

# PART I

## THE EFFECTS OF SEXUAL ABUSE ON THE CATHOLIC CHURCH IN CANADA

### CHAPTER ONE

#### LESSONS LEARNED AND RECOMMENDATIONS

*We would like to see our Church face, with clarity and courage, the decisions that must be taken in light of the failure that child abuse represents for society and the Church [...] These decisions will call for a change in the attitudes of those who are wholeheartedly to defend children and other vulnerable people in society. [...] We would like our Church to take firm steps which would leave no doubt as to its genuine desire to eradicate the phenomenon of child sexual abuse.*

Canadian Conference of Catholic Bishops  
*From Pain to Hope*, 40-41

Many bishops and major superiors<sup>20</sup> across Canada have dealt with alleged or actual cases of sexual abuse of a minor perpetrated by a member of the clergy or institute. While their experiences are varied, they have each learned many valuable lessons. Some have spent considerable time, energy, and resources on deepening their understanding of the problem so as to ensure better pastoral and administrative responses. A certain number have been involved in criminal trials and have had to manage significant fallout from financial settlements and public outcry. All bishops have been profoundly touched by the suffering of victims; many have recognized the need to give greater attention to the concerns of victims and to respond with better policies and protocols. They have also seen

how the sexual abuse crisis has eroded faith and trust in their communities and affected their own lives both spiritually and emotionally. This chapter outlines some of the lessons that bishops in Canada have learned in dealing with the issue of sexual abuse and demonstrates their continued commitment to its prevention and to the protection of minors.

## **LESSON ONE:**

### **THE NEED FOR A PASTORAL ENCOUNTER WITH VICTIMS OF CLERGY SEXUAL ABUSE**

For all victims, it is extremely difficult and painful to disclose an experience of sexual abuse. Indeed, any experience of sexual abuse – not only the kind which involves a religious leader – has serious potential to be experienced with shame and guilt as well as a sense of disgust towards oneself. If the disclosure is brushed-off, these feelings become amplified and others emerge. Victims may feel stigmatized, isolated, and betrayed. When victims come forward – and it can take several years or decades before they do – the manner in which they are received is critical to their own journey toward recovery. Many Church leaders have learned this lesson.

In the past, individuals making allegations were often treated in a way which they found to be dismissive, insensitive, and even demeaning. At this point in time, Church leaders are more aware of the need to respond to complaints not only with established procedures and best practices, but with greater pastoral sensitivity, expressed through a spirit of charity, welcome, and readiness to respond with appropriate care. For some victims, this shift in approach has given a sense

of safety, making it easier to come forward, while for others, encounters remain intimidating and difficult.

In more recent times, some bishops and major superiors, including Popes Benedict XVI and Francis, have held pastoral encounters with survivors. These meetings have been widely welcomed and appreciated as a positive response to the call for greater accountability, genuine pastoral concern, and recognition of the personal harm caused by sexual abuse. These encounters also represent an important shift in the Church's attitude toward victims, from one which was driven by a preoccupation with liability and image to a greater concern for the healing and accompaniment of abused persons in the spirit of Christian charity.<sup>21</sup> This shift needs to be completed and to be deepened.

Those bishops and major superiors who have met face-to-face with victims describe these encounters as heart-wrenching. They have availed themselves of such opportunities to express deep remorse and to assure survivors that they are not responsible for the sexual abuse they experienced. While it may be difficult and even humiliating for a bishop to find the courage to meet survivors, Pope Benedict XVI has shown that it is not impossible. The words and sentiments he expressed to victims of clergy sexual abuse in his address to the Catholics of Ireland have become a touchstone for bishops, major superiors, and survivors everywhere:

You have suffered grievously and I am truly sorry. I know that nothing can undo the wrong you have endured. Your trust has been betrayed and your dignity has been violated. Many of you found that, when you were courageous enough to speak of what happened to you,

no one would listen. Those of you who were abused in residential institutions must have felt that there was no escape from your sufferings. It is understandable that you find it hard to forgive or be reconciled with the Church. In her name, I openly express the shame and remorse that we all feel.<sup>22</sup>

The hope is that in addressing cases of sexual abuse bishops and major superiors will go beyond basic administrative responses, disposing themselves to receive allegations and respond appropriately, learn from past experiences, and reach out to victims with the willingness to accompany them on the path to healing.

### **Recommendations and Action Points**

#### *Bishops and major superiors will endeavour*

- 1) to ensure that victims coming forward for the first time are received in a non-judgmental pastoral encounter where they are welcomed and commended for their courage;
- 2) to see that each encounter with a victim conveys the respect, compassion, and solicitude proper to pastoral leadership;
- 3) to ensure Church leaders or those appointed to receive complaints on behalf of the bishop/major superior are properly sensitized to the nature of sexual abuse and its effects;
- 4) to manifest readiness to accompany the person coming forward on the journey toward healing, helping to identify and address any spiritual and mental health needs;

- 5) to continue forming Church leaders in learning to walk and work with victims;
- 6) to pray in the community for victims of clergy sexual abuse and for all those affected by abuse (e.g., a prayer service, an annual day of prayer for survivors, a monthly inclusion in the Prayers of the Faithful of a petition for victims of clergy sexual abuse).

## **LESSON TWO: THE NEED TO UNDERSTAND SEXUAL ABUSE PROPERLY**

Since the 1990s,<sup>23</sup> due to the concerted efforts of child welfare agencies in tackling child sexual abuse, the institutional response to victims coming forward with allegations has improved considerably. All Canadian provinces and territories now have mandatory reporting laws for suspected child abuse and there is no statute of limitations for reporting indictable offences.<sup>24</sup> Legal reforms have also led to the development of more rigorous safeguarding policies in a number of governmental and non-governmental institutions in which staff are now required to report abuse. The stories victims have shared have also helped to expand the understanding of what constitutes abuse, encouraging others who have been abused to come forward who previously might not have considered their experience legitimate. As a result, many more cases have come to light in recent times than might ever have been known, contributing greatly to the ongoing efforts to correct myths and address past failures.

