

## **Child Safeguarding Policies in the Roman Catholic Church**

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### **ABSTRACT**

The Roman Catholic Church's approach to child safeguarding reveals a complex and diverse landscape across the globe. While universal requirements and structural conditions exist, regional concepts, policies, and cultures vary significantly. This paper examines the Church's response to clerical child abuse, highlighting key developments such as Pope John Paul II's condemnation of abuse and subsequent directives from Pope Benedict XVI and Holy See offices. It also discusses the reforms initiated by Pope Francis, including measures to hold bishops accountable and the abolition of pontifical secrecy in abuse cases. Despite these efforts, the Church faces challenges in implementation and varying levels of commitment across different regions. The paper further explores case studies from 15 countries, illustrating the diversity in responses and the ongoing struggle to ensure child protection within the Church.

### **KEYWORDS**

child Protection, child safeguarding, Catholic Church, sexual abuse, policies and procedures, institutional response, children's rights

### **1. Facing a Multi-Layered Picture**

An initial glance at the distinct situations in the World Church already reveals a multi-layered picture. Looking at the regional concepts, policies and cultures that have (or have not) been introduced to better protect children and vulnerable adults in the Catholic Church, one faces a certain variation and diversity. At the same time, there are universal requirements defined by the Pope and the Roman Curia, as well as overlapping structural conditions and risk factors that provide some common framework.

One of Pope John Paul II's first speeches on the issue of sexual abuse was addressed to the U.S. cardinals who had gathered in Rome in 2002, to whom he said 'The abuse of the young is a grave symptom of a crisis affecting not only the Church but society as

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a whole.’<sup>1</sup> After these strong words, John Paul II emphasised that there is no place in the Church for those who harm minors. ‘People need to know that there is no place in the priesthood and religious life for those who would harm the young.’<sup>2</sup>

Another Pontifical document concerning sexual abuse within the Church was published by Pope Benedict XVI in his *Pastoral Letter to the Church in Ireland* in 2010, where he highlighted the fact that there has been a failure of leadership and responsibility – emphasising the loss of trust in the Church’s commitment to fulfilling its duty to protect minors.

In May 2011, the *Congregation for the Doctrine of the Faith* (CDF) asked all Bishops’ Conferences worldwide to prepare guidelines that define clear and coordinated procedures in dealing with clerical child abuse.<sup>3</sup> Due in one year, a number of Episcopal Conferences did not respond before the deadline passed.<sup>4</sup> By 2023 – eleven years after the documents should have been issued – it appeared that all Bishops’ Conferences had finally published guidelines – some of which were reviewed by the Vatican and differed greatly in form and depth.<sup>5</sup> What is of still greater concern is that many believe that, with the publication of the guidelines, the most important effort in safeguarding has already been accomplished. Even if more and more people understand that safeguarding needs sustainability, and allocation of personnel and resources – as well as structural, pastoral, and spiritual reform – the creation of a safer Church remains a long-term goal that meets with much systemic resistance.

With the 2016 *Motu Proprio* “As a loving mother”, Pope Francis made it easier for himself and the competent bodies of the Roman Curia to discipline and remove bishops and religious superiors who had neglected their governing responsibilities, even when their negligence was not criminal:<sup>6</sup> ‘In the case of the abuse of minors and vulnerable adults it is enough that the lack of diligence be grave.’<sup>7</sup> In his act, the Pope also reaffirmed some juridical and moral principles and updated the Church legislation.<sup>8</sup> Three years later, he furthermore summoned all presidents of the national Bishops’ Conference to Rome for a meeting on Child Protection in the Church.<sup>9</sup> Structured along the three key duties of responsibility, accountability and transparency, it helped to raise and spread a deeper understanding of the scandals’ global nature – and pushed more reluctant bishops to take appropriate action. Following up on that event, Pope Francis adopted moreover the *Motu Proprio* ‘You are the light

1 Address of John Paul II to the Cardinals of the United States, 23.04.2002. Available at: [www.vatican.va/content/john-paul-ii/en/speeches/2002/april/documents/hf\\_jp-ii\\_spe\\_20020423\\_usa-cardinals.html](http://www.vatican.va/content/john-paul-ii/en/speeches/2002/april/documents/hf_jp-ii_spe_20020423_usa-cardinals.html).

2 Ibid.

3 Cf. Levada, 2010.

4 Cf. Lombardi, 2019a.

5 Cf. Lombardi, 2019b.

6 Cf. Altieri, 2019.

7 Pope Francis. Apostolic letter issued as *Motu Proprio* ‘As a loving mother’, Rome, 2016.

8 Arroba Conde and Riondino, 2019, pp. 181–182.

9 For further details, see: Renken, 2019, pp. 627–658.

of the world'<sup>10</sup> (*Vos estis Lux Mundi*) in June 2019, which sharpened and amended the general norms. One of the main purposes of this legal instrument was to promote better coordination between the particular churches and the Holy See regarding the measures to be adopted to pursue sexual crimes committed by clerics.<sup>11</sup> These demanded, *inter alia*, from each diocese to set up an efficient and easily accessible reporting system within the following 12 months, according to article no. 2 of the act. Moreover, they defined a process for examining allegations against bishops within the regional Church context, and made it possible for lay experts to become involved in the Church investigations. In December 2019, the Pope finally abolished pontifical secrecy in cases of sexual abuse. That incidents had been treated with such a special degree of confidentiality had made the disclosure of information to national courts and state prosecutions much more difficult. Furthermore, the *Rescript* set out that the abolition of pontifical secrecy should also apply in cases where sexual abuse was committed in combination with other criminal conduct.<sup>12</sup>

After the reform of Book VI of the 1983 Code of Canon Law (CIC), promulgated on 23 May 2021 and entered into force on 8 December 2021, Pope Francis updated the Church legislation with some new delicts and crimes, such as the new canon 1398. The updated norm deals with the offence of sexual abuse of minors and with child pornography, grooming, and the acquisition, retention and exhibition of pornographic pictures of minors or of persons who have habitually an imperfect use of reason.<sup>13</sup>

Now, the crimes of sexual abuse are located under the new Title VI of the CIC: 'Offences against Human Life, Dignity and Liberty'. The intention of this new arrangement is to stress that the crime committed is against the human dignity of a person, and not as in the previous legislation when those types of crimes were under the title: 'Delicts against special obligations' to stress that the crimes violated the promise of a cleric's chastity.

