

**ON CASES OF SEXUAL ABUSE
IN PASTORAL ACTIVITY**

Statement of Policy
& Procedures In Cases of
Sexual Abuse

**Maltese Ecclesiastical Province
March 1999**

ON CASES OF SEXUAL ABUSE IN PASTORAL ACTIVITY

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PREFACE

This document is the result of the work conducted by the INTERDIOCESAN COMMISSION ON CASES OF SEXUAL ABUSE IN PASTORAL ACTIVITY appointed by the Bishops of Malta and Gozo in collaboration with the Major Superiors' Conference. The task of the commission was to get the best possible advice on how to approach the issue of sexual abuse by pastoral functionaries, whether ordained or not, who are involved in the pastoral activity of the Church, by submitting the respective policy and guidelines.

The first meeting of this commission was held on February 4, 1997. After completing its work the commission met with the Bishops' Conference and the Major Superiors' Conference in a joint session held on November 10, 1998. At the end of the session this document was approved by all the members present. The tasks of the commission were:

1. To present a policy on how to deal with cases where there is an allegation or accusation of sexual abuse of minors and adults, involving persons who exercise pastoral ministry in the Church.
2. Such a policy intended to include priests, consecrated persons, members of apostolic societies, and lay persons either employed by Church entities and organisations, or engaged in voluntary pastoral activities.
3. The policy was to include procedures of investigation of an allegation or accusation.
4. This document was to manifest the Church's concern to provide help to victims, to their families, to the perpetrators, and to the respective communities.
5. To manifest the Church's commitment in taking preventive measures in assigning pastoral functionaries to work with minors.

The members of the appointed interdiocesan commission were:

Rev. Charles Cordina Sr. Maria Farrugia, RGS	Archbishop's Delegate for the Clergy Representing the Provincial Superiors
Dr. Ruth Farrugia, LL.D.	Lawyer & Lecturer in Family Law
Rev. Paul Galea, M.S.Th., Lic.Psych, Ph.D.	Psychologist
Bro. Saviour Gatt, FSC, B.Ed, M.P.S.	Headmaster and counsellor
Rev. Mario Grech, J.U.L., J.C.D.	Judicial Vicar for the Diocese of Gozo
Ms. Josephine Saliba	Education Officer
Dr. Joseph Sammut, LL.D., Dip.Euro.Stud.	Lawyer and MUSEUM member
Rev. Arthur G. Vella SJ	Representing Provincial Superiors

In the course of its deliberations, the commission has taken into consideration various policies on sexual abuse already adopted by Bishops' Conferences in various countries.

These reports were all published in very recent years. It is to be appreciated that the local Church has taken up the matter in line with the rest of the Church.

Although this document deals solely with sexual abuse within the context of Church ministry, the commission was aware of the need to combat abuse in all its forms and in various settings, and hopes that similar initiatives be undertaken by other institutions.

The commission is grateful to the Director of the house for the clergy “Dar tal-Kleru”, B’Kara, and the “Qaddejja tac-Cenaklu” who run the house, for their hospitality in lending their premises for most of the meetings.

Finally, a word of thanks goes to the members of the commission both individually and collectively. Their competence and commitment in producing this document were outstanding. Although this has been a hard and emotionally charged task they managed to make it an enriching experience.

It is hoped that this document will enlighten all members of the Church in dealing with this extremely sensitive matter of sexual abuse in the pastoral activity.

Rev. Charles Cordina
Moderator

INTRODUCTION

To the victims of abuse, and of sexual abuse in particular, who feel neglected and maybe abused a second time by the sins of omission and a conspiracy of silence, the Church pledges solidarity and support.

Sexual abuse can occur in relationships characterized by an unequal balance of power. It also occurs in professional social services when social assistants sexually abuse those they are supposed to help. When sexual abuse occurs in the context of the ministry of priests and consecrated persons there is another dimension added, the dimension of the sacred. Sexual misconduct within these ministerial relationships results in the breaking of sacred trust.