From a clinical point of view, the effects of sexual abuse are better known. As noted above and in the following chapter (2.1), sexual abuse is now treated as a distinct pathology with deep-seated and long-lasting effects requiring specialized intervention.<sup>25</sup> Sometimes a survivor can be so psychologically and emotionally wounded that he or she remains unable for many years to speak about the abuse he or she suffered.

The psychological profile of offenders, while still incomplete, is also better understood. For example, the offender's prehistory is now an important source of information shedding light on whether the abuse is a means to satisfying innate sexual attraction to minors or a way of resolving other issues connected to a personal history or a situation. There is greater awareness of variations that can exist among offenders in terms of the strength of pedophilic interest as well as the extent to which sexual interest may be exclusively focused on children and youth or whether it can also include adults.<sup>26</sup> Finally, there is also recognition that sexual abuse is often connected to the dynamics of power.

From a societal point of view, the understanding of sexual abuse has improved in Canada. Until the appearance of the Badgley Report in 1984, the majority of victims were still largely invisible to civil authorities, medical practitioners, and social workers, not to mention the public at large.<sup>27</sup> Sexual abuse was believed to be rare and remote from the lives of "respectable" citizens. Its deep-seated effects were not yet fully appreciated.<sup>28</sup> Individuals who came forward risked bringing shame upon their families and communities. It was not uncommon for victims to be blamed and shunned. A hostile climate such as this silenced victims and allowed

abuse to remain undetected and hidden even for years: it engendered secrecy and denial, prolonged suffering, delayed the identification of offenders, perpetuated ignorance, and interfered with the awareness that institutions, which had been established for the welfare of children, could themselves be environments in which sexual abuse took place.<sup>29</sup>

Like many others, bishops and major superiors tended to have an inadequate understanding of pedophilia and ephebophilia. They sometimes acted on an erroneous or naïve understanding of the pathology of offenders. When Church leaders began in the 1970s to regard sexual offenses against children and youth through the dual lens of psychology and psychiatry, they turned to clinicians for advice and trusted their recommendations concerning whether to return offending clergy and members of institutes back to ministry. Unfortunately, the advice they received proved too optimistic. It became clear with time that the diagnosis and treatment of offenders was extremely difficult and the incidence of recidivism very high. Today, clinicians are better able to distinguish between situational offenders and those with fixed sexual proclivities who would always be at risk of reoffending. This has resulted in more reliable judgments and more appropriate precautions on the part of those responsible for dealing with offenders.

Also like many others, bishops and major superiors were ill-equipped to handle allegations and unprepared to accompany survivors on the path to healing. Some responded inadequately or even dismissively to those coming forward. Communication with civil authorities, fellow Church leaders, and the wider community was sometimes uncoordinated and

protocols were often lacking in precision and detail. Only with the intensification of public pressure resulting from victims, from media coverage, and with a greater willingness to learn from past mistakes, have Church leaders and others come to recognize the need for clear procedures to help guide them in responding to allegations. Many of today's Church leaders exercising their ministries in the aftermath of the sexual abuse crisis have grown in the awareness of their responsibility – both pastoral and administrative – and are more committed than ever to helping victims seek healing and justice.

### **Recommendations and Action Points**

#### *Bishops and major superiors will endeavour*

- 1) to be well informed on the nature and effects of sexual abuse by drawing from the experience of victims and from the growing field of human, psychological, and social sciences in this area, making good use of peer-reviewed literature, seminars, courses, professional expertise, and other resources (see Part III, **Resources**, [102]);
- 2) to provide the members of a diocese/eparchy or institute, including lay staff and volunteers, with ongoing training on the nature and effects of sexual abuse with a view to fostering compassion for victims, correcting myths, and overcoming the stigma associated with being a victim of sexual violence;



- 3) to implement safe recruiting procedures for all pastoral staff and volunteers, including identity verification, criminal record check, background check (e.g., contacting referees or previous superiors/employers), interview and assessment, as well as psychological evaluations for prospective candidates to ordained ministry or consecrated life prior to entering a formation program;<sup>30</sup>
- 4) to improve communication across diocesan boundaries to ensure that Church leaders are apprised of the necessary information to make prudent decisions about pastoral work assigned to clergy, religious, and lay associates who are being transferred, with similar procedures for seminarians and religious;
- 5) to engage wider efforts which promote understanding of sexual abuse, safeguarding, and the destigmatization of victims (e.g., the Annual Anglophone Safeguarding Conference<sup>31</sup>);
- 6) to remain fully informed concerning the latest requirements of the applicable federal and provincial/territorial laws;
- 7) to support the mandate and efforts of the Canadian Centre for Child Protection.<sup>32</sup>

## LESSON THREE: THE NEED TO RESPOND MORE EFFECTIVELY TO ALLEGATIONS

The Canadian experience of sexual abuse has led Church leaders to the profound recognition of the need to take complaints seriously and to act upon them immediately and effectively. Bishops and major superiors should not assume that what is being alleged has not happened; they must respond with openness to the individuals bringing forward allegations and related concerns.<sup>33</sup> Without prejudice to the basic presumption of innocence with respect to the accused, bishops and major superiors are required to launch a preliminary investigation with sincere interest in seeking the truth. At the same time, they are required to limit the exercise of the accused individual's ministry, placing him or her on "administrative leave,"<sup>34</sup> while also discerning an appropriate pastoral response. Whenever allegations involve a minor, Church leaders themselves must inform police or other designated civil authorities and are required to cooperate fully with them as they investigate criminal wrong-doing.<sup>35</sup> When the events being reported happened in the past, and the alleged victims are no longer minors, victims must be informed of their right to approach the police, or other civil authorities, should they so wish.