Another crucial update is related to lay persons. The new canon 1398 specifies in §2 that any lay persons 'who enjoy a dignity or perform an office or function in the Church' who commit sexual abuse or exploitation of a minor (or against a person who habitually has an imperfect use of reason, or one to whom the law recognises equal protection) must be punished according to Church Law. The expressions 'persons who habitually have an imperfect use of reason' and 'one to whom the law recognises equal protection' cover also "vulnerable persons", a technical expression previously adopted by Pope Francis in *Vos Estis Lux Mundi*. It is not clear, however, why in the new legislation was not possible to include the expression "vulnerable persons". This expression has been present for decades in some international documents, such as the Preamble of the Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography (OPSP), adopted by the UN General Assembly on 25 May 2000

10 Pope Francis, 2019.

11 Cf. Campos Martinez, 2019, pp. 829–850.

12 Cf. Riondino, 2020, pp. 1042–1043.

13 Cf. Renken, 2022, pp. 107–115.

and entered into force on 18 January 2002. The well-being of minors and vulnerable persons is also present in other international treaties, such as the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention), adopted by the Council of Europe on 25 October 2007.<sup>14</sup>

Finally, the new canon 1371 of the CIC also introduces an important update. The purpose was to incorporate the provisions of articles 1 and 3 of *Vos Estis Lux Mundi*, concerning the delict of failure to report a crime, specifically sexual abuse. This update focuses on the legal obligation of some persons in the Church to be “mandated reporters” of crimes/delicts. Even if the CIC does not identify any mandated reporters, Francis identifies in *Vos Estis Lux Mundi* some mandated reporters such as a cleric or a member of an institute of consecrated life or of a society of apostolic life.<sup>15</sup>

Chronologically, one of the most recent developments in the Church’s reform on sexual abuse is the publication of the Vademecum ‘On Certain Points of Procedure in Treating Cases of Sexual Abuse of Minors Committed by Clerics’<sup>16</sup> published in 2022, which outlines specific procedures related to sexual offense against minors, as established by the 2021 normative reform of Book VI of the Code of Canon Law<sup>17</sup> by Pope Francis. In the Vademecum, it is clarified from the introduction what constitutes a sexual offense, who the victims and potential perpetrators are, the possible procedures to follow, the role of the Dicastery, and the sanction to be applied to sexual crimes.

## 2. Reasons for the Divergence

Alongside and despite such shared commonalities, there is still a heterogeneity and disparity in how the local Catholic Churches have responded to the abuse crisis. In somewhat simplified terms, one can explain these differences and dissimilar paces with at least three major factors:

1. The degree to which sexual abuse in the Church context, as well as its concealment, has been revealed, acknowledged, investigated and prosecuted varies widely between countries and regions. In some, this process has long been ongoing; in others it is still pending. Often it was necessary that victims and survivors raised their voices with the help of the media before the Church took any action. Beyond that, a devastating narrative has still survived in some parts of the world: shared and spread by many local

14 Cf. Riondino, 2020, pp. 1005–1011.

15 Cf. Renken, 2022, pp. 15–106.

16 Cf. Dicastery for the Doctrine of the Faith. Vademecum on Certain Points of Procedure in Treating Cases of Sexual Abuse of Minors Committed by Clerics, Ver. 2.0, 05.06.2022. Available at: [www.vatican.va](http://www.vatican.va).

17 In addition with: G. Núñez, La protección del menor de edad ante los abusos sexuales: su salvaguarda obtiene carta de naturaleza, *Ius Canonicum* 61 (2021), pp. 821–862.

bishops and priests, the child sexual abuse that happened within the domain of the Church was primarily deemed a “Western (Anglo-Saxon and Central/Western European) problem”. In combination with lacking pressure and visibility in the public sphere and/or with reference to pretended as well as *de facto* cultural peculiarities, this has frequently led to *re-active behaviour* at best.

2. How profoundly the abuse crisis is addressed depends also on the attention, prioritisation and *commitment of individuals*. In that sense, differences cannot only be observed at the level of Bishops’ Conferences and Provinces of Religious Congregations, but also between and in vicinal dioceses and parishes.
3. Last but not least, the practice in the local Churches is always influenced by the *external conditions and the overall environment which defines the Church relations to and interaction with the State*. In the United Kingdom, the United States and Australia, serious inquiries and investigations took place,<sup>18</sup> which has not yet happened in many other countries. In addition, the local Catholic Churches have to deal and act in compliance with different legal standards and statutory regulations. In El Salvador, Malaysia, India and Uganda the reporting of child sexual abuse is mandatory, at least for specific professions.<sup>19</sup> According to Cuban law it is, on the contrary, only the victim and his/her closest relatives who are allowed to report such an offence.<sup>20</sup>

### 3. Fifteen Examples From Around the World

Seeing this diversity in the behaviour and policies of local Catholic Churches, it is simply not possible to compile a comprehensive synopsis. A cursory and selective overview of 15 examples can nonetheless convey first impressions of what has happened in various regional settings, and where the sexual abuse of minors has only been addressed and tackled rudimentarily.

The choice of these countries is based on various factors: first and foremost, due to the severe situations observed in certain nations, which are therefore considered more urgent than others; public and institutional interventions that have significantly impacted the ecclesial community; the public response to crimes committed within the Church; model to follow – in some of these countries there are extra ecclesial models that could contribute to the Church’s integral legal reflection.