The ministry of all pastoral functionaries in the Church should, among all service professions, offer the greatest possible safety. It is to those involved in this ministry that people turn with their deepest and most intimate problems. Abuse not only undermines the basis of professional care and trust, but it also contradicts the evangelical inspiration that is supposed to motivate the person involved in the Church's pastoral ministry. When it happens, it inflicts untold harm on the victim and it undermines the trust in the whole Church.

Sometimes one has the impression that sexual abuse, and child sexual abuse in particular, occurs today more than before. It is difficult to judge whether this is so. What is sure is that it is less hidden. This is an important development because it provides the victims with a greater opportunity for help and guidance and it leads to more preventive action. Consequently, sexual abuse can be better studied and combated.

Mindful of Christ's words about causing scandal (Mt 18:7 ff), the Church is committed to deal with this evil wherever it occurs; to promote such values in society that would protect all people from every kind of abuse; and to support good relationships between people young and old.

This document deals with sexual abuse by a **"pastoral functionary"**. This term refers to clergy (bishops, priests, deacons), consecrated persons and members of societies of apostolic life. It also refers to adult lay people, duly appointed or commissioned to work in the areas of pastoral activity, including catechesis and teaching, spiritual care and guidance. For the purpose of this policy, this term includes also those employees or volunteers engaged in all sorts of activities within Church institutions.

The procedures that are suggested in this document deal mostly with cases of child sexual abuse by a pastoral functionary. However, sexual abuse involving adults will also be treated in this document.

Basic Attitudes

The policy adopted by the Church is inspired by two basic attitudes: compassion and responsibility.

Compassion towards the victims of abuse, and those close to them, will be demonstrated by the fact that the Church does care and will do everything possible to respond to the situation. It will endeavour to care equally for all involved, the victims and the accused. The Church must manifest the compassion of Christ.

Responsibility implies getting to the truth of a difficult situation, while firmly maintaining the principle that a person is innocent until proven guilty. It also calls for a search for appropriate remedies, various forms of response and, eventually, reconciliation through the actions of the Church.

Both compassion and responsibility are facets of the Church's love. How the Church responds will be a determining factor in eliciting positive cooperation on the part of all those involved in this painful situation.

Guiding Principles

A certain number of guiding principles underlie the Church's policy and indicate the spirit in which it has been moulded. The application of this policy calls for the maximum reconciliation of the following three principles:

- **Justice** towards all who are implicated: victim to be healed; offender to be called to accountability and reformed; and scandal to be repaired.
- **Diligence** in dealing with all cases in a prompt and thorough way.
- **Respect for civil authorities** and their proper jurisdiction in these matters.

These principles shall form the basis of the following:

1. In the case of child sexual abuse, the Church is committed to the **Welfare Principle**. This implies that the first and highest priority must be given to protecting the child. This means that in all proceedings it is the best interests of the child that are of primary consideration when determining what action should be taken.
 - 1.1 In accordance with the principles of Christian morality, every person in possession of reliable information related to child sexual abuse by a pastoral functionary is strongly encouraged to disclose such information to the competent Church authority.
 - 1.2 Considerable sensitivity is to be shown to the individual's conscience as well as to the person's psychological condition especially when the one in possession of such information happens to be the same victim of abuse.

- 1.3 When such information is disclosed either within the Sacramental forum or in confidence one should make a reasonable effort to encourage voluntary reporting of such incidents to the appropriate Church authority.
- 1.4 Confidentiality outside the Sacramental forum is not an absolute value. It is a moral imperative following from justice to disclose incidents of child sexual abuse since the well being of others is at great risk. However, one needs to exercise discretion and prudence in determining whether information obtained in confidence in a formal setting should be disclosed.
2. All allegations of child sexual abuse should be taken seriously without prejudice to the reputation of the accused.
3. The accused person is presumed innocent until proved otherwise. This presumption of innocence should not, however, disregard a healthy need for prudent investigation. Necessary measures must be taken in order to avoid all risk of possible future abuse.
4. Reporting child sexual abuse is a very serious matter. A false accusation seriously damages an innocent person. If necessary, canonical and /or civil action against the person making the false accusation may be taken.
5. It may be that a young person or adult will make false accusations which may indicate a profound psychological need. In this case, suitable help should be suggested to this person, or to those responsible for the young person.
6. The rights of all the persons implicated in allegations of sexual abuse are to be respected.