Once the preliminary investigation of local Church authorities has concluded – whether the allegations of sexual abuse of a minor are present or historic, and regardless of whether the alleged victim is no longer a minor – if the allegations have a semblance of truth (*"notitiam saltem verisimilem habeat"*), the Congregation for the Doctrine of

the Faith is to be informed. Unless the Congregation takes over the case because of special circumstances, as a rule it will indicate how local Church leadership is to apply the relevant canonical norms.<sup>36</sup> Where possible and pastorally advisable it would also be important to keep the faithful informed of developments during the preliminary investigation while respecting the requirements of due process and confidentiality.

### **Recommendations and Action Points**

*Bishops and major superiors will endeavour*

- 1) to implement reporting mechanisms and ensure they are easy to understand, accessible, and clearly publicized (e.g., to provide on the diocesan website the contact information, such as a dedicated phone number, of the person responsible for receiving allegations or complaints);
- 2) to implement a clear process for responding to allegations in a timely manner according to the established protocol of the diocese/eparchy or institute and the requirements of canon and secular law;
- 3) to institute an interdisciplinary advisory committee (consisting of a victim, psychologist, spiritual director, canonist, lawyers, insurance broker, law enforcement officer, social worker, communications professional, etc.) in order that the response and follow-up are comprehensive and fully compliant with the norms of the Holy See, the present **Guidelines** of the Canadian Conference of Catholic Bishops (CCCCB), the local diocesan protocol, the relevant federal or provincial/territorial statutes, insurance requirements, and best practices;

- 4) to inform the alleged offender of the preliminary investigation and of his/her right to legal counsel (both canonical and secular) and the opportunity to seek guidance during the preliminary investigation from a spiritual director and psychologist;
- 5) to ensure full cooperation with the civil authorities;
- 6) to take appropriate measures to respect the basic presumption in law of an accused person's innocence until proven otherwise with due regard for public safety;
- 7) to keep the community informed in a timely manner of developments during the preliminary investigation while observing the obligations of due process and confidentiality.

## **LESSON FOUR:**

### **DEALING WITH OFFENDERS**

A further consequence of the sexual abuse crisis relates to the treatment of offenders once they have been found guilty. In this regard, Church authorities must be attentive to many different needs. One of the priorities is to respect the public's general expectation for accountability and to respond with transparency to appropriate requests for information about an offender. In dealing with the experience of sexual abuse over these past years, Church leadership has become more conscious of its serious responsibility to ensure that justice is served and that the public is protected from the recurrence of sexual abuse. This concern for victims and society at large is expressed in the new canonical measures to be applied when

dealing with a cleric who is found guilty of sexual abuse. The chosen course of action depends on many variables. One possibility completely restricts the offender from public ministry and the holding of a public office in the Church, or at least excludes any contact with minors. With this option, the offender is given treatment and support in a restricted and controlled environment where youth and others are out of harm's way.<sup>37</sup> If this measure proves impractical or when the gravity of the offence warrants, the alternative is to impose more severe ecclesiastical penalties and to dismiss the offender from the clerical or religious state.<sup>38</sup>

Church leaders exercising their mission of mercy and compassion are expected to offer pastoral care to all affected by the abuse – firstly to victims and their families, to the faithful affected, and no less to offenders.<sup>39</sup> One of the challenges in dealing with offenders is that the Church, while informed by contemporary concerns (such as “zero tolerance,” accountability, transparency, the requirements of secular law and public expectations), is also called to model itself after Christ's teachings. For this reason, mercy cannot be excluded because, as taught by Jesus, there is also a duty of charity toward the one who has sinned (cf. Matthew 6:9–15; Luke 17:3–4).<sup>40</sup> Mercy in this sense is not what many in general perceive it to be. It is not unilateral forgiveness without justice or accountability. Rather, it is an attitude that takes full account of the need to redress the harm done to victims while offering offenders the possibility to seek healing through conversion. From the Church's point of view, part of the response to sexual abuse offenders must include the hope of their eventual return to God. For this reason, in addition to serving the demands

of justice and ensuring public safety, the Church requires that offenders make amends for the harm they inflicted and scandal they caused.<sup>41</sup> In seeking forgiveness, they are asked to express sorrow and contrition and to undertake appropriate acts of penance. The leadership of the Church continues to learn how to live within the tension that exists between justice and mercy as well as how best to respond to public expectations.

### **Recommendations and Action Points**

*Bishops and major superiors will endeavour*

- 1) to identify and address public safety concerns vis-à-vis an offender;
- 2) to tackle as best as possible the complex issue of pastoral and canonical responsibility toward offenders;
- 3) to extend appropriate pastoral assistance as much as possible with due regard for justice and public safety;
- 4) to respond with transparency to appropriate requests for information about an offender.

## **LESSON FIVE: THE NEED FOR BETTER SAFEGUARDING PRACTICES AND TRAINING**

In addition to what Church leaders have learned about responding to allegations of sexual abuse and in dealing with offenders, is the recognition of the need for better safeguarding practices for the protection of minors. Experience has taught everyone how crucial it is to adhere to an attitude of “zero

tolerance.” This attitude is marked by policies and programs designed to ensure that every allegation of sexual abuse is taken with the utmost seriousness and not one incident tolerated; it conveys clearly that no one who has sexually abused a minor will be in active ministry. Pope Francis underscored the importance of this position in Church dealings with cases of sexual abuse: “Let us find the courage needed to take all necessary measures and to protect in every way the lives of our children, so that such crimes may never be repeated. In this area, let us adhere, clearly and faithfully, to ‘zero tolerance.’”<sup>42</sup> Zero tolerance for abuse extends to all Church personnel – clergy, members of institutes, and laity – and has broadened the scope of safeguarding policies to encompass all staff and volunteers working in Church settings or on behalf of the Church. Many dioceses in Canada now stipulate that individuals should not be permitted to work in pastoral environments unless they have passed appropriate screening, including a background and criminal record check.