18 Cf. Riondino, 2020, pp. 1032–1034.

19 Cf. Observations described in the ‘Out of the Shadows Index’ compiled by the Economist Intelligence Unit. Data accessible via [outoftheshadows.eiu.com/](http://outoftheshadows.eiu.com/).

20 Cf. Ley No. 62 Código Penal, Gaceta Oficial de la República de Cuba, 1987, Art. 309(1). Available at: [www.wipo.int/edocs/lexdocs/laws/es/cu/cu004es.pdf](http://www.wipo.int/edocs/lexdocs/laws/es/cu/cu004es.pdf).

### 3.1. Austria

In June 2010 the Austrian Bishops' Conference adopted a regulatory framework for combatting sexual abuse in the Church ranks. Entitled *'The truth will set you free'* (Die Wahrheit wird Euch frei machen), the document was revised in 2016. In the spring of 2010 the Archbishop of Vienna, Cardinal Schönborn, furthermore asked the former chairman of the Steiermark state government, Waltraud Klasnic, to act as an independent advocate for those who had suffered abuse, by gathering the accusations against the Catholic Church in Austria. She formed a commission that was to run until 2020, and consisted of renowned experts with a background in law, psychiatry, psychology, and pedagogy. Its members worked in an honorary capacity. Together they developed a set of rules, according to which victims can obtain assistance, distinguishing four different categories of pecuniary support: 5k, 15k, 25k or more than 25k EUR. In contrast to basic principles of an official legal proceeding, in this context victims solely have to go through a quick plausibility assessment. Limitation periods are not taken into account and, when in doubt, the judgement should be in favour of the accusing party (and not of the accused institution).

On these grounds, the Commission came to around 2,250 positive decisions by the end of 2019. Around a third of these were related to sexual abuse. All other cases had to do with forms of physical and mental violence. In total, more than 92% of all requests were accepted. The Catholic Church in Austria followed all of the Commission's rulings, including the granting of therapeutic measures.

Defining itself as a civil society organisation that helps quickly and without unnecessary bureaucracy, the Commission has always underlined that, irrespectively of money and support given in consequence of its procedures, each victim has the liberty to bring his/her case to court (additionally). Over the years, the Commission has become a role model and blueprint for other Austrian and even non-Austrian institutions, who want to support victims of abuse in a similar way. The approach that this Commission has applied for the Catholic Church, as well as the wider acceptance it has gained in Austrian society, have undoubtedly helped pave the way for an official act of state named 'Gesture of responsibility' (*Geste der Verantwortung*) that took place in November 2016. Requested by victim associations, it was an important sign by which both the state and the Church acknowledged a long-overlooked injustice and harm, to which many institutionalised children had been exposed.

### 3.2. Switzerland

It was in June 2010 that Swiss Bishops first publicly acknowledged that their Church had been complicit in sexual assault. This admission was made, however, on behalf of the entire institution and not as an expression of individual wrongdoing or personal guilt.<sup>21</sup> Six years later, the complicity and co-responsibility were affirmed during a mass in the Valère Basilica in Sion: 'In our times, a great guilt has become apparent in the Church and in our dioceses and communities: a guilt of individuals, a guilt which

21 Cf. KIPA. Schweizer Bischöfe bekennen «grosse Schuld» der Kirche, Einsiedeln, 2010.

was also facilitated by specific structures as well as behavioural and thought patterns. This guilt has multiple layers: the assault, the indifferent silence, the failure to help victims. We feel responsible on various levels and thank the victims that they have opened our eyes.’<sup>22</sup>

Since 2002, there have been common guidelines on how to deal with “sexual assault in the pastoral work”. These have been tightened, amended and updated in 2010, 2014 and 2019. Adopted by the Swiss Bishops’ Conference as well as the Union of the Major Superiors of Swiss Religious, they now bear the title ‘Sexual assaults in the Church context’. This latest version does not only comprise tangible, practical regulations but also includes some wider reflections that touch upon “all forms of power abuse”,<sup>23</sup> raise questions about responsibility and accountability, and introduce a wide range of safeguarding essentials.

The Swiss Episcopal Conference had commissioned, as a “pilot project” from a team of historians from the University of Zurich in spring 2022, a report into abuse that was published in September 2023. The researchers lamented – as in many other reports that rely mainly on archival material – that they found only scattered and inconsistent documentation and that very few institutions collaborated actively. A remarkable discovery regarding the Swiss situation was that abuse and its cover-up happened in comparable numbers in a country with a very particular Church-State relationship – the “dual system” – in which lay committees and lay persons exercise power when it comes to hiring priests for parishes, and to financial independence and quite considerable influence. Moreover, many case studies show clearly that clericalism is a phenomenon that is not a privilege of ordained clergy but can also be seen in laity, when it comes to abusing power, roles, and prestige. It is also remarkable that in “liberal” parishes, dioceses, and bishops, the same mechanisms as in “conservative” ones seem to have obstructed decisive action against abuse and perpetrators.

### 3.3. France

In France the Bishops’ Conference compiled a first brochure “to fight paedophilia” in 2001. The third and most updated version of this booklet is from 2017. Already in 2012, the Bishops had agreed on national guidelines for the handling of cases in which minors had been sexually abused by clerics. Incorporating some amendments and updates, their latest official edition was published in 2018.<sup>24</sup> In 2016, the Church in France established a permanent unit for combating child abuse (*Cellule permanente de lutte contre la pédophilie*). One of its tasks is the promotion and improvement of the Church’s safeguarding training and efforts.

22 Cf. Schweizer Bischofskonferenz. Gebets- und Bussfeier für die Opfer sexueller Übergriffe im kirchlichen Umfeld, Sitten 05.06.2016. Available at: [www.bischoefe.ch/dokumente/dossiers/sexuelle-uebergriffe-im-kirchlichen-umfeld/gebets-und-bussfeier-medienmitteilung](http://www.bischoefe.ch/dokumente/dossiers/sexuelle-uebergriffe-im-kirchlichen-umfeld/gebets-und-bussfeier-medienmitteilung).

