and 257 men were interviewed. At least one childhood incident of sexual contact with an adult or older person was reported by 15.8% of female respondents and 12.5% of male respondents, where 'childhood' is defined as sixteen years of age or below. The incidents reported by girls included two involving authority figures: one a priest and the other a youth group leader. One of the cases reported by male respondents involved an authority figure, a female youth group leader. The study does not offer any information about the nature of extrafamilial sexual contacts. Moreover, it includes all sexual contacts and is not confined to those which were abusive or unwanted.

J. Verdurmen, M. ten Have, R. de Graaf, S. van Dorsselaer, H. van 't Land, W. Vollebergh, *Psychische gevolgen van kindermishandeling op volwassen leeftijd*, 2007.

This report ('Psychological effects of child maltreatment in adult life') draws upon the results of the 'Netherlands Mental Health Survey and Incidence Study' (NEMESIS), the first nationwide study of the mental health of the general population of the Netherlands, conducted between 1996 and 1999. The authors are researchers on the staff of the Trimbos Institute, Utrecht, the Netherlands, which was responsible for the study. This report is a background study to the National Monitor of Mental Health (NMG) and focuses on the prevalence and psychological effects of four types of child maltreatment: emotional neglect, psychological maltreatment, physical maltreatment and sexual abuse.

D.F. Walker, H.W. Reid, T. O'Neill, L. Brown, 'Changes in personal religion/spirituality during and after childhood abuse: A review and synthesis', *Psychological Trauma: Theory, research, practice, and policy*, 1, pp 130-145 (2009).

The authors represent the Center for Spirituality and Psychotherapy at Richmond Graduate University, Atlanta, United States. This article is based on the data drawn from 34 studies (n = 19,090) and sets out the effects of traumatic experiences, physical or sexual childhood abuse in particular, on the victim's religious beliefs and spirituality. The role of personal spirituality in the recovery process is also discussed. The article is not confined to the Catholic context. It concludes with an account of the implications of the findings in terms of both therapy and future research.

P. Wetzels, *Gewalterfahrungen in der Kindheit. Sexueller Missbrauch, körperliche Misshandlung und deren langfristige Konsequenzen*, 1998.

This report concerns research which, among other aspects, considered the prevalence of physical maltreatment and sexual abuse in Germany. The data was gathered by means of a questionnaire submitted to both male and female respondents (n = 6198). The response rate was 69.7%. The definition of childhood sexual abuse was confined to experiences before the sixteenth birthday, which were reported by 6.2% of female respondents and 2.0% of male respondents. Of all such incidents, 9% were reported to the police at the time.

D.J. Whitaker, B. Le, R.K. Hanson, C.K. Baker, P.M. McMahon, G. Ryan, A. Klein, D.D. Rice, 'Risk factors for the perpetration of child sexual abuse: A review and meta-analysis', *Child Abuse and Neglect*, 32, pp 529-548 (2008).

This paper presents a review and meta-analysis of previous research on the risk factors for child sexual abuse. The criteria for a study's inclusion in the meta-analysis were that it made use of one or more control groups and the results were published in a peer-reviewed journal between January 1990 and April 2003. The findings show that a number of general risk factors play a part in various forms of negative behaviour, including child sexual abuse. The authors represent various institutes and organizations: the US Centers for Disease Control and Prevention, Public Safety Canada, Tulane University in New Orleans, Kempe's Children's Center in Denver, Stop It Now Inc. in Northampton (Massachusetts), Alisa Klein Consulting of Leeds, England and the University of Hawaii in Honolulu, Hawaii, United States.

M.D. White, K.J. Terry, 'Child sexual abuse in the Catholic church. Revisiting the Rotten Apples Explanation', *Criminal Justice and Behavior*, 35, pp 658-678 (2008).

This paper is based on the research by John Jay College. Its authors argue that child sexual abuse in the Roman Catholic Church is not an incidental problem caused by a few 'rotten apples'. Rather, the organizational structure of the Church offers opportunities for paedophiles, and these opportunities are eagerly seized by certain individuals working in specific areas of church activity.

C.S. Widom, S. Morris, 'Accuracy of adult recollections of childhood victimization: Part 2: Childhood sexual abuse', *Journal of Consulting and Clinical Psychology*, 62, pp 1167-1176 (1997).

This article describes a study of 1100 men and women with a documented history of childhood. The study demonstrates there is a degree of under-reporting of abuse experiences: 58% of male respondents and 32% of female respondents failed to disclose sexual abuse, although documented, even when directly asked about it.

M. Wijkman, C. Bijleveld, J. Hendriks, 'Women don't do such things! Characteristics of female sex offenders and offender types', *Sexual Abuse: A Journal of Research and Treatment*, 22, pp 135-156 (2010).

In this article, the authors examine the characteristics of the offender, victims and offences based on a cohort of 111 adult female sex offenders who came to the attention of the Dutch judicial authorities between 1994 and 2005. Just over three quarters (77%) of cases involved the sexual abuse of minors. Almost two thirds of the women had committed the offence alongside a male accomplice. The authors apply a multivariate analysis to identify four prototypes of offender, which partially overlap with earlier typologies. The article concludes with a discussion of the significance of the findings to theory and treatment practice.

L.H. Wind, J.M. Sullivan, D.J. Levins, 'Survivors' perspectives on the impact of clergy sexual abuse on families of origin', *Journal of Child Sexual Abuse*, 17, pp 238-254 (2008).

This article is by an academic (Wind is an assistant professor at Boston Graduate School of Social Work, United States) and two victims of clerical sexual abuse. It describes the impact of that abuse on the victim's family life, considering aspects such as the parent-child relationship, the relationship between siblings, the relationship between the parents, and the frequency of church attendance. The authors apply two models drawn from the literature on (stages of ) adjustment and recovery following trauma: the Trauma Transmission Model (Figley, 1998) and the Family Adjustment and Adaptation Response Model (McCubbin *et al.*, 1998). The study is not necessarily confined to Roman Catholic families. It should be regarded as exploratory in nature, being based on the experiences of the two author-victims and various published accounts by other survivors of abuse.

D.A. Wolfe, K.J. Francis, A-L. Straatman, 'Child abuse in religiously-affiliated institutions: Long-term impact on men's mental health', *Child Abuse and Neglect*, 30, pp 205-212 (2006).

The authors are affiliated with the Centre for Addiction and Mental Health at the University of Toronto and the Department of Psychology at the University of West Ontario, Canada. This article considers the psychological impact of serious forms of physical, sexual and emotional abuse in 76 male subjects, experienced in the context of a residential institution with some religious affiliation (not necessarily Roman Catholic). The nature of the abuse is not described in any detail. The authors

state only that it was committed by a number of adults in positions of trust and authority between the early 1960s and late 1980s. The respondents had responded to advertisements placed in the national media between 1997 and 1999, encouraging victims of abuse to join forces in litigation against a particular church institution, the denomination of which is not stated in the article. The study did not have a control group. It is unclear whether the psychological symptoms reported by the respondents can be directly and exclusively attributed to the abuse they claim to have experienced in the institution, or whether previous (family) circumstances, such as the death of one or both parents, poverty, etc. are contributory factors. There may be some negative bias in the data: it is possible that symptoms were exaggerated or invented for the purposes of the compensation claim. The article is nevertheless interesting as it describes one of the very few studies which is specifically concerned with the personal experiences of those entrusted to the care of a church-run institution.

W.H.G. Wolters, T.A.M. Deenen, P. Wagenaar-Schwencke, E.J. Zwaan, 'Bij de politie gemelde gevallen van sexueel contact tussen ouderen en kinderen. Resultaten van een onderzoek', *Maandblad geestelijke volksgezondheid*, 6, pp 630-639 (1982).

This article, the title of which translates as 'Cases of sexual contact between adults and children; results of a study', was published in a Dutch monthly journal for mental health care professionals. It presents a quantitative review of cases reported to the national police Child Protection Officers between January 1978 and January 1979. The vast majority of cases were brought to the attention of the police by the child's parents. In only one case was the report made by the victim. As the article notes (on page 633), no incidents were reported by a member of the clergy during the period covered by the study. At the time of publication, the authors were on the staff of the Wilhelmina Children's Hospital in Utrecht and Utrecht University. They acknowledge the limitations imposed by the selective sample and state that the study is in the nature of an initial exploration.

K. van Wormer, L. Berns, 'The impact of priest sexual abuse: Female survivors' narratives', *Affilia*, 19, pp 53-67 (2004).

Katherine van Wormer is professor of social work at the University of Northern Iowa; Lois Berns is dual-diagnosis case manager at Emma Norton Residence, St. Paul, Minnesota, United States, and herself a survivor of clerical sexual abuse. They believed that too little attention had been devoted to female victims of abuse and set out to rectify this omission by presenting the personal accounts of nine victims of sexual abuse committed by members of the Roman Catholic Church. The information was collected by means of in-depth interviews. The experiences described vary from childhood rape to molestation in early adulthood. The article does not draw a clear distinction between sexual abuse against minors and that against (legal) adults. Neither does it state how the interviewees were selected. The authors call for attention to be devoted to the spiritual trauma caused by abuse, as well as the sexual trauma.

G.E. Wyatt, 'The sexual abuse of Afro-American and white American women in childhood', *Child Abuse and Neglect*, 9, pp 507-519 (1985).



This article describes the findings of a survey based on a phased stratified probability sample in Los Angeles County, California. The target respondent group comprised Afro-American (black) and Caucasian (white) women aged 18 to 36. To allow a direct comparison of the two ethnic groups, a weighting for certain demographic characteristics (age, education, marital status, whether there were children in the family) was applied. The interview concerned with sexual history included a number of questions about both contact and non-contact experiences of sexual abuse. The interviews were conducted solely by women. The response rate was 55%.

## Appendix 1 Overview of official reports (further to investigations by church or governmental Commissions of Inquiry) since 1990

Year	Country / commissioned by	Report	Scientific research by independent parties
1990	Canada / church	The Report of the Archdiocesan Commission of Enquiry into the sexual abuse of children by members of the clergy (Archdiocese of St. John's; Winter Report)	
1992	Canada / church	From Pain to Hope. Report of the CCCB Ad Hoc Committee on child sexual abuse (Canadian Conference of Catholic Bishops)	
2001	Ireland / church	The Bishops' Committee on Child Protection	Empirical study in the form of surveys of victims, church administrators and the general public, together with in-depth interviews. Royal College of Surgeons of Ireland (Goode <i>et al.</i> , 2003).
2004	United States / church	Report to the People of God: Clergy sexual abuse Archdiocese of Los Angeles 1930-2003	
2004		A Report on the Crisis in the	Part 1: Archive research (analysis of records and files), John Jay College (2004, 2006). The study

2005	United States / church	Catholic Church in the United States (National Review Board for the Protection of Children and Young People, United States Conference of Catholic Bishops)	spawned a series of academic and scientific articles. <sup>298</sup> Part 2: Seven empirical studies based on (secondary) analyses of existing data sources, including perpetrators' medical files and interviews with victims, perpetrators, church administrators and professionals (Terry <i>et al.</i> , 2011).
2009	Ireland / government	Report of the Ferns Inquiry, presented to the Minister for Health and Children	Part 5 of the report presents the results of a number of scientific studies conducted by various Irish universities. A series of academic articles followed. <sup>299</sup>
2009	Ireland / church	Commission to Inquire into Child Abuse at Institutions <sup>297</sup> in Ireland (the Ryan Report)	
2010	Ireland / government	Commission of Investigation. Report into the Catholic Archdiocese of Dublin (Murphy Report)	
	Belgium / church	Report on the activities of the Adriaenssens Commission (on complaints of sexual abuse within pastoral relations)	



## Appendix 2 Overview of main studies and samples (in alphabetical order)

Author(s) / Year	Type of study	Sample size (N)	Composition	Category of sexual abuse	Study method	Result type
Bottoms <i>et al.</i> 1995	Reports Victims	2136	Stratified. Second phase: survey (written) of 2136 of the 6939 (31%) victims reporting at least one instance of ritual or religion-related abuse. Response 37%; n = 797, of which 720 valid; n = 177 church official (94% abuse of a sexual nature)	Abuse by a church official (member of the clergy) or within a church institution	Quantitative Questionnaire	Extent/prevalence Nature Circumstances
Camargo 1997 / Loftus & Camargo 1993	Dossiers Perpetrators	1322	Clergy undergoing treatment during past 25 years. (Most were Roman Catholic priests.)	Victim aged 18 or under	Quantitative Files	Extent/prevalence Nature
Carr <i>et al.</i> 2009, 2010	Reports Victims	247	Men and women reporting institutional abuse to the Ryan Commission (Ireland)	Abuse or maltreatment of minors within Roman Catholic institutions in Ireland; 47% sexual abuse	Quantitative Interviews Questionnaires	Nature (limited) Effects/outcomes

Author(s) / Year	Type of study	Sample size (N)	Composition	Category of sexual abuse	Study method	Result type
Chibnall et al. 1998 / Duckro et al. 1998	Aselect Roman Catholics	1164	Roman Catholic nuns in America, most (86.1%) working in education	Victim aged 17 or below; physical contact	Quantitative Questionnaire	Extent/prevalence  Nature (limited)  Effects/outcomes  Non-disclosure
Colarusso 2009	Clinical obs. Victims	4	Adult women (sisters) all abused by the same priest	Legal proceedings	Dossier	Nature  Circumstances  Effects/outcomes  Non-disclosure
Fater & Mullaney 2000	Voluntary participation (invitation) Victims	7	Adult men who were abused by the same perpetrators in childhood	Clergy abuse	Interviews	Nature  Circumstances  Effects/outcomes  Non-disclosure

Author(s) / Year	Type of study	Sample size (N)	Composition	Category of sexual abuse	Study method	Result type
Goode <i>et al.</i> 2003	Aselect survey / Victims	1081	Adults resident in Ireland  48 victims and family members, perpetrators and family members  14 victims identified by SAVI  102 officials of the Roman Catholic Church  35 bishops	Clergy abuse aged 17 or under; contact or non- contact	Quantitative  Telephone interviews  Interviews  Questionnaire	Extent/prevalence  Nature  Circumstances  Effects/outcomes  Non-disclosure
Haywood <i>et al.</i> 1996	Dossiers Perpetrators	107	Men, 38 control subjects, 69 paedophiles awaiting psychiatric evaluation (of whom 30 Roman Catholic clergy)	Child sexual abuse	Quantitative  Dossier	Nature
Isely <i>et al.</i> 2008	Voluntary participation (invitation) Victims	9	Male members of a victim support group (SNAP).	Abused when aged 15 or under by an adult ordained priest at least five years older	Qualitative  Interviews	Nature  Circumstances  Effects/outcomes  Non-disclosure

Author(s) / Year	Type of study	Sample size (N)	Composition	Category of sexual abuse	Study method	Result type
John Jay, 2004, 2006; Terry, 2008	Reports	10,667	Complaints made to the Roman Catholic Church	Allegations of abuse committed against persons under 18	Quantitative	Extent/prevalence
					Dossiers	Nature
						Circumstances
						Non-disclosure
Langevin <i>et</i> <i>al.</i> 2000	Dossiers Perpetrators	48	Cases in a large database (>2000). Selection procedure unknown. 24 clerical sex offenders (70.8% RC); 24 non- clerical sex-offenders (matched by nature of offence, age, education and marital status (29.2% RC)	Sexual offence	Quantitative	Nature
					Dossiers	Non-disclosure
Mart, 2004	Clinical obs. Victims	25	Adult males planning joint litigation against the Roman Catholic Church	Abuse by a Roman Catholic Priest; (civil) legal proceedings; psychiatric evaluation	Dossier	Nature
					Interview	Circumstances
					Questionnaire	Effects/outcomes
						Non-disclosure