Furthermore, the ongoing training and education of all who work in pastoral settings – clergy and members of institutes as well as lay staff and volunteers – has ensured the greater effectiveness of best practices. Training in the highest standards of pastoral conduct must entail sensitization to attitudes and behaviours that reflect concern for the protection of minors. Such training should include instruction on appropriate boundaries and on interacting with minors in areas which are open and visible to other adults. Experience has shown the value of involving families and community organizations in both crafting and implementing safeguarding policies. It has also proven advantageous to engage the general

public through basic education about sexual abuse, fostering compassion for victims, correcting myths, and overcoming the taboos which still attach to this topic. In addition to seminars and workshops, as well as scholarly conferences and post-secondary courses, improved access to local diocesan policies, particularly through diocesan websites, has helped raise public awareness and made it easier to know how and where to bring a complaint forward.

### **Recommendations and Action Points**

#### *Bishops and major superiors will endeavour*

- 1) to take all necessary steps to ensure that safeguarding is prioritized in the diocese/eparchy or institute;
- 2) to implement/update a diocesan safeguarding policy conforming to the highest standards of responsible ministry, including instruction on appropriate boundaries in pastoral relationships (e.g., through a code of conduct);
- 3) to ensure the safeguarding policy of the diocese/eparchy or institute is easy to understand and readily accessible to the public, e.g., posted on the diocesan website, printed as a booklet, etc.;
- 4) to support fellow bishops and major superiors in their safeguarding efforts;
- 5) to submit all policies, protocols, and practices to third-party auditing at least once every four years;
- 6) to ensure all pastoral staff receive proper safe environment training, including how to recognize the signs of abuse and how to report suspected sexual abuse;



- 7) to seek the input of parents, civil authorities, educators, and community organizations in crafting diocesan policies and providing appropriate training for all pastoral staff;
- 8) to see that the **Guidelines** included with the present document together with the policies and protocols of the diocese/eparchy or institute form the basis of any safe environment training program;
- 9) to ensure safeguarding policies are regularly updated, taking into account any new needs and circumstances;
- 10) to recommend that each of the institutes situated within the territory of a diocese/eparchy have their own up-to-date safeguarding policies and that a copy be provided to the local bishop for his records.

**LESSON SIX:  
THE EFFECTS ON CLERGY, MEMBERS OF INSTITUTES,  
AND LAITY: COPING WITH SHAME**

The vast majority of clergy and members of institutes who live their calling with integrity and fidelity have been profoundly humiliated by colleagues whose grave sins and crimes have harmed those whom they were meant to serve. Moreover, many are disappointed that some Church leaders in the past failed to respond to sexual abuse allegations adequately.

A number of clergy and members of institutes are also conscious of how others can view them with suspicion and mistrust. This is due in part to the intense publicity given to

“pedophile priests.” Sometimes, clergy and religious who are innocent and otherwise dedicated to their vocations, by trying to avoid hostile treatment, and possibly out of an exaggerated sense of self-protection, become overly formal, detached, and even aloof in their interactions. This artificial distancing affects the quality of their ministry as well as their own psychological and spiritual well-being. For similar reasons, many clergy and religious have withdrawn from ministry with children and youth. As a consequence, younger generations of Catholics are growing up without knowing the faith representatives ministering in their communities. Furthermore, the laity involved in various forms of evangelization and whose ministries can already be very challenging for a variety of reasons are finding themselves without support because of the remoteness or absence of a meaningful relationship with the parish priest and local bishop.

In those communities which have been directly affected by the scandal of sexual abuse, many clergy and members of institutes are suffering from low morale and isolation. They carry on their ministry in an atmosphere marked by distrust and suspicion in which they are seen merely in a functional capacity, for example, as providers of the Sacraments. Some are frustrated, perceiving themselves as highly regulated by codes of conduct but insufficiently supported by their Superiors in their pastoral assignments. Alienation, loneliness, and resentment often combine with fatigue and discouragement, exposing clergy and members of institutes to burnout, emotional problems, psychological difficulties, and feelings of unhappiness. Some seek to cope by turning to unhealthy and addictive behaviours; others abandon their calling. For many

who remain, the weight of ministry and the questioning of their own value and purpose can lead to a vocational crisis which requires attention by Church leaders and the faithful. In this context, it is clear that clergy and members of institutes must invest time and effort to develop healthy lifestyles, wholesome friendships, and a deep spiritual life in order to nourish their God-given vocations and to remain life-giving in their service to God and others.

It has become obvious that the effects of the sexual abuse crisis are not confined to clergy and members of institutes alone. The laity too are ashamed and embarrassed that representatives of their faith community are implicated in the sexual abuse scandal. Many who remain profoundly attached to Christ and his Gospel no longer feel comfortable identifying themselves as Catholics or proclaiming their faith in public. Their hesitation has weakened local communities and the credibility of the Church's witness to the Gospel precisely when it is required most. At this critical time of healing, the need for mutual support and coresponsibility among clergy, members of institutes, and laity is paramount. All are being asked to take up the call to revitalize the Church by engaging new, more collaborative forms of ministry.