23 Schweizer Bischofskonferenz und Vereinigung der Höheren Ordensobern der Schweiz. Sexuelle Übergriffe im kirchlichen Umfeld, 4. Auflage, Fribourg 2019, 3. (Translated by the author).

24 Conférence des évêques de France. Directives pour le traitement des cas d’abus sexuel commis par des clercs à l’égard de mineurs, Paris 9.10.2018.

Over the last years, one can observe how the misbehaviour of the Church has found its ways into popular culture and drawn wider attention in the French public. One example for that phenomenon is the drama ‘By the Grace of God’ (*Grâce à Dieu*), which was shown in French cinemas in February 2019. From the perspectives of abuse survivors, the film denounces how the French Church covered up and showed lacking interest in addressing its scandalous history. In this regard, the movie also refers to the Cardinal of Lyon, Barbarin, who was charged with shielding abusive priests and convicted by a French court a few months after the film was released. An appeals court, however, cleared him of all accusations in January 2020.

Focusing on the very last years, one can recognise that Church leadership in France has become more open and willing to collaborate with non-Church actors. In 2019 it initiated the creation of an ‘Independent Commission on Sexual Abuse in the Church’ (*Commission indépendante sur les abus sexuels dans l’Église; CIIASE*).<sup>25</sup> Under the chairmanship of the former vice-president of the Council of State, Jean-Marc Sauvé, as well as with the participation of many other external scholars and experts, the Commission was to investigate the abuse of children and other vulnerable persons that had been committed in French (Arch-)dioceses and congregations since 1950. In addition to this focus on individual deeds, it scrutinises how these cases were dealt with by Church institutions. Finally, it was to analyse and assess the Safeguarding and Protection actions and measures that had been taken in the last two decades.<sup>26</sup> Financed by the French Episcopal Conference and the Union of French Religious,<sup>27</sup> the Commission, inter alia, conducted a *Tour de France* to contact victims and survivors as well as present its work. Looking more closely at the diocesan level, the latest developments in the capital are worth mentioning: the Archdiocese of Paris has entered into a contract *ad experimentum* with local law enforcement authorities.<sup>28</sup> According to this agreement, the Church will disclose all reports about suspected sexual offences directly to the Paris prosecution office, so that the victim does not have to file a complaint.<sup>29</sup> During the French Episcopal Conference’s 2019 Autumn Assembly in Lourdes, the Bishops additionally discussed a uniform redress scheme – without mentioning any specific amounts.<sup>30</sup> The CIIASE report, when published in October 2021, created a huge outcry in the general public, mainly because of an estimate of more than 330,000 victims over 70 years, based on the statistical methods used in epidemiological research.<sup>31</sup> Similarly devastating, but more for the Catholic population, were the revelations about the widespread and inherent abusive system in the Communauté de St. Jean in its deeply disturbing combination of spiritual

25 For more information see: [www.ciiase.fr](http://www.ciiase.fr).

26 Cf. Pontier and Magron, 2018.

27 Cf. Houdaille, 2019.

28 Cf. Hoyeau, 2019.

29 Vatican News. Frankreich: Kirche und Justiz arbeiten gemeinsam gegen Missbrauch, 2019.

30 Cf. Deutsche Welle. France: Catholic Church to compensate abuse victims, 2019.

31 Available at: <https://www.ciiase.fr/medias/Ciiase-Summary-of-the-Final-Report-5-october-2021.pdf>



and sexual abuse. Since then a number of prominent cases of abuse allegations have surfaced, including against cardinals and some other bishops.<sup>32</sup>

### 3.4. Belgium

In 1997 the Belgian Bishops installed two contact points for persons who had experienced sexual abuse in the domain of the Catholic Church in Belgium. Given the country's plurilingualism, one of these was created for French-speaking Belgian citizens, the other for Dutch speakers. In 2000 a commission was set up to look deeper into the child sexual abuse that had taken place in the Belgian Catholic context. Its members were appointed by the Church leadership and – separated along language lines – operated in two chambers. Named after its president, this *Halsberghe* Commission came to an end in 2009 after internal quarrels, as well as conflicts with the Bishops' Conference. A new commission was formed in 2010. After its launch, this body existed only for a rather short time and was relatively quickly dissolved after the Belgian judiciary commanded searches and interrogations to investigate alleged cover-ups.

Starting with a new team that was allowed to work more independently and mainly assembled lawyers, clinical psychologists, criminologists as well as bishops, the Belgian Church developed significant guiding documents in the following years: such as 'A hidden suffering' (*Une souffrance cachée*)<sup>33</sup> and 'From taboo to prevention' (*Du tabou à la prévention*).<sup>34</sup> These contributions opened up new ways in dealing with and addressing abuse in the Church and raised the overall awareness for good safeguarding. This last text was already officially published by the Inter-diocesan Commission for the Protection of Children and Youth, which was established in 2012 to coordinate and harmonise the work and efforts of the various contact points and centres.

Realising a suggestion made by the Belgian Parliament, an arbitrary body was established. It was to allow victims and survivors to share their experiences in a more neutral setting and out of direct reach of the Church hierarchy. This seemed especially important when those affected also appeared in front of the body to seek redress after the legal limitation periods were over. The members of the body were largely specialists and experts from various disciplines, who were appointed by both the state and the Church. The latter created a foundation named *Dignity*, which could act on its behalf and pay compensation according to the decisions of the arbitrary body. As described in an in-depth, 400-page report on the Belgian Church's responses

32 Cf. CIASE (Independent Commission on Sexual Abuse in the Catholic Church). Summary of the Final Report, 05.10.2021. Available at: [www.ciase.fr](http://www.ciase.fr).

