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+ Eamon Martin

The Protection of Minors in the Church

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The meeting on ‘The Protection of Minors in the Church’ which took place at the Vatican, 21-24 February 2019, was a moment of great importance for the Universal Church in continuing to address the evil of abuse of minors, as well as the legacy arising from mishandling of these cases by Church authorities. Called by Pope Francis (who was present throughout the meeting), there was a total of 190 participants. These comprised 114 Presidents of Episcopal Conferences from throughout the world, fourteen leaders of the Oriental Catholic Churches, fifteen Ordinaries who do not belong to an Episcopal Conference, twenty-five Superiors General of men and women religious congregations, as well as members of the Roman Curia and the organisers of the meeting.

There were eight keynote talks (speakers included Cardinal Cupich of Chicago, Archbishop Scicluna of Malta, Dr Linda Ghisoni, Undersecretary for the Laity of the Dicastery for the Laity, Family and Life, Cardinal Tagle of Manila), five discussion group meetings (I was appointed as recorder/reporter of one of the English language groups), and regular sharing from survivors of abuse – both in person, and also via recordings. The meeting balanced prayer with input, testimony of survivors, penitential acts and liturgies. Responsibility, accountability and transparency were the key themes. A dedicated website contains much of the information from the meeting (<https://www.pbc2019.org/home>) and the papers of the meeting have been published by Veritas.

TESTIMONY OF SURVIVORS

The moving testimonies of victims and survivors echoed through the entire meeting. Delegates had been asked to meet with survivors before attending the gathering in Rome. I met personally with around twenty-five survivors in preparation for the meeting, mostly over four days in the four provinces. I also received written feedback from many survivors and in response to an open letter I wrote to The Irish Catholic newspaper.

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Before travelling to Rome I issued the following open message to survivors of abuse in Ireland.

Dear brothers and sisters, survivors of abuse,

As I prepare to journey to Rome for the meeting with Pope Francis about safeguarding, I want to assure you that you are uppermost in my thoughts. In recent weeks I have met with some of you and heard about how you were hurt and violated, and about how your young lives were turned into a nightmare by people who betrayed the sacred trust that you and your families had placed in them.

I am truly sorry for what was done to you.

I've learned also about how abuse devastated your confidence in yourself and others, your relationships, your family, and in some cases your spiritual, emotional, mental and physical well-being. Abuse broke your heart and spirit and sometimes you couldn't tell anyone for years. And then – when all you wanted was to be believed and supported by the Church, and your abuser to be stopped from harming others – there were too many failures to listen, to understand, and to do what was right and just.

I am truly sorry for these failures.

No wonder many of you find it difficult to forgive. You are still shocked by every new revelation which reopens your wounds and makes you feel the Church still hasn't learned or fully understood.

Some of you have asked me for prayers, and for the Church to openly express atonement and say "sorry". You rightly demand complete transparency and prompt cooperation with statutory authorities. You expect us to maintain robust efforts and standards for the protection of children, to continue to fully involve lay women and men in deciding and overseeing best practice, to independently audit our progress so that we never become complacent. You want our response to be child-centred and open to justice and accountability. You appreciate the counselling and support services offered by Towards Healing and others who have personally and pastorally reached out to you.

As I journey to Rome I realise that you are precious members of the Body of Christ; you always have been and always will be. You deserve to be believed, loved and cherished – not isolated or seen as a threat. I know that nothing I say can undo the terrible wrong you have endured, but I once more commit to doing all I can to ensure that Church activities are as safe as possible for children and vulnerable people. You will always remain in my thoughts and prayers.

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PRAYER AND ATONEMENT – PENITENTIAL SERVICE

The need for prayer and atonement was mentioned on several occasions at the meeting in Rome. I publicised the ‘Candle of Atonement’ initiative which was recommended by survivors of abuse in Ireland and taken up by bishops and priests around the country. In Rome, the Holy Father led a Penitential Service – some of the language which he used was stark and striking: ‘We confess that bishops, priests, deacons and religious in the Church have done violence to children and youth ... we bishops did not live up to our responsibilities; we have sinned in thought, word and deed, in what we have done and failed to do’. To each of these confessions, the gathering responded, ‘*Kyrie eleison*’. This Penitential Service raised in my mind the possibility of doing something similar at a national level in Ireland.