## Recommendations and Action Points

*Bishops and major superiors will endeavour*

- 1) to acknowledge and address the spiritual and emotional impact of the sexual abuse crisis on the vitality of the Church, helping clergy and laity to overcome their shame, confront negative images and stereotypes, and ultimately serve with joy and serenity;
- 2) to ensure that communities affected by abuse are offered adequate accompaniment, support, and encouragement on the journey toward healing;
- 3) to ensure clergy and pastoral staff who have been affected by a sexual abuse scandal receive adequate support;
- 4) to work toward a new understanding of the role of clergy in society and the spiritual underpinnings necessary for healthy ministry;
- 5) to encourage life-giving pastoral commitments despite challenging conditions for ministry and evangelization;
- 6) to promote and encourage ministry to children and youth with proper safeguards in place;
- 7) to expand on new forms of ministry which rely on greater collaboration with the laity in the spirit of mutuality and coresponsibility;
- 8) to invest time and effort in healthy, wholesome friendships, and regular prayer;
- 9) to ensure that particular issues which affect the mental health of clergy and lay pastoral associates, such as isolation, burnout, pornography, and alcohol, to mention a few, can be addressed with professional and spiritual help.

## LESSON SEVEN: THE NEED FOR BETTER INITIAL AND ONGOING FORMATION

The protection of minors and the pastoral approaches which serve this end are extremely important themes which must be raised in the context of priestly formation, both in its initial phase as well as later on through ongoing formation. In the past, some persons lacking affective, emotional, and psychosexual maturity were able to pass undetected through an inadequate seminary formation program more focused on spiritual and theological training than on pastoral and human development. Insufficient knowledge and inadequate practices about human formation resulted in the ordination and religious profession of various ill-prepared candidates, leading to some of the devastating consequences which emerged years later.

Since the publication of Pope Saint John Paul II's *Pastores dabo vobis*,<sup>43</sup> human formation has become one of the four pillars of the seminary program in conjunction with spiritual, intellectual, and pastoral training. In fact, human formation is first in the order of priority and must therefore be given careful attention, for on it rests the emergence of a mature, responsible ordained or consecrated person in the service of the Church in today's world. In the selection and admission of a candidate to the seminary, it is imperative that he be properly screened, tested, and interviewed to ascertain his emotional and psychosexual development. The same is true of both female and male candidates to institutes. Moreover, a robust program of human formation must continue to be in place throughout the years of formation so as to assist the formation

team in evaluating the maturity and suitability of a candidate over a span of several years.

The recently promulgated *Ratio Fundamentalis Institutionis Sacerdotalis*<sup>44</sup> highlights the importance of the human dimension of priestly formation:

The greatest attention must be given to the theme of protection of minors and vulnerable adults, being vigilant that those who seek admission to a Seminary or House of formation or who are already petitioning to receive Holy Orders, have not been involved in any way with any crime or problematic behaviour in this area. Formators must ensure that candidates who have had painful experiences in this area receive special and suitable accompaniment. Specific lessons, seminars and courses on the protection of minors are to be included within programmes of initial and ongoing formation. Adequate information must be provided in an appropriate fashion to areas dealing with sexual exploitation and violence, such as, for example, child trafficking, child labour, and the sexual abuse of minors and vulnerable adults.<sup>45</sup>

An ongoing commitment to human and spiritual maturity must also be made by those who have already received Holy Orders or who have professed vows. Experience has demonstrated that psychological, emotional, relational, and spiritual problems can arise even after a significant number of years in ministry, making on-going formation and education as well as regular spiritual direction a necessity throughout an individual's life. According to the circumstances, psychological and other kinds of professional counselling should also be considered if required. Moreover, at this time when Church leaders are very dependent on international clergy and members of institutes to meet pastoral needs in our country, care must be taken for the enculturation of those who have been trained

and formed for ministry overseas in contexts where matters of human sexuality, interpersonal relationships, and boundaries may have been addressed differently.

### **Recommendations and Action Points**

*Bishops and major superiors will endeavour*

- 1) to place greater emphasis on the human dimension within initial formation programs, ensuring its integration with the spiritual, intellectual, and pastoral facets of *Pastores dabo vobis*, the *Ratio Fundamentalis* (2016), and the directives of this Episcopal Conference<sup>46</sup>;
- 2) to provide opportunities within the diocese/eparchy or institute for holistic ongoing formation – spiritual, intellectual, human, and pastoral – based on an informed assessment of the new and increasingly complex needs of clergy and religious; and, to make a personal commitment as leaders to the same, guiding by way of example;
- 3) to ensure that specific training is offered to address matters such as the experience of victims, the impact on families and communities, detection of abuse, ministry to survivors, and relevant laws (canon and secular);
- 4) to ensure initial and ongoing formation to address the attitudes and behaviours necessary for long-term safeguarding;
- 5) to encourage and further develop different ways of fostering and growing a sense of community, friendship, and solidarity among clergy and religious (e.g., study days, times of recollection, annual retreats, etc.);

- 6) to implement adequate procedures for screening candidates for ministry, which may include a multi-disciplinary selection committee;
- 7) to assess regularly screening procedures for their effectiveness and adequacy;
- 8) to evaluate regularly programs for personal and human formation in light of the highest standards of safeguarding in ministry;
- 9) to address with candidates for ministry the topics of psychosexual maturity, interpersonal boundaries, leadership and service in ministry, and the abuse of status and authority;
- 10) to ensure that all clergy and religious who have been invited to serve the Catholic faithful in Canada are fully updated on local policies, protocols, and practices, as well as expectations regarding interpersonal boundaries.

## **LESSON EIGHT: LEARNING ABOUT THE LEGAL PROCESS**

In the Canadian experience, many victims of sexual abuse have sought justice through criminal proceedings and civil lawsuits. While there are benefits to these approaches to the extent that each can provide some degree of closure, they also involve drawbacks, which have left some victims disappointed in their search for healing. The insistence on objectivity (e.g., the victim's credibility, evidence, etc.) can depersonalize interactions. Rigorous questioning and testimony often subject victims to retraumatization. Due process itself can be



methodical and therefore slow, causing frustration on both sides. Pressure from news media can also add to the stress and discomfort of victims whose stories have become public.

