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Australia inquiry hears of 50-year cover-up

Stephen Crittenden | Jul. 12, 2013
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The Hunter Valley in New South Wales, two hours north of Sydney, is best known for its vineyards, surf beaches, coal mines and polluting power stations. But in recent years, the region has also become known as the epicenter of Catholic sex abuse in Australia.

Since 1996, seven priests, four religious brothers and six lay teachers of the Maitland-Newcastle diocese have been convicted. The church has paid compensation to the victims of eight other priests, and four priests and two brothers are currently facing abuse or concealment charges. There are 400 known victims.

Now, a special commission of inquiry in Newcastle has heard that leaders of the diocese knew of the numerous pedophiliac activities of one priest, Fr. Denis McAlinden, for 50 years, but did not notify police until 2003.

The inquiry was established in November after allegations by a senior Hunter Valley detective, Chief Inspector Peter Fox, that the Catholic church "covers up, silences victims, hinders police investigations, alerts offenders, destroys evidence and moves priests to protect the good name of the church."

In addition, Fox accused senior figures within the New South Wales police force of hindering his investigation. Margaret Cunneen, New South Wales deputy senior crown prosecutor, is chairwoman of the inquiry.

Fox's allegations also prompted then Prime Minister Julia Gillard to announce a national royal commission into child sex abuse.

So far, the Cunneen Inquiry has obtained 100,000 documents -- many subpoenaed from the archives of the Maitland-Newcastle diocese -- and conducted four weeks of public hearings and 120 hearings in private.

McAlinden was born in Ireland in 1922 and moved to Australia in 1949. Fox investigated him between 1999 and 2005 and believes he may have had as many as 100 victims, mostly girls ages 4 to 12.

He was moved from parish to parish in Australia and overseas, including New Zealand and Papua New Guinea, even though four successive bishops of Maitland-Newcastle -- Edmund Gleeson (bishop from 1931-56), John Toohey (1956-75), Leo Clarke (1976-95) and Michael Malone (1995-2011) -- knew of his crimes, according to evidence presented to the inquiry.

Included in the documentation was a 1976 letter addressed to Clarke, as he was coming in as bishop, from the diocese's interim administrator, Msgr. Patrick Cotter. In the letter, Cotter told Clarke that McAlinden had admitted his pedophile behavior.

"Very slowly he admitted some indiscretions but then agreed that it was a condition that had been with him for many years," Cotter wrote.

"He feels no such inclination towards the mature female but towards the little ones only," the letter said. "I have

never heard of this condition before and knowing Father McAlinden as we do, we do not think it can be real serious."

But the matter was considered serious enough for McAlinden to be removed from his parish and sent as far away from Maitland-Newcastle as possible. First, a one-way ticket to Papua New Guinea was purchased; then, in October 1981, he was transferred to the diocese of Geraldton in the remote Pilbara region of Western Australia.

In 1992 McAlinden was charged but acquitted in Western Australia of sexually assaulting a girl 10 years earlier in the town of Wickham. Then, on Feb. 12, 1993, Clarke withdrew McAlinden's priestly faculties. McAlinden was sent to England to live in retirement with his sister, but before long he was living in a diocese in the Philippines.

Documents show that in 1995, senior church officials, including outgoing Bishop Clarke, incoming Bishop Malone and lawyer Fr. Brian Lucas (now general secretary of the Australian Catholic Bishops' Conference), were involved in a secret plan to laicize McAlinden when they thought his victims were going to talk with the police.

"Your good name will be protected by the confidential nature of this process," Clarke wrote to McAlinden. "A speedy resolution of this matter would be in your interest as I have it on good authority that some people are threatening to take it to the police."

But McAlinden refused to cooperate and the laicization process was never completed. He was never convicted and died in 2005 in Western Australia. Fox, the chief inspector whose allegations led to the inquiry, told the panel that in early 2003 he asked Clarke whether McAlinden had any other victims.

"He said, effectively, 'I'm sorry, I don't know anything about that.' "

Fox says he accepted Clarke's word at the time, but now believes he was told "a blatant lie." Clarke died in 2006.

Between 2002 and 2004, Fox also investigated and charged the other priest at the center of the Cunneen Inquiry, Fr. James Fletcher, who died in jail in 2006. He said he came close to charging Malone in 2003 when the bishop tipped off Fletcher that he was under investigation and told him the name of a victim who had gone to the police. The tip gave Fletcher time to destroy evidence.

Malone has said he made mistakes in his handling of abuse.

In 2005 and 2006, Fox submitted two internal intelligence reports to his superiors outlining his suspicions that a Catholic clerical pedophile ring was operating in the Hunter Valley region. He urged a full-scale investigation.

Why senior police did not act on his concerns despite more and more individual cases coming to light is a major question. But Cunneen has ruled that the issue falls outside her terms of reference, which limit her inquiry to only the investigation and alleged church cover-up of the Fletcher and McAlinden cases. Other matters have been referred to the national royal commission.

In mid-2010, following sustained media scrutiny, the New South Wales police established a strike force, codenamed "Lantle," to investigate the cover-up allegations, but Fox was excluded.

Strike Force Lantle eventually produced a 3,000-page brief of evidence, which is now in the hands of the New South Wales director of public prosecutions. No charges have been made, but this brief of evidence has been the elephant in the room throughout the Cunneen Inquiry.

The inquiry has also been asked to investigate why, in late 2010, senior police directed Fox to cease his investigation into sex abuse allegations in the Maitland-Newcastle diocese and hand over all the material he had collected.

Fox himself has often seemed to be the subject of the inquiry. During 10 days in the witness box, his reliability was questioned repeatedly. One former colleague said he was "disgusted" by Fox's assertion that police Strike Force Lantle was a "sham" that had been "set up to fail," and another said he had "ridden on a saddle of lies."

The Archbishop Philip Wilson of Adelaide -- who was secretary to Clarke from 1980 to 1987 and vicar general of Maitland-Newcastle from 1987 to 1990 -- refused to give a statement to Strike Force Lantle. He has been subpoenaed to appear but will give his evidence in camera.

This has been controversial, but Cunneen has explained that it is necessary because her inquiry is taking place against the background of the existing brief of evidence prepared by police Strike Force Lantle.

"This inquiry must not compromise any future criminal proceedings in any way," she said.

Cunneen is expected to issue her report in September.

[Stephen Crittenden is arts, religion and culture writer for *The Global Mail* in Sydney.]

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