



PONTIFICAL COMMISSION FOR THE PROTECTION OF MINORS

Note: this is a beta version of the PCPM Website, which is still undergoing final development.

GUIDELINES

27 May 2016

Guidelines TEMPLATE document

PONTIFICIA COMMISSIO



PRO TUTELA MINORUM

Introduction

Pope Francis, in his letter of 2 February 2015 to the Presidents of Episcopal Conferences and Conferences of Major Superiors, wrote that the Pontifical Commission for the Protection of Minors “can be a new, important and effective means for helping me to encourage and advance the commitment of the Church at every level –

Episcopal Conferences, Diocesan Institutes of

Episcopal Conferences, Dioceses, Institutes of Consecrated Life and Societies of Apostolic Life, and others – to take whatever steps are necessary to ensure the protection of minors and vulnerable adults.”

The following Guidelines Template is provided to Episcopal Conferences and Religious Congregations to assist their development and implementation of policies and procedures for the protection of minors and vulnerable adults from sexual abuse, for responding to abuse in the Church and for demonstrating integrity in this work.

These Guidelines build on the work already undertaken by many Conferences and on guidance in the Circular Letter of the Congregation for the Doctrine of the Faith of 3 May 2011. The Commission hopes to assist local Churches in establishing and maintaining a comprehensive set of local Guidelines for the protection of minors and vulnerable adults.

GUIDELINES TEMPLATE

1. An introductory statement setting the guidelines in a faith context.

The Commission considers it very important that the

safeguarding of minors and vulnerable adults is seen as an integral part of the mission of the church, one that it is firmly rooted in our belief that each individual has a unique worth created in the image and likeness of God. This opening section should make it clear that what follows is gospel based.

2. A statement of commitment to Article 3.1 and Article 19 of the United Nations Convention on the Rights of the Child.

The protection of children recognises their human rights as expressed in this United Nations Convention:

Article 3.1

“In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.”

Article 19

“1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment,

maltreatment or exploitation, including sexual abuse, while in the care of parent(s) legal guardian(s) or any

with the care of parent(s), legal guardian(s), or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate for judicial involvement.”

The Holy See is a signatory to this Convention.

3. A statement of commitment by the Church.

An example of such a statement:

The Catholic Church is committed to:

- the care and nurture of, and respectful ministry with, all children, young people and adults
- the safeguarding of all children, young people and adults when they are vulnerable
- the establishing of safe, caring communities which provide a loving environment where there is an informed vigilance as to the dangers of abuse

The Catholic Church will:

- carefully select and train all those with any responsibility in the Church in line with safe recruitment policies outlined below
- respond to every complaint of abuse against Church personnel in accordance with agreed procedures outlined below
- seek to offer an appropriate ministry of informed pastoral care to those who have suffered abuse.
- seek to offer pastoral care and support, including supervision and referral to the proper authorities, to any member of the church community known to have offended against a child, young person or vulnerable adult
- in all these principles follow legislation of the country, guidance and recognised good practice

4. A statement that the guidelines apply to the whole Church in the territory covered by the Episcopal Conference.

The Commission strongly recommends that the ideal to be attained is one set of guidelines for the protection of minors and vulnerable adults to which all dioceses, religious orders and Catholic organisations in the territory adhere.

The scope of the territory to which the guidelines apply should be made clear particularly where there are different countries and groups within one conference. Additionally it should include information about which languages the Guidelines and associated material have been published in.

5. Safe Recruitment

The Guidelines should include or refer to procedures to be followed in the recruitment of clergy, religious, employees and volunteers.

Pope St John Paul II said that “there is no place in the priesthood or religious life for those who would harm the young.” Bishops and Religious Superiors have “a specific responsibility for assuring a proper discernment of vocations.”(CDF Circular Letter 2011) The Guidelines should reflect that responsibility and include identity verification, vetting (i.e. checking with police or equivalent agency for any criminal record), screening assessment, use of referees.