Author(s) / Year	Type of study	Sample size (N)	Composition	Category of sexual abuse	Study method	Result type
McLaughlin 1994	Voluntary participation (invitation) Victims	43	Male and female visitors to a conference for victims of clerical sexual abuse: respondent group comprises victims and parents relatives or friends of victims.	Abuse by a member of the clergy, not necessarily involving an underage victim	Questionnaire (issued at a conference)	Nature and circumstances (extremely limited information)  Effects/outcomes
Perry <i>et al.</i> 2005a	Reports Victims	81	Male and female respondents with experiences of institutional abuse, including sexual abuse, forming part of a victim self-help group (after Sigal <i>et al.</i> , 2003)	Abuse (at age 0 to 24) by care staff or peers (based on responses to questions in structured interview)	Quantitative  Interview	Nature
Perry <i>et al.</i> 2005b	Survey (selective) Victims	324	See Perry 2005a. Includes control group data (n = 243) from a general health survey, matched for age, education and place of residence	See Perry 2005a	Quantitative	Effects/outcomes
Perry <i>et al.</i> 2006	Voluntary participation (invitation) Victims	7	Selected for certain characteristics (e.g. broad range of negative experiences, personal strengths, adaptive ability)	See Perry 2005a	Qualitative  Questionnaires	Effects/outcomes

Author(s) / Year	Type of study	Sample size (N)	Composition	Category of sexual abuse	Study method	Result type
Ponton & Goldstein 2004	Clinical obs. Victims	26	Adolescent and adult males	Abuse by a Roman Catholic priest in childhood or adolescence	Psychiatric evaluation	Nature  Circumstances  Effects/outcomes  Non-disclosure
Rossetti 1995	General / Roman Catholics	1810	Adult Catholics in the USA and Canada: 575 men and 1234 women, including 10 brothers, 46 permanent deacons, 391 nuns, 314 priests, 883 active lay ministers, 130 (practising) lay members, 8, 36 others.	Abuse under the age of 18 reported by 21% of female respondents and 16% of male respondents. No abuse reported by n = 1376 (76%); Non-clerical sexual abuse n = 307 (17%); Clerical sexual abuse n = 40 (2.2%)	Quantitative  Questionnaire	Extent/prevalence  Nature  Effects/outcomes
Sullivan & Beech 2004	Clinical obs. Perpetrators	41	Adult men who had abused a child in their role as carer	Child abuse in role of carer	Quantitative  Questionnaire	Nature

Author(s) / Year	Type of study	Sample size (N)	Composition	Category of sexual abuse	Study method	Result type
Van Wormer & Berns 2004	Voluntary participation (invitation) Victims	9	Female visitors to conference / workshops for victims of clerical sexual abuse	Clerical sexual abuse, not necessarily as a minor	Qualitative  In-depth interviews at two different times (1998 and 2000)	Nature and circumstances (limited)  Non-disclosure

### Appendix 3

Overview of symptoms and conditions reported in research on sexual abuse of minors in the Roman Catholic Church; systematic reviews and meta-analyses offering evidence to support a link between such symptoms and childhood abuse

Symptom or condition	Research in the Roman Catholic context	Systematic reviews and meta-analyses
Anxiety	Chibnall <i>et al.</i> , 1998; Goode <i>et al.</i> , 2003; Colarusso, 2009; Carr <i>et al.</i> , 2010	Neumann <i>et al.</i> , 1996; Rind <i>et al.</i> , 1998; Maniglio, 2009
Post-traumatic stress symptoms	Isely <i>et al.</i> , 2008; Colarusso, 2009; Carr <i>et al.</i> , 2010	Neumann <i>et al.</i> , 1996; Paolucci <i>et al.</i> , 2001; Maniglio, 2009
Depression	Fater & Mullaney, 2000; Goode <i>et al.</i> , 2003; Sigal <i>et al.</i> , 2003; Ponton & Goldstein, 2004; Isely <i>et al.</i> , 2008; Colarusso, 2009; Carr <i>et al.</i> , 2010	Jumper, 1995; Neumann <i>et al.</i> , 1996; Rind <i>et al.</i> , 1998; Paolucci <i>et al.</i> , 2001; Maniglio, 2009
Suicidal ideation	Fater & Mullaney, 2000; Goode <i>et al.</i> , 2003; Sigal <i>et al.</i> , 2003; Ponton & Goldstein, 2004; Isely <i>et al.</i> , 2008; Colarusso, 2009	Neumann <i>et al.</i> , 1996; Paolucci <i>et al.</i> , 2001; Maniglio 2009
Feelings of guilt and shame	Ponton & Goldstein, 2004; Isely <i>et al.</i> , 2008	
Dissociation / DID	Isely <i>et al.</i> , 2008; Colarusso, 2009; Carr <i>et al.</i> , 2010	Maniglio, 2009
Low self-esteem	Fater & Mullaney, 2000; Mart, 2004; Isely <i>et al.</i> , 2008; Colarusso, 2009	Jumper, 1995; Rind <i>et al.</i> , 1998; Maniglio, 2009
Inability to trust others	Fater & Mullaney, 2000; Mart, 2004; Isely <i>et al.</i> , 2008; Colarusso, 2009	
Anger and frustration	Ponton & Goldstein, 2004; Isely <i>et al.</i> , 2008; Carr <i>et</i>	

Social and relational problems	<i>al.</i> , 2010	Neumann <i>et al.</i> , 1996; Rind <i>et al.</i> , 1998
Problems with intimacy	Fater & Mullaney, 2000; Goode <i>et al.</i> , 2003; Mart, 2004; Perry <i>et al.</i> , 2005b; Isely <i>et al.</i> , 2008; Colarusso, 2009	Neumann <i>et al.</i> , 1996; Rind <i>et al.</i> , 1998; Maniglio, 2009
Sexual problems	Fater & Mullaney, 2000; Goode <i>et al.</i> , 2003; Sigal <i>et al.</i> , 2003; Colarusso, 2009	Neumann <i>et al.</i> , 1996
Sexual identity problems	Ponton & Goldstein, 2004; Carr <i>et al.</i> , 2010	Neumann <i>et al.</i> , 1996; Rind <i>et al.</i> , 1998; Maniglio, 2009
Sexual 'acting out'	Ponton & Goldstein, 2004; Isely <i>et al.</i> , 2008	Paolucci <i>et al.</i> , 2001; Maniglio, 2009
Addition/substance abuse	Ponton & Goldstein, 2004; Isely <i>et al.</i> , 2008	Maniglio, 2009
Personality disorders	Ponton & Goldstein, 2004; Carr <i>et al.</i> , 2010	Maniglio, 2009
Loss of spirituality and trust in church	Carr <i>et al.</i> , 2010	
Somatization / Psychosomatic complaints	McLaughlin, 1994; Rossetti, 1995; Chibnall <i>et al.</i> , 1998; Fater & Mullaney, 2000; Goode <i>et al.</i> , 2003; Mart, 2004; Ponton & Goldstein, 2004; Van Wormer & Berns, 2004; Colarusso, 2009 Sigal <i>et al.</i> , 1999, 2003	Rind <i>et al.</i> , 1998; Maniglio, 2009; Irish <i>et al.</i> , 2010

---

<sup>1</sup> Literature consulted:

Adviescommissie Herziening Zedelijkheidswetgeving (Melai), *Eindrapport*, 1980.

Th. Beemer, 'Sexuality in een moraaltheologische bezinning'. In: Jos Frenken, *Seksuologie, een interdisciplinaire benadering*, 1980, pp. 60-79.

Geertje Beerenhout-Naarden, 'De wereld omspannen met vriendschap'. In: Hansje Galesloot & Margreet Schrevel (eds.), *In fatsoen hersteld. Zedelijkheid en wederopbouw na de oorlog*, 1987, pp. 47-63.

J.M. van Bemmelen, 'Sexual Crimes Today. Data on Sexual Delinquency in the Netherlands'. In: J.M. van Bemmelen, *Sexual Crime Today*, 1960, pp. 20-51.

J.M. van Bemmelen, 'De zedendelicten', *Tijdschrift voor Strafrecht*, deel LXX, afl. 1, pp. 235-252 (1961).

Candace R. Benyei, *Understanding Clergy Misconduct in religious Systems. Scapegoating, Family Secrets and the Abuse of Power*, 1998.

Jason Berry, *Lead us not into temptation. Catholic priests and the sexual abuse of children*, 1992.

Henri Beunders, *Publieke tranen; de drijfveren van de emotie-cultuur*, 2002.

J.C.J. Boutellier, 'Seksueel misbruik van kinderen; van pijnlijk geheim tot spektakelstuk', *Justitiële Verkenningen*, nr. 5, pp. 7-32 (1961).

J.C.J. Boutellier, 'De pornografische context van zedendelicten. Een beschouwing over de huidige seksuele moraal', *Justitiële Verkenningen*, nr. 6, pp. 9-24 (2000).

---

Hans Boutellier, *De improvisatiemaatschappij*, 2010.

E. Brongersma, 'Seksualiteit en wetgeving'. In: Jos Frenken, *Seksuologie, een interdisciplinaire benadering*, 1980, pp. 36-60.

E. Brunt and L. Brunt, 'Zedelijk leven', *De Gids*, pp. 69-77 (1980).

Commissie Deetman (Commissie van onderzoek seksueel misbruik in de *Rooms-Katholieke Kerk, Naar hulp, genoegdoening, openbaarheid en transparantie*), 2010.

Gideon van Dam & Marjo Eitjes, *Een pastor moet je kunnen vertrouwen! Over seksueel misbruik door pastores*, 1994.

L. DeMausse, *The history of childhood*, 1974.

J.J.M. van Dijk, *The mark of Abel (inaugural lecture)*, 2009.

Geertje Dimmendaal, 'Over "derailenderende" meisjes. De opvang van ontspoorde vrouwen in een Groningse inrichting rond 1945'. In: Hansje Galesloot & Margreet Schrevel (eds.), *In fatsoen hersteld. Zedelijkheid en wederopbouw na de oorlog*, 1987, pp. 115-135.

Joep Dohmen, *Vrome zondaars. Misbruik in de Rooms-Katholieke Kerk*, 2010.

Thomas P. Doyle, 'Roman Catholic Clericalism, Religious Duress, and Clergy Sexual Abuse', *Pastoral Psychology*, vol. 51, no. 3, pp. 189-231 (Jan 2003).

Thomas Doyle, 'The John Jay Document 2011. Reality Revised.' May 20, 2011:  
<http://www.richardsipe.com/reports/Doyle-%20The%20John%20Jay%20Document%202011.htm>

P.J. Draijer, *De omgekeerde wereld? Seksueel misbruik van kinderen in het gezin*, 1985.

P.J. Draijer, *Seksueel misbruik van meisjes door verwanten*, 1988.

L. Drukker, *De sexuele criminaliteit in Nederland; 1910-1931*, 1937.

---

M. Foucault, 'Scientia Sexualis'. In: F. van der Wel, *Opvattingen over de vrouwelijke seksualiteit in de jaren zestig en zeventig*, 1984, pp. 174-193.

J. Frenken, *Seksuologie, een interdisciplinaire benadering*, 1980.

J. Frenken & J. Doomen, *Strafbare seksualiteit, opvattingen en aanpak van politie, justitie en hulpverlening*, 1984.

Diego Gambetta, 'Can we trust trust?'. In: Diego Gambetta (ed.), *Trust. Making and breaking cooperative relations*, 1988, pp. 213-239.

R. Ruud Ganzevoort, 'Over Moderne Verlossers. Wie wordt waarvan verlost en tegen welke prijs?'. In: D. Pollefeyt & E. De Boeck, *Wil er iemand mijn Messias zijn? Nieuwe verlossers and hedendaagse spirituele meesters*, 1999, pp. 59-76.

Anthony Giddens, *The transformation of intimacy, sexuality, love and eroticism in modern societies*, 1992.

Walter Goddijn, *De beheerste kerk. Uitgestelde revolutie in R.K. Nederland*, 1973.

Walter Goddijn, Jan Jacobs & Gérard Tillo, *Tot vrijheid geroepen. Katholieken in Nederland 1945-2000*, 1999.

R. Haveman, 'Dekriminalisering van seksuele contacten tussen volwassenen en kinderen', *Ars Aequi*, nr. 2, pp. 67-73 (1984)

J.H. van Heek, 'Het koekoeksjong van Regout', *MGV*, pp. 89-107 (1968)

G. Hekma, *Het verlies van de onschuld*, 1990.



---

J. de Hullu & J. van der Neut, *Zedelijkheidswetgeving in beweging*, 1985.

John Humblet, *De oorverdovende stilte. Omtrent pedofilie: het gepolariseerde debat voorbij*, 2007.

J.Y.H.A. Jacobs, *Werken in een dwarsverband. Een portret van de gezamenlijke Nederlandse priesterreligieuzen 1840-2004*, 2010.

M. de Jong, 'Tot op de grenzen der verwantschap. Kerkelijke incestswetgeving in het Westen (500-900)'. In: J. Bremmer, *Van Sappho tot de Sade. Momenten in de geschiedenis van de seksualiteit*, 1988, pp. 36-57.

G. Kempe, W. Pompe & P. Baan, *Commissie tot onderzoek naar aanleiding van een verzoek van het ministerie van O.K.W. om advies omtrent richtlijnen, inzake beroeps- en bezwaarschriften van onderwijzers, aan wie de onderwijsbevoegdheid is ontnomen op grond van door hen gepleegde zedendelicten*, 1956.

P.H.P.H.M.C. van Kempen, *Repressie door mensenrechten (inaugural lecture)*, 2008.

G.A. Kooij, *Seksualiteit, huwelijk en gezin in Nederland*, 1975.

G.A. Kooij, *Seksualiteit, huwelijk en gezin in Nederland*, 1985.

R.S.B. Kool, *De strafwaardigheid van seksueel misbruik* (thesis Erasmus University Rotterdam), 1999.

Renée Kool, 'Vrijheid, blijheid? Over het dilemma van de strafbare seksualiteit', *Tijdschrift voor Criminologie*, nr. 4, pp. 338-354 (2003).

R.S.B. Kool, 'Veranderde zeden. Een overzicht van recente wetswijzigingen en jurisprudentie betreffende de zedelijkheidswetgeving', *Delikt en Delinkwent*, pp. 912-932 (2004)

R.S.B. Kool, 'Strafbare seksualiteit', (2007). In: A. Ph. van Wijk et al. (eds.), *Facetten van zedencriminaliteit*, pp. 99-127.

R.S.B. Kool, 'Verantwoorde seks. Een oriëntatie op de strafbaarstelling van verkrachting'. In: A.A. Franken, M. de Langen en M. Moerings (eds.), *Constante waarden*, 2008, pp. 223-233.

---

R.S.B. Kool, 'The Dutch approach to female genital mutilation in view of the ECHR - the time for change has come', *Utrecht Law Review*, pp. 51-61 (Jan 2010).

R.S.B. Kool, 'Better safe than sorry? Over de legitimiteit van de strafbaarstelling van seksueel corrumpen en grooming', *Delikt en Delinkwent*, nr. 10, pp. 1264-1294 (2010)

Herman Liagre Bohl, 'Zedeloosheidsbestrijding in 1945'. In: Hansje Galesloot & Margreet Schrevel (eds.), *In fatsoen hersteld. Zedelijkheid en wederopbouw na de oorlog*, 1987, pp. 15-29.

K. Lindenberg, *Strafbare dwang* (thesis Groningen), 2007.

Paul Luykx, 'Erger dan de Reformatie? Katholieken in de jaren vijftig'. In: Pim Slot, *Een stille revolutie?: cultuur en mentaliteit in de lange jaren vijftig*, 1997, pp. 67-83.

G. Manenschijn, *Alleen het verbodene lokt. Seksualiteit en moraal in een postmoderne cultuur*, 1998.

C.P. Middendorp, *Ontzuiling, politisering en restauratie in Nederland. De jaren 60 en 70*, 1979.