Pope Francis spoke about ‘genuine purification’. He said, ‘The holy fear of God leads us to accuse ourselves – as individuals and as an institution – and to make up for our failures. Self-accusation is the beginning of wisdom and bound to the holy fear of God: learning how to accuse ourselves, as individuals, as institutions, as a society’.

GLOBAL ‘OWNERSHIP’ OF THIS ISSUE

The meeting continually emphasised that this issue belongs to all of us in the world, even though some countries have not yet experienced the multitude of revelations that we have in Ireland. Fr Hans Zollner SJ (one of the organisers) spoke of a ‘transformation’ in attitudes and understanding taking place during the meeting. In my opinion it was accepted in Rome that we need to move beyond our obvious cultural and national differences to agree clear collective principles and methodology, thereby developing a ‘corporate’ responsibility in Church and society for these issues. Those countries which have not yet experienced the scourge and damage of multiple revelations would do well to work on prevention, education and awareness raising – at all times resolving to keep the victim at the centre whenever cases do emerge.

I offered as often as possible the bitter lived and learned experience of the Church in Ireland. However, there was a recognition that none of us can claim to be the ‘experts’ who can offer our ‘solution’ to the remainder. Although each country’s cultural and ecclesial context is distinct and unique, it must always be recognised that the abuse of children and vulnerable members of our flocks is a global issue which is universally repugnant to the People of God and fully deserving of our very best efforts with prevention and response.

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Some delegates spoke of the horrific reality of child abuse in wider society, including violence against children and the vulnerable, forced labour, the trafficking of children, child soldiers, and other forms of exploitation. Citing a UN report on global violence against children, Pope Francis himself pointed to the examples of child brides, sex tourism and the generation and exchange of child abuse images online.

Although the Rome meeting had its focus on the sexual abuse of children and vulnerable persons by clergy, I explained in my discussion group that we cannot side-line the awful testimonies of victims of abuses in various Church-run institutions, in ‘mother and baby’ homes, and the sexual assault and abuse of adults, including religious sisters. These must stand at least in parallel to our discussions. Many of the same ingredients and dynamics of crime, sin, scandal and failure were present: violence, abuse of power or position, denial and taboo, lack of belief of victims, lack of clarity of process – all of which compounded the wounds of victims and left them with lifelong suffering. The issue of children of priests and the importance of having clear principles of responsibility is also worthy of consideration in this regard.

TRANSPARENCY AND COMMUNICATION

A culture of ‘secrecy’ was identified as one of the root contributors to increased risk of abuse and to the dreadful mishandling of allegations by many in authority. Questions were asked about the ‘pontifical secret’ and several speakers called for the norms regulating the use of ‘pontifical secrecy’ to be re-examined. Dr Ghisoni said that while there are values to protect (including the good name of the accused until he or she is proven guilty), a revision could lead to ‘the development of a climate of greater transparency and trust, avoiding the idea that the secret is used to hide problems rather than protect the values at stake.’

The discussions about secrecy, Archbishop Scicluna said, involve not only how the process of handling abuse cases is kept confidential, but also how the Church communicates with victims, favouring a ‘definitive movement’ toward ‘a culture of disclosure.’

The following communications-related issues emerged during the discussions: a tendency to avoidance, minimising, defensiveness, ‘cloaking the truth’, blaming the media, the State or others. The importance of positive and honest strategies for communicating our safeguarding message was emphasised, including publicising widely what we, as Church, are doing, and presenting a single voice and united resolve on these matters.

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ADMINISTRATION

I was struck by the statement of Cardinal Marx that our Church's systems and procedures should not be inferior in any way to those of the State. Under the theme of 'Administration', it was agreed that an essential aspect of prevention is appropriate sharing of information within the Church, regionally, nationally, and internationally – from diocese to diocese, congregation to congregation, and between dioceses and religious congregations. Reflecting the Irish experience, I shared that whilst a 'one-Church' approach is difficult to establish and sustain, it is well worth the effort.

