

# **CLERICAL ABUSE AND CHRISTIAN DISCIPLESHIP**

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**Abstract:** The Church of England's official responses to clerical abuse compound the harm done to victims/survivors, as well as damaging clergy accused of abuse, congregations and not least, the Church itself as a Christian institution. This article explores the reasons why the Clergy Discipline Measure (CDM) and other current responses to abuse are incompatible with Christian discipleship, and presents Christocentric alternatives which prioritise the cure of souls and reconciliation. This approach draws upon non-adversarial practices such as occupational psychology, pastoral and social work intervention and restorative justice to craft bespoke responses to ecclesiastical abuse by clergy and church leaders. Improved understanding of clerical abuse and applying theologically grounded responses would improve spiritual recovery for all those wounded by ecclesiastical abuse: survivors, perpetrators, congregations, church leaders and their families and communities. But it is the Church of England itself which would stand most to benefit from enacting its Christian vocation.

**Keywords:** CLERICAL SEXUAL ABUSE, ECCLESIASTICAL ABUSE, OCCUPATIONAL PSYCHOLOGY, PASTORAL SUPERVISION, RECONCILIATION, RESTORATIVE JUSTICE, SOCIAL WORK INTERVENTION, SPIRITUAL HEALING

## **What is wrong with the Clergy Discipline Measure as a response to clerical abuse?**

Abuse is most often conducted in private without others present, or through conveying meaning pertaining to private communication, and the wounds are invisible. Legalistic approaches such as the Clergy Discipline Measure (CDM) tend to fail for two reasons: 1) there is rarely unambiguous written evidence or witness testimony (only the ignorant, inexperienced or stupid leave behind hard evidence); 2) abusers use manipulation and deception as their main weapons in the grooming phase, which by the very nature of abuse are not spotted by the target/survivor. Thus, any 'just the facts, ma'am' approach requiring a one-off written set of allegations will fail to produce the sort of evidence that could be drawn out by a specialist psychologist in interviewing the survivor. Legalistic approaches *may* work for offences that involve tangible evidence and unambiguous consequences, but where the actions are invisible and the weapons and the wounds are intangible, it cannot possibly work.

Abuse is primarily psychological – and the spiritual damage done to the soul by clerical abuse is immense. It is the context that matters, neither words nor actions in isolation. According to the House of Bishops, over 96% of people who allege that they were abused are truthful (most studies range between 97% and 99%) (House of Bishops 2011). And consider that in the UK in 2018, fewer than 2% of reported rapes led to a charge (Schraer 2019), with conviction rates smaller still – and the ordeals that follow disclosure of sexual misconduct. No wonder that survivors are reluctant to use the CDM!

Serious abuse nearly always follows a behaviour pattern. In contrast to assessing suitability for ordination, which examines character, history and evidence of vocation, the CDM focuses on situational evidence. The candidate for ordination is required to 'reflect on past experiences [...] identifying both successes and failures, and to reflect on how this experience might affect the future shape of their ministry' (Archbishops' Council 2014, p. 14). With the CDM, all the accused needs to do is to

claim 'I did nothing wrong; I meant no harm; I can't remember; and he/she can't prove it'. The perpetrator is almost always given the benefit of the doubt, even if Church officers are aware of multiple allegations and recurrent behaviour problems.

The survivor may be told that the Church doesn't know anyone who could provide pastoral support or counselling, can't give a referral to a legal advisor, and that unlike respondents, the survivor is not eligible for ecclesiastical legal aid. Following months and even years of avoidance without serious listening by any Church officer in a position of authority or any independent investigation, the survivor is told 'I have seen no evidence of abuse' and 'You have the right to make a complaint'. The survivor gets the message: 'Shut up and go away'.

Survivors who are persuaded to bring or to contribute to a CDM mainly do so in order to try to prevent other people from suffering further abuse at the hands of their perpetrator. Instead of being supported and appreciated for their service to the Church, survivors are treated as a threat, repeatedly re-abused and silenced. No wonder that victims of abuse advise one another not to disappear down this particular rabbit hole.