SECTION I

Definitions

1. Sexual Abuse between Adults

By sexual abuse we mean any form of behaviour by the pastoral functionary that is sexual by nature or connotation with a non consenting adult. Failure by such adult or adults to reject such a behaviour does not necessarily imply consent.

However, when a pastoral functionary engages in sexual contact or sexualised behaviour in a pastoral relationship, or in cases of an existing power imbalance, such behaviour is considered to be always abusive whether with or without consent.

A pastoral functionary may also be responsible for abuse through acts of omission when the abuse takes place within the domain of the functionary's responsibilities.

2. Child Sexual Abuse

For the purpose of this policy, a child is a person under 18 years of age.

Child sexual abuse is the improper exposure of a child to sexual contact, activity or behaviour.

Child sexual abuse occurs also in acts of omission as defined in the case of sexual abuse between adults.

SECTION II

Structures and Procedures Involving Cases of Child Sexual Abuse

A. Structures

THE DELEGATE

1. A person is to be **appointed** as **delegate** for the Bishops' Conference and for the Major Superiors' Conference in responding to allegations of sexual abuse (cf. can.1717.1). Any allegation of child sexual abuse by a pastoral functionary should be referred to this delegate. It is preferable that the diocesan bishop himself will not conduct the preliminary investigation. The bishop must be in a position to evaluate the results objectively.
 - 1.1 The delegate must be a person of mature pastoral judgement, prepared to undergo appropriate professional training, and capable of coordinating a small **response team**.
 - 1.2 The delegate should not be the Judicial Vicar of the diocese. If a process of canonical adjudication is later initiated, the person who carried out the preliminary inquiry cannot act as judge in the judicial process.
 - 1.3 The delegate should be empowered to act immediately with a view to determining in a discreet and caring manner whether there are reasonable and probable grounds to believe there was sexual abuse by a pastoral functionary.
 - 1.4 The delegate must be aware of the available specialist agencies which offer guidance and support for abused people and those involved and keep informed of related developments.
 - 1.5 In addition, the delegate will need to acquire knowledge of appropriate organizations for treatment to which those who have been guilty of child sexual abuse, and admit the need for reform, can be directed. If the abuser is a cleric, it will be within the delegate's faculties to take such action in consultation with the bishop. If the accused is a consecrated person, or a cleric from another diocese, the investigation is coordinated with the appropriate major superior or bishop.
 - 1.6 The delegate will be responsible to ensure that both the clergy and the community be informed concerning the nature and severity of child sexual abuse; and the method by which actual suspected cases can be referred to the Church authorities and to agencies/public authorities which have investigative powers.

RESPONSE TEAM

2. There shall be a response team which is **established** by the Bishops' Conference and the Major Superiors' Conference. The response team should make available to the delegate resources of informed and appropriate professional skills and advice. The team should be composed of not more than five persons.
 - 2.1 In addition to the delegate (as chairperson), the response team should include a canonist (who cannot be the Judicial Vicar), a civil lawyer and a professional person experienced in the treatment of those who have suffered sexual abuse. The membership of the response team should be as diversified as possible so as to include persons of both sexes, parents, professionals or others with experience well suited to deal with emotionally charged issues. Should the need arise, specialists may be called upon to give their advice in any particular case.
 - 2.2 The response team should follow the current basic policy regarding situations of child sexual abuse as approved by the diocesan bishops and major superiors. The team should also make recommendations from time to time to update such policy as the need arises.
 - 2.3 The response team should investigate all complaints. At the conclusion of its investigation, the team should present its findings and recommendations to the bishop and the respective major superior.
 - 2.4 The Response Team should recommend ongoing pastoral care and support, and make appropriate referrals for spiritual and psychological counselling. This support does not imply, at this stage, any admission regarding the guilt of the accused.