33 Les Évêques et les Supérieurs majeurs de Belgique. Une souffrance cachée: Pour une approche globale des abus sexuels dans l'église, 01.2012. Available at : [www.cathobel.be/wp-content/uploads/2016/02/12-02-15-Souffrance-cachee-correction.pdf](http://www.cathobel.be/wp-content/uploads/2016/02/12-02-15-Souffrance-cachee-correction.pdf).

34 La Commission Interdiocésaine pour la Protection des Enfants et des Jeunes. Du Tabou à la Prévention. Code de conduite en vue de la prévention d'abus sexuels et de comportements transgressifs dans les relations pastorales avec les enfants et les jeunes, 02.06.2014. Available at : <https://www.cathobel.be/wp-content/uploads/2016/02/Brochure-Du-Tabou-a-la-Prevention-F.pdf>.

to the abuse crisis printed in spring 2019,<sup>35</sup> the amount that the arbitrary body and the foundation transferred to victims was around 4.6m EUR between 2012 and 2017.<sup>36</sup> This total sum consists of individual lump sum payments, ranging from 5k to 25k EUR, dependent on the form and severity of abuse suffered. However, a TV mini-series titled ‘Godvergeten’ (Godforsaken), with many victims’ voices airing just before Christmas 2023, has led to an outburst of public fury fuelled by the reminder that the former bishop of Bruges, Roger Vanghuwele – accused of having abused two of his nephews – has not yet been dismissed from the clerical state.

### 3.5. Poland

Quite on the contrary, the abuse of children and vulnerable adults in the Polish Catholic Church remained unvoiced for a long time. Often brushed aside as a problem of Catholics in the West, it was only recently that Poland and the Polish Church were confronted with and shaken up by abuse scandals that had happened within their own confines.

In 2009 the Polish Episcopal Conference developed a first framework for the protection of minors in the Church.<sup>37</sup> In 2014 the Bishops adopted prevention and intervention guidelines, which were amended three years later.<sup>38</sup> It was also in 2014 that a Child Protection Centre was set up under the auspices of Fr. Adam Żak SJ. Affiliated with the Ignatianum University in Krakow, it has provided training and aimed at improving safeguarding measures. In a position paper published in November 2018, the Polish bishops eventually ‘apologized [publicly] to God, the victims of exploitation, their families and the Church community for all the harm done to children and young people and their loved ones’<sup>39</sup> by “some priests”. It was a few more months before the Polish Episcopate explicitly confessed and regretted their own misbehaviour in May 2019: ‘We admit that we have not done everything possible in our role as shepherds of the Church to prevent such suffering.’<sup>40</sup> As a sequence of a longer pastoral letter, which was read out loudly in all parishes, these words were articulated in reaction to a YouTube documentary, which was uploaded some days before: Largely financed by crowdfunding, the video ‘Tell No One’ (Tylko nie mów nikomu)<sup>41</sup> got over 20 million views in a rather short period. The movie accompanies Polish survivors of clerical abuse when these confronted their abusers’ decades after the offences happened. In addition, it shows journalists as well as victims who search for answers and help from the Church, but most of the time still fall on deaf ears and rejection.

35 Les Évêques et les Supérieurs majeurs de Belgique. Abus sexuels de mineurs dans une relation pastorale dans l’Église de Belgique: Vers une politique cohérente, 1995–2017, 12.02.2019.

36 Cf. Schneider, 2019.

37 Cf. Polish Bishops’ Conference, 2019.

38 Polish Bishops’ Conference, 2014.

39 Cf. Przeciszewski, 2019.

40 Ständiger Rat der Polnischen Bischofskonferenz, quoted according to: Katholisches Medienzentrum. Polnischer Kardinal Gulbinowicz weist Missbrauchsvorwurf zurück, 26.05.2019. Available at: [www.kath.ch/newsd/polnischer-kardinal-gulbinowicz-weist-missbrauchsvorwurf-zurueck/](http://www.kath.ch/newsd/polnischer-kardinal-gulbinowicz-weist-missbrauchsvorwurf-zurueck/).

41 The video is available via [www.youtube.com/watch?v=BrUvQ3W3nV4](https://www.youtube.com/watch?v=BrUvQ3W3nV4) (mit englischen Untertiteln).

### 3.6. England and Wales

Analysing the UK, one can find that the local Catholic Bishops' Conference of England and Wales commissioned various investigations into the clerical abuse of minors (and its handling) over the last two decades. These, inter alia, resulted in the 2001 Report of Lord Nolan as well as findings and recommendations that Baroness Cumberlege presented in 2007. In line with the latter, a *National Catholic Safeguarding Commission* was formed in July 2008 to give a clearer strategic direction, to implement safeguarding policies as well as to monitor the standards abided in the Catholic Church context. Complementing this body, a *Catholic Safeguarding Advisory Service* had already been launched in 2007. It had the primary task to drive and support improvements in the safeguarding practice of the local Churches.<sup>42</sup> In addition to these two institutions, a *Survivors Advisory Panel* was created more recently to include the voices and perceptions of those who had suffered abuse.