Are CDM penalties commensurate with the harm done? Not according to survivors. In one case, a safeguarding review report was redacted to omit the survivors' views (Plant 2018). However, the 'blacking out' was done by surrounding black text with a black background and the text was easily retrievable. Once this was pointed out, the report was taken offline.

The CDM does not seem to be the best way to address every type of safeguarding transgression, such as the failure to include safeguarding information on parish websites; nor is it helpful in resolving parochial conflicts. The criminal evidentiary standards that may be applied in practice don't work in most cases of abuse,<sup>1</sup> the process is highly

1. The CDM is supposed to apply civil 'balance of probabilities' evidentiary standards, but according to Ven. Michael Fox, he and 'colleague Archdeacons have been amazed at the level of proof that appears to be being required in terms of the actual working out of the Measure. It looks like the kind of level you would expect of a criminal prosecution and the result will therefore be that folk who should be disciplined, or at least reprimanded, are not even getting that' (personal communication 2012).

damaging to almost everyone involved (as well as to the Church itself) and it fails to deliver justice. The essence of the problem with the CDM is that it is inherently conflictual. God, however, calls us to reconciliation.

## **Alternatives to the CDM**

The CDM forms part of the ‘611 safeguarding commandments’ that omit God’s two great commandments, in this context to love God and to love both the sinner and the survivor.<sup>2</sup> There are alternatives that put healing first, as Jesus did contrary to the earthly legalities of his day (see Matthew 12 on his healing on the Sabbath).

Jesus accused the ‘brood of vipers’ (also in Matthew 12) of being the source of this sort of evil. The Church of England would do well to follow the example of St Patrick and banish these poisonous snakes in its midst. Only by renouncing evil; holding perpetrators of ecclesiastical abuse to account (Stein 2016); true repentance (including meaningful penance); and a shift to restorative justice can restore the soul of the Church. Sometimes, safeguarding complaints do need to be raised. However, the complaints process needs to be separated from disciplinary proceedings. And conflicts of interest need to be recognised – and avoided.

Safeguarding advisors are employed by the Church. They are subject to an inherent conflict of interest as their role is to implement procedures devised by the Church rather than to address the needs of survivors and perpetrators for healing (Chevous 2019). Their involvement in safeguarding cases is typically experienced as officious and re-abusive by survivors.

Furthermore, it is Church of England policy to return survivors who have gone to national level for help, because they have experienced re-abuse from their dioceses following disclosure, back to those re-abusive dioceses to handle their cases. This is the institutional

2. It could well be that the ‘adulterous’ woman encountered by Jesus (John 8:1–11) was in fact a survivor of abuse; both she and her accusers were admonished and set free rather than required to go through with the imposition of a death sentence as required under Mosaic law.

equivalent to offering the survivor informed pastoral care and support from the priest who had abused them. It is a structural conflict of interest. Referrals could be made to independent dioceses, much as police complaints against serving officers are automatically referred to other police districts, to investigate cases and to specify applicable penalties, reparations and other remedies.

The British National Health Service (NHS) has a responsive complaints system that includes providing patient advocates. This type of safeguarding has saved an estimated 75% of the costs of litigation and compensation payments in hospitals in the USA (Syed 2015). It minimises the distress to patients, their families and medical staff. The UK General Medical Council can review cases of alleged medical misconduct and strike guilty doctors off the register. The procedure is more collegial and straightforward than the CDM and does not require the patient(s) to become involved. The Church could greatly benefit from applying such practices.

Some alternatives to the CDM are little better from the survivor's standpoint. Such is the power imbalance between clerical perpetrator and vulnerable survivor that the ecclesiastical conflict resolution organisation Bridge Builders does not take on mediations in safeguarding cases. Neither can an ombudsman scheme remedy a safeguarding failure directly. However, if used as a first port of call for survivors experiencing difficulty from their diocese following disclosure, rapid intervention from an ombudsman could help to sort out problems before they become embedded.

Core groups (internal Church safeguarding case management groups) can in some cases obviate the need for a CDM. However, from the survivors' perspective, core groups are designed to meet the needs of the institution without adequate representation of the survivors' experiences, views and needs. Furthermore, core groups do not offer the protection of confidentiality and thus can inflict further serious harm on the vulnerable. The more balanced and inclusive practices used by local authorities seem to work better.