PUBLIC RELATIONS

3. Communication is an important part of the responsibilities of the Church. It is essential that the person responsible for communication has accurate knowledge of the situation and is sensitive to the confidentiality to which people are entitled.
 - 3.1 One competent person should be designated by the Bishops' Conference and the Major Superiors' Conference as mandated spokesperson on behalf of the Response Team, who will be responsible for answering questions concerning child sexual abuse. This person should not be the delegate.
 - 3.2 There will be openness and trust in relations with the media bearing in mind the following principles:
 - the right of the accused to a fair trial;
 - and the right of the victims to maximum privacy.
 - 3.3 Should the need arise to inform the respective community about a particular case, the spokesperson should especially be prudent in providing such information.

B. Procedures

MANDATORY REPORTING

It shall be incumbent on all those institutions which fall under this policy to report immediately to the delegate all cases of child sexual abuse which happen within their domain.

INVESTIGATION INTO ALLEGATIONS

1. Upon receiving a report or an allegation of child sexual abuse, the delegate shall convene the response team to conduct together a preliminary inquiry into such allegation.
 - 1.1 The purpose of such an inquiry is to obtain information determining whether or not there are reasonable or probable grounds to believe that there has been a situation of child sexual abuse.
 - 1.2 The delegate may designate any person or persons to carry out specific duties in the course of the inquiry.
2. The delegate will establish a confidential file and will seek to compile in it as much information as possible about the report or allegation. It is of utmost importance that records of allegations, actions taken, relevant comments made and all evidence be accurately kept. On conclusion of the case, the acts are to be kept in the secret curial archives.
3. The delegate will ensure that submissions included in the acts of the preliminary inquiry comply with the principles of canon law and do not violate the rights of the accused.
4. The delegate will meet with the person making the report or allegation and others who may have relevant information in order to obtain as clear and detailed statement of the allegation as possible.
 - 4.1 If the complainant is the alleged victim, the delegate will listen to the victim and provide information about the next steps to be taken. At that stage, if the complainant is a child, the delegate shall not take any report without the parents' authorisation.
 - 4.2 If the complainant is not the victim, the delegate shall seek advice from the complainant and the response team regarding the wisdom and prudence of seeking to interview the victim.
 - 4.3 No interview with a child victim shall be conducted without the express written authority of, and in the presence of the child's parent/s or tutor, or

their legal representative. An interview with a child victim is to be conducted by personnel who are skilled in interviewing children.

5. Before meeting with the accused, the delegate has to have sufficient information to determine whether the allegation appears to be valid *prima facie*. In all cases, the delegate shall inform the respective ecclesiastical authority of the meeting.
6. If from the compiled evidence it emerges that the allegation is frivolous or completely unfounded, the inquiry will be terminated and the diocesan bishop will be so informed. If the accused is a member of an institute of consecrated life, the competent major superior shall also be informed. If in the meantime, the allegation has become public, appropriate steps must be taken to repair damage done to the reputation of the pastoral functionary. Steps may also be taken against the person making the false accusation (see Guiding Principles n.5).
7. However, if after hearing those who are making the allegation, the delegate is of the opinion that there is indeed reason to proceed further, the accused is to be heard.
8. At this stage, the accused should be directed to have no contact, written, verbal or otherwise with the alleged victim, family and friends of the victim. No gifts or exchange of money are to be given or attempts made to silence the alleged victim. All these basic requirements should be communicated in writing to the accused.
9. Considering the seriousness of these cases, the accused when called to be heard at this stage of the preliminary inquiry, should be encouraged to engage the services of a canonical and/or a civil advocate. This assistance will be at the expense of the accused.
10. If the accused admits to the allegation, or following preliminary assessment and consultation within the response team, there is reasonable belief that child sexual abuse has or may have taken place:
 - 10.1 This fact should be communicated immediately by the delegate to the relevant bishop. In the case of members of institutes of consecrated life, it should be communicated to the competent major superior. In the case of a lay person, to the respective employer or immediate superior.
 - 10.2 The delegate, or the person selected for this purpose by the delegate, shall, meet with the parent/s or tutor to offer pastoral support and care to all those involved and to the victim in particular. If the parents or tutor consent, the delegate will refer the case to the available specialist agency. The delegate shall keep a record of any agreement reached with the parents or tutor, and eventually of any outstanding areas of disagreement.
11. If the accused does not admit to the allegation and sufficient grounds are present to indicate the involvement of the pastoral functionary in the abuse, the delegate anticipating the completion of the inquiry, shall advise the bishop or major superior to remove the accused from a position of access to minors. Such a measure does

