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Editorial: Newark shows need for transparency

by NCR Editorial Staff

Editorial

Five people have resigned in New Jersey in the wake of revelations that a priest who was supposedly on a supervised lifetime ban from ministering to minors was indeed ministering to youth and wasn't being monitored. Fr. Michael Fugee is out on bail after his arrest for violating terms of an agreement he signed with the local county prosecutor when investigators found that he had been attending youth group events, including an overnight pilgrimage to Canada.

Fugee had confessed to groping a 14-year-old boy, and a jury had convicted him of sexual assault in 2003. That conviction was overturned on a technicality, and Fugee entered into the agreement with the prosecutor to avoid a retrial.

As the local newspaper, *The Star-Ledger*, revealed all this, Fugee resigned his assignment in the Office of Continuing Education and Ongoing Formation of Priests. The pastor and two lay ministers who had invited Fugee to help with youth ministry resigned their positions. Now "as a result of operational failures," the vicar general, Msgr. John Doran, "has resigned his post and will no longer hold a leadership position with the Archdiocese," said a letter that Newark Archbishop John Myers sent to pastors to read at Mass Memorial Day weekend. "The strong protocols we presently have in place [to handle cases of sexual abuse of minors by clergy] were not always observed," Myers wrote.

This chain of events raises serious questions about accountability and transparency in Newark.

In his May 26 letter, Myers said when he first learned Fugee may have violated his lifetime ban on ministry to minors, he "immediately ordered an outside law firm to conduct a full and thorough investigation. ... I told the firm I wanted to know what happened and why."

As a result of the investigation, there will be "several changes and new initiatives, all of which share the same goal -- to ensure clarity and diligence in serving our community," Myers promised. He said he will appoint "a new special advisor to our Archdiocesan Review Board" and is "committed to provide more resources to the Review Board."

That sounds great, but what does it mean? The "strong protocols" Myers cites were apparently not strong enough to keep Fugee out of ministry following his 2007 court agreement. What went wrong? How will the changes and initiatives rectify those lapses? The review board will get more resources? What resources does it get now? The "monitoring function" will be transferred to the judicial vicar. How will this make it more effective? And who was monitoring before? Who is making these recommendations?

The whole process is shrouded in secrecy. The membership of the Archdiocesan Review Board is anonymous and how it functions is a mystery. If trust is to be restored, the people of the archdiocese desperately need to know the answers to these questions.

As a first step, Myers must make public the complete findings of the investigation he ordered.

The events in Newark compel us to ask one more question: If "the operational failures" in dealing with Fugee necessitated the resignations of four people in the chain of command, why do they not necessitate the resignation of the man ultimately responsible? The answer to that question is simple, deeply frustrating and remains at the core of the problem in dealing with sex abuse: Bishops, archbishops and cardinals remain outside any system of accountability.

In an editorial we published a month ago (*NCR*, April 26-May 9), we said, "Zero tolerance of clergy child abusers is now the universal law of the church. [Pope] Francis' task is to lay down laws that will hold bishops liable for their actions and inactions, too. Bishops' accountability to the people they serve must also become the universal law of the church." Francis must establish a procedure on how to handle bishops who have failed the people of God.

Transparency and access to information is of paramount importance to fighting this crisis. This is seen clearly in the action items that the newly formed Catholic Whistleblowers group proposed in its letter to Pope Francis. Among the points Catholic Whistleblowers asked of Francis were:

- Establish within the Holy See an international body comprising survivors of clergy sexual abuse, lay professionals and clergy who can facilitate dialogue between the church and victims/survivors to nurture understanding;
- Revoke any oaths or pledges to secrecy, and require church leaders to provide thorough public explanations of all incidents of clergy sexual abuse;
- Make accessible to public scrutiny all diocesan documents and files related to clergy sexual abuse;
- Remove from ecclesial office all church leaders who facilitated the commission of clergy sexual abuse, obstructed justice regarding clergy sexual abuse, and/or destroyed information that could have served the cause of justice in clergy sexual abuse matters.

This is a plan of action that we can endorse.

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