Church leaders too are confronted with certain disadvantages. The formal and impersonal nature of the legal process can interfere with their sincere desire to express compassion and their willingness to foster reconciliation. In appealing to the legal right of each party to protect its interests, a Church entity can be seen as trying to stall proceedings or to seek an unfair legal advantage for itself at the victim's expense. There have been instances when advice from lawyers or insurers counselling those involved not to speak directly to victims or alleged offenders has sometimes interfered with proper pastoral care and the journey toward healing. In such instances, Church leaders have had to learn through difficult lessons not to let legal methods or financial repercussions interfere with their pastoral responsibilities. While Church leaders need prudential advice of all kinds, including legal counsel, they are more aware now of how certain approaches can militate against the duty of Christian charity. As a result, they are more open to exploring alternatives.

Monetary settlements, which can represent one of the advantages for victims seeking justice, can also pose challenges to Church members. Such settlements are often substantial and their impact is usually felt across the affected community of the faithful with consequences impacting the vitality of the local Church. The lay faithful sometimes resent the sale of ecclesiastical properties or the use of their donations to finance indemnifications. As a further consequence, parishioners have sometimes rejected or resisted the invitations of bishops and

major superiors to participate in healing and reconciliation efforts. Canadian Church leaders have learned the importance and the need to appreciate the reasons for such reactions and resentments. They are coming to understand the obligation to respond to hostility with humility and to approach feelings of betrayal and disappointment on the part of their congregations with respect and courage.

In the Canadian context, mediation represents an out-of-court alternative through which victims can seek acknowledgement and satisfaction not only for the harm they suffered but also appropriate compensation for damages. This approach allows both parties to settle without going to trial and has offered a more amenable alternative during litigation. Settlements arising from mediation are reached by negotiation and compromise in which the parties interact in good faith with the help of a skilled legal mediator. The results may not always appear completely satisfactory to all those involved, but since the process is more personal, it is often experienced by both sides as less adversarial. Even if mediation remains demanding, victims and Church representatives, assisted by their legal counsellors, are more directly involved in redressing an alleged injustice by means of dialogue and good will within a more humane interaction. The hope is for victims to come away from mediation feeling that their stories have been heard, while for Church leaders it is to feel that their concern, sorrow, and regret have been properly expressed.

The search for justice has helped everyone to acknowledge the reality of sexual abuse and the importance for victims and Church members to attain some kind of closure by developing a more robust culture of accountability and responsibility.

Experience has also demonstrated, however, that the process by which most victims can move forward with their lives is not primarily legal, but one rooted in a more holistic understanding of the need for physical, psychological, and spiritual healing. Each of these needs can be met gradually over time, but the journey toward healing can often be life-long.

### **Recommendations and Action Points**

*Bishops and major superiors will endeavour*

- 1) to seek out the services of expert legal counsel (both canonical and secular);
- 2) to remain up-to-date on the relevant canonical and secular legislation as well as the **Guidelines** of this Episcopal Conference;
- 3) to root the victim's legal rights in the need to redress injustice and to foster Christian charity and the expression of compassion in the interests of healing and reconciliation;
- 4) to withstand pressures which may allow legal methods or financial repercussions to interfere with a genuinely pastoral response, ensuring that any advice received remains at the service of the Gospel;
- 5) to cease requiring confidentiality clauses in settlements of cases of sexual abuse and to waive those given in the past;<sup>47</sup>
- 6) to strive for an outcome which satisfies the desire for accountability and transparency, and which enables all parties to achieve a sense of closure;
- 7) to address any feelings of betrayal and disappointment on the part of the faithful with respect and courage.

## **LESSON NINE:**

### **A CALL TO GREATER AUTHENTICITY**

In Canada, as in many parts of the world, much has been done to address the reality of sexual abuse; nevertheless, the sexual abuse crisis has negatively impacted the Church's mission, its humanitarian work, and its calls for justice and integrity, particularly with respect to children and youth in the domains of education and family. Furthermore, the sexual abuse of minors has made it more difficult for many of Canada's Catholic faithful to take up the challenge of the New Evangelization and to propose the Gospel in the aftermath of the crisis and in today's increasingly secularized environment. Dealing with these multifaceted demands is beyond human capacity alone, particularly if lasting change and renewal of church life is to be realized. The task is a profoundly spiritual one requiring God's grace and a united effort by all members of the faith community.

From all that has been learned in the Canadian experience of the sexual abuse of minors there is an evident call to all members of the Catholic Church in this country to strive for greater authenticity and to engage in a process of regaining credibility. Although the response to this call starts by addressing past failures, it must be followed by a firm commitment to put into action the necessary ways and means of avoiding past mistakes and ensuring that minors will be protected now and in the future.

## Recommendations and Action Points

### *Bishops and major superiors will endeavour*

- 1) to recognize that the sexual abuse crisis is a symptom of a disorder in a Church called to undergo a profound pastoral conversion and purification in order to accomplish its mission with greater transparency and accountability;
- 2) to work toward a culture of dialogue at every level of a diocese/eparchy or institute;
- 3) to continue to pursue institutional practices which foster accountability, transparency, and responsibility;
- 4) to model through words and actions a pastoral attitude rooted in repentance and conversion;
- 5) to collaborate with fellow Church leaders, especially on a regional basis, in implementing effective mechanisms of accountability;
- 6) to include in the guidelines of the diocese/eparchy or institute a commitment to article 3 and article 19 of the *United Nations Convention on the Rights of a Child*,<sup>48</sup>
- 7) to invest time and create opportunities at the local level, involving the Catholic faithful who are ready to minister in a spirit of coresponsibility, in order that shared concern for all in the name of Jesus Christ produces a more responsible environment for everyone and particularly for the protection of minors;
- 8) to establish practices where clergy, religious, and laity can be mutually accountable to each other for their actions and attitudes;
- 9) to exercise their ministry as pastors collaboratively and in communion with those entrusted to their care.