Both core groups and the first stages of a CDM seek the cooperation of the priest who has been accused of abusing a vulnerable person or people.

However, such is the adversarial nature of the CDM that it risks intransigence from the alleged perpetrator, whereupon the matter goes to a tribunal. This becomes extremely damaging to survivors, perpetrators and their families and associates, and is very costly to the Church itself in terms of time, money and reputational damage. No one wins except possibly the perpetrator, who may take satisfaction from seeing how he and the Church have damaged and in many cases ruined the survivor.

Conflict and vindictiveness have no place in an authentic solution to the problem of ecclesiastical abuse. Every effort should be made to find a solution to a safeguarding failure that, while supporting everyone affected and holding perpetrators to account, encourages reconciliation and effectively prevents further abuse.

#### *Restorative justice for survivors*

Restorative justice starts by church officers listening to what the survivor has to say about their experiences of ecclesiastical abuse and the consequences for them and for their families, friends, churches and colleagues, and about what would constitute justice for them as individuals. The circumstances in each case of ecclesiastical abuse are unique, and each survivor will have their own views of what would constitute justice, including support for healing. What the Church does for survivors (the least of these) it does also for God. Following careful, patient listening, Church authorities should ask, as Jesus asked Bartimaeus, 'What is it that you would like me to do for you?' Prompt provision of independent pastoral support would be helpful to many survivors, for ministry can be the greatest healer. In addition, the Church could provide spiritual direction; individual or group retreats; welcome by church communities whilst respecting the personal privacy of the survivor;<sup>3</sup> a dedicated service at which the Church makes a public

3. For example, the *Service of Remembrance and Proclamation for Margaret Kennedy*, held at St Giles, London, facilitated by Archdeacon William Jacobs, 26 November 2011, as part of the Church of England's compensation package, <http://archive.thetablet.co.uk/article/3rd-december-2011/16/margarets-day>. (Please note that the service itself is no longer online but might be available from MACSAS or the Diocese of London.)

apology to the survivor, and explains how they are settings things right; and/or a pastoral session, blessing or anointing by a senior church leader. However, as so many survivors have been badly traumatised by their ecclesiastical abuse and may have lost their faith, other forms of healing may be more suitable.

An independent needs assessment (which can be done by any GP) ought to suffice to indicate what therapeutic support would be needed by the survivor. Nearly all survivors will need counselling and/or psychotherapy. The Church must not hesitate to fund this therapeutic work without cutting corners. Underfunding and limiting such therapy to a few sessions can do more harm than good.

Money is not usually uppermost in the minds of survivors as recompense for the huge costs of ecclesiastical abuse,<sup>4</sup> and financial compensation is not available via the CDM. Survivors are forced to resort to civil litigation, even though the amounts awarded are very limited and the process is itself highly adversarial and re-traumatising. Settlements negotiated with insurers can be highly damaging. And these approaches are expensive; the survivors' legal fees and the internal costs to the insurers amount to about twice the amounts awarded to survivors. Is there an alternative? Of course there is!

The Clergy Support Trust makes grants to clergy and clergy families in need, disbursing about £4 million a year. This is administered by reviewing applications for support, some of which are not means tested. While it is understood that funds are limited, it is not an adversarial process; advice and support are given to potential applicants.

A similar scheme could be made available to survivors wounded by ecclesiastical abuse. If a proper evaluation were to be done of Church of England safeguarding activities, a comparable sum might be found from savings in current expenditure (£7 million in 2018).

Andrew Graystone's essay 'An Entirely Different Approach: The Church of England and Survivors of Abuse' focuses on meeting survivors'

4. See e.g. the evidence given by AN-All at the Independent Inquiry into Child Sexual Abuse (IICSA) on 20 March 2018. See <https://www.iicsa.org.uk/document/20-march-2018-anglican-public-hearing-transcript>.

needs for as long as needed – given that the impacts of ecclesiastical abuse are lifelong. In it, he concludes: ‘The question that church leaders need to ask in relation to victims of abuse is not how little can I pay them, but how much can I love them’.