not imply a judgment about the guilt or innocence of the person under investigation.

- 11.1 In the case of an accused priest, deacon, or consecrated person, the ecclesiastical authority shall impose temporary restrictions regarding ministry or / and residence as necessary.
 - 11.2 In the case of an accused lay employee, the employer shall immediately place the individual on temporary administrative leave.
 - 11.3 In the case of an accused volunteer, the individual's services shall be temporarily discontinued.
12. Mindful that this preliminary inquiry is a difficult and trying time for all concerned, particularly for the victim and the accused, the process shall be concluded as quickly as possible.
13. When the preliminary inquiry is completed, the delegate shall provide a written report with the recommendations of the response team to the ecclesiastical authority. A member of the response team who disagrees with the conclusions reached by the other members shall have the right to forward separate conclusions to the ecclesiastical authority.
 - 13.1 In the case of a lay pastoral functionary, the ecclesiastical authority shall communicate its decisions to the respective employer or immediate superior.
14. In conformity with canon 1718, the Ordinary of the accused is to decide whether or not an administrative or judicial process is to be initiated to impose a penalty.
15. In the eventuality of a historical case, that is, when the reported victim of child sexual abuse is now an adult, even though such case is time-barred and no penal action can be taken against the alleged perpetrator, the ecclesiastical authority is morally bound to take prudent preventive measures for the benefit of both the alleged offender and the community at large.

SECTION III

Sexual Abuse by Pastoral Functionaries not Involving Minors

Pastoral functionaries have the ability to affect persons' lives in ways that few others can. Clergy and consecrated persons occupy a unique place in the lives of many people. The common analogy of the clergyman to a shepherd and the parishioners to the flock illustrates the imbalance of power and authority between the parties. These are viewed as trusted members of society. Because of this power imbalance, the congregant may be considered to be in a vulnerable position.

Several components of the unique relationship between clergy, or pastoral functionary and the people they serve have the potential to lead to exploitation. Some of the more important components include:

- Pastoral relationships without boundaries or with insufficiently clear ones
- The easy access to potential victims
- The vulnerability of the pastoral functionary
- The “Code of Silence and Secrecy” not to harm the church out of fear or guilt
- The lack of more structured supervision and of adequate consultative resources

Abusive/Inappropriate Relationships

1. Sexual contact or activity within a pastoral relationship creates a **dual relationship** that is both a love relationship and a pastor-congregant relationship. Dual relationships undercut any possibility of an effective pastoral relationship. Such a relationship is based on the confidence that pastoral functionaries will not misuse their knowledge and betray the trust reposed in them.
2. Pastoral functionaries are expected to behave in an exemplary way even in their social life and activities. When social relationships become sexualised, even with consent, they are to be considered inappropriate, unacceptable and possibly scandalous
3. Sexual misconduct between a cleric, a consecrated person, or a member of a society of apostolic life and a consenting adult, remains a serious offence according to canon law (cf. can. 1395.1). Without consent, it is abusive. Because of the existing power imbalance, sexual misconduct in a pastoral relationship is to be considered always abusive, even with consent.