## CHAPTER TWO

### THE HEALING OF INDIVIDUALS AND COMMUNITIES

*...Everything possible must be done to rid the Church of the scourge of the sexual abuse of minors and to open pathways of reconciliation and healing for those who were abused.*

— Pope Francis  
*Letter Concerning the Pontifical Commission  
for the Protection of Minors*  
2 February 2015

In his call to help and accompany those who were sexually abused by clergy and religious, Pope Francis has urged all Church leaders and the entire Catholic faithful to open “pathways of reconciliation and healing.”<sup>49</sup> Elsewhere, he has specifically referred to accompanying survivors and their families on “the painful path of healing.”<sup>50</sup> In order to help bishops and major superiors respond to such a call, this chapter highlights some of the relevant points derived from recent research and experience regarding certain aspects of the trauma of survivors. Likewise, it underscores the challenges and complexities they face in their attempts to find healing. It also draws attention to some of the wider implications in Canada associated with the sexual abuse of minors and the unique challenges the Church in this country faces in trying to respond to them.

#### *2.1 The Impact of Sexual Abuse on Victims: Acknowledging the Hurt and Its Effects*

The numerous psychological repercussions and behavioural manifestations which result from sexual abuse

are particular to the experience of each survivor. In general, these effects can be profound and difficult to overcome, even with therapy.<sup>51</sup> Very specific effects, as well, are associated with sexual abuse when it is carried out by individuals with whom there is an intimate connection, such as family members or friends, or by persons who occupy positions of trust and authority in the community, including individuals who represent God. In the latter case, apart from misleading victims about moral standards of behaviour, sexual abuse also affects how they go on to perceive God, the Church, and religion in general. Many bishops in Canada have been witness to victims leaving the Church and even abandoning their faith. They regard this turning away as an additional tragedy because it leaves victims without the healing and consolation which can be found through the prayer life of a community of faith. Moreover, since some victims can feel responsible for the abuse they suffered, they can also feel culpable for the sins and crimes of their abusers, with personal feelings of guilt further complicating the healing process.

## *2.2 The Healing Process: Its Challenges and Complexities*

Healing from the wounds of sexual abuse does not happen in isolation; it calls forth a community effort with particular need for the specialized intervention of professionals who can address the victim's needs on multiple levels: the mind (i.e., memory and emotions), the spirit (i.e., the capacity for transcendence), the heart (i.e., the ability to respond affectively to others and the world), and the body (i.e., physical wounds as well as one's relationship to one's own body and sexuality). The healing process, therefore, engages a variety of diverse disciplines and requires the collaboration of individuals

in various professional and social spheres – psychology, spirituality, and medicine, assisted by support within the Church and the wider community – to work together for the survivor’s best interests. These various disciplines, however, if they are to be instrumental in the healing process, must exchange knowledge, experience, and expertise. They must be aware of each other’s contributions and respect each other’s area of competency in a collaborative effort. This is an ideal that is not always easy to achieve in practice. When bishops and major superiors meet victims of sexual abuse in order to facilitate their healing, they must be open to appreciating the advances and complexities of the different spheres of professional intervention as well as the necessity and value of working with the wider community. Healing is a process that cannot be forced or rushed. For both victims-survivors and members of the Church, it requires time, understanding, and a willingness to work with the unpredictable process of how it unfolds.

### *Psychological Healing*

Psychological healing is a key component in the victim’s journey to recovery. Counselling allows survivors to identify particular wounds and may augment the efficacy of the treatment of associated mental health disorders, such as posttraumatic stress, extreme anxiety, depression, and addictions. Victims receiving counselling are afforded the needed opportunity to discuss with a trusted professional their experience of having been abused. In this context, they not only gain insights into the traumatic effects of sexual abuse, but are able to give voice to emotions which, if suppressed, cause further harm. Victims are helped to



overcome feelings of shame and guilt; to reduce levels of fear and hypervigilance; to regain trust in others; and to engage in healthy relationships. They are encouraged to work on self-care and to remain involved and active in society.

At the same time, psychological counselling presents victims and those wishing to help them with unique difficulties and complexities. In addition to the divergent schools of thought and methods within the profession of psychology, victims seeking counselling for sexual abuse trauma are often required to make a substantial and even indefinite time commitment to a process which is emotionally demanding and financially burdensome. Such factors may make therapy inaccessible for some. Furthermore, where qualified practitioners are lacking in a given geographic area, therapy may not be an option. It is also worth noting that not all therapists are sufficiently aware or considerate of the religious background of the victim and are therefore unable to work effectively with them. In spite of these issues, healing cannot take place without some attention to the psychological needs of a survivor of sexual abuse.

### *Spiritual Healing*

While the importance of the psychological dimension of the healing process is generally recognized, it is also accepted that spiritual healing is significant in its own right, but particularly for those victims who were connected to and involved with the Church. Because human beings are a unity of soul and body, any wound to the body or mind also affects the capacity for a healthy spiritual life. As mentioned above, the trauma of abuse frequently results in invisible wounds that damage the survivor's image of God and ability to relate to

God. Guilt, self-blame, fear, and anger, so often experienced by those who have been sexually abused, can destroy or limit their capacity to trust God and others, leaving them with a sense of loss and spiritual abandonment, which seeks to be healed.