The listening that is necessary to ascertain how best to contribute to the healing of the survivor is in itself a part of the healing process. Taking action accordingly can bring authentic justice to the benefit of all. The best exemplar of this approach is none other than Jesus of Nazareth himself. The Church should consider, above all, how Jesus would respond to the suffering of survivors.

### *Perpetrators, repentance and reconciliation*

An inexperienced curate who has made a minor pastoral error should not be subjected to heavy legal processes and/or lost to the Church. A psychopathic abuser is committing crime for which police investigation, conviction and imprisonment are appropriate. In neither case is the CDM suitable. But there is a broad spectrum of abusive behaviour in between. What is this clerical sexual abuse all about, and why does it happen?

Some abusers are sex addicts; others are aggressors; others may be succumbing to temptation due to their own personal difficulties. A common pastoral failure stems from not recognising unhealthy forms of transference and projection in ministry, and in particular when the priest thinks that it’s about him,<sup>5</sup> rather than the person in his pastoral care (Ison 2017).

Occupational psychology can help to ascertain the truth and the nature of allegations. A psychologist can recognise personality traits and other factors that underpin manipulative, deceptive grooming behaviour and abuse. These include narcissism, jealousy, personal ambition, habitual dishonesty, innate anger, perpetrators having themselves been abused, defective personal relational capacity, a sense of entitlement justifying

5. Abuse is gendered and is most often perpetrated by men; this paper uses ‘he’ and ‘him’ for convenience.

personal gratification and inadequate professional/ethical grounding. In some cases, there are distinctive signs of psychopathy.

The survivor first needs to be interviewed by a specialist expert, whose questions and explanations can bring out information that would not have been previously recognised. An interview with the alleged perpetrator, similar to a risk assessment, should follow. It is important to understand the dyadic dynamics between the perpetrator and his target to get at the underlying causes of the abuse. Very occasionally, allegations of abuse are false, but these cases can quickly be spotted by a trained professional.

Once the abuse is put into perspective, it becomes possible to craft suitable responses to both perpetrator and survivor. Key to this is a learning process whereby the survivor learns how to spot abusive behaviour and personality traits and thereby becomes less vulnerable to abuse in future.<sup>6</sup>

Minor pastoral ineptitude by inexperienced priests in training could be dealt with by a warning and a simple process of confession, repentance and apology to those who had been harmed. Further along in the spectrum of abusive behaviour, the Church may need to consider more serious forms of discipline. Referrals to statutory bodies may be appropriate. One common outcome of a core group process is for the Church to commission a risk assessment, which focuses on personality profiling rather than on legalistic processes. Risk assessments can be used to inform responses to perpetrators whose misconduct falls short of criminal. Most commonly, this is done through safeguarding agreements which are then regularly monitored, or by revoking a Permission to Officiate (PTO), typically granted to retired clergy at the discretion of the diocesan bishop.

The most dangerous clerical abusers are those who are highly intelligent, repeatedly target the vulnerable, and have learned how to disguise their abusive behaviour and not to leave unambiguous evidence behind. Occupational health physicians, psychologists and

6. Sarah Worsley-Harris (occupational psychologist, personal communication, October 2013).

psychiatrists do not expect the behaviour of psychopathic personalities to change. The Church needs to be on guard for specious theological claims about e.g. forgiveness and to ensure that such clerics are watched very closely. Church leaders need to understand why simply challenging their behaviour might make matters worse. But they also need to understand that simply waiting until clear evidence emerges can enable serious abuse to continue, sometimes throughout an entire clerical career.

Perpetrators (and their families and congregations) also need pastoral support and healing. Once an allegation comes to light, perpetrators can self-harm and even take their own lives. With proactive support from the Church, this should not happen.

#### *Prevention of abuse and reconciliation*

Professional development of all clergy is important, from initial discernment of vocation and throughout a priest's career. The Church's 'Guidelines for the Professional Conduct of the Clergy' needs to be augmented by coverage of ethical principles as well as conveying the importance of maintaining boundaries and ongoing professional supervision. Routinely promoting the well-being of all clergy, whether they are identified as 'problem personalities' or not, can help to prevent abuse.