M. Moerings, 'De strijd tegen seks met kinderen. Een doorslaand succes', *Proces*, nr. 1-2, pp. 17-24 (2000)

Annemarie Mol & Peter van Lieshout, 'Geestelijke hygiëne en de wereldvrede'. In: Hansje Galesloot & Margreet Schrevel (eds.), *In fatsoen hersteld. Zedelijkheid en wederopbouw na de oorlog*, 1987, pp. 75-89.

Marit Monteiro, *Gods predikers. Dominicanen in Nederland (1975-2000)*, 2008.

G.E. Mulder, 'Een teleurstellend rapport', *Delikt en Delinkwent*, pp. 145-148.

N.I.V.H./COC, *Pedofilie. Diskussienota van het landelijk bestuur van de N.I.V.H./COC voor de landelijke werkvergadering van 29 maart 1980*, 1980.

Ron O'Grady, *The Hidden Shame of the Church. Sexual Abuse of Children and the Church*, 2001.

Harry Oosterhuis, *Homoseksualiteit in katholiek Nederland. Een sociale geschiedenis 1900-1990*, 1992.

---

Jos Perry & Hélène Vossen, 'Oude problemen, nieuwe oplossingen. De cultuur van de arbeidersjeugd en de Catholic levensscholen'. In: Hansje Galesloot & Margreet Schrevel (eds.), *In fatsoen hersteld. Zedelijkheid and wederopbouw na de oorlog*, 1987, pp. 89-115.

W.P.J. Pompe, *Bevrijding, bezetting, herstel, vernieuwing*, 1945.

W.P.J. Pompe, 'Sexual criminality and Criminal Law', *Tijdschrift voor Strafrecht*, pp. 267-287 (1964).

Jacob Poortstra, 'Jeugd en zedelijkheid na de oorlog'. In: Hansje Galesloot & Margreet Schrevel (eds.), *In fatsoen hersteld. Zedelijkheid en wederopbouw na de oorlog*, 1987, pp. 29-47.

K. Raes, 'Seksuele bevrijding is ook een ethisch project. Over de instrumentalisering van de erotiek'. In: Suzanne Haakma (ed.), *Minnen met de zinnen: opvattingen over erotiek in verschillende culturen*, 1999, pp. 11-39.

Redactie, 'Opmerkingen en Mededeelingen. Uitbreiding van art. 249 W.v.Sr.', *NJB*, p. 579 (1934).

Frank van Ree, *Pedofilie. Een controversiële kwestie*, 2001.

Hans Righart, 'Ons gezin is ons kleine vaderland'. In: Hansje Galesloot & Margreet Schrevel (eds.), *In fatsoen hersteld. Zedelijkheid en wederopbouw na de oorlog*, 1987, pp. 63-75.

José Rijnaarts, *Dochters van Lot*, 1979.

J. Rijnaarts & R. van Hengel, *De straf op zwijgen is levenslang*, 1983.

Renée Römkens, 'Het slachtoffer als januskop. Inleidende notities over geweld, vrouwelijkheid en mannelijkheid'. In: R. Römkens & S. Dijkstra (eds.), *Het omstreden slachtoffer. Geweld van vrouwen en mannen*, 1996, pp. 11-22.

P. de Rooy, 'Vetkuifje, waarheen? Jongeren in Nederland in de jaren vijftig'. In: H.W. van der Dunk et al., *Wederopbouw, welvaart en onrust*, 1986, pp. 121-147.

J. de Savornin Lohman, *Betere en adequater bescherming door de nieuwe zedelijkheidswetgeving?*, 1994.

---

H.J. ter Schegget, *Het kind van de rekening. Schetsen uit de voorgeschiedenis van de kindbescherming*, 1976.

M.W. Schenk, *Wangedrag van kinderen, onderzoek naar aard en oorzaken ten aanzien van 600 Rotterdamsche kinderrecht-kinderen*, 1935.

P. Schnabel, 'Seksualiteit, sociologisch gezien'. In: Jos Frenken, *Seksuologie, een interdisciplinaire benadering*, 1980, pp. 1-26.

P. Schnabel, '25 jaar na "Afscheid van de seksualiteit". Hoe het anders ging en hoe anders het ging', *Tijdschrift voor Seksuologie*, nr. 20, pp. 271-279 (1995).

O. Schreuder, 'Katholieken in beweging'. In: W. Goddijn, P.C. Stouthard & G. van Tillo, *Katholiek Nederland na 1945*, 1985.

J. Schuyer, 'De lijdensweg van de zedelijkheidswetgeving', *Proces*, nr. 10, pp. 261-271 (1989).

Kees Schuyt, *Waar is de gemeenschap gebleven?*, 2007.

Joseph A. Selling, 'The development of Catholic Tradition and Sexual Morality'. In: Joseph A. Selling (ed.), *Embracing sexuality. Authority and experience in the Catholic Church*, 2001, pp. 149-165.

Dina Siegel, 'Secrecy, betrayal and crime', *Utrecht Law Review*, (Aug 2011).

Pim Slot, *Een stille revolutie?: cultuur en mentaliteit in de lange jaren vijftig*, 1997.

J. Soetenhorst-De Savornin Lohman & U. Jansz, *Seksueel geweld zal de wetgever een zorg zijn*, 1986.

Liesbet Stevens, 'Seksuele autonomie ook beschermd door recht op privacy', *NJCM*, nr. 3, pp. 295-305 (1995)

S. Stuurman, *Verzuiling, kapitalisme en patriarchaat*, 1983.

A. de Swaan, 'Uitgaansbeperkingen en uitgaansangst; over de verschuiving van bevelshuishouding naar onderhandelingshuishouding'. In: A. de Swaan, *De mens is de mens een zorg. Opstellen 1971-1981*, 1983.

J.M.W. van Ussel, *De geschiedenis van het seksuele probleem*, 1968.

---

Ruut Veenhoven, 'Bevrijde sexualiteit. Tijd, cultuur en geluk', *De Psycholoog*, vol. 42, pp. 377-382 (July/Aug 2001)

Heikelien Verrijn Stuart, 'Kort van memorie, Redactioneel', *Nemesis*, nr. 1, pp. 1-6 (1989).

J. Weeks, *Sex, politics and society. The regulation of sexuality since 1800*, 1989.

Jeffrey Weeks, 'Seksuele deugden en alledaagse experimenten: het belang van "gewoon te zijn"', *Ethiek en maatschappij*, 13(1), pp. 5-23 (2010).

F. van Wel, *Opvattingen over de (vrouwelijke) seksualiteit in de jaren zestig en zeventig*, 1984.

Hanneke Westhoff, *Geestelijke bevrijders. Nederlandse katholieken en hun beweging voor geestelijke volksgezondheid in de twintigste eeuw*, 1996.

J. Wiarda, *Beschrijving van het relevante juridische kader voor het onderzoek naar seksueel misbruik van kinderen die onder verantwoordelijkheid van Justitie zijn geplaatst in instellingen en bij pleegouders*, 2011.

M. Zeegers, 'Strafbare liefde en gevaarlijke bescherming', *Proces*, (July/Aug 1978)

Gertjan van Zessen & Theo Sandfort (eds.), *Seksualiteit in Nederland*, 1991.

Parliamentary documents

Ontwerp wetboek van Strafrecht, deel 1 t/m 4. 's-Gravenhage 1880.

Bijlagen Handelingen Tweede Kamer 1908-1909, 293, nrs. 1-3 (Wet ter bestrijding van de zedeloosheid).

---

Verdragen ter bestrijding van den handel in vrouwen and kinderen en ter beteugeling van de verspreiding van en den handel in ontuchtige uitgaven, *Staatsblad* 1927, 156.

Wet van den 18den Juli 1936, tot wijziging en aanvulling van bepalingen betreffende de zeden van het Wetboek van Strafrecht ter betere bescherming van minderjarigen, *Staatsblad* 1934, 405.

<sup>2</sup> De commissie van onderzoek naar sexual misbruik van minderjarigen in de *Rooms-Katholieke Kerk, Naar hulp, genoegdoening, openbaarheid and transparantie*, The Hague, December 2010, <[www.onderzoekrk.nl](http://www.onderzoekrk.nl)>

<sup>3</sup> De commissie van onderzoek naar sexual misbruik van minderjarigen in de *Rooms-Katholieke Kerk, Tussenrapportage*, 28 February 2011, letter No. OCRKK/1100067; <[www.onderzoekrk.nl](http://www.onderzoekrk.nl)>

<sup>4</sup> Weeks distinguishes five factors that determined the development of sexuality from the start of the nineteenth century. These were kinship systems, economic and social changes (such as new class lines, urbanization and immigration), changing forms of social regulation both formal (secularization, the rise of the welfare state) and informal (social control and peer pressure), political decision-making (including the influence of 'moral panic' and the conversion of social opinions into legislation) and the conflict model of society (in which moral codes are imposed and accepted by some, but rejected by others). Weeks, 1989.

<sup>5</sup> Schnabel, 1980, p. 16. Schnabel speaks of the 'historical and cultural relativity of sexuality' as a product of the social order. Van Wel, 1984 agrees with him.

<sup>6</sup> Kool, 1999, Chapter 2. See also DeMause, 1974 and Weeks, 1989.

<sup>7</sup> For example, Beemer is of the opinion that the middle classes were more influential while Weeks, Van Ussel and Ter Schegget state that the church was the originator of most ideas in this field. Beemer, 1980, pp. 67-70; Weeks, 1989, p. 82, who states that 'the general framework was unquestionably that of the Christian tradition', Van Ussel, 1968, pp. 44-61 and Ter Schegget, 1976.

<sup>8</sup> De Swaan, 1983, p. 89.

<sup>9</sup> The legal framework before this time had been provided in turn by the customary law of the various provinces of the Netherlands, the French Code Pénal during the period of French rule and briefly the *Crimineel Wetboek* of the Kingdom of Holland, 1811.

<sup>10</sup> *Ontwerp wetboek van Strafrecht*, deel III, 1880, p. 151. It may be noted that the idea of making incest a punishable offence was decisively rejected at this time. While the existence of homosexual contacts with minors was recognized, it was not thought to be a sufficiently serious problem to be made a punishable offence.

<sup>11</sup> Kool, 1999, Chapter 3, section 3.1. See also *Ontwerp Wetboek van Strafrecht*, deel IV, 1880, p. 615, where minister of Justice Modderman stated: 'But where the victim is an innocent child who is unable to resist the sexual advances, the perpetrator must be subjected to the full force of the law in our civilized state of the Netherlands.'

<sup>12</sup> Stuurman, 1983, p. 1. Stuurman speaks of an 'all-embracing politicization of personal life and morals, focused on the family, sexuality and respectability'.

<sup>13</sup> Oosterhuis pointed out that Catholic attitudes at this time were influenced by a hardening of the stance of the Vatican. The drop in the birth rate in the Netherlands and the rise of the New Malthusian movement led the Vatican to urge the faithful to oppose birth control measures and to instruct priests that they should correct their too tolerant response to reports of coitus interruptus heard from parishioners during Confession; Oosterhuis, 1992, p. 28. See also Stuurman, 1983, p. 221 in this connection.

---

<sup>14</sup> Bijlagen Handelingen Tweede Kamer 1908-1909, 293, nrs. 1-3 (Wet ter bestrijding van de zedeloosheid).

<sup>15</sup> Kool, 1999, pp. 61-71. Oosterhuis, 1992, pp. 26-27. Pompe, 1964, p. 268.

<sup>16</sup> Bijlagen Handelingen Tweede Kamer 1909-1910, 293, nr. 56, 2, p. 15. Minister of Justice Regout spoke of 'a general conviction throughout the country that a wider response from the legislator was called for, a deeply rooted and mature sense of justice that demands satisfaction in order to oppose moral degeneration of our nation, which has always been characterized by moral purity and simplicity'.

<sup>17</sup> Stuurman, 1983, p. 223, had the following comment on this point: the 'social and where possible legal excommunication of contrary viewpoints relating to sex and marriage was a core element of the confessional counter-offensive against the 'modern' aberrations of the time'.

<sup>18</sup> Schuyt, 2007. Schuyt comments: 'The pillarization [of Dutch society] was not just a social control mechanism, but also an authentic reflection of heart-felt belief with far-reaching social consequences' (p. 8).

<sup>19</sup> Westhoff, 1996, p. 126. Westhoff pointed out the holistic nature of the Catholic view of mankind, of which church membership and the associated convictions about human relations form an integral part. Similar views are expressed by Goddijn et al., 1999, p. 104, who mention the tightly knit parochial structure that is so characteristic of Dutch Catholicism and the 'stress on inner values' linked with this. In the same vein, De Swaan, 1983, p. 83, spoke of a 'dual movement'.

<sup>20</sup> For example, Drukker lamented in 1937: 'The responsible bodies forget all too often that a normal family life is the most important condition for the creation of a morally healthy people.' Drukker, 1937, p. 40.

<sup>21</sup> The fact that the concern about moral degeneration did not only refer to the sexual abuse of minors appears clearly from the large number of moral issues on the political agenda at the time, such as the regulation of prostitution, possible measures to reduce the frequency of divorce, birth control, anti-abortion measures, the control of homosexuality, paternity tests, the regulation of pornography and public morals.

<sup>22</sup> Van Heek, 1968.

<sup>23</sup> Doyle, 2003, states that the historiography of the Catholic Church reveals that sexual abuse, both of adults (in particular women) and of minors 'has occurred throughout history' in the church. He refers in this connection to provisions in the canon law of 1917 and 1983, in particular to canon 1387 and 1395, which contain prohibitions of the demanding of sexual favours in exchange for hearing the Confession and the sexual abuse of minors respectively. The prohibition of sexual abuse of minors goes all the way back to the Canon Law of 1395. The difference between then and now is that the main focus today is on homosexual, paedophile acts while in the past the main stress was on sexual abuse of women and girls (p. 193).

<sup>24</sup> Oosterhuis, 1992, p. 33 and 124-127. In such cases, students were 'advised to leave' the seminary. The use of the term 'friendship' to denote homosexual contacts would long remain common in Catholic circles. It was still used in 1962, when the Catholic Church was already showing some signs of 'acceptance' of homosexual tendencies; Westhoff, 1996, pp. 426-432.

<sup>25</sup> Such contacts were referred to by the term *ephebophilia* (a love of adolescents). Humblet, 2007, refers to this difference. Dohmen's comments on the nature of sexual abuse within the Catholic Church would seem to be relevant in this context. It appears from the reports by victims that he recorded that sexual abuse was on the one hand often accompanied by other forms of abuse, while on the other hand it could often be described as 'clumsy forms of assault' (such as rubbing, frottage,

---

feeling and masturbation), though other more serious penetrative contacts also occurred. Dohmen concludes that 'it did not take much' to give the perpetrator the sexual gratification he sought, and brings this in relation with the immature sexuality of priests and members of religious orders, in combination with the fertile ground for sexual abuse to be found in boarding schools. It should be remembered that many of the boys came from socially deprived groups which led to typical problems such as a lack of family bonding, feelings of insecurity and subjection, and a lack of warmth and community in the educational environment. These factors reduced the resistance of victims to the sexual acts forced on them by priests and members of religious orders: the victims could not stand up to them, and 'felt abandoned'; Dohmen, 2010, pp. 270-275. With reference to the definition of paedophilia used by Humblet, these were not acts of paedosexuality (which assumes 'love' of the child) but were rather cases of instrumental sexual violence, making use of more or less any victim who happened to be available.

<sup>26</sup> Circular from Friar Radulphus, 1917, General Superior of the Friars of Tilburg, to the other superiors. Referring to a new case of sexual abuse, the General Superior mentioned the 'many regrettable cases of the past 25 years' and wondered why 'so many had succumbed'. The expulsion of another friar for sexual abuse was reported in 1918 – probably by the same General Superior – and three more cases from the same congregation were reported in 1935. According to the report, one of the de friars suspected of sexual abuse was remanded in custody.

<sup>27</sup> This resistance to homosexual contacts should be understood in the light of the 'functional' views on sexuality held in Catholic moral teachings. Homosexual contacts served only to stimulate feelings of pleasure, and had no function in the propagation of the species.