The guidelines should include a procedures for ensuring that there is full information sharing when a cleric seeks to transfer from one diocese to another, from religious

life to a diocese or vice versa, from one religious order to another, temporarily or permanently. There should be similar procedures for seminarians and religious in formation seeking to transfer. The Guidelines should explicitly state the requirement for full information sharing for any transfer.

The Guidelines should also set out safe recruitment procedures for those employed by the Church and volunteers in the Church. These should include identity verification, checking with the police or equivalent agency for any criminal record, interview and assessment, contact with referees.

6. Formation and Training

The Guidelines should include a commitment to providing a healthy human and spiritual formation for future clergy and religious.

Their training should include specific modules on sexual abuse covering issues such as the damage caused to victims by sexual abuse; the impact on families and

communities; recognising the signs of abuse; ministry to those who have been abused; and creating safe environments.

They should be made aware of their own

they should be made aware of their own responsibilities in this regard in both civil and canon law.

The Guidelines should also include a commitment to providing training, including training on sexual abuse for all employees and volunteers who work with minors and adults at risk in the name of the Church.

The guidelines should include a commitment to ongoing formation for priests, religious and those employed in ministry.

7. Creating a Safe Church Environment

The Guidelines should include clear and well-publicized diocesan standards of ministerial behaviour including appropriate boundaries in pastoral relationships given to priests, religious, teachers, staff, volunteers, and all those in service to the church who have access to minors and vulnerable adults in the care of the Church. These may be included in codes of conduct, codes of ministerial behavior, standards of behavior as well as policies and procedures or other such documents. Codes of conduct may properly cover actions which are not illegal according to state law. For example they may require staff to avoid lone contact with children or apply a higher age for sexual relationships than state law.

Dioceses are to create and maintain safe environment training programs. They are to be conducted cooperatively with parents, civil authorities, educators, and community organizations to provide education and training for children, youth, parents, ministers, educators, volunteers, and others about ways to make and maintain a safe environment for minors and vulnerable adults. This training should be age appropriate, including what sexual abuse is, how to identify it, as well as what are grooming techniques, and how to report suspected sexual abuse to civil and Church authorities. Again, all such training is to be age appropriate.

8. Community Awareness Raising/Education

The Guidelines should include a commitment to education of the community in parishes and schools, to help prevent abuse, to create a safe environment and enable an effective ministry to those who have been abused.

The use of special liturgies, the inclusion of appropriate prayers and homilies can be an important part of raising awareness in the Church. The Commission is preparing a range of materials to assist in this.

9. Responding to complaints of abuse

The Guidelines should include policies and procedures for responding to complaints and disclosures of abuse in the Church.

- These should be based on a commitment to establishing the truth and to working towards healing.
- There should be a clear statement about compliance with the requirements of civil authorities and Church authorities. Where episcopal conferences include more than one country or a country with a federal structure – it should be clearly stated that the Church will comply with the relevant authority. This should include any civil requirements on mandatory reporting.
- In defining sexual abuse the guidelines must refer to the definition in the Motu Proprio Sacramentorum Sanctitatis Tutela (SST).
- The procedures should make it clear that they are applied to clergy and religious.
- Procedures will also be necessary for all lay employees and volunteers who have access to minors and vulnerable adults in the course of their

work for the Church. If there are separate policies and procedures for each category of personnel, all shall be compiled in one location such as a manual or booklet.

- There should be a clear statement about referral of criminal behaviour to the police or relevant authority.
- Procedures will be necessary for investigating complaints not referred to the police – for example when the accused person has died, when the behaviour complained of is not illegal in state law but breaches the Church’s code of conduct, or when the police have investigated but are not intending to prosecute.
- Investigative procedures should be robust and transparent. Experience suggests that these should include suitably experienced and skilled lay people to ensure independence.
- There should be as little delay as possible in arranging for a person wishing to make a report to meet a Church representative and such meetings

should be held in a place which the person making the report finds acceptable.