Measures

1. If the offender is a cleric, a consecrated person, or a member of a society of apostolic life, non-consensual sexual activity will be dealt with according to canon law (cf. canons 1395.2; 695; 729; 746). If the abuse takes place in a pastoral setting the case will be dealt with according to the directives or norms of the Maltese Ecclesiastical Province.
2. If the offender is a layperson, the institution directly responsible for engaging the services of this person will take the necessary steps in following the directives or norms of the same institution and of the policy of the Maltese Ecclesiastical Province.
3. The same procedures of the “Investigations into Allegations” (p.9) dealing with child sexual abuse will be applied in the case of sexual abuse of the adults *mutatis mutandis*.
4. If the victim insists that anonymity be safeguarded, the person first informed about the sexual abuse will ensure that the case be reported to the delegate.
5. The distinction between abusive and inappropriate adult sexual relationship is important in determining:
 - the degree of guilt
 - the kind of treatment to be recommended
 - the subsequent reassignment of the offending pastoral functionary, and
 - the eventual counselling that could be suggested to the adult victim.

SECTION IV

The Preventive Approach To Child Sexual Abuse By Pastoral Functionaries

A. EDUCATION FOR THE PREVENTION OF CHILD SEXUAL ABUSE

1. The prevention of child sexual abuse is significantly influenced by the levels of awareness and understanding of the issue among the community and among all those who work with children.
2. The Church should positively seize the opportunity of increased awareness about child sexual abuse to continue to promote and facilitate the adoption of healthy attitudes towards an education in sexuality.
3. The ecclesiastical authorities have the responsibility to ensure that education programmes be devised and implemented for all pastoral functionaries at all levels. Seminars, workshops and similar initiatives that address the issue of child sexual abuse, should form part of the ongoing formation and in-service training for all pastoral functionaries.
4. The education programme of pastoral functionaries should include knowledge about the issue of child sexual abuse including:
 - the nature of child sexual abuse
 - developments and research
 - the effects on victims
 - the behaviour patterns of the abuser
 - the need of therapeutic help for victims, abusers and others affected
 - the Church policy as well as civil and criminal laws
 - issues concerning moral theology and professional ethics.
5. The Church should seek to cooperate with other agencies in providing education for the general public on sexuality in general, and on child sexual abuse in particular. Those responsible for adult religious education at diocesan level should consider what they might contribute in this area through their programmes.
6. Church institutions should see that all the children put to their care be protected from sexual abuse by pastoral functionaries or others, by seeing that all those who are closely involved with children are well screened and trained through adequate educational programmes. In line with this, all those who volunteer or apply to work in such institutions should produce two references, one from their parish priest or respective superior, and another from any other person who has personally known them for a period of not less than two years.
7. There is an obligation on those who are responsible for children to protect vulnerable young people from all kinds of abuse, including that coming from their peers or from older children. Those responsible for Church schools, or for

organizing activities for children and young adults will need to pay attention to the supervisory responsibilities in the course of the temporary care of the children and / or young people.

8. Maturing children may well test the boundaries of their influence on adults, and behaviour which is perceived as provocative may be a normal part of their growing up. However, highly sexualised behaviour may be indicative of learned behaviour acquired through earlier abuse. Those in charge of adolescents need to know how to deal with such particular cases.

B. Prevention Guidelines

Apart from sensitive policies and good judgment, an adequate short-and-long-term prevention process calls also for sensitive insights and proactive strategies. With wise planning, more attention and resources could be devoted to developing procedures that move priests and religious in particular, toward excellence in ministry. In such planning one needs to take note of two groups: those on the verge of malfeasance; and those who are functioning well without malfeasance but who are becoming more vulnerable as societal pressure, particularly on the clergy role, increases.

Specific guidelines for prevention are becoming clear from research especially in the case of the clergy. The Church Secretariat for the Clergy and for Members of Institutes of Consecrated Life is to access such information and apply guidelines which are compatible with our local social and church situation.

Assessment of Candidates for Ministry

The prevention guidelines presented above will not be adequate unless the Church becomes more acquainted with issues of mental disorders and personality types that do not fit pastoral expectations. Psychological testing of candidates for ministry and practising clergy continues to be helpful.