Training incumbents or supervisors responsible for cultivating the professional development of a deacon, chaplain or priest can deal with relatively small pastoral problems. Potentially abusive behaviour can be nipped in the bud. In one more serious case, an archdeacon called in a young priest for a 'pastoral sorting out'. The priest was forced to confront the consequences of his behaviour for the survivors as well as the consequences for himself and his career if he did not accept responsibility for his behaviour and the regime proposed by his archdeacon. The priest agreed to a temporary placement that did not involve pastoral ministry, accepted the offer of both pastoral supervision and spiritual direction, and internalised the need for self-discipline. After a number of years in which there was no further 'trouble', this priest is

now a vicar who can be expected to serve the Church well throughout a long and promising career.

Pastoral supervision (Leach and Paterson 2010) as a non-managerial exercise, puts foremost the personal and professional well-being of the priest at risk of abusing. Supervision can benefit all priests and needn't be stigmatised. It is embedded in many other social care professions such as social work, psychology and counselling as part of routine professional practice, and it has been adopted by the Methodist Church. Supervision does not require specialist expertise. Some training should be undertaken, but there are priests everywhere who are already well equipped. These include training incumbents, who cover safeguarding in the formation and cultivation of their curates' vocations and careers. Academic clergy and experienced, retired clergy are also well placed to offer pastoral supervision.

Responses to more serious abuse (but still falling short of criminal behaviour) can adapt the concept of cell groups such that the perpetrator is given no-nonsense support by two more senior clergy such as archdeacons (or peers in the case of bishops). An intensive residential retreat would focus on the priest's personal and professional situation, supporting the positive elements of his ministry whilst challenging his abusive behaviour and discussing the associated consequences and risks. This is a worthwhile investment in the priest, who could go on to work safely and productively for the Church. The supporting clergy would determine how to follow up an initial retreat: perhaps further retreats are needed, or shorter meetings or regular 'check-ups' by either or both supporting clergy. It is important that two senior clergy are involved in each case, as abusive personalities are typically dishonest and highly manipulative. A single supporter could be misled; three might be overly intimidating. Group dynamics with three people is optimal.

In the health sector, medical staff are responsible for having and for conducting annual collegial reviews that include assessing fitness to practice. If there are any concerns on the part of the reviewer, the matter can be referred for investigation. Suspension is very common and is not professionally stigmatising, and it is normally resolved very quickly. This model could easily be applied in the Church.

Another proven preventative approach comes from a specialist form of social work that conducts ‘interventions’ with people at risk of offending, most commonly young people involved with alcohol, drugs and petty crime. Two social workers invite family, teachers, friends, mentors, sport coaches and others who have supportive relationships with the person posing a risk to a meeting with this person. The intervention focuses on concern for the person and supporting them in making their own positive choices, to be followed up by further support over time by the social workers and by the people who love them. This approach has similarities to Circles of Accountability and Support,<sup>7</sup> which have a good record in supporting convicted sex offenders after release from prison.

Punitive or controlling responses to clerical abuse such as safeguarding agreements and the removal of PTO are of limited preventative value. Only by ensuring that the perpetrator has been through a ‘pastoral sorting out’ process addressing underlying issues, is put under pastoral supervision, and genuinely accepts personal responsibility for his behaviour, can prevention be effective. For clergy at the psychopathic end of the spectrum, human intervention cannot be expected to work. Something more powerful is required.

Reconciliation needs to be taken seriously; it is a necessary precondition for being in communion. Thus, confession, absolution and sharing the peace are enacted prior to communion at the Eucharist. Perhaps an appropriate response to an unrepentant perpetrator of abuse would be excommunication? Consider that many survivors of clerical sexual abuse are hounded out of church and some lose their faith altogether. This is *functional* excommunication, and it cannot be pleasing to God.

Under the CDM, formal excommunication cannot be given as a penalty by tribunals. But *any* priest has the right to refuse communion to those who come to church roaring drunk or whose behaviour is otherwise offensive. Clerical sexual abuse (and institutional re-abuse by

7. See for example <https://www.circles-uk.org.uk/>, which mentions partnership with the National Probation Service in the UK, but this model operates in different countries too.

senior clergy) is in effect an offence against ordination itself,<sup>8</sup> and should be dealt with as such. If a bishop were to personally excommunicate a serious, unrepentant clerical abuser, others would follow. This need not be permanent, as the perpetrator could repent at any time. Can you imagine the deterrent effect that a single case of functional excommunication of a clerical abuser would bring about?