- There should always be the option for the person making the report to speak to a lay person rather than a member of the clergy or a religious.
- The person making the report should be

encouraged to have a companion of their own choice to accompany them when making a report.

- A support person should be made available to those who report abuse, if they wish to have one. The support person's priority is the welfare of the person reporting abuse and where necessary their family. The support person can liaise with the Church, provide information about the progress of the complaint and advise on access to appropriate support but is not a counsellor. The support person should be someone with a good understanding of the effects of child abuse and in particular the vulnerability of people at the time of making a disclosure. The person reporting abuse should have the option to request a lay support person rather than a member of the clergy or a religious.
- Reports should be heard in a spirit of acceptance and trust.
- The doctrine of mental Reservation should not be used in any interaction with those reporting abuse, victims/survivors or their representatives.
- It is very important that any promise of action or future contact made to a complainant is followed through.
- The procedures should include appropriate support for the accused person. These must follow

the requirements of Canon Law and the Maltese

the requirements of Canon Law and the Motu Proprio SST for clergy and the requirements of Canon Law for religious. For employees and volunteers these should follow their employment contract or volunteer agreement.

- The procedures should include precautionary measures, such as a temporary withdrawal from ministry, where the accused is a cleric (deacon, priest, bishop) the process must follow the requirements of SST.
- The procedures should set out the outcomes for complainants.
- The procedures should set out the how the outcome of all complaints will be shared with the complainant, the faithful and the public.
- The procedures should set out the outcomes for the accused – if the accused is a cleric then these must include the provisions of SST on reports to the Congregation for the Doctrine of the Faith.
- The procedures should include provision for the complainant and the accused to seek a review of the outcome.
- The Guidelines should make it clear that the Church does not wish hide complaints or buy a victims/survivor's silence and dioceses and religious congregations are not to enter into settlements that bind the parties to confidentiality, unless the victim/survivor requests confidentiality,

and this request is noted in the text of the agreement.

10. Ministry to victims/survivors

The Church, in the person of the Bishop or his delegate, Religious Superior or his/her delegate should be prepared to listen to the victims and their families, and to be committed to their spiritual and psychological assistance. Dioceses and religious congregations are to reach out to victims/survivors and their families and demonstrate a sincere commitment to their spiritual and emotional well-being. The first obligation of the Church with regard to the victims/survivors is for protection, healing and reconciliation. Each diocese and religious congregation is to continue its outreach to every person who has been the victim of sexual abuse as a minor or vulnerable adult by anyone in church service, whether the sexual abuse was recent or occurred many years in the past. This outreach may include provisions of counseling, spiritual assistance, support groups, and other social services agreed upon by the victim/survivor and the diocese and/or religious congregation.

Through pastoral outreach to victims/survivors and their families, the diocesan bishop or his representative or the religious superior or his/her delegate is to offer to meet with them, to listen with patience and compassion

to their experiences and concerns.

11. Ministry to offenders

The Guidelines should also include provision for ministry to sex offenders including those who have offended in the Church, which ensure that all provisions are consistent with the need to provide a safe environment.

12. Monitoring/Accountability Arrangements

In order to ensure the integrity of the Church and its measures for the prevention of and response to abuse, the Guidelines should include a system of monitoring compliance with the Guidelines, and a procedure to

ensure that such all compliance results are made public in a timely manner. The monitoring structure should demonstrate independent and informed leadership.

13. A Closing Statement of Commitment by the Bishops and Religious Leaders

Each set of Guidelines is only as strong as the commitment of church leadership behind it. For

members of the church and the general public to accept and believe that the Catholic Church is sincere in creating and maintaining a safe environment for minors and vulnerable adults, each Bishop and each Religious Superior needs to affirm their commitment to this goal. Without this affirmation, the Guidelines are just words on a piece of paper. That alone will not keep minors and vulnerable adults safe.

RESOURCES

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