1. The psychological evaluation of candidates before entering the priesthood or the consecrated life should become an established practice. Psychologists and psychiatrists doing this work should share the same Christian anthropological considerations to guide them in their assessment of the personality on entering vocation.
2. Candidates who manifest psychosexual immaturity or paraphilia, while acknowledged for their generosity, should be firmly dissuaded from pursuing the priestly or consecrated life.
3. Candidates who lack a positive evaluation or an adequate acceptance of their sexual orientation should be monitored closely and given the required help to make a more realistic assessment of their situation. They also need to come to a good level of integration of their sexuality with their calling and examine how they can remain chaste throughout their life.

4. Other candidates who are sexually active should be advised to undergo a period of continence and serious reflection before embarking on a priestly or consecrated life. Their ability and willingness to live a chaste life should be seen in itself as a sign of whether or not they are called to the celibate priesthood or to consecrated life.

Detecting Early Warning Signals

Along with testing, the Church needs a clear and enforced code of ethics to guide the undisciplined or overdisciplined personality types. It needs a method of assessment whereby early warning signals are taken seriously and reliable intervention, treatment and other measures, such as those presented in this document, will be implemented. There are identifiable early warning signals that should be checked, especially if these characteristics appear in clusters.

Beyond Prevention

The discussion of guidelines for managing and preventing sexual malfeasance among clergy and members of consecrated life, leads to considering larger dimensions of prevention, namely the establishing of systemic strategies for development toward excellence in ministry, and for the support of their lives and ministries. Such dimensions include:

- The health of the personnel
- Their material and emotional needs
- A solid spiritual life
- Periodical vacations and the introduction of sabbaticals
- The practice of self-ministry
- The availability of professional counselling for personnel, when needed
- Encouraging the clergy to join peer groups
- Developing a code of ethics to regulate priests' ministry and private life
- More effective teamwork between the Faculty of Theology, the Seminary and other houses of formation
- Training priests to work in a "Treatment Team" along with other professions
- Introducing peer supervision groups for the clergy and those in ministry
- Encouraging and assisting priests to undergo annual spiritual retreats

SECTION V

The Church's Pastoral Approach to Sexual Abuse

Until recently, little research had been done on sexual abuse, incest, and the enduring symptoms with which victims live. This has been coupled with a lack of awareness and consequently, a lack of treatment for the victims of sex abuse and child molestation.

Even with the emergence of awareness and acknowledgment of this painful reality survivors still suffer yet another trauma; it is called the "second injury". This term is used to describe the pain when no assistance comes from agencies or individuals to whom the victim turns for help. Such pain results from the repeated lack of validation or assistance from adults to whom the truth of abuse is confided.

Sexual abuse affects all the dimensions of a person's life - relational, physical, social and spiritual. The church community acknowledges such consequences and problems and is committed to help these victims in all these dimensions. The local Church reiterates that in cases of sexual abuse, and of child sexual abuse in particular, it is neither desirable nor possible to suppress, deny, or ignore what has actually happened. In such cases positive steps shall be taken to deal with the situation in its entirety.

At the same time, in dealing with such issues the Church cannot isolate itself from the rest of society and from the contemporary world in which it lives. Such problems cannot be addressed in a unilateral way. While the Church feels committed to cooperate with other institutions in helping these victims, it cannot renounce to its prophetic mission in denouncing the problem on a wider dimension as part of its pastoral activity. Such an approach is based on the following realities:

1. That the existence of child sexual abuse, and other sexual abuses are not just isolated cases involving a few individuals, but could be symptoms of an underlying disorder within our wider society and our entire community of faith. If society is obsessed by sex, we would want our community of believers to be different.
2. The possible lack of honesty and openness to sexual issues. This calls for a better education and integration of one's sexuality and for a less bigoted attitude by all.
3. Sexual deviant behaviours do not arise from a society, a community of faith, and a family that have a healthy understanding of human sexuality. They spring from a climate of repression and / or obsession.
4. Child sexual abuse and other sexually deviant behaviours are not only crimes stemming from a perverse sexuality. They require another equally important societal illness in order to thrive, which is equally powerful, equally unwanted, and equally seen as unholy. This is human aggression. Child sexual abuse is also an enormously hostile and violent act against a child.
5. Furthermore, one needs to take cognizance of the way aggression is portrayed, and possibly, encouraged by the media. It is the family's responsibility to educate in the

way aggressive impulses are integrated with one's personality. Parents and educators also need to set an example how to be assertive in denouncing evil and in correcting others without being aggressive themselves.