Beyond this structure, at least three regional features deserve special attention:

- 1) There is the *Independent Inquiry into Child Sexual Abuse* (IICSA). Announced by then-Home Secretary Theresa May in 2014, it has examined whether and how religious and non-religious institutions in England and Wales fulfilled their obligation to safeguard and protect children. The Inquiry also investigated and unveiled abuses and cover-ups that occurred within the walls of the Benedictine *Abbey of Ampleforth* and its affiliated schools. In addition, it looked into wrongdoings in the Archdiocese of Birmingham. As its former Archbishop, the current president of the English and Welsh Bishops' Conference, Cardinal Nichols, was questioned by the IICSA himself, admitting personal failure in the handling of abuse cases and allegations in 2019.<sup>43</sup>
- 2) Worth mentioning is a four-day safeguarding training that almost all English and Welsh Bishops participated in. Led by professor of psychiatry Baroness Sheila Hollins, as well as several survivors of sexual abuse, it took place in the Spanish city of Valladolid in May 2019.<sup>44</sup>
- 3) Finally, an interesting research project has started at the University of Durham. Under the name '*Boundary Breaking*', several scholars study 'the claim that aspects of Catholic culture and understanding may have contributed to the creation of an environment in which abuse, and its subsequent mishandling, was and is possible.'<sup>45</sup>

### 3.7. Italy and Vatican City

One can also observe considerable changes in the Catholic Churches of South-Western Europe. In Italy, a national *Child Protection Service* (Servizio Nazionale Tutela Minori) was launched in November 2018. As an organisation that works nationwide, it assists the Italian Episcopal Conference as well as various regional and inter-diocesan centres who have been active in the field. In June 2019 the Bishops'

42 For more information see: [www.csas.uk.net](http://www.csas.uk.net).

43 Cf. Bowcott, 2019.

44 Cf. Gledhill et al., 2019.

45 For more information see: [www.dur.ac.uk/boundarybreaking](http://www.dur.ac.uk/boundarybreaking).

Conference amended its general guidelines for the safeguarding of minors and vulnerable persons.<sup>46</sup> In contrast to the previous edition from 2014, this revised version does not only deal with canon law, but applies a wider concept of protection. In that regard, it appears promising that the text also articulates a clear willingness to act more transparently and to collaborate more strongly with the local civil authorities.

Pope Francis adopted additionally some new and refined norms as well as tightened safeguarding guidelines to be applied in the *Vatican City State* in 2019.<sup>47</sup> On 1 June 2019, the *Motu Proprio Vos estis lux mundi* became effective – confirmed in 2023 – which contains further instructions under canon law in addition to an unconditional reporting obligation.

### 3.8. United States of America

Looking across the Atlantic, many have heard about the abuse scandals that hit the Catholic Church in the United States. Thanks to the movie ‘Spotlight’ (2015), the shocking 2002 disclosures of the Boston Globe newspaper become well-known.<sup>48</sup> These disclosures revealed manifold crimes and cover-ups committed by Catholic clerics in the Archdiocese of Boston. It was in the very same year that the United States Conference of Catholic Bishops issued the *Dallas Charter* for the Protection of Children and Young People.<sup>49</sup> It was revised in 2005, 2011 and 2018.

In addition, the U.S. Episcopal Conference created a Secretariat of Child and Youth Protection and set up a National Review Board. Also, with the help of external auditors, annual reports were compiled, which give an overview of how and to which degree the regulatory frameworks and general Child Protection guidelines are implemented. Particularly at the diocesan level, many Church institutions have cooperated with non-Church organisations to improve, adjust and enhance their safeguarding concepts. For that purpose, the *Praesidium* company has defined a ‘*Safety Equation*’.<sup>50</sup> This identifies eight organisational processes that are vital for creating a safe(r) institutional environment: 1) the development and setting of clear and consistent policies; 2) a comprehensive screening and selection of staff; 3) frequent, useful and context-sensitive training; 4) effective supervision and monitoring; 5) the establishment of internal feedback systems; 6) participation of the “consumers”; 7) a swift and determined response when hearing of concerns and allegations; 8) good administrative practice and leadership involvement.

46 Conferenza Episcopale Italiana e Conferenza Italiana Superiori Maggiori. Linee guida per la tutela dei minori e delle persone vulnerabili, Rome 24.06.2019.

47 Francis, 2019.

48 Cf. The Boston Globe. “Spotlight” journalists didn’t foresee impact of church abuse, 20.11.2015. Available at: [www.bostonglobe.com](http://www.bostonglobe.com).

49 For more information see: [www.usccb.org/issues-and-action/child-and-youth-protection/charter.cfm](http://www.usccb.org/issues-and-action/child-and-youth-protection/charter.cfm).

50 Cf. Praesidium. Safety Equation®. Available at: [website.praesidiuminc.com/wp/about-praesidium/child-abuse-risk-assessment/](http://website.praesidiuminc.com/wp/about-praesidium/child-abuse-risk-assessment/).

Recently, it was primarily investigations of the Pennsylvania Grand Jury that caused further dismay and shock. In a report from 2018, the jury revealed numerous cases of clerical child abuse and pointed out how dioceses on the East Coast failed systematically in addressing and ending these crimes over decades.<sup>51</sup> Similar investigations are under way in other U.S. federal states.

In 2019 the highly influential former Archbishop of Washington, Theodore McCarrick, was dismissed from the clerical state due to his several abuse of minors. Through this act, he became the most senior Catholic figure to be expelled from priesthood in modern times.

In parallel to all these developments, court rulings and settlements have forced the U.S. Catholic Church to pay a huge amount of compensation — being often much higher than the pay-outs made in Europe. In September 2018 the diocese of Brooklyn and four sexual abuse victims agreed upon a deal, according to which each of the victims received around 5.9m EUR.<sup>52</sup> Facing similar obligations and claims, other U.S. dioceses and congregations have since had to file for bankruptcy.

### 3.9. Canada

The Catholic Church in Canada was already confronted with abuse revelations that reached a broader international audience about 40 years ago. In the mid-1980s, it became public that children of the religious Newfoundland CFC Mont Cashel orphanage had been sexually abused.

