

## **'Fully compliant' doesn't equal accountability**

Catholics should be grateful for the release of the 2004 Annual Report on implementation of the Charter for the Protection of Children and Young People. Combined with last year's report, the 2004 John Jay College of Criminal Justice study on the "scope of the crisis," and the so-called Bennett Report on its causes, the survey of diocesan child-protection programs released Feb. 18 sheds additional light on diocesan efforts to combat sex abuse.

It is a good thing it does, given that more than 1,000 allegations of sex abuse by priests and deacons were made last year, according to data gathered by the Center for Applied Research in the Apostolate that was included in the 2004 Annual Report.

It takes nothing away from the survey of diocesan child-protection programs, however, to note that such documents have been repeatedly misused by those who want to say or imply that the "crisis is over." The danger, as it has been with each of these reports, studies and surveys, is that the findings will be oversold. Which is exactly what is happening.

Throughout the country diocesan public relations professionals went into full spin mode. Headlines in church papers trumpeted the findings: "Archdiocese Found in Full Compliance with U.S. Bishops' Charter" (St. Paul-Minneapolis' *The Catholic Spirit*), "Full Compliance and Commendation Result From Gavin Group Audit of Archdiocese" (The Georgia Bulletin, newspaper of the Atlanta archdiocese), "L.A. Judged to be in Full Compliance with Bishops' Charter (The Tidings). And so on and so on and so on.

Much of this is hoey.

First "fully compliant" is simply oversell. It's like being "fully pregnant." You either are or you are not. The adverb is added for public relations purposes, designed to reassure a skeptical public.

Next, the work of the Gavin Group, the Boston-based firm hired by the bishops to review diocesan programs, is neither "independent" nor an "audit," at least to the extent that the words are combined. These precise terms of art in the accounting world have been adopted to create an impression of objectivity and competence. A certified public accounting firm claiming "independence" of an "audit" faces sanctions based on well-established industry standards if it fails to live up to the claim. Not so with the Gavin Group, which is not an accounting firm and is not required to abide by any external independent audit guidelines.

In fact, the bishops' Office of Child and Youth Protection recruited the Gavin Group because its principal, William A. Gavin, combined a reputation for excellence with a good price. The cost of hiring a CPA firm to conduct actual "independent audits" of the nation's 195 dioceses was prohibitive, so Kathleen McChesney, director of the office and a former high-ranking FBI official, called upon Gavin, another former high-ranking FBI official, to conduct the "audits."

McChesney, and the lay review board that had a role in the selection, should not be faulted for hiring Gavin. At the time his appointment was made public, May 2003, the bishops were under

considerable and justifiable pressure to show progress in tackling the clergy sex abuse crisis. Gavin was available, competent, affordable and capable of putting together a team of more than 50 professionals to investigate diocesan compliance with the Dallas charter. So, in the can-do spirit of that moment, they hired him.

But, this year and last, church officials have hyped the limited findings -- hopeful that the laity will read the headlines but not the fine print.

It is significant but frequently forgotten that the Gavin Group's review was narrow in scope. They were not asked to measure the effectiveness or quality of the diocesan child-protection programs. This is something, McChesney told the press Feb. 18, that the Office of Child and Youth Protection "is attempting to implement."

We wish them luck in doing so, but doubt the bishops' commitment to the process. Early last year, for example, dozens of bishops tried to sabotage the 2004 review of diocesan programs (NCR, April 16, 2004). They failed, but succeeded in watering down the 2005 reviews so that Gavin's team of investigators will no longer personally visit each diocese. Gavin says this will not diminish the quality of reporting. We think he's wrong -- and that there is every reason, based on past performance, to believe that some bishops and high-level diocesan bureaucrats will use the lack of direct contact to paint a picture of "full compliance" that is not justified. The bishops, as a group, have a poor track record for accountability and transparency, which is why the "audits" were established in the first place.

One bishop, Fabian Bruskewitz of Lincoln, Neb., refused to even participate in the Gavin Group's work. He's an extreme example of obstructionism, but not the only one. And it is clear that the other bishops have no way to call him to account.

Viewed in its proper context (and not as a public relations device), the most recent report represents some progress -- progress purchased at a price. Every step of this difficult way has been forced upon the bishops who, despite their rhetorical support for "fraternal correction," have taken no collective steps, none, to hold accountable those bishops who covered up crimes and knowingly transferred child molesters from parish to parish. The old boy network is alive and well.

Bishops might understandably throw up their hands in frustration and ask, "What more can we do?" And we would answer: Follow your own sacramental tradition, which is as much about accountability as seeking forgiveness.

Through more than 20 years of embarrassing headlines and hierarchical excuses about what they didn't know and what couldn't be done, of re-victimizing victims and of covering for abusive clerics, of secretly raiding the church's treasury to pay for silence, the missing element for ordinary Catholics has been accountability.

Like politicians or CEOs, the bishops have apologized generally for their "mistakes" and missteps and for the pain caused the victims and the wider church. They have subjected themselves to what appear elaborate procedures for preventing future abuse. They have held

healing Masses and outreach programs, all to their benefit. But we know of no bishop who has spelled out specifically and on his own what he did to violate the trust of the community. We have grown to expect dodges and vague apologies in the world of politics and big business, but the church should be different.

In the church community, after all, the body of the church doesn't get the opportunity to vote out an offending bishop or fire a lousy CEO.

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