<sup>28</sup> The NWHK, which lobbied for equal rights for heterosexuals and homosexuals, was founded in 1912 as a direct reaction to the introduction of article 248bis Sr. Oosterhuis, 1992, pp. 35-46.

<sup>29</sup> Article 248ter Sr became article 248a Sr in 1999. The seduction of minors is still a criminal offense today – unlike consensual homosexual contacts with minors.

<sup>30</sup> This idea would be established in Dutch sexual legislation at the end of the 20th century by the introduction of the concept of '*andere feitelijkheid*' (other act) in articles 242 and 246 Sr.

<sup>31</sup> Bijlagen Tweede Kamer 1934-1935, 470, nrs. 1-2, wet van den 13den Mei 1927, houdende wijziging van het Wetboek van Strafrecht en van de Uitleveringswet in verband met de Verdragen ter bestrijding van den handel in vrouwen en kinderen en ter beteugeling van de verspreiding van en den handel in ontuchtige uitgaven, *Staatsblad* 1927, 156.

<sup>32</sup> Wet van den 18den Juli 1936, tot wijziging en aanvulling van bepalingen betreffende de zeden van het Wetboek van Strafrecht ter betere bescherming van minderjarigen, *Staatsblad* 1934, 405.

<sup>33</sup> Opmerkingen en Mededeelingen. Uitbreiding van art. 249 W.v.Sr., *NJB*, p. 579 (1934).

<sup>34</sup> A similar line of reasoning underlies the recognition of seduction as a criminal offence in article 248ter Sr from 1911.

<sup>35</sup> This formula of 'abuse by a person in a position of de facto authority' resurfaced in a proposal to amend the sexual legislation in 1984. Due to various circumstances, this proposal was shelved until 1989, when it met with considerable political opposition due to the view that it would lead to excessive liberalization of sexual contacts with minors. As a result, it was not submitted to Parliament. Kool, 1999, p. 82 and 98.

<sup>36</sup> Drukker, 1937; Van Bemmelen, 1960, pp. 23-24 and 29. It may be noted that this trend actually continued beyond the 1950s.

<sup>37</sup> This term is taken from a statistical report on the mental health problems of fifty members of the clergy published in the Catholic *Artsenblad* (1934, 8, pp. 239-246), in which five cases of 'inappropriate behaviour' were mentioned without further comment as examples of the mental health problems encountered. Cited by Oosterhuis, 1992, p. 45. Oosterhuis also reports deliberate



---

neglect of the problem of sexual or homosexual abuse of minors in the years leading up to the Second World War.

<sup>38</sup>It may be mentioned that differences of opinion existed at this time on how to deal with homosexuality, which was certainly recognized as a problem by Catholic thinkers. Medical and psychological approaches competed with views from the perspective of moral theology. It remains true, nevertheless, that a certain (limited) understanding of this problem did emerge from the 1930s onwards, in the sense that the problem was open to discussion and was treated to a certain extent. The work of H. Bless was particularly important in bringing this change about. Further details may be found in Luykx, 1997.

<sup>39</sup>Oosterhuis, 1992, p. 33.

<sup>40</sup>The explanation for this phenomenon was sought in the poor training given to pastoral workers, especially in the field of marriage and the sexual problems associated with this; Westhoff, 1996, p. 137.

<sup>41</sup>The Catholic Church felt obliged to make use of the services of lay therapists, in particular psychiatrists, in the treatment of members of the clergy with urgent mental health problems. Doctors were the only laypersons who were allowed access to the inner circles of the clergy. Although this did lead to close cooperation, frictions also developed in the course of time – especially as regards the treatment methods used. One of the best-known cases in this connection was the ‘Terruwe affair’ concerning the views used by the psychiatrists Anna Terruwe and F.J.J. Buytendijk in the treatment of clergy, which were regarded as ‘pernicious’ by Rome. The Vatican went so far as to put a ban on use of the services of ‘female psychiatrists’ – an indirect way of referring to Terruwe, since she was the only female psychiatrist in the Netherlands at the time. Further details are given by Monteiro, 2008, pp. 475-476. But not all the tensions were related to perceived ‘laxity’ of lay therapists: examples also occurred in the opposite direction. For example, Oosterhuis mentions that Catholic physicians sometimes took more rigid views than the moral theologians. This was in particular the case in the Medical Congress on homosexuality in 1939 (Oosterhuis, 1992, pp. 47-49 and 61).

<sup>42</sup>In fact, this approach was prescribed by canon law until 1983. According to the Ecclesiastical Code (*Kerkelijk Wetboek*) of 1917, priests could only appear before secular courts if permission for this had been granted by the hierarchy of the church.

<sup>43</sup>Westhoff, 1996, pp. 461-476. She also pointed out the ‘totalitarian’ nature of the process whereby young student priests, not much more than boys, were shaped into loyal servants of the Church in relative isolation in the 1920s and 1930s (p. 366).

<sup>44</sup>Westhoff speaks of ‘emancipation Catholicism’; Westhoff, 1996, p. 134. Oosterhuis also comments on the great respect for the clergy in the Netherlands compared with other countries up to the 1950s. He speaks of a ‘defensive, isolationist attitude’, and writes: ‘Pillarization (...) was both a strategy for protecting traditional religious values in modern society and a way of giving shape to modernization within a community of like-minded people’ (Oosterhuis, 1992, p. 47).

<sup>45</sup>Westhoff, 1996, p. 115 and 134. Special mention must be made here of the contribution of the Catholic Central Association for Public Mental Health (*Katholieke Centrale Vereniging voor Geestelijke Volksgezondheid*, KCV). This body, formed in 1949 as a continuation of the Roman Catholic Charitable Association for Public Mental Health (*Rooms Katholieke Charitatieve Vereniging voor Geestelijke Volksgezondheid*), organized working groups and study days, set up committees and produced a range of publications.

<sup>46</sup>Righart, 1987, p. 63 and p. 72. According to Righart, a clear turning point may be discerned in the first half of the 1950s.

<sup>47</sup>For details of the role of the Catholic youth movement in this post-war renaissance, see for example Beerenhout-Naarden, 1987.

<sup>48</sup>Mol & Van Lieshout, 1987, p. 82, give details, as does Righart, 1987, p. 70. The latter cites the statement by the secretary of the Catholic Workers’ Movement (KAB) that he is afraid of the

---

prevailing 'off-the-peg mentality'. Furthermore, Poortstra, 1987, p. 43, speaks of the 'very restrictive moral standards' to be found in the Netherlands between 1945 and 1955.

<sup>49</sup> De Rooy, 1986, p. 123, speaks of 'the Procrustean bed of middle-class morality'.

<sup>50</sup> Middendorp speaks of a 'restoration of the pillars, initiated by the elites within them'; Middendorp, 1979, pp. 23-25. See also Goddijn, 1999, Part I, Chapter 1. The bishops' letter of 1954 is also illustrative of the Catholic Church's renewed 'grip on society'. In this letter, the Dutch episcopate strongly advised the faithful not to join any Socialist organization, though they did not go as far as an outright prohibition. This letter was not well received by the Catholic laity, especially not by the Catholic workers' movement. For further details, see Righart, 1987, p. 73.

<sup>51</sup> Westhoff, 1996, p. 94. For example, a bishops' letter on the requirements of married life was issued as early as September 1945; see *Analecta voor het aartsbisdom Utrecht* 18, pp. 17-24 (1945). The following description from the newsletter of the Utrecht Diocesan Union from 1949, cited by Righart, 1987, p. 64, is illustrative of the mood at that time: 'poisoned by sensuality, which degrades a man, stupefies him and renders him unable to see and taste the Divine. Man's spiritual element is suffocated. Titillation is pervasive: the theatre, culture ... nearly everything appeals to man's lower instincts. In such a world it is hardly possible to think clearly, to see things in the light of eternity. The noblest feelings suffocate in this atmosphere of sultry sensuality'.

<sup>52</sup> Westhoff, 1996, p. 150.

<sup>53</sup> One of the concerns expressed at the time related to sexual contact between Dutch women and Canadian soldiers immediately after the end of the Second World War. After the initial euphoria in the summer months of 1945, sometimes referred to as the 'crazy, crazy summer', people started to object to what was seen as the 'loose' behaviour of young women. For further details, see Dimmendaal, 1987, and De Rooy, 1986, p. 127; De Rooy writes that the uncertainty about young people took the form of a moral panic.

<sup>54</sup> Pompe, 1945, p. 79.

<sup>55</sup> The Catholic National Bureau for Mental Health Care (*Katholiek Nationaal Bureau voor Geestelijke Gezondheidszorg*, KNBGG), which would later become very influential, was founded in 1952. It has been suggested that one of the reasons for this was the rise in the number of Catholics represented in the recorded crime figures. The pre-war accent on 'responsible' birth control, which involved a prohibition on the use of contraceptives, was maintained. See also Oosterhuis, who states that 'the formation of healthy relationships lay at the heart of the sexual ethics propagated by Catholic psychology experts in the 1950s and 1960s' (Oosterhuis, 1992, p. 116). Further details are given by Mol and Van Lieshout, 1987, who state that the family and marriage were key elements in post-war demographic policy.

<sup>56</sup> Oosterhuis points out that morality and mental health were treated as two aspects of the same issue in this approach; Oosterhuis, 1992, pp. 97-99. Similarly, Mol and Van Lieshout, 1987, p. 79, state: 'mental health care also represents a much wider striving for social reform'. It is striking in this context that surveys among young people in the 1950s show that young people, in any case those with a confessional background, adhered to quite strict moral standards at the time; Poortstra, 1987, p. 36. Righart, 1987, p. 36, came to a similar conclusion. See also p. 39, where Righart writes that 'there was little correspondence between actual and purported behaviour' in the post-war years. See De Rooy, 1986, p. 129, for further details.

<sup>57</sup> Slot, 1997, pp. 67-83. See also Luykx, 1997 and Westhoff, 1996, p. 346, who mentions a study of the 'character of mass youth' in the early 1950s, initiated by the Dutch ministry of Education, Art and Science.

<sup>58</sup> Liagre Böhl, 1987, p. 26.

<sup>59</sup> This was reflected in increasing deinstitutionalization of monastic orders and religious congregations, a continuation of the development that had started in the 1930s. In response to this, many members of religious orders increasingly focused their activities and their professional interests on the outside world. The creation of the Association of Religious Priests in the

---

Netherlands(*Stichting Nederlandse Priester Religieuzen*, SNPR) in 1955 should be seen in this light. This body set up professional training courses and issued recommendations on secular themes, including sexuality; Goddijn et al. 1999, pp. 106-107.

<sup>60</sup> Perry & Vossen, 1987; Luykx, 1997; Goddijn et al., 1999, pp. 113-115.

<sup>61</sup> Luykx speaks of 'protection by adaptation'; Luykx, 1997, p. 74. Oosterhuis, 1992, p. 7, makes similar comments.

<sup>62</sup> For example, the Pastoral Orientation Committee (*Pastorale Oriënteringscommissie*) was set up. This committee had not only lay members but also a substantial representation from the clergy; Westhoff, 1996, pp. 317 and 342-344. See also Oosterhuis, 1992, p. 116.

<sup>63</sup> Goddijn et al., 1999, Part II, Chapters 1 and 2. Goddijn speaks of 'unresponsive leadership' in this connection (p. 182). The setting up of the Pastoral Institute of the Dutch Catholic Church (*Pastoraal Instituut van de Nederlandse Kerkprovincie*, PINK) in 1963 is also illustrative of what was going on. PINK's objective was to promote Catholic unity on a national, democratic basis by encouraging cooperation between the episcopate, the regular and secular priests and the laity in order to improve pastoral care, if possible on a scientific basis (pp. 157-158).

<sup>64</sup> Schreuder, 1985, p. 111; Schreuder sketches a picture of an initial high degree of flexibility and responsiveness on the part of the episcopate, which encouraged the Catholic intellectual elite to take radical steps towards the emancipation they hoped to introduce. The episcopate felt obliged to nip this radicalization in the bud, which led to the above-mentioned polarization. See also Goddijn et al., 1999, pp. 303-306, who state that the attempts by the Catholic intellectual elite to introduce Church renewal led to existential anxiety among large groups of the laity. Reports of these problems circulated in Catholic circles, for example in PINK, in these years.

<sup>65</sup> Goddijn et al., Part III, 1999. The strident tone of public announcements by church authorities in these years was striking.

<sup>66</sup> Goddijn et al., 1999, pp. 44-46 and 203-205. These events led to a 'visitation' from Rome by the Dutch Jesuit Dr. Sebastian Tromp in 1954 and 1955, which focused in particular on the advice about sexuality being given in Catholic seminaries.

<sup>67</sup> This warning was given by Bishop Alfrink at a congress of the Association of Catholic Physicians (*Katholieke Artsenvereniging*); *Katholiek Archief*, 1959, 14, kol. 1032 (cited by Westhoff, 1996, p. 389).

<sup>68</sup> The fact that there was still opposition to homosexuality in Catholic circles at this time may be seen for example from the proposal of the Catholic Central Association for Public Mental Health (*Katholieke Centrale Vereniging voor Geestelijke Volksgezondheid*, KCV) in 1950 to make homosexual contacts between adult males a criminal offence (Westhoff, 1996, p. 42).

<sup>69</sup> It may be noted that the clients of these bureaus came both from the clergy and from the laity. There were requests for help in dealing with homosexuality, and with other (marriage-related) sexual problems. The bureaus remained operational till 1965, and received a total of 211 requests for help in this period. Oosterhuis, 1992, pp. 138-139. Westhoff, 1996, p. 424.

<sup>70</sup> Oosterhuis, 1992, p. 133 and 184.

<sup>71</sup> Westhoff, 1996, pp. 453-465. For example, a circular distributed within the SNPR called for attention to be paid to the question of 'nervous breakdowns in the community', while mention was also made of 'sexual aberrations'. SNPR, Secretariat, letter from Keulemans to the members of the Presidium, 30 May 1954. See also Letter from Trimbos to L. Baas (18 January 1962, KNBGG Archives, nr. 317, where Trimbos described the seminaries as 'a breeding ground for infantile and unhealthy development' (cited by Westhoff, 1996, p. 454).

<sup>72</sup> The initiative for the investigation came from the Pastoral Orientation Committee. The objective was to elucidate the extent to which the obligation of celibacy could be seen as the cause of the above-mentioned abuses at the seminaries. It had previously been argued in the 1930s that it was not the obligation of celibacy that led to sexual abuses but rather a poor selection procedure for those entering the seminaries and boarding schools; Westhoff, 1996, pp. 455-456.

---

<sup>73</sup> This position was confirmed in 1953 by Pope Pius XII: 'On psychotherapy and religion. An address of His Holiness Pope Pius XII to the Fifth Congress of Psychotherapy and Religion', April 13, 1953, <[www.papalencyclicals.net/Pius\\_12/P12PSYRE.htm](http://www.papalencyclicals.net/Pius_12/P12PSYRE.htm)>.

<sup>74</sup> This 'acceptance' of the sexual and homosexual problems experienced by Catholic clergy is illustrated for example by the drafting of instructions by the Church leadership which made explicit mention of homosexuality and pederasty and gave guidelines on how to act in such cases. An example of such instructions is that drafted by the Congregation of Monastics of the *Religiosorum Insitutio* in 1961 for the attention of the superiors of religious communities, congregations where no vows were taken and secular institutes concerning the selection and training of candidates for the priesthood.

<sup>75</sup> Oosterhuis, 1992, pp. 184-188.

<sup>76</sup> The initiative for this came from the Pastoral Orientation Committee, which was granted official permission in 1958 for the setting up of a subcommittee on Homosexuality. It is noteworthy that E. Brongersma, who became known later as a defender of the rights of paedophiles, was a member of this committee on a personal basis. This subcommittee was replaced in 1962 by the working group 'Psychotherapists for pastoral care of homosexuals' (*Zielzorgers voor pastorale hulp aan homoseksuelen*); Westhoff, 1996, pp. 423-426.