## **2. Healing wounded congregations – and church leaders**

At a church service in the USA, there were numerous signs that something was seriously wrong. When it came to the hymns, the congregation were unable to sing. It was more a case of mumble, mumble. What was going on here? In short, the former rector had had an affair with a married woman in the congregation. The woman (who was blamed for the affair) and her family were forced out of the church. The rector then had an affair with his curate's wife, and a formal disciplinary process resulted in his being thrown out of the Episcopal Church. The congregation was deeply traumatised. The church was put under the care of a specialist interim Minister, a priest with training in pastoral psychotherapy, for three years. The church appointed a woman as their next rector, who carried on with the 'congregational therapy', and after many years the church seems to be healthier.

Congregations in the Church of England have also been traumatised by sexually abusive church officers. Churchwarden Ben Field was convicted of murder and given a life sentence on 18 October 2019. He had not only groomed his victims but the congregation as a whole.

8. 'Have always therefore printed in your remembrance, how great a treasure is committed to your charge. For they are the sheep of Christ, which he bought with his death, and for whom he shed his blood. The Church and Congregation whom you must serve, is his spouse and his body. And if it shall happen the same Church, or any member thereof, to take any hurt or hindrance by reason of your negligence, ye know the greatness of the fault, and also the horrible punishment that will ensue' (Common Worship Ordinal).

Oxford Diocese will continue to provide extra pastoral support even if it takes years for the congregation to recover.

Myer and Laaser's edited collection (1995) provides excellent explanations and practical advice for responding to safeguarding failures in parishes. The focus is upon meeting the needs of survivors, perpetrators, congregations and the community rather than relying solely on formal discipline.

Church leaders can also be walking wounded; some are themselves abuse survivors. The requirement for bishops to be members of cell groups is broadly positive. However, much more could be done by Church members in any role and at all levels to provide mutual support to one another. It is the priesthood of all believers that offers the prospect of healing the Body of Christ which is so badly wounded by abuse.

## Closing reflections

Without *metanoia*, the Church of England is committing institutional suicide. The Church needs to renounce conflict and to follow the Way of Jesus of Nazareth if it is to survive.

The CDM has no place in ecclesiastical safeguarding and further amendment cannot lead to an acceptable alternative. The people who drew up the CDM (2003) and the more recent Safeguarding and the CDM (2016) should not be involved in drawing up further revisions or a replacement Measure. The legalisms themselves undermine the objectives of safeguarding. The solution lies elsewhere.

The Church of England has started a learning process informed by the Independent Inquiry into Child Sexual Abuse (IICSA) and by knowledge provided by a wide range of experts in abuse, from academic scholars and care practitioners to survivors themselves. There are now numerous educational resources available, and recently there have been various fora for bringing survivors and Church officers together at both diocesan and national level. Improving the Church's understanding of

ecclesiastical abuse and its impacts could lead to a much broader range of responses than what forms the current approach, narrative and training agenda (Stein 2015).

The real issue with clerical sexual abuse is how to recover from the consequences of safeguarding failures, and how to respond in a compassionate and effective way that helps to prevent further abuse. Everyone associated with each case needs to understand what happened; how to deal with the consequences; how to heal both individuals and congregations and how to be healed; and how to restore and to be restored to the church community through care, repentance and reconciliation. As disciples of Jesus of Nazareth, Christians are called to reject the '611 commandments' produced by the 'brood of vipers' and to work for restorative justice in response to clerical abuse.

Whilst formal disciplinary proceedings may be appropriate in other circumstances, safeguarding failures require person-centred and congregation-centred approaches based on specialist expertise in social work and occupational psychology, restorative justice and pastoral intervention. Only by undertaking the hard work of intervention and prevention, with everyone taking personal responsibility for safeguarding, can the Church become truly a safe place in which to worship God and for churchgoers, congregations and church officers to flourish.

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