Based on investigation results of these cases, as well as findings from earlier government studies,<sup>53</sup> the Canadian Conference of Bishops issued a report on the topic in 1992, entitled *‘From Pain to Hope’*.<sup>54</sup> Developed by both Church dignitaries as well as laity, it came to the conclusion that ‘the fear of scandal often conditions our instinctive reactions of inadvertently protecting the perpetrators and a certain image of the Church or the institution we represent, rather than the children, who are powerless to defend themselves.’<sup>55</sup>

A decade and a half later, in 2007, the Canadian Episcopal Conference published a helpful orientation to assist Catholic dioceses in updating their protocols for the prevention of sexual abuse. In the latest version from 2018, it is addressed to all who are active in pastoral work.<sup>56</sup> In a first step drafted by survivors and lay people, its text was then amended by the Bishops’ conference. It consists of much more than some broader guidelines, and built up on experiences from the past as well as naming important next steps ahead. ‘One of the great merits of the Canadian document is that

51 Office of Attorney General of the Commonwealth of Pennsylvania, 2018.

52 Cf. Otterman, 2018, p. 1.

53 Cf. Government of Canada, 1984.

54 Canadian Conference of Catholic Bishops, 1992.

55 Ibid., 22.

56 Canadian Conference of Catholic Bishops. Protecting Minors from Sexual Abuse: A Call to the Catholic Faithful in Canada for Healing, Reconciliation, and Transformation, Ottawa 2018. Available at: [www.cccb.ca/site/images/stories/pdf/Protecting\\_Minors\\_2018.pdf](http://www.cccb.ca/site/images/stories/pdf/Protecting_Minors_2018.pdf).

it does not limit itself to repeating in general terms “the new lessons” that had already been learned but it formulates recommendations as well as precise and detailed action item.<sup>57</sup> That is also one of the reasons why it is often treated as an inspiring safeguarding blueprint and model for other Conferences.

### 3.10. Australia

It is worthwhile to take a close look at the local Catholic Church in Australia. Concentrating solely on the last years, the *Royal Commission into Institutional Responses to Child Sexual Abuse* is of particular relevance. Formed by the national government in 2013, it inspected how the Church and other institutions have handled abuse allegations and cases over the last decades. In reaction, the Australian Catholic Bishops established a ‘*Truth, Justice and Healing Council*’,<sup>58</sup> which coordinated their exchange with the Royal Commission as well as elaborated on first ideas for improvement. After the Commission completed its work, the Council activities were terminated in 2018. The Australian Church leadership accepted almost all of the recommendations made by the Royal Commission and promised to implement them. Only with regard to the seal of confession did disagreement prevail, which now increasingly causes tensions with new state legislations.<sup>59</sup>

Beyond that, an organisation with the name *Catholic Professional Standards Ltd.*<sup>60</sup> was founded to foster and sustain a broader culture of safety and care for minors and vulnerable adults in the Church, as well as to audit compliance with basic standards and assist in safeguarding training. It operates (to a large degree) independently from the Church hierarchy. In addition to that body, an *Implementation Advisory Group* that consists of lay people and renowned specialists of various subjects should help translate Child Protection into practice.<sup>61</sup> The latest version of the *National Catholic Safeguarding Standards* was finally published in May 2019.<sup>62</sup> Complementary to these, an *Implementation Guide*<sup>63</sup> as well as an auditing framework were issued and updated over the last years.

### 3.11. India<sup>64</sup>

In most other countries, the status quo on safeguarding and implementation of children’s rights differs greatly, depending on the specific region, nation and local Church context in focus. All in all, one can say that – at least until now – fewer cases of child sexual abuse have been made public. This lack of disclosure might primarily

57 Lombard, 2019a.

58 For more information see: [www.tjhcouncil.org.au](http://www.tjhcouncil.org.au).

59 Australian Associated Press, 2019.

60 For more information see: [www.cpsltd.org.au](http://www.cpsltd.org.au).

61 Australian Catholic Bishops Conference and Catholic Religious Australia, 2018.

62 Catholic Professional Standards Ltd. *National Catholic Safeguarding Standards*, 2019.

63 Catholic Professional Standards Ltd. *National Catholic Safeguarding Standards – Implementation Guide*, Standards 1–10, 2019.

64 For more details: Russell et al., 2024.

be caused by more deeply embedded cultural taboos as well as insufficient state and Church infrastructures, which make it more difficult to raise voices, report, investigate and prosecute.

Speaking about the Catholic Church(es) in India, some noteworthy progress has been made in Kerala. The Church in the province has recently primarily raised international attention due to religious sisters who had accused their local Bishop of severe and repeated rape. In 2019 – and after the suspension of this Bishop – the regional Episcopal Council adopted comparably wide-ranging child protection standards to be observed by all Church employees. These were to help implement a zero-tolerance policy. In its guidelines, sexual exploitation and abuse are clearly condemned as a serious crime. They require to report these kinds of offences in accordance with civil law. Moreover, the document clearly describes wrongdoings and potential risk factors in work with children and young people that can hinder the creation of safe places.

### **3.12. Zimbabwe<sup>65</sup> and the DRC**

On the African continent, many national Bishops' Conferences recently developed and adopted more extensive safeguarding guidelines for the first time. The policy promulgated by the Zimbabwean Episcopal Conference explicitly and appreciatively mentions the UN Convention on the Rights of Children.<sup>66</sup>

In the Sub-Sahara region, the local Catholic Church is particularly involved in the education sector and in teaching minors. It appears therefore more than consistent that the respective Church leadership has drawn special attention to Child Protection in the school context. For this purpose, the bishops of the war-torn Democratic Republic of Congo have started to develop and host specific safeguarding trainings for those coordinating the Catholic school systems – as well as the Church-related health care and Caritas work. In the future, these courses should become available in all 47 dioceses of the country, to raise awareness of the topic in different social and pastoral settings as well as to contribute to the removal of dangerous taboos.<sup>67</sup> In this regard, it was also an important step forward that the *Association of Member Episcopal Conferences in Eastern Africa* (AMACEA) published helpful universal safeguarding standards and guidelines in May 2019. These include, among others, a simple self-assessment tool.<sup>68</sup>

65 For more details: Cf. Zimbabwe Catholic Bishops' Conference (ZCBC) – 03.2024. Available at: [www.zcbc.co.zw](http://www.zcbc.co.zw).

