

Church, Govt Argue That Child Sex Predators Are Innocent Because Some Kids Consent

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The Catholic Church and government agencies in the United Kingdom have developed a new argument to avoid paying out settlements to victims of pedophilia and sex abuse: they're claiming the children consented.



By: [Carey Wedler/ANTIMEDIA](#) The Catholic Church and government agencies in the United Kingdom have developed a new argument to avoid paying out settlements to victims of pedophilia and sex abuse: they're claiming the children consented.

As the *Telegraph* [noted](#) over the weekend:

“Lawyers who represent some of the victims have told the Sunday Telegraph that the defense is more frequently being used by private schools, religious groups and local authorities when trying to defend compensation claims.”

Though news of these recent attempts to avoid paying settlements [emerged](#) last month, the *Telegraph* recently viewed documents from two court cases in which defense attorneys used the “consent” argument.

“One claimant was told by lawyers for the Catholic Archdiocese of Southwark that his abuse, which included rape and began when he was 15, ‘actually occurred in the context of a consensual relationship (albeit one the Claimant in retrospect now appears to regret),’” the *Telegraph* reported.

“I was below the legal age of consent anyway and there’s a grooming element to that kind of situation. It was totally disregarded and it made me feel really small,” he said.

According to Siobhán Crawford, a lawyer with London-based Bolt Burdon Kemp, the strategy is usually used when a child turns sixteen during the abuse. Sixteen is the age of consent, though the *Telegraph* notes that “[f]or adults in a position of authority, it is illegal to have sex with a child under their care, even if the child is 16 or 17 at the time.”

Even so, in one case, the Cambridgeshire County Council, a government entity, claimed a student whose abuse started when she was under 16 consented:

“On her own account, the Claimant voluntarily sought out contact with [the teacher] and considered that she was in a relationship with him. If that is correct, after she had obtained the age of 16, the Claimant consented to sexual acts with [the teacher] and those acts ceased to be assaults.”

The victims in these two cases were eventually compensated.

Despite claims from the Church and government that consent was issued, Anne Longfield, the Children’s Commissioner for England, disagrees. *“No child ever gives their ‘consent’ to being abused, and the increased use of this line of defense, although still quite rare, is worrying,”* she said.

While the defense is rare, it is being employed more often. Crawford told the *Telegraph* that her firm had dealt with ten cases and that *“there had been an increase in the past two years as authorities became aware that it was an option.”*

Barnardo's, one of the children's charities objecting to this new line of defense, [said](#) in July that since the CICA was established in 2012, "*nearly 700 child victims of sexual abuse have been refused payments ranging between £1,000 and £44,000, according to a freedom of information request by the charity coalition,*" which also includes [Victim Support](#), [Liberty](#), [Rape Crisis](#) and the [National Working Group \(NWG\)](#).

One case in which the victim was *not* compensated, the *Telegraph* noted in July, "*involved a 12-year-old girl who was plied with alcohol, led into the woods and sexually assaulted by a 21-year-old man.*"

"This was because she had gone into the woods 'voluntarily,' had not been a victim of violence, she emerged 'happily' from the woods and that she had recently had sexual relations with another child around her own age," the outlet summarized.

The coalition of charities has called for a change in rules. According to a [press release](#) Barnardo's issued in July:

"The coalition is calling for the rules to be changed so no child groomed and manipulated into sexual abuse is denied compensation because they complied with their abuse through fear, lack of understanding, or being brainwashed into believing their abuser loved them and developing feelings for them."

This is only the latest controversy surrounding the Catholic Church, which has been defending alleged [pedophiles](#) and [child abusers](#) within its ranks for years. The government agencies in question are also under fire now, too.

As Dawn Thomas, co-chair of Rape Crisis England & Wales, said last month:

"It's not only bizarre but also inappropriate and harmful that the Criminal Injuries Compensation Authority applies a different definition of consent from the law and, as a result, routinely tell victims and survivors of child sexual abuse and exploitation that they consented to the sexual violence perpetrated against them."

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