<sup>77</sup> For example, a list of four independent psychiatrists who were sufficiently acquainted with the requirements made on priests and members of religious orders was drawn up during the two-day General Meeting of the SNPR (the foundation of Dutch priests who are members of religious orders) in October 1953. This was placed on the agenda of the meeting under the heading 'Our colleagues who are suffering nervous breakdowns'. It is characteristic of these developments that an increasing number of priests and members of religious orders began to study psychology, with permission from their superiors, starting in the 1950s. The possibility of setting up a special Catholic institute for the treatment of priests and members of religious orders with problems was also discussed at this time, but the idea was dropped because of lack of funds (Westhoff, 1996, pp. 273-279).

<sup>78</sup> Notes made by Eric Theloosen of a confidential conversation with the archivist of the Diocese of Den Bosch reveal that such archives existed in any case up to the 1970s. It is known that the documents in some of these archives were destroyed when the church administrator in question had completed his activities.

<sup>79</sup> The most extreme form of treatment used in some cases was castration – a method that was employed to a limited extent in psychiatry at the time. The number of castrations performed peaked in the 1950s. Oosterhuis mentions a report from the ministry of Justice which stated that 384 men who had been sentenced to detention at Her Majesty's pleasure (*Terbeschikkingstelling van de Regering*) were castrated in the period 1938-1968. Half of these had been found guilty of contravention of article 248bis Sr (homosexual contact with a minor). Oosterhuis points out that the real number of castrations must have been higher, since the figures did not include cases where the castration was performed on a voluntary basis or within the framework of a conditional sentence (Oosterhuis, 1992, p. 55). It may be concluded from Kempe et al., 1956, that at least one member of the clergy who had been convicted of sexual abuse was castrated. This appears to have happened in 1952; the perpetrator was then only given a short suspended jail sentence (Kempe et al., 1956, No. 287, p. 9). It appears from Church documents that, in any case at this time (around 1955), the leadership of the Catholic Church did not reject the idea of castration. It may finally be mentioned that a very small number of female homosexuals were also castrated.

<sup>80</sup> For example, church documents mention one case in 1958, two in 1959 and two in 1960. See also Dohmen, 2010, p. 97; Dohmen reports that no Dutch bishop reported the offences in any of these cases. Soetenhorst-De Savornin Lohman and Janzs comment in this context that while many sex crimes were recorded in these years, there were relatively few prosecutions due to a shortage of funds; Soetenhorst-De Savornin Lohman and Janzs, 1986, p. 10.

<sup>81</sup> Dohmen mentions 134 reports of cases from the 1950s and 176 from the 1960s (Dohmen, 2010, p. 296).

---

<sup>82</sup> Dohmen, 2010, p. 40.

<sup>83</sup> Dohmen, 2010, p. 287 and 299, writes that the Public Prosecutor was sometimes 'part of the cover-up culture' in these years.

<sup>84</sup> The General Superior ascribed the sexual abuse to the changes in contemporary culture, such as the more relaxed rules of morality, in particular sexual morality and the more informal interpersonal relations on the one hand and less feeling for religion on the other. He referred to the register of teachers convicted of indecent acts with minors maintained by the ministry of Education, Art and Science, and pointed out that a number of friars from the order of the Friars of Tilburg were on that list. The General Superior further mentioned 'a lack of modesty in matters of clothing, some children made overaffectionate due to too weak and feeble an upbringing at home' as another cause of the sexual abuse. But he also criticized the perpetrators for their 'absence of religious piety, laxity of will, self-indulgence and the rejection of punishment and mortification, pride and an obstinacy that scorns wise stipulations and instructions'; Fr. Petrus Canisius, Sup.-Gen., *Circulaire*, Tilburg, June 1954. See also the instructions drafted by the Congregation of Monastics of the *Religiosorum Insitutio* in 1961 for the attention of the superiors of religious communities, congregations where no vows were taken and secular institutes concerning the need for careful selection and training of candidates for the priesthood. These instructions contained explicit recommendations on looking for signs of homosexuality and pederasty and gave guidelines on how to act in such cases.

<sup>85</sup> Dohmen, 2010, p. 26. Dohmen cites Monteiro, who speaks of 'moral leniency' in the recruitment of lay brothers and mentions the chance of failing to recognize the risk of sexual abuse that this procedure entailed. There were 444 Catholic boarding schools in the Netherlands in 1958, and in particular the number of boys' boarding schools rose sharply after the Second World War.

<sup>86</sup> Dohmen, 2010, p. 287.

<sup>87</sup> Kempe et al., 1956.

<sup>88</sup> Kempe et al., 1956. The documents in question are kept in the Central Archives of the University of Utrecht; each one is numbered, and the registration numbers are always mentioned in this study. The investigation covered all applications for removal of teaching qualifications submitted to the Provincial Executive of the Dutch province in which the offence took place in the period 1946-1956. It may be mentioned that the Provincial Executive had the authority to remove the teaching qualification on the grounds of any form of 'unsuitable behaviour'. In practice, the only grounds applied were sexual abuse of pupils (article 247 or 249 Sr) or, in a few cases, indecent behaviour (article 239 Sr). Kempe et al. stressed that the grounds for removing the teaching qualifications were the 'unsuitability' of the candidate, which should not be confused with the heinousness of the sexual abuse committed. They also stressed that the Provincial Executive was responsible for its decisions in this matter.

<sup>89</sup> The authority to take this action was based on article 10, section 2, of the Primary Education Act (*Lager Onderwijswet*) 1952.

<sup>90</sup> One of the friars concerned opted to be castrated, which removed the risk of re-offending. The Provincial Executive concerned decided not to remove the teaching qualifications in this case; Kempe et al., 1956, No. 287, p. 9.

<sup>91</sup> Kempe et al. based this list of unadvisable acts on the cases they had examined themselves; Kempe et al., 1956, No. 287, p. 12.

<sup>92</sup> Kempe et al., 1956, No. 287, p. 13.

<sup>93</sup> Kempe et al., 1956, No. 287, p. 29. Kempe et al. proposed that the removal of teaching qualifications should be replaced by a two-year suspension subject to certain conditions including psychiatric treatment, preferably by a university clinic that was specialized in social psychiatry. At the end of the two-year period, the decision as to whether to remove the teaching qualifications should be made by the national schools inspectorate – especially because this would remove any hesitation schools might have about reporting any further incidents to the police (p. 19).

<sup>94</sup> Copies of the judgements of the courts included in the reports show that sentencing was generally lenient. In the majority of cases, the perpetrator was given an almost entirely suspended sentence,

---

the only condition being the obligation to seek psychiatric and/or psychological treatment; Kempe et al., 1956, No. 290.

<sup>95</sup> This statement is taken from F. Jansen, 1956, 'Seksualiteit als spook', *G-3*, 9, No. 10, p. 15, and was cited by Westhoff (1996), p. 343. Jansen was editor of the influential magazine *G-3* at the time.

<sup>96</sup> These developments led to a blurring of class distinctions, especially among the youth. The following statement by one of the leaders of the Dutch Provo movement, cited by De Rooy, is illustrative of this trend: 'Provo was not as intellectual as other left-wing movements, and how old you were was more important than your background. The aim was to show up the old pricks, not just political insiders or mayors but the boss at work too'; De Rooy, 1986, pp. 144-145.

<sup>97</sup> Middendorp speaks of the birth of 'centrifugal democracy', in which the old political elites are still there but have regrouped and now have to continue the struggle for power in the political arena, where they compete on ideological grounds. Middendorp, 1979, p. 12.

<sup>98</sup> This despite the fact that, according to Van Bemmelen, sexual criminality was still on the rise in the early 1960s; Van Bemmelen, 1961.

<sup>99</sup> In Stuurman's opinion, the Roman Catholic pillar of Dutch society was 'disintegrating'; Stuurman, 1983, p. 15.

<sup>100</sup> Middendorp, 1979, p. 12.

<sup>101</sup> Beunders, 2002, p. 119. The contraceptive pill was introduced in the Netherlands in 1962.

<sup>102</sup> De Rooy writes that the relations between boys and girls in the 1960s were characterized by 'harmonious inequality' in the balance of power, with the scales still weighted in favour of the boys. Young people were well aware of this, however, and did their best to achieve a situation of discussion and harmony; De Rooy, 1986, p. 144.

<sup>103</sup> Van Wel, 1984; Schnabel, 1980.

<sup>104</sup> According to Beunders, the statement of moral principles in the 1950s and 1960s lagged behind their application in practice; Beunders, 2002, pp. 85-90. See also De Rooy, 1986, p. 137 and Humblet, 2010, p. 29.

<sup>105</sup> The birth rate in the Netherlands fell by ten per cent between 1967 and 1977. It had reached a historical low in 1937 and had then started to rise again, until it returned to the pre-war level in the 1960s. See also Schnabel, 1980, p. 19, who stated that the Sexual Revolution did not happen 'spontaneously' but must be seen against the background of the fact that sexual intercourse no longer had undesirable consequences thanks to the free availability of contraceptives. It may further be noted that Schnabel calls sexuality 'socially irrelevant' in this publication, by which he means that there is no longer any need for social control of sexuality in order to preserve the demographic balance. However, this statement loses sight of the fact that the sexual discourse has for centuries not only served practical political ends but has also had a strong moralizing component.

<sup>106</sup> Westhoff, 1996, pp. 419-421.

<sup>107</sup> After this programme, the contraceptive pill came to be known colloquially in the Netherlands as 'Bekkers' candy' ('*het lekkers van Bekkers*') This is based on a Dutch play of words, which is difficult to translate into English: '*lekkers*' (= something delicious) rhymes with Bekkers. It may be noted that the progressive Catholic psychiatrist Professor Kees Trimbos (1920-1988) had a weekly radio programme in which he discussed issues relating to sexuality for many years, starting in the 1950s.

<sup>108</sup> Westhoff, 1996, p. 539.

<sup>109</sup> Details of the Second Vatican Council and its impact on the Netherlands through the intermediacy of the Pastoral Council of 1968-1970 are given by Goddijn, 1973, and Goddijn et al., 1999, Part II, Chapter 1, pp. 161-170.

<sup>110</sup> Goddijn et al., 1999, pp. 156-161.

---

<sup>111</sup> Goddijn et al. regard the openness showed by the Dutch episcopate in the 1960s as of historical significance which can hardly be overestimated, and go on to state that this 'policy of tolerance' served as an example for developments elsewhere (Goddijn et al., 1999, p. 490-494).

<sup>112</sup> Goddijn et al., 1999, p. 242. Goddijn et al. mention a letter from the Dutch bishops dated 9 December 1969 which states that permission from the episcopate is no longer required for the creation of new organizations in the secular field (Archief van de Kerken 25 (1970), kol. 86-88).

<sup>113</sup> For example, a national opinion poll among Dutch priests, deacons and subdeacons was commissioned by PINK in 1969, after consultation with the bishops and provincials, to explore views on the significance of celibacy and whether it should be retained. The results of the poll showed that celibacy was regarded as important for the religiosity of the individual, but nearly half of the respondents rejected the idea of linking the priesthood with the obligation to celibacy. This response was particularly strong among the younger respondents. See Goddijn et al., 1999, pp. 206-209.

<sup>114</sup> Westhoff, 1996, p. 458. Westhoff referred in this connection to an address by Pope Paul VI to the cardinals on 23 June 1964 (*Acta Apostolicae Sedis*, 56, pp. 581-589 (1964)) and to a previous statement from the Dutch episcopate to the clergy ('Mededeling aan de priesters over huwelijksproblematiek', 10 augustus 1963. in: *Anelecta van het bisdom Breda*, 8, No. 8, p. 143 (1963)). Both of these statements seem to leave some room for adjustment of the views of the Church (p. 542).

<sup>115</sup> Goddijn et al., 1999, p. 273, state that the Dutch episcopate promised, on the basis of the results of the above-mentioned PINK opinion poll and the subsequent debate, to argue in favour of abolition of the obligation to celibacy at the national Pastoral Council to be held in Rome in preparation for the Second Vatican Council.

<sup>116</sup> Westhoff, 1996, p. 461. See also Goddijn et al., 1999, p. 205, who mention a married ex-chaplain who did 'priestly' work with the blessing of bishop Bekkers. Doyle, 2003 also reports 'mass resignation' from the ministry in the years after the Second Vatican Council.

<sup>117</sup> This standpoint was confirmed in subsequent years: the principle to be followed was 'no ordination in cases of doubt'. Secretariaat Rooms-Katholieke Bisschoppenconferentie, *Opmerkingen, informatie en adviezen vanuit de bezoeken aan de verschillende Romeinse instanties bij gelegenheid van het Asliminabezoek*, juni 1998, Archief Bisschoppen conferentie, map 12412. It may be noted in this connection that O'Grady pointed out that the rules governing the obligation to celibacy are different outside the western arm of the Catholic Church, where celibacy is not obligatory on all priestly ranks. O'Grady, 2001.

<sup>118</sup> For example, there was a lively discussion within the ranks of the SNPR in 1968 about the need to found a special psychotherapeutic monastery. The stress on the need for treatment is also illustrated by the setting up of the Central Advisory Agency for Priests and members of Religious orders or congregations (CAPER) in 1967. See Jacobs, 2010, and Goddijn et al., Part II, 1999, pp. 204-208.

<sup>119</sup> In this vision, sexuality was seen as a means of communication that helped to provide a firm basis for strong relationships. Oosterhuis, 1992, pp. 169-170. Goddijn et al., 1999, pp. 167-168, mentioned the accompanying letter of 31 July 1968 from the Dutch episcopate to all priests, where the bishops tried to temper the severity of the official teachings laid down in *de Humanae Vitae*. Goddijn et al., 1999, went on to discuss the developments relating to the debate about whether or not to put an end to obligatory celibacy, with reference to the opinion poll commissioned by PINK among other things, in pp. 206-211. See in particular p. 210, where the balance of voting on this issue in the Pastoral Council is given. It appears that there was an overwhelming majority in favour of the proposition that celibacy should no longer be a precondition for the ministry. It should be noted, however, that celibacy was considered to be an important factor for personal religiosity. The findings of the above-mentioned opinion poll confirmed this, though the respondents were not in favour of compulsory celibacy for all priests: they thought that it should be left up to the individual priest to decide whether he wanted to be celibate or not. The bishops did not adopt a hard and fast position in a subsequent letter. They were prepared to consider possible ways of allowing those who did not

---

wish to be celibate to continue to work within the church, but at the same time pointed out the importance of celibacy within the teachings of the church (Goddijn et al., 1999, p. 211).

<sup>120</sup> Westhoff, 1996, p. 39 and 559.

<sup>121</sup> Apostolic exhortation, *On the renewal of the religious life according to the teaching of the Second Vatican Council*, 29 June 1970. The same message was to be heard in 2011 in the report by the John Jay College Research Team commissioned by the American bishops, where it was stated that no single cause could be identified for sexual abuse within the Catholic Church, but that a rise in the incidence of such abuse was noted during the 1960s and the 1970s. The cause for this was stated to be the 'social and cultural changes in the 1960s and 1970s'; The John Jay College Research Team, *The causes and Context of Sexual Abuse of minors by Catholic Priest in the United States, 1950-2010*, p. 2 (May 2011). Doyle criticized this suggestion, calling it an example of the 'bishops' blame-shifting tactics', where the Catholic Church in the United States was hiding behind the 'Woodstock defence'; Doyle, 2011. See also: Commissie van onderzoek seksueel misbruik in de Rooms-Katholieke Kerk, juni 2011, *De 'Woodstock-defence' en seksueel misbruik van minderjarigen in de Nederlandse Rooms-Katholieke Kerkprovincie*, unpublished.