66 Cf. e.g. Zimbabwe Catholic Bishop's Conference. Child Protection Policy, 2017, 7. Available at: [www.bulawayoarchdiocese.org/library/official-documents/routedownload/zcbc-child-protection-policy](http://www.bulawayoarchdiocese.org/library/official-documents/routedownload/zcbc-child-protection-policy).

67 Cf. Conférence Episcopale Nationale du Congo. Diocèse de Kongolo: La CENCO sensibilise les agents pastoraux sur la protection des enfants et des personnes vulnérables, 09.10.2019. Available at: [cenco.org/diocese-de-kongolo-la-cenco-sensibilise-les-agents-pastoraux-sur-la-protection-des-enfants-et-des-personnes-vulnerables/](http://cenco.org/diocese-de-kongolo-la-cenco-sensibilise-les-agents-pastoraux-sur-la-protection-des-enfants-et-des-personnes-vulnerables/).

68 Cf. P. Adinda. KENYA: AMECEA Launches Child Safeguarding Standards and Guidelines, in: Zenit, 31.05.2019. Available at: [zenit.org/articles/kenya-amecea-launches-child-safeguarding-standards-and-guidelines/](http://zenit.org/articles/kenya-amecea-launches-child-safeguarding-standards-and-guidelines/).

### 3.13. *Chile*<sup>69</sup>

In the Catholic Church of Latin America, there are also quite dissimilar realities when it comes to the disclosure and awareness of child sexual abuse. In some regions, the problem was not addressed and revealed neither in public nor in Church discourses. In other settings, it has nonetheless played an essential role. This holds especially true for the Catholic Church in Chile. During his trip to the country in early 2018, Pope Francis initially protected local bishops that were accused of severe and abusive offences. This attitude created enormous frustration among Catholic Chileans and victims. As a delegate of the Pope, the Archbishop of Malta, Charles J. Scicluna, furthermore knelt down during a mass in Chile and addressed those in the pews by saying: ‘Pope Francis has asked me to apologise to each of the faithful in the Osorno diocese and to all inhabitants of this region for having hurt and offended them deeply.’<sup>70</sup> Archbishop Scicluna delivered a 3000-page report to Pope Francis, with the testimonies of dozens of victims of sexual abuse. After some conversations with the Pope and a time of deliberation, 33 Chilean Bishops offered to resign. However, only about six such resignations were accepted.

## 4. The Bigger Picture and a Necessary Distinction

To get a high-definition picture of how the abuse of minors has been handled in the global Catholic Church, one would now have to add many more tesserae to the larger (e.g. the recent reports into the situation in Portugal, Spain and Switzerland)<sup>71</sup> and smaller pieces and regional impressions already unveiled.<sup>72</sup> Even if one were able to gather insights from all Catholic dioceses, this would not mean that the overall picture is complete. The Catholic lay movements and all the different religious orders, congregations and apostolic societies — which have their own respective policies, standards, practices and cultures — would need to be dealt with. This goes far beyond the intention of this article.

Having said that, the depicted plurality comes with a sensitive need for distinction and discernment. On the one hand, there are differences that appear legitimate as they allow one to speak and act in a context-specific manner. On the other hand, there are peculiarities and a perilous particularism which are simply a product of lacking understanding and indifference for one of the most challenging subjects the Church

69 For more details: Comisión de la Universidad Católica de Chile para el análisis de la crisis de la Iglesia en Chile, ‘Comprendiendo la crisis de la Iglesia en Chile’ (Available at: <https://teologia.uc.cl/wp-content/uploads/2022/09/documento-de-analisis-comprendiendo-la-crisis-de-la-iglesia-en-chile.pdf>)

70 Scicluna, quoted according to: Mardones, 2018.

71 For more details: Cf. Defensor del Pueblo, 2023. Available at: [www.defensordelpueblo.es](http://www.defensordelpueblo.es). and Cf. Independent Commission, 2023. Available at: [www.bishop-accountability.org](http://www.bishop-accountability.org).

72 An overview of further regional guidelines and activities is available at: [www.pbc2019.org/protection-of-minors/worldwide-activities](http://www.pbc2019.org/protection-of-minors/worldwide-activities).



is facing. The first type of diversity must be taken into proper account and addressed professionally. The latter must simply be tackled: intercultural sensitivity must never become a cheap excuse for poor child protection. It can however be an advantage as long as it allows safeguarding in a plural and tailor-made way.

All in all, one conclusion is that the situation in the Roman Catholic Church is similar everywhere, regardless of culture, history or the relationship between church and state. The numbers of victims and perpetrators are more or less in the same order of magnitude. We have learnt that around four to five percent of clergy everywhere were perpetrators, from the 1950s to the early 2020s. However, much remains hidden. In science the German word “Dunkelfeld” (“dark field”) indicates that, in all probability, the numbers are much higher. Behind each “case” there is a human being whose life is damaged and sometimes destroyed. The processes that lead to abuse and concealment seem to be similar everywhere. Changes to law and to Church law are vital, but they are not enough. Implementation of children’s rights and safeguarding against abuse needs a systemic effort that leads to a change of mentality<sup>73</sup> that translates also into theology,<sup>74</sup> spirituality, and liturgy. Every human reality is ambivalent. In every system (institution, organisation), the risks of abuse must be reduced, but it will not be possible to eliminate them completely. Both the hierarchical model of the Catholic Church and the more democratic model of Protestants have their own specific risk factors. Preventing and combating abuse concerns both bishops and laity, including all parishioners, and is not just a matter for specialists. The rules must be clearer, but then there needs to be objective control and evaluation – and here the Catholic Church is lacking. This needs to change, otherwise the trust in the message of the Church will further diminish. The charitable, educational, and spiritual work of the Church in favour of children, their rights and their development – and nowadays the enormous efforts in safeguarding education – needs to be backed up by normative measures and their faithful implementation.

73 Zollner, 2022, pp. 601–620.

74 Fleming et al., 2023.

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