The danger of hiding behind data protection laws to avoid transparency was noted, as was the growing opposite problem, when new and stronger data protection regulations make it difficult to share a person's 'private' information without exposing the data controller to considerable penalties. If administration is truly to serve the mission of the Church, then it should not be used to obstruct or to delay natural justice e.g. adopting dilatory approaches or finding loopholes in litigation or, navigating the seemingly complicated structures and officialdom within the Holy See. Administration used well can help to prevent and protect from abuse; administration used badly can compound hurt and add to abuse.

ACCOUNTABILITY

The words of Pope St John Paul II in 2002 were recalled - words that continue to express our commitment: 'People need to know that there is no place in the priesthood and religious life for those who would harm the young.'

Cardinal Cupich set out the example of a twelve-step framework on accountability for bishops. I had a strong sense that those present recognised a need for such a process - one which has been canonically evaluated, supported and duly promulgated with the full authority of the Church, and including clarity regarding just penalties for its breach.

It was noted that in countries where negligence or failure to report child abuse is considered to be a criminal offence, the necessary civil or criminal processes will take precedence. Further challenges can also be presented by the need to respond to 24/7 media enquiries, which often demand immediate responses to often vexed, complicated and contentious issues.

In feedback from our discussion group I mentioned the need for clear exemplar definitions within canon law for sexual abuse as

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well as the need for prompt, timely adjudications which are open and transparent.

ROLE OF THE LAY FAITHFUL

Our lay faithful are ideally placed to support us with safeguarding within families, wider society and the Church. Obvious areas that come to mind are: prevention; education and formation for young people, priests, religious and bishops; responding to, and managing cases; meeting the expectations of due process and accountability within our diverse cultures; offering appropriate support to survivors and to those who are accused of abuse.

The importance of sound catechesis, education and ongoing formation for lay faithful was emphasised. It is important that those involved in the work of safeguarding understand Church structures and feel fully prepared for their collaboration and co-responsibilities so that they can make a competent contribution at all levels. The distinctive voice of Religious should also be warmly welcomed.

Many of our lay faithful are already competent in safeguarding issues within civil society and would be willing to gift these skills to their parish or diocese. The meeting spoke about quasi-independent national offices of such lay experts which would facilitate the development, dissemination and evaluation of best safeguarding practice together with an audit/review function of its implementation at diocesan and religious congregation level, and an outreach function to victims and survivors. I was able to share in this regard the positive, culture-changing contribution of the National Board for Safeguarding Children in the Catholic Church in Ireland, together with the work of *Towards Healing*¹ and of *Towards Peace*.² I also mentioned the outstanding contribution of our parish and diocesan safeguarding volunteers and staff. It was recognised, of course, that countries are at many different starting points so such national offices may also need to be supported by a competent international team of experts at regional or Universal Church level in Rome.

1 *Towards Healing* is an independent organisation, funded by the Catholic Church in Ireland, providing professional support for people who have experienced institutional, clerical or religious abuse in Ireland www.towardshealing.ie (text 085 802 2859).

2 *Towards Peace* aims to provide a safe supportive space, where people who have been affected by abuse in a Church context can be accompanied as they seek their own experience of spiritual peace, one step at a time. www.towardspeace.ie Phone: + 353 (0) 1 505.3028 Mobile: + 353 (0) 86 771.0533.

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ROOT CAUSES AND OTHER RELATED ISSUES

Experience in Ireland and around the world makes it clear that the abuse crisis in the Church was not just the fault of a few ‘rotten apples in the barrel’ but that something in our ‘ecclesial culture’ was in need of conversion. Debates and conversations took place throughout the meeting in Rome about potential contributory factors to the abuse crisis, including clericalism, abuse of power and conscience, failure to live a life of celibacy and chastity. The issue of homosexuality was also raised both within, and outside the meeting, in this context.

The meeting identified the need for concrete actions in the area of selection and (human) formation (fostering holiness and chastity) of candidates for the priesthood, consecrated life and episcopate.

The importance of not losing sight of the very many dedicated and faithful clergy and religious was also emphasised, as well as the demoralising impact of abuse revelations for those who have devoted their lives to ministry, and the degree to which this scandal has led to mistrust among the faithful and, as Pope Benedict XVI put it, ‘obscured the light of the Gospel’.³

CONCRETE ACTIONS

Before, during and after the meeting in Rome, there was a strong call for concrete initiatives and actions to emerge at both local and global levels. It was expected that each participant might return home with ideas for action in their respective Episcopal Conferences in terms of prevention, case management, outreach to victims/survivors, transparency and accountability. There were also repeated calls for collective global commitments and actions emerging from, and fully supported by, the Holy See.