<sup>122</sup> Bartels, who had previously been director of the KNBBG, had set up a discussion group on this issue chaired by P. Muntendam, who was the Inspector-General of the department of Health at the time. This working group produced a recommendation on the regulation of birth control which led to the announcement of the proposed changes in the law; *Handelingen Tweede Kamer 1964-1965*, C, p. 488, 774-776 and 1310 (cited by Westhoff, 1996, p. 548).

<sup>123</sup> Wet van 8 april 1971, *Staatsblad* 1971, 212

<sup>124</sup> The number of volunteers in the parishes rose by 44 per cent between 1977 and 1987. Most of the volunteers were women.

<sup>125</sup> Goddijn et al., Part III, 1999, Chapter 5.

<sup>126</sup> Goddijn et al., 1999, p. 334.

<sup>127</sup> Goddijn et al., 1999, pp. 275-277 and. 344-347, give this polarization as one of the reasons for the rapid secularization in the Netherlands in the 1970s: the internal struggles within the Catholic camp led many faithful, disillusioned by the polarization of the debate, to leave the church. These changes also led to tensions within the various Catholic institutes.

<sup>128</sup> The dissolution in 1981 of PINK, the body that had made such an important contribution to the Pastoral Council, is characteristic of this trend. It was replaced by the National Pastoral Consultation Body (LPO), one of whose main themes was how to deal with the growing pluriformity and how to reflect the social responsibility that was an integral part of the Catholic faith within this new climate; Goddijn et al., 1999, p. 282.

<sup>129</sup> Goddijn et al., Part III, 1999, Chapter 3. It may be noted that the Dutch episcopate, while expressing its appreciation for the work of these lay pastoral workers, made it quite clear that they could not be regarded as a 'parallel clergy' (pp. 424-425).

<sup>130</sup> Goddijn et al., 1999, p. 284; the topics under discussion in this synod were the internal tensions within the Dutch episcopate and the lack of cohesion and unity within the Dutch Catholic Church as a whole.

<sup>131</sup> Goddijn et al., 1999, pp. 323-325.

<sup>132</sup> Goddijn et al., 1999, p. 348.

<sup>133</sup> 'Besluiten van de Bijzondere Synode van de Nederlandse bisschoppen', *Archief van de Kerken* 35, 1980, kol. 223-236, besluit 32 (cited by Goddijn et al., 1999, p. 348).

<sup>134</sup> Goddijn et al., 1999, p. 347.



---

<sup>135</sup> One scandal that did become common knowledge was the ‘Boonk affair’ in 1983, where the perpetrator was discovered to have been abusing an altar boy. The matter was reported to bishop Simonis, but the perpetrator was simply moved on to another position.

<sup>136</sup> Oosterhuis used the term ‘homo liberation theology’ to describe a gay-friendly approach to homosexuality based on socio-psychiatric principles; Oosterhuis, 1992, p. 171. See also Westhoff, 1996, p. 432. The founding of Catholic Gay Pastoral Workers (*Katholieke Homofiele Pastoraal Werkenden*), a community of Dutch gay Catholic pastoral workers, in 1980 is also illustrative of the trends prevailing at this time.

<sup>137</sup> It may be noted that the Culture and Relaxation Centre (*Cultuur en Ontspanning Centrum*, COC), an influential body representing the interests of homosexuals at a secular level, was set up shortly after the Second World War.

<sup>138</sup> Wet van 6 mei 1971, *Staatsblad* 1971, 291. This decision should be seen in relation to the age of majority at the time, which was 21. That meant that homosexual contacts with young men between 18 and 21 years of age, who were technically minors, was a criminal offence before this law was passed.

<sup>139</sup> For example, one of the questions put to the Speyer commission (which was set up by the Health Council to provide the above-mentioned advice) was whether homosexuality could lead to mental health problems.

<sup>140</sup> Anthony Giddens developed the theoretical concept of ‘plastic sexuality’ to describe this view that sexuality is first and foremost a question of pleasure and eroticism. “Plastic” in this context refers to the malleability of erotic expression, in terms of both individual choice and frameworks of social norms; Giddens, 1992. It is this concept, and in particular the idea of the ‘availability’ of woman that it presupposes, that was later attacked by the feminist movement. See also Schnabel, 1995, p. 278, who speaks in this context of ‘sexual vulgarism’ or ‘sexual biologism’.

<sup>141</sup> Humblet, 2007, p. 35 and 118, pointed out that the liberalization of sexuality at that time was supported by ideas from the scientific discipline of sexology. See also Boutellier, who commented that sexual contact with children was not necessarily seen as a bad thing at this time; Boutellier, 1989 and Brunts and Brunts, 1980.

<sup>142</sup> Humblet stated that the Sexual Revolution was based mainly on a combination of practical and ethical considerations. The various forms of sexual activity that were practiced were not new, but the readiness to bring them out into the open was; Humblet, 2007, p. 29.

<sup>143</sup> Commissie Deetman, June 2011, which gives a survey of relevant developments and statements, in particular from the NVSH newsletter Sekstant.

<sup>144</sup> The comments by the editor ‘Uncle Harry’ included the following: ‘It is clear in the first place that you are tormented by feelings of fear and jealousy. I am sure that in a hundred years’ time people will be unable to understand what you are so concerned about (...)’;

<[www.martijn.org/blog/?tag=nvsh](http://www.martijn.org/blog/?tag=nvsh)>. For further details of this affair, see

<[weblogs.vpro.nl/2008/12/26/over-het-einde-van-de-nieuwe-sekstant-en-de-affaire-Ome-Harry](http://weblogs.vpro.nl/2008/12/26/over-het-einde-van-de-nieuwe-sekstant-en-de-affaire-Ome-Harry)>.

<sup>145</sup> The scope for such discussion may be illustrated by the fact that the popular TV programme ‘*Een groot uur U*’, presented by Koos Postema, devoted an entire broadcast to the pros and cons of paedophilia at the time; <[www.geschiedenis24.nl/andere-tijden/afleveringen/2010-2011/Ruimte-voor-de-pedofiel/Een-groot-uur-U.html](http://www.geschiedenis24.nl/andere-tijden/afleveringen/2010-2011/Ruimte-voor-de-pedofiel/Een-groot-uur-U.html)>. In this context, it is important to draw a clear distinction between paedosexuality (sexual contacts with very young children) and ephebophilia (sexual contacts with boys between 12 and 16 years of age). The above-mentioned Edward Brongersma was an ephebophile. It is moreover very much the question whether the sexual abuse of minors that took place within the Catholic Church involved paedosexual contacts (the definitions of paedophilia usually specify that this is an ‘asexual’ love of children) or was a case of ‘impulsive’ sexual violence. For the definition of paedosexuality, see Van Ree, 2001, and Humblet, 2007.

---

<sup>146</sup> In line with this, statements made recently (2011) in the Dutch press by Church leaders suggesting that public views about the morality of sexual contacts with minors that were prevalent in the 1960s and 1970s differed from those held nowadays may be questioned. The present study does not reveal such clear-cut opinions. See Commissie Deetman, June 2011, in this connection. It may be noted that the number of convictions for indecent acts with and carnal knowledge of children dropped by about 50% in the 1960s. It is not known whether this was due to a drop in the number of cases reported and/or to a change in prosecution policy. In any case, sexual contact with minors was not decriminalized at this time.

<sup>147</sup> NIVH/COC, 1980. The extent of the regret is reflected by the following quotation from this publication: 'An objective approach to the views on sexuality and children, such as that we have tried to present above, shows very clearly the narrow-minded nature of the opinions on sex and children that have led to the suppression of paedosexuality. This vision will have to be radically changed – in the interests of greater freedom for children in general, among other things – we need to stop regarding children as our treasured possession [referred to in Dutch as the *oogappelsyndroom* – 'apple-of-the-eye syndrome' – Translator].' (p. 12). The authors of this note also speak of 'the prejudices of the legal system' as regards the criminalization of sexual contacts with minors (p. 25). In fact, the attitude of the NVSH throughout the years reflects a certain equivocality as regards the issue of whether paedosexuality should be accepted or not. Nevertheless, the association has always left room for discussion of this topic as a matter of principle. For example, there have been local NVSH working groups on paedophilia for years (reaching a total of thirteen such groups in 1978). These circles also issued a periodical called 'NIKS' (*Naar Integratie Kinderseks* = Towards the acceptance of sex with kids). For further details, see Commissie Deetman, June 2011.

<sup>148</sup> See also Humblet, 2010, pp. 23-24, who points out the increased sexualization of human contacts. Sexuality was no longer seen as restricted to basic sexual contacts: other forms of physical, sensory and even mental contacts such as touching, feelings and fantasies were now regarded as having a possible sexual significance and as such might be subject to criminal sanctions. A telling example of this latter viewpoint is the recent recognition of online grooming as a criminal offence (article 248e Sr).

<sup>149</sup> De Swaan, 1983, pp. 96-105 and 113. Ook: Beunders, 2002, pp. 83-85; Foucault, 1984; Van Wel, 1984, pp. 33-34 et seq.

<sup>150</sup> Weeks, 2010, stresses the breakdown of the old political power structures and the focus on citizenship, through which respectability is now to be acquired by individuals carrying the responsibility for the choices they make (p. 12). He goes on to say that the power to act has been assumed by the man in the street: 'I would dare to state that the world of today is increasingly a world whose form we determine ourselves – part of the long process of democratization of everyday life' (p. 13). Weeks also stresses the importance of the rise of 'global standards of the meaning of justice', which in his opinion include an acceptance of sexual diversity (p. 22).

<sup>151</sup> Brongersma, 1980.

<sup>152</sup> Brongersma, 1980, pp. 40-41, mentions that the Melai Commission was asked to report on five separate issues: 1. Offensive materials; 2. The use of violence or the misuse of power to procure

---

sexual satisfaction; 3. The regulation of prostitution; 4. The protection of young people against confrontation with sex and 5. Abortion. The commission finally produced four reports .

<sup>153</sup> In the meantime, the *Hoge Raad* (the Supreme Court of the Netherlands) had laid down in its judgment in the case concerning 'Chick' magazine that decisions relating to 'decency' must be based on the opinion of the majority of the population; HR 17 November 1970, *NJ*, 373, (1971).

<sup>154</sup> It may further be noted that adultery was no longer a criminal offence in the Netherlands with effect from 1971, as a result of the passage of the Divorce Act (*Echtscheidingswet*).

<sup>155</sup> *Bijlagen Handelingen Tweede Kamer 1978-1979*, 15 836, nrs. 1-3.

<sup>156</sup> An opinion poll on the desirability of changing the age limits for sexual contacts with minors held in 1971 showed considerable support for lowering the age limits. The idea was that while minors should be protected against violence, threats and other forms of compulsion, there was nothing wrong with 'sexual contacts that they willingly entered into and/or accepted'. According to this line of reasoning, the criminal law was not a suitable instrument for shaping the sexuality of minors; NVIH/COC, 1980, p. 21.

<sup>157</sup> The text of this petition is included as an appendix to the final report of the Melai Commission. Commissie Melai, 1980, Appendix II, pp. 53-54. It was signed by representatives of the NVSH, the Coornhert League for Penal Reform, the Humanist Association (*Humanistisch Verbond*) and radio pastor A. Klamer. For further details, see Frenken, 1983, p. 56.

<sup>158</sup> According to Soetenhorst-De Savornin Lohman and Jansz (1986), the turning point could be localized in the years 1982/83. This realignment of thinking about the criminalization of sexual acts was not confined to the Netherlands: other European countries showed similar trends. For the situation in the UK see Weeks (1989), Chapter 15.

<sup>159</sup> *Bijlagen Handelingen Tweede Kamer 1988-1989*, 20 930, nr. 5.

<sup>160</sup> Adviescommissie (Melai), *Eindrapport*, 1980, p. 10. See also p. 46: 'When there is a greater difference in age, knowledge of the world and experience between the parties to a sexual relationship, there is a greater likelihood that the older of the two will make use of his or her predominance arising from these factors. It is difficult to see why, while the use of physical predominance is deemed to be impermissible between two people who are one another's mental equals, the use of a mental ascendancy in the relationship between an adult and a child should be acceptable (...). It must be assumed in an approach that centres on the personal interests of the young person concerned that the criminal law will at the very least demand from adults great discretion in undertaking erotically or sexually tinted relationships with young people.'

<sup>161</sup> Commissie Melai, 1980, p. 46.

<sup>162</sup> Commissie Melai, 1980, p. 28.

<sup>163</sup> It is clear from the gender-neutral formulation of the proposed criminal sanctions that the committee regarded all minors, regardless of gender, as vulnerable in such situations. This viewpoint was followed when the sexual legislation was amended in 1992.

<sup>164</sup> Commissie Melai, 1980, p. 35.

<sup>165</sup> The following statement, taken from the explanatory memorandum presented by the Dutch Labour Party (PvdA) during the Parliamentary debate on the subsequent Bill on the same topic, is illustrative of the line of argument taken in the Bill that was withdrawn: 'If the legislator reduces the protection offered to young people too much, he fails in his legal duty to ensure that the private life of citizens is protected against abuse by "stronger" third parties. If his protective measures go too far, he runs the risk of compromising precisely those interests he aims to safeguard: the State should refrain from involvement in the private life of citizens when this is not strictly required to protect the legal interests of others'; *Bijlagen Handelingen Tweede Kamer 1988-1989*, 20 930, nr. 4, p. 2.

<sup>166</sup> *Bijlagen Handelingen Tweede Kamer 1988-1989*, 20 390, nrs. 1-3.

<sup>167</sup> Conversely, when there is no opportunity for public discussion of sexuality, neither is there any opportunity for discussion of the pain and suffering caused by sexual acts. This is one of the reasons

---

why it took such a long time for the sexual abuse that took place within the Catholic Church to be reported. See Schnabel, 1980, p. 23.

<sup>168</sup> Noyon/Langemeijer/Remmelink, *Wetboek van Strafrecht*, Aantekening 2 bij artikel 249. Weeks, 1989, pp. 251-252, makes a similar comment.

<sup>169</sup> Raes states that the debate about sexuality in the 1980s was once again marked by fear and uncertainty. The rules about sexuality once more took the form of a series of do's and don'ts aimed at limiting misuse of power and perversion – an approach that Raes describes as 'utilitarian instrumentalism'; Raes, 1999, p. 23.

<sup>170</sup> Rijnaarts, 1979. See also Rijnaarts and Van Hengel, 1983.

<sup>171</sup> Boutellier, 1989.

<sup>172</sup> This may help to explain why so many victims of sexual abuse within the Catholic Church took so long to report on their experience. Most of these cases concerned homosexual contacts made under coercion. Other factors that played an important role in prolonging the silence were the strict taboo on homosexual contacts in Catholic moral teachings and the strongly hierarchic structure of the Catholic Church.

<sup>173</sup> See Van Dam and Eitjes, 1994.

<sup>174</sup> Beemer, 1980, pp. 60-79, states that in the course of the 20<sup>th</sup> century a number of churches gave up the idea that sex should only be for the purposes of procreation. From the 1970s, ecclesiastical thinking on sexual morality focused mainly on the aims and feelings of the individual. However, Beemer goes on to characterize progress in this field as patchy (p. 70). The problem here was that the doctrines of the Roman Catholic Church on sexuality, unlike those of the Dutch Reformed Church for example, had to be uniform throughout the world. That left little or not room for the ecclesiastical provinces in individual countries to seek alignment with national trends. See also Selling, 2001, p. 150.

<sup>175</sup> Beunders refers to a 'very short-lived agreement between the church and the sexual revolution'; Beunders, 2002, p. 72. See also Schuyt, 2007, p. 17.

<sup>176</sup> See the *Humanae Vitae* from 1968, in which Pope Paul VI described marriage as an expression of love aimed at propagation of the species, and prohibited the use of contraceptives. Sex outside marriage had always been unacceptable, and remained so. See also Beemer, 1980, p. 73, who refers to the Vatican publication 'Concerning certain questions of sexual ethics' from 1976, in which homosexuality, masturbation and sex before marriage are rejected as immoral practices. Such forms of sexuality were not functional, and led to chaos and disorder. It was however added that 'certain conditions' such as psychological factors could justify departures from these rules.