Pastoral Care of the Victims of Sexual Abuse

1. A compassionate response must be the first priority in all cases of sexual abuse. Primary concern is to be shown for the needs of the victims whilst ensuring that the response is fair and just to all parties. These attitudes must be present throughout the inquiry.
2. The victims should be offered both psychological and spiritual assistance. The whole Church community, on a parish and local level, is to see how to offer the best support and protection to these victims of sexual abuse. Parishes, Church institutions and other Christian groups are to reach out to these victims of abuse and bring them out of isolation. They ought to become more sensitive to them and to offer them the best conditions to be reconnected with society and with the Church.
3. The abused person is also a member of several interrelating communities. These include the peer group, the school, the family, the parish. It is essential that the help offered to the abused persons take into account the current inter-relationships of the survivors within such communities.
4. In cases of child sexual abuse, in line with article 10.2 of Section II B, reference should be made to a functional specialized agency, such as the Social Welfare Development Programme (SWDP), to undertake the appropriate social work intervention with the child and its family.
5. In order to be better equipped to assist people to deal with issues of sexual abuse in a pastoral context, the Church will establish a telephone helpline.

Pastoral Care of the Abuser

1. The Bishop's delegate for the Clergy/Consecrated Life shall be near to the alleged abuser to see to his/her needs, giving him/her all the necessary care and support. Support should also, when appropriate, be offered to the family of the accused.
2. The Bishop's delegate should seek to offer alternative and suitable ministerial duties of a temporary nature to that priest/consecrated person accused of abuse to ensure that situations that would expose the person to risk be avoided.
3. In those cases where it is necessary to remove the accused from his place of residence, the Church should offer alternative accommodation where the Church deems that it is required.

4. The priest/consecrated person must be required to undertake an adequate programme of psychotherapy and spiritual care. Where necessary, the Church should provide the assistance to make this possible.
5. Before considering a resumption of permanent ministerial duties, full, reliable and positive reports following therapy must be made available to the bishop/major superior. An independent assessment by an appropriate professional or professional group which evaluates progress and comments on the future prognosis should accompany the reports.
6. The priest / consecrated person should be monitored in a programme of regular counselling and supervision, and be committed to observe the recommendations following the termination of the therapeutic programme.
7. The priest/consecrated person must be fully aware of the delicate, and possibly hostile circumstances and be prepared to live with this situation, particularly by maintaining a relatively low profile in the community.
8. Other mechanisms such as support groups and after-care programmes need to be available in the diocese/community. A situation must be created in which isolation is precluded. The support group should be educated to accept him/her in a fraternal way.
9. The priest/consecrated person who has re-entered active ministry must accept the disclosure of such condition to those in authority at the place of assignment.
10. Where it is considered inappropriate that a priest re-enter active ministry, a full explanation of the situation must be given to the priest concerned, giving him the opportunity to request to be laicised. The priest should be helped to understand that refusal to take this opportunity would incur canonical procedures to remove him from the clerical state.
11. In the case of a religious, where he/she has been removed from active ministry, the major superior should offer him/her other possibilities for living a fruitful, if monitored, religious life.
12. In the case of a lay pastoral functionary, articles 5, 6,7 and 9 also apply, *mutatis mutandis*. The employer/immediate superior will endeavour to offer the lay person moral support.

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MALTESE ECCLESIASTICAL PROVINCE

OFFICIAL DESIGNEES

–

Chancellor of the Archdiocese of Malta
24 29 72

–

Secretariat for the Clergy
and for Members of Institutes of Consecrated Life
24 53 50/7

–

Secretariat for Education and Culture
24 53 50/7

–

Chancellor of the Diocese of Gozo
55 12 11
55 64 27

–

Official Spokesperson
24 12 81

–

Helpline
23 80 68
23 89 42