Some of the early actions being suggested include regional task forces to assist countries with the development and dissemination of best safeguarding practice and the preparation of a new *Motu Proprio* ‘on the protection of minors and vulnerable persons’, to strengthen prevention and the fight against abuse on the part of the Roman Curia and Vatican City State.⁴ This document will accompany a new law of Vatican City State and guidelines for the Vicariate of Vatican City on the same subject.

At the conclusion of the meeting it was announced that the Congregation for the Doctrine of the Faith intends to publish a

3 Pope Benedict XVI *Pastoral Letter of the Holy Father to the Catholics of Ireland* (March 2010).

4 *Motu Proprio, On the protection of Minors and Vulnerable Persons*, was issued on 29 March 2019.

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vademecum (handbook) that will help bishops around the world clearly understand their duties and tasks – and one to which bishops would be held accountable. Bishops and superiors can so easily feel overwhelmed by the seemingly impossible task of balancing the calls to pastoral care, compassion, forgiveness and reconciliation, whilst meeting the demands of justice, restitution, administration and effective communication. In my opinion bishops should welcome a concise *vademecum*; of course, this also raises the question of accountability for its breach.

On Monday, 25 February, after the conclusion of the meeting, the Organizing Committee met with the heads of the Roman Curia who had participated in order to ascertain the necessary follow-up work.

PARTICULAR CONCRETE ISSUES FOR CONSIDERATION IN IRELAND

During the meeting I noted observations and issues that are especially worthy of further reflection in Ireland:

- The importance of meeting survivors at local level and the appropriate involvement of survivors in our Safeguarding Committees and other local safeguarding structures;
- The promotion of prayer and atonement initiatives;
- The indispensable work of *Towards Healing* which has worked with survivors of abuse;
- The pioneering work of *Towards Peace*, the Church's spiritual support outreach to survivors of abuse;
- The preciousness of the 'one-Church' approach in Ireland which might be a 'gold standard' for safeguarding at a global level;
- Not to take for granted the role of the National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI), and in particular its important audit and review function;
- The 'new' child safeguarding standards of the NBSCCCI of outreach to the complainant and to the respondent are essential; the need to include outreach to parish communities when abuse allegations arise, and when outcomes of criminal and canonical processes emerge;
- Support for a 'code of conduct' and *vademecum* which sets out very clearly what is expected of priests, bishops and superiors and which indicates clearly what would constitute gravely negligent behaviour in terms of dealing with cases;

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- The need to develop an accountability mechanism for priests/ bishops/ religious superiors who are accused of abuse or of mishandling their responsibilities in this area; this to include just opportunities for the hearing of accusations and defence;
- Consideration of, and recommendations to the Holy See, regarding just penalties for breach of codes of conduct and *vademecum* by priests, bishops and superiors;
- An evaluation of our practices in Ireland regarding transparency and confidentiality;
- The importance of vigilance about celebrities and clergy testimonials for visiting clergy;
- Recommend the inclusion of exemplars of sexual abuse to be included in the Code of Canon Law under ‘delicts’;
- Consider the new challenges to child safeguarding presented by the digital world, including the sexual abuse of children online and sexual tourism;
- Affirm the enormously important role played by lay volunteers in the area of safeguarding at parish level – this forms a pivotal part of the response by the Church in this country to the formation of a culture of safeguarding.

I leave the closing remarks to Pope Francis, who said in his final address to the meeting:

‘The best results and the most effective resolution that we can offer to the victims, to the People of Holy Mother Church and to the entire world, are the commitment to personal and collective conversion, the humility of learning, listening, assisting and protecting the most vulnerable. I make a heartfelt appeal for an all-out battle against the abuse of minors both sexually and in other areas, on the part of all authorities and individuals, for we are dealing with abominable crimes that must be erased from the face of the earth: this is demanded by all the many victims hidden in families and in the various settings of our societies’.