<sup>177</sup> Schnabel, 1980, p. 25. It may be noted that Weeks observes a certain cultural pessimism in most analyses of social thinking on the subject of sexuality. He refers to this as the 'melancholy of a post-colonial world' that is typically manifested by conservative movements that have lost power – including the church (p. 23). Weeks objects to the claim made in this context that increasing individualization must always lead to uncertainty and the risk of moral degeneration. He believes that every period must be judged on its own terms, and not weighed and found wanting by comparison with the 'good old days'. He sees the developments that took place in the years between 1960 and 1990, which he calls 'the period of the Great Transition', as predominantly positive. The far-

---

reaching shifts in social relationships of sexuality and intimacy that took place during these years led to the destruction of the traditional model of sexual control and gave rise to a 'new moral economy' that is less hierarchic, more democratic, more hedonistic, more individualistic and possibly more selfish than the old one, but is receptive to diversity and choice (p. 15). Losses are balanced against gains in this process, Weeks argues: 'The reality is that this world is one that has lost its unifying myths – the great stories that linked gender, sexuality and family in a more or less coherent narrative, consecrated by the Church, the State and communal values. However, this world was never what it claimed to be and in many respects it was, as I have argued, just as fragmented and divided as the world of today. Nevertheless, its unifying myths did provide a kind of glue that held the structures together. This glue has dissolved away today. The power of traditional authorities, of religion, family, conventional morality, even of ideology has been overwhelmed and shattered by the divisive forces of global trends, economic modernization and cultural transformation that almost seem like the manifestation of the will to change represented by the day-to-day choices of millions of people. Today we live in a pluriform world, a world of irreversible diversity and multiple sources of authority.' (p. 16).

<sup>178</sup> Draijer, 1985 and 1988.

<sup>179</sup> See Kool, 1999, Chapter 4, for a summary of these measures.

<sup>180</sup> These cases included the incest affair in Maurik (1985), the 'Oude Pekela affair' in 1987, the 'Bolderkar affair' in 1988 and somewhat later, in 1994, the notorious 'Epe incest affair'; Kool, 1999, p. 143.

<sup>181</sup> Bijlagen Handelingen Tweede Kamer 1988-1989, 20 930, nr. 3, pp. 1-2.

<sup>182</sup> See for example Verrijn Stuart, 1989.

<sup>183</sup> This referred to other forms of sexual penetration than sexual intercourse. Undesired sexual intercourse was covered by article 242 Sr at the time, and was referred to as rape. All other forms of undesired sexual penetration were referred to as (indecent) assault at the time, and were covered by article 246 Sr. Under a subsequent change in the law, article 242 Sr would cover all forms of sexual penetration, in line with the insight that men could also be 'raped'.

<sup>184</sup> Handelingen Tweede Kamer 990-1991, nr. 12, p. 611. Hirsch Ballin described the objective behind the changes in the sexual legislation he proposed as 'improving the protection offered'. Korthals Altes on the other hand had a more limited view of the protection to be offered. He formulated the objective as 'protecting the sexual integrity of persons who are in general not capable of doing that themselves at a given moment (...)'. He was referring in particular to 'very young children' in this connection; Bijlagen Handelingen Tweede Kamer 1988-1989, 20 930, nr. 5, pp. 5-6. See also Kool, 1999, pp. 119-122.

<sup>185</sup> This was done in response to the notorious decision of the Supreme Court of the Netherlands, Hoge Raad, 16 juni 1987, *NJ*, 667 (1988), where a perpetrator who was separated from his wife but where the final decree of divorce had not yet been pronounced was cleared of rape since the act with which he was charged formally took place within the bounds of matrimony.

<sup>186</sup> Kool, 1999, pp. 103-105.

<sup>187</sup> Minister of Justice Hirsch Ballin put this political dilemma about the balance between freedom and protection into words as follows during the debate on the Bill: 'I would like to touch here on the underlying point that a clear line needs to be drawn between sexual morality and protection (...). We live in a country where various religious and ideological views on sexual morality exist. For this reason, and also because of the nature of the constitutional state in which we live, ideas about sexual morality cannot be simply translated into legal requirements (...). We are indeed aiming at protection here. On the other hand I would like to point out that this does not mean that the type of provisions we decide on are ethically indifferent and can be chosen at will. I would therefore like to add that

---

views about sexual morality can – and I believe should – also be aimed at protection of the weakest in our society.’ *Handelingen Tweede Kamer 1990-1991*, nr. 12, p. 611.

<sup>188</sup> Or, as the then minister of Justice Winnie Sorgdrager (D66) said at the time, ‘More is allowed, but what is not allowed is punished more heavily’. *Bijlagen Handelingen Tweede Kamer 1997-1998*, 20 930, nr. 7, p. 2.

<sup>189</sup> See also Kool, 2003 and 2004.

<sup>190</sup> See Wiarda, 2011, for a detailed overview.

<sup>191</sup> *Staatsblad*, 529 (1994). It should be mentioned in this connection that the period of limitation for serious sexual offences in general was extended from 15 to 20 years in 2006. This applied to all serious sexual offences for which the period of limitation as determined by law had not yet expired at the moment when the new Act came into effect.

<sup>192</sup> Wet van 16 november 2005, *Staatsblad* 2005, 595.

Wet van 1 oktober 1999, *Staatsblad* 1999, 464.

<sup>194</sup> Wet van 13 juli 2002, *Staatsblad* 2002, 388.

<sup>195</sup> Wet van 5 december 1995, *Staatsblad* 1995, 575.

<sup>196</sup> Also implemented by the Wet van 13 juli 2002, *Staatsblad* 2002, 388.

<sup>197</sup> Wet van 9 december 2004, *Staatsblad* 2004, 645.

<sup>198</sup> Wet van 26 november 2009, *Staatsblad* 2009, 544. This gave effect to the Dutch commitments included in the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Treaty of Lanzarote, *Tractatenblad*, 38, (2008)).

<sup>199</sup> Boutellier and Beunders pointed out independently of one another that the theme of the sexual abuse of minors lends itself better than paedosexuality to inclusion in the campaigns fought by the feminist movement, because it can more easily be associated with the idea of inequality of male/female relations. Of course, sexual abuse also includes homosexual contacts, but this was not a matter for common concern until later. As a result, concern about forms of sexual abuse occurring outside the family could not develop to its full extent until sexual abuse within the family had been recognized as a social problem; Beunders, 2002, pp. 86-87. Boutellier, 1989.

<sup>200</sup> The most recent development is the Treaty of Lanzarote, Council of Europe, Convention of 25 October 2007 on the Protection of Children against Sexual Exploitation and Sexual Abuse, *Tractatenblad*, 58 (2008), which came into effect in the Netherlands on 1 July 2010. The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, *CM* (2011) 49, 7 April 2011 and the draft EU directive aimed at combating sexual abuse and exploitation of children, COM 94, 29 March 2010, should also be mentioned in this connection.

<sup>201</sup> ECHR 4 December 2003, appl. no. 39272/98 (M.C. v. Bulgaria), sec. 150.

<sup>202</sup> ECHR 26 March 1985, appl. no. 8978/80 (X v. the Netherlands), sec. 27; ECHR 10 May 2001, appl. no. 29392/95 (Z and others v. United Kingdom), sec. 73; ECHR 10 October 2002, appl. no. 38719/97 (D.P. & J.C. v. United Kingdom), sec. 109.

<sup>203</sup> ECHR 4 December 2003, appl. no. 39272/98 (M.C. v. Bulgaria). See also Stevens, 1995.

<sup>204</sup> ECHR 10 May 2001, appl. no. 28945/95 (T.P. and K.M. v. United Kingdom); ECHR 26 November 2002, appl. no. 33218/96 (E. and others v. United Kingdom); ECHR 24 April 2007, appl. no. 14151/02 (W. v. Finland). For further details, see Kool, 2010a.

<sup>205</sup> ECHR 4 December 2003, appl. no. 39272/98 (M.C. v. Bulgaria), Part II.

<sup>206</sup> See for example the criticism of Van Kempen on the positive obligations imposed by the ECHR and the resulting calls on the services of the criminal legal system; Van Kempen, 2008.

<sup>207</sup> Criminal law is acquiring more and more features of what has been called ‘precautionary criminal law’ (*voorzorgstrafrecht* in Dutch). For further details, see Kool, 2010b.

<sup>208</sup> The number of religious orders and congregations in the Netherlands has halved since 1960, though Goddijn et al., 1999, do suggest that there has been a certain revival of traditional forms of belief (p. 460).

---

<sup>209</sup> Goddijn et al., 1999, pp. 466-467.

<sup>210</sup> Schnabel pointed out that it was the traditional taboo on sexuality, approved by the Church, that created scope for deviant practices, because when sexuality was rigorously excluded from all but the private domain it became much more difficult to monitor what was going on under cover. Individuals were left to their own resources when it came to determining which forms of sexual contact were right and which were wrong. This led to a situation in which sexuality could not be mentioned, and sexual issues could not be debated in public; Schnabel, 1985, p. 26. See also Schnabel, 1995, p. 274.

<sup>211</sup> Jacobs, 2010, p. 337.

<sup>212</sup> An internal memorandum on 'Pastoral care in cases of sexual violence' was issued in 1991, but this dealt with sexual abuse within the family. *Twentsche Courant*, 'Bischoppen vragen pastorale aandacht voor seksueel geweld', (19 June 1991).

<sup>213</sup> Th. R. Kalb, *Sexueel misbruik in pastorale situaties*, notanr. 134/1993 (18 September 1992).

<sup>214</sup> Commissie Vrouw en Recht, *Geschonden vertrouwen. Seksueel misbruik in Pastorale Relaties*, 1993. See also Jacobs, 2010, p. 338 and 'Ontuchtige geestelijke aangepakt', *Volkskrant* 24 November 1993. A subsequent reaction from the Schrama, Van Santvoord and Snijders working group was based on the premise that it is unrealistic to assume that sexual abuse can be abolished. The only realistic question in this context, in the working group's opinion, is 'How can we limit sexual abuse, and how can we deal with it when it does occur?' The working group further believed that if an offence had been committed it was not sufficient to deal with this on the basis of canon law: the offence must be reported to the police. The considerations of this working group led to the setting up of the Foundation against sexual abuse in pastoral settings (*Stichting tegen seksueel misbruik binnen pastorale relaties*, SMPR) in 2000.

<sup>215</sup> Starting in 1984, there was a stream of reports of sexual abuse in the Catholic Church, especially in the United States, and court cases against the Church arising from these reports. One of the earliest and most notorious of these cases was the Lafayette affair, concerning extensive, prolonged sexual abuse committed by a priest in the American state of Louisiana. Berry, 1992, gives details of this affair. Scandals also occurred elsewhere in these years: O'Grady, 2001.

<sup>216</sup> J.L. Snijders, *Suggesties voor hogere oversten bij gevallen van seksueel misbruik, in het bijzonder van minderjarigen*. See also Jacobs, 2010, pp. 337-338.

<sup>217</sup> Dohmen, 2010, pp. 265-269. These complaints were later found to be well based: a preliminary investigation of *Hulp en Recht* by the Deetman Commission showed that this foundation had not functioned adequately; Commissie van onderzoek seksueel misbruik in de *Rooms-Katholieke Kerk*, 2010.

<sup>218</sup> 'Simonis waarschuwt priesters voor seksueel misbruik', *Brabants Dagblad*, 20 November 1996. This newspaper article referred to a letter written by Bishop Simonis to all priests, deacons and pastoral workers in the Archdiocese of Utrecht.

<sup>219</sup> The Catholic Church had taken out third-party insurance with the insurance company Aegon; this policy did not cover sexual abuse. The insurer cancelled the policy when it was found that the Catholic Church had made payments in previous years in order to settle a number of cases of sexual abuse out of court. See also Doyle, 2003, p. 191, O'Grady, 2001 and Dohmen, 2010. All these sources report 'monetary settlements' made by the Catholic Church to avoid cases being brought in the civil courts. Similar payments were made in the United States and other countries. See Dohmen, 2010, pp. 97-98, for a more detailed description of the Aegon affair.

---

<sup>220</sup> H. van der Meer SJ, *Memo t.a.v. Bisschop en stafleden n.a.v. beschuldigingen tegen Kardinaal Danneels m.b.t. de vraag of dit in juridisch Nederland gelijk ligt*, 15 January 1998, Archief Bisdom Roermond 23/2-8, bijlage bij kleine staf, January 1998.

<sup>221</sup> This occurred in the Apostolic letter *Sacramentorum sanctitatis tutela* of 30 April 2001, which was a supplement to the instruction *Crimen sollicitationis* from 1962. See Thomas Doyle, *The 1992 instruction and the 1962 instruction 'Crimen Sollicitationis', promulgated by the Vatican*, <[www.richardsipe.com/doyle/2008/2008-10-03/Commentary](http://www.richardsipe.com/doyle/2008/2008-10-03/Commentary)>. (Dohmen, 2010, p. 47).

<sup>222</sup> For example, in 2002 Bishop Wiertz of Roermond had to explain on the TV programme *Kruispunt* why cases of abuse in his diocese had not yet been reported to the public prosecutor. 'Mijnheer Pastoor is overspannen', *NRC Handelsblad*, 30 May 2002, <[www.nrc.nl/dossier/misbruik\\_in\\_de\\_katholieke\\_kerk](http://www.nrc.nl/dossier/misbruik_in_de_katholieke_kerk)>.

<sup>223</sup> The protocol was drawn up by the Conference of Religious in the Netherlands (KNR) and Cardinal Simonis; Dohmen, 2010, p. 104. The rules were not consistently followed; various cases were revealed in subsequent years where members of the clergy who were known to have been guilty of sexual abuse were simply moved to another position.

<sup>224</sup> Dohmen, 2010, p. 49.

<sup>225</sup> According to Dohmen, a list containing the names of 300 perpetrators of sexual abuse who were known within the Catholic Church was known to be in existence at that time; Dohmen, 2010, p. 276.

<sup>226</sup> In this background study, the (male) term 'perpetrator' is consistently used rather than the term 'accused'. It should be noted in the interests of clarity that this term 'perpetrator' is used in its common linguistic sense, and not in the legal sense which would imply that the guilt of the person concerned had been established by the court. This was not the case in all the situations described here.

<sup>227</sup> This defence is however acceptable under certain very exceptional circumstances, where the judge concludes on the basis of the facts of the case that the perpetrator may have good reason not to be aware of the age or status of the victim. The legal term for these grounds for dismissing the case is 'absence of all guilt' (*afwezigheid van alle schuld*, abbreviated AVAS, in Dutch). This is a non-statutory procedure. In view of the great importance attached to the protection of minors and the non-statutory nature of the procedure involved, this possibility of dismissing cases is very rarely used.

<sup>228</sup> The French kiss is dealt with in the judgment of the Supreme Court (Hoge Raad) of 21 April 1998, *NJ*, 781 (1998), which was confirmed in HR 25 September 2007, *LJN* BA7257. For oral contact with the vagina or adjacent parts of the body, see HR 18 May 2010, *LJN* BK6910.

<sup>229</sup> See Lindenberg, 2007, sec. 1.3., and Kool, 2008.

<sup>230</sup> See Lindenberg, 2007, sec. 3.4 and 3.5.5.

<sup>231</sup> HR 9 September 2003, *NJ*, 637 (2003). It may be noted that relevant interaction is required in such cases; where there is no relevant interaction, there is no lewd act. Cf. HR 30 November 2004, *LJN* AQ0950 where a man masturbates in the presence of an under-age boy while both are watching a pornographic film. Since 1 July 2010, such acts are covered by article 248d Sr: the sexual corruption of a minor

<sup>232</sup> HR 2 July 2002, *NJ*, 584 (2002); Hof 's-Hertogenbosch 9 October 2007, *LJN* BB5179.

<sup>233</sup> An exception is made in the case of the concept of the stepchild. The Supreme Court of the Netherlands stated with reference to the history of the drafting of the legislation in this field that a person is only a stepchild if the alleged stepfather is married to the mother, thus creating a legal relationship. If the mother is only living with the man in question, the child is not considered to be a stepchild. See HR 7 January 1997, *NJ*, 361 (1997).



---

<sup>234</sup> HR 12 April 2011, *L/N* BP4394.

<sup>235</sup> HR 22 March 2011, *L/N* BP1379.

<sup>236</sup> <http://onderzoekrk.nl/onderzoeksvoorstel>.

<sup>237</sup> Updated to include all publications to July 2011.

<sup>238</sup> A search using Medical Subject Headings (MeSH terms) retrieves relevant articles even when the search term itself does not appear in the title or the abstract. MeSH terms such as 'child sexual abuse', 'extrafamilial child sexual abuse' and 'institutional abuse' are not specific enough, since they apply to all forms of sexual abuse against minors. Accordingly, these terms were first used to find articles which did not (necessarily) pertain to the subject of this study (sexual abuse committed by persons employed in the parishes or institutions of the Roman Catholic Church), whereupon the search results could be refined using a combination of the search words and MeSH terms. F. Van Etten, J.R. Deurenberg, *Praktische handleiding PubMed*, 2008.

<sup>239</sup> Most (prevalence) studies fail to distinguish between intrafamilial and extrafamilial abuse, or between different types of 'authority figure' such as teachers, health care providers or members of the clergy. Similarly, few give any information about the religious denomination of the perpetrator or the institute in which the abuse occurred. There are some studies which do not distinguish between sexual abuse committed against minors and that in which the victim is an adult.

<sup>240</sup> A clinical study of four female victims of sexual abuse notes that it was the older girls who were later able to recall most about the incidents (Colarusso, 2009). In another clinical study, 5 out of 26 male victims of abuse committed by priests had nothing more than vague recollections of the incidents (Ponton & Goldstein, 2004). This imperfect recall was also reported by the male victims in the study by Isely *et al.* (2008).

<sup>241</sup> 'Recovered memories' are memories which re-emerge (restored from the unconscious to the conscious mind) having apparently been forgotten or repressed for a long period. (See Raymaekers *et al.*, 2008.) For a discussion of memories of traumatic childhood experiences, see Draijer (1996) and Crombag & Merckelbach (1996).

<sup>242</sup> The term prevalence, as used in epidemiology, refers to the number of cases of a particular disease, condition or event (in this case sexual abuse) seen at a particular moment ('point prevalence') or within a defined period (e.g. annual prevalence). The condition or event can occur and reoccur several times during that period. Prevalence studies for sexual abuse have been conducted since the late 1970s.

<sup>243</sup> Based on a secondary analysis of the data collected by Russell (1993), Bolen (2000) shows a substantial increase in the estimated number of incidents of sexual abuse by authority figures against an underage female victim: from 1.7% to 12.5%. Russell's study classified employers, teachers, clergy, babysitters, medical staff and suchlike as 'acquaintances' rather than 'authority figures', as in Bolen (2000).

<sup>244</sup> J. Jenkins *Pedophiles and priests. Anatomy of a contemporary crisis* (1996). On page 81 the author refers to a study commissioned by Cardinal Bernardin of the Archdiocese of Chicago and calculates that 2.6% of the 2252 priests working in the archdiocese between 1951 and 1991 were accused of sexually abusing a minor. The committee which conducted the study scrutinized the files of 57 diocesan priests working in the Archdiocese of Chicago and two priests in other dioceses, all of whom had been subject to allegations of abuse. The files were made available for inspection by the parishes within the Archdiocese. (J.Q. Dempsey, J.R. Gorman, A.S., *Report to Joseph Cardinal Bernardin, Archdiocese of Chicago. The Cardinal's Commission on clerical sexual misconduct with minors*, 1992). It is not known how the 59 files were selected.

<sup>245</sup> In the second part of the final report of the John Jay Study, the statistical peak in the number of reported abuse experiences between the late 1960s and 1985 can be explained in terms of the general shift in social and religious values which is associated with the 1960s (Terry *et al.*, 2011). According to the researchers, neither celibacy nor homosexuality can be cited as causal factors of abuse.

<sup>246</sup> Members of the American Psychological Association.

---

<sup>247</sup> Members of the American Psychiatric Association.

<sup>248</sup> Members of the National Association of Social Workers.

<sup>249</sup> In some cases the religious denomination of the perpetrators is unknown. The analysis of records conducted by Sullivan and Knutson (1998), which examines the possible link between child maltreatment and physical or mental disability, classifies some perpetrators simply as 'clergy'. Their religion and status are not stated.

<sup>250</sup> See the review by Kendrick (1998).

<sup>251</sup> Maurice Duplessis, a devout Catholic, was premier of the Canadian province of Quebec from 1944 to 1959. During his administration, many thousands of Canadian children were placed in institutions (crèches, children's homes and orphanages) run by a Roman Catholic order of nuns. There were 20,876 such placements in 1949-1950 alone. Most of the children concerned had been born to unwed mothers: the church labelled them as 'the children of perfidy'. They had no legal status even as adults (until the law was changed in the 1980s). At some point in the early 1950s, a significant number of these children were consigned to institutions for the mentally disabled, for political, religious, financial and other reasons (Malouin, 1996). An article by Perry *et al.* (2005a) describes the childhood experiences of a select sample of the Enfants de Duplessis. This study does not provide any indication of the prevalence of sexual abuse. Some sources refer to this episode as the *Orphelins de Duplessis* affair.

<sup>252</sup> It is not clear whether all priests were actually working in Canada.

<sup>253</sup> Following on from the Sexual Abuse and Violence in Ireland (SAVI) study, the Bishops' Committee on Child Abuse (later known as the Bishops' Committee on Child Protection) commissioned the Health Services Research Centre to research the topic of 'clerical child sexual abuse'.

<sup>254</sup> It is not known whether the reported abuse took place in the context of the Dutch Roman Catholic Church.

<sup>255</sup> These figures are based on a secondary analysis of the data on 'clergy sexual abuse' collected in the SAVI study (McGee *et al.*, 2002). See also H. Goode, H. McGee, C. O'Boyle, *Time to listen: Confronting child sexual abuse by Catholic clergy in Ireland*, 2003, pp 89-91.

<sup>256</sup> A paraphilia is a psychosexual condition, defined by DSM-IV-TR as characterized by long-term, intense, sexually arousing fantasies, impulses or acts directed towards unusual objects or forms of gratification. According to Haywood and Green (2000) 'multiparaphilic' behaviour is less common among clerical perpetrators than among others who commit sexual offences against minors.

<sup>257</sup> Slightly over half (55.7%) of the priests were subject to one formal (police) complaint and showed an average duration of abuse of 1.58 years, with a range of 1 to 21 years. The 26.9% named in two or three allegations had an average duration of abuse of 7.2 years (range 1 to 40 years), the 13.9% named by four to nine victims had an average duration of abuse of 11.9 years (range 1 to 41 years), while 3.5% (n = 149) were the subject of ten or more formal accusations. Those who had attracted between ten and nineteen complaints showed an average duration of abuse of 18.1 years (range 5 to 41 years), while priests implicated in twenty or more cases showed an average duration of abuse of 22.03 years (range 1 to 35 years).

<sup>258</sup> 'Socializing with the family' refers to the perpetrator's attempts to win the trust and confidence of the victim's parents, which in some cases extends to forming a personal friendship. In this way, the perpetrator will often gain unrestricted and unsupervised access to his (or her) victims.

<sup>259</sup> Comorbidity means suffering from two or more conditions simultaneously.

<sup>260</sup> Established using a modified version of the Traumatic Antecedents Interview (Herman *et al.*, 1989).

<sup>261</sup> The Childhood Trauma Questionnaire (CTQ; Bernstein & Fink, 1997; Bernstein *et al.*, 2003).

<sup>262</sup> Sexual violence against female members of religious orders has also been noted in denominations other than the Roman Catholic Church, as has sexual violence against female clerics in those churches which have them. In a study by Majak (1991), 50.7% of the female clergy in the United Methodist Church report having been the victim of some form of sexual harassment or intimidation. See: L.C. Majak, 'Sexual harassment in the church', *Society (Transaction)*, 28, pp 14-21 (1991)). In

---

Cowan (1993), 70% of female rabbis report experiences of sexual harassment. See J.R. Cowan, 'Survey finds 70% of women rabbis sexually harassed', in *Moment: The Magazine of Jewish Culture and Opinion*, 18, pp 34-37 (1993).

<sup>263</sup>  $p < 0.001$ .

<sup>264</sup>  $p < 0.01$ .

<sup>265</sup>  $p < 0.01$ .

<sup>266</sup>  $p < 0.05$ .

<sup>267</sup> Sexual abuse by female authority figures was first identified as a social problem by in 1982 by Sarrel and Masters. They proposed a typology with four categories of female sexual abuse: 1) forced assault, 2) babysitter abuse 3) incest and 4) 'dominant woman' abuse. The inclusion of babysitter abuse as a separate category encouraged thought about various positions of authority in which women may work, particularly in the context of child care and education.

<sup>268</sup> Travers (2006) offers an example of allegations of physical assault and sexual abuse by nuns working in an institute for the deaf.

<sup>269</sup> Average duration of abuse 1.58 years, range 1 to 21 years.

<sup>270</sup> Average duration of abuse 7.2 years, range 1 to 40 years.

<sup>271</sup> Average duration of abuse 11.9 years, range 1 to 41 years.

<sup>272</sup> At this treatment centre for the male perpetrators of child sex abuse, patients are encouraged to report all the criminal offences they have committed in the past. The information they provide can fall into one of two categories: information from which the victim can be identified and information which does not allow the victim to be identified. Many perpetrators prefer the latter option. By allowing perpetrators to admit abuse in this way, the therapists hope to gain further information about his inappropriate behaviour, together with information about the characteristics of sexual offences against children.

<sup>273</sup> The statistical frequency of the positions and functions of the Roman Catholic perpetrators in this study is partly determined by the period in which data was gathered, i.e. 1995 to 2002, by which time educational institutes staffed by brothers and lay brothers no longer existed in the Netherlands.

<sup>274</sup> Based on telephone interviews with seven of the thirty victims of clerical child sexual abuse identified by the Irish survey.

<sup>275</sup> All comparisons  $p < 0.05$ .

<sup>276</sup> Based on DSM-IV (see note 8).

<sup>277</sup> N varies from 65 to 85 according to the questionnaire concerned.

<sup>278</sup> It is not known whether this group is representative of all former pupils. The researchers were not given access to the files of the responsible social organizations due to restrictions under the Civil Code of Quebec. Lawyers advised the religious orders approached by the researchers against lending their cooperation.

<sup>279</sup> According to the standard levels of scientific evidence, data based on systematic reviews and meta-analyses intended to establish a link in a scientifically responsible manner is deemed to be the strongest.

<sup>280</sup> Smith *et al.* (2008) note inconsistent results in the literature on factors which influence patterns of disclosure, such as the age and gender of the victim, the relationship between victim and perpetrator, and the intrusiveness of the sexual acts (M.L. Smith, A.F. Rengifo, B.K. Vollman, 'Trajectories of abuse and disclosure: child sexual abuse by Catholic priests', *Criminal Justice and Behavior*, 35, p 578 (2008)).

<sup>281</sup>  $p < 0.05$ .

<sup>282</sup> Stacey *et al.* (2000) describe the case of a 13-year-old boy who was abused by the priest immediately after he had made his confession. For the 'sin of masturbation' he was forced to perform certain sexual activities with the priest. Within the Roman Catholic Church, an ordained priest holds a position of dedicated authority and trust. When he hears confession, he learns the most intimate secrets of his parishioners. Only he can grant absolution. But the Sacrament of Penance can also be abused (Doyle, 2003).

---

<sup>283</sup> 'Clericalism' refers to the elevated position which the Roman Catholic Church confers on ordained priests. There is a relationship which is not only hierarchical but also sacral in nature. There is by definition an uneven balance of power between the priest and his adherent.

<sup>284</sup> In 1965, the increasing use of the term 'child abuse' in clinical and research literature resulted in it becoming a key search term in the Index Medicus (forerunner to today's Medline) (Bays & Chadwick, 1993). The search term 'child sexual abuse' followed in 1987 (see H. Goode, H. McGee, C. O'Boyle, *Time to listen: Confronting child sexual abuse by Catholic clergy in Ireland*, 2003, p 34).

<sup>285</sup> Van Krevelen recounts the case of a 14-year-old girl who was committed to an institution because she was being abused by her father. "They may all count themselves lucky that the care home managers were willing to accept her without too many questions, otherwise they would have been afraid that she would 'infect' the other pupils" (A. van Krevelen, 'Problemen rondom de incest', *Tijdschrift voor Strafrecht*, 63, p 141 (1953).

<sup>286</sup> There have been several publications which consider the content and style of media reports, and the way in which those reports influence public opinion. They include M.J. Breen, H. McGee, C. O'Boyle, H. Goode, E. Devereux, 'Suing the Pope and scandalising the people: Irish attitudes to sexual abuse by clergy pre- and post-screening of a critical documentary', *Irish Communications Review*, 11 (2009).

<sup>287</sup> Ryan Commission and Murphy Commission. See Appendix 1.

<sup>288</sup> KRC Communications Research of Newton, Massachusetts.

<sup>289</sup> L. Franklin, 'Mass. Catholics fault church on handling sex charges', *Boston Globe*, 26 July 1992, p. 8.

<sup>290</sup> Doyle (2003) suggests that the results of a survey of bishops would reveal that the 'cover-ups' were intended to protect the Church and not, as many believe, the priests themselves. For an account of the possible role of clericalism, including hierarchical and sacral relationships, in preventing sexual abuse in the Roman Catholic Church, see for example Doyle and Rubino (2008).

<sup>291</sup> C. Longley, "Wrong mindset on sex abuse", *The Tablet*, 26 August 2000, cited in H. Goode, H. McGee, C. O'Boyle, *Time to listen: Confronting child sexual abuse by Catholic clergy in Ireland*, 2003, p 126.

<sup>292</sup> As noted elsewhere, it not until the early 1980s that society and the judicial system shifted their focus onto the victim, his rights and protection.

<sup>293</sup> Bryant suggests that the declining number of priests played a part in the Catholic Church's often liberal attitude to the perpetrators of abuse. C. Bryant, 'Psychological treatment of priest sex offenders', *America Magazine*, April 1 (2002).

<sup>294</sup> C. Shakeshaft, A. Cohan, 'Sexual abuse of students by school personnel', *Phi Delta Kappa*, 76, pp 513-520 (1995). A study of 225 cases of sexual abuse committed by teachers and other school staff against children. All allegations were admitted by the persons concerned. Just over a third (35%) of these cases led to disciplinary action such as an official reprimand (20%), temporary suspension or termination of contract (15%). Just 1% had their teaching credentials revoked. None of the perpetrators was reported to the civic authorities. See also J. Knoll, 'Teacher sexual misconduct: grooming patterns and female offenders', *Journal of Child Sexual Abuse*, 19, pp 371-386 (2010).

<sup>295</sup>  $p < 0.10$ .

<sup>296</sup> See H. Goode, H. McGee, C. O'Boyle, *Time to listen: Confronting child sexual abuse by Catholic clergy in Ireland*, 2003, p 144.

<sup>297</sup> Mostly Roman Catholic.

<sup>298</sup> Mercado *et al.* (2008); Perillo *et al.* (2008); Piquero *et al.* (2008); Smith *et al.* (2008); Tallon & Terry (2008); Terry (2008); Terry & Ackerman (2008); White & Terry (2008).

<sup>299</sup> Carr *et al.* (2009, 2010) ; Flanagan-Howard *et al.* (2009)