When circumstances have allowed, some victims have indeed experienced degrees of spiritual healing through the embrace of a welcoming faith community as well as through prayer and the Sacraments. Because faith can bring healing to survivors, they should be offered all of the spiritual and pastoral resources of which they may wish to avail themselves in order to bring healing to their lives. To be sure, grace does not often act instantaneously and, for many, spiritual healing is a long road that may not always be easy to travel. Nonetheless, Catholics who have been abused remain as members of the Church, which is Christ's body, and their healing, therefore, involves a spiritual journey of accompaniment, where they can experience God's love and the care and support of the Church. As part of that journey, it is hoped that survivors will encounter fellow Catholics, persons ready and willing to pray for the integral healing of those who suffer the wounds of abuse, for "if one member suffers, all suffer" (1 Corinthians 12:26).

### *Forgiveness and Healing*

The ability to move beyond pain, anger, and resentment by all those affected by sexual abuse – victims, perpetrators, and the faith community – to a place of greater peace and serenity often coincides with the experience of forgiveness. Reaching the point of being able to forgive and to receive forgiveness is a long process and may be more a sign of healing taking place rather than a step toward healing itself. To be sure,

forgiveness is an essential part of the journey to reconciliation and a helpful means to achieving a greater sense of peace; but it can only occur when the persons who have been injured are ready to move in its direction. For some victims, forgiveness can occur within the Church. For many others, that possibility has been sought elsewhere.

The experience in Canada has in fact demonstrated the need for Church leaders to be cautious when using the language of forgiveness. For some survivors, its early invocation can be seen as a way to downplay the harm they experienced or to delegitimize their profound pain. Pressure to forgive, either self-imposed or external, also risks burdening victims not yet ready for it with a variety of uncomfortable emotions. For these reasons, it may be helpful to view forgiveness as a destination to be attained gradually in stages. The journey often begins with subtle changes in outlook on the part of the victim and perpetrator as well as the community of faith. It manifests itself in a growing sense of compassion and a greater willingness to let go of past hurts.<sup>52</sup>

### *Community Support and Healing*

For healing to occur, survivors not only need professional care and spiritual guidance but the help and support of a nurturing community. There are various ways in which community members can come together to support survivors and address the effects of sexual abuse on their lives. Whatever the means may be for a community to support survivors, a key component for such efforts appears to be care through compassion. Survivors can experience compassion through their involvement or participation in compassion-

based ministries at the parish level where they would be welcomed in a context of pastoral care and accompaniment. These ministries include care for shut-ins, such as the elderly, the sick, and the dying, as well as those who suffer addictions. Compassion-based care has also proven helpful in supporting other ministries to vulnerable populations: women's shelters, support groups of various kinds, outreach to those exploited by human trafficking. Compassion-based ministries can also be adapted to help those who have experienced sexual abuse. An initiative of this kind exists in the Diocese of London, Ontario, in its program, "From Isolation to Action" (FITA).<sup>53</sup> Those who wish to help survivors but cannot be directly involved in such efforts may still mediate Christ's healing grace through prayer. Local or diocesan initiatives such as prayer services or even an annual day of prayer for abuse victims can be very meaningful ways of helping and supporting survivors.

A survivor, no less than anyone who has been hurt, needs the friendship, support, and love of others. Specifically with respect to the victims of sexual abuse, the whole community and particularly the community of faith must do all it can to foster an environment of acceptance and compassion. If community healing is to occur, then community members must understand that the survivor of sexual abuse and his or her family are on a journey to recovery. In journeying with each other, there must be respect for the fact that the effects of abuse are often severe, deep-seated, and long-lasting. Moreover, community members must see and accept their crucial role in the outcome of these healing efforts.

To be avoided is any pressure on victims to move forward artificially or to remain silent about the abuse. Members of a community must be willing to accompany victims on their journey of recovery without imposing their own expectations on them. They must clearly send out the message to survivors that they are not to blame for what happened to them. Community members must also acknowledge the pain of survivors and seek to overcome any barriers that can interfere with or prevent their healing and integration.

### *2.3 The Wider Implications of Sexual Abuse*

In addition to its direct and principal effect on victims, sexual abuse of minors has wider implications on society. It affects families of both victims and offenders, including the members of schools, institutions, or parishes where the incidents of abuse took place or where the offender worked, as well as the members of a diocese or eparchy, or religious institute to which the offender belongs.

#### *Families*

A wealth of anecdotal evidence now substantiates how sexual abuse deeply impacts the family of both survivors and offenders. In cases of sexual abuse involving Church personnel, particularly where the abuser was known to the family, parents often struggle with feelings of guilt. It is not unusual for them to blame themselves for entrusting their child to the abuser, for failing to detect the abuse or its possibility, and for their inability to undo its harmful effects. These feelings are intensified in families whose involvement in the Church may have been generous or where the abuser may have offered emotional and spiritual support to a family in a

vulnerable state, such as in single-parent situations. In pastoral contexts such as these, where minors are groomed for abuse, the violation of trust is especially acute and the capacity for religious belief profoundly damaged. Isolation is a common result for families that suffer this kind of abuse: they can feel disbelieved by Church leaders and shunned by fellow church-goers for denouncing the abuse, and they can feel abandoned, disoriented, and alone should they decide to leave the Church. Families also face considerable stress as they try to provide for the victim's treatment and their own care. Costs can strain financial resources. Victims can turn to illegal drugs, suicide, or running away from home to cope. Each of these outcomes is extremely destabilizing. Under such pressure, a high incidence of interpersonal conflict and relationship breakdown within the survivors' families is not uncommon.

Bishops in Canada recognize the need to assure families that the children, youth, and vulnerable adults in the care of their parishes and institutions are protected from harm. They must also encourage families to take up their essential role in preventing abuse, safeguarding pastoral environments, reaching out to victims, as well as extending compassionate care toward survivors. It is important for Church leaders to acknowledge the right and responsibility of parents to insist that all dioceses/eparchies and religious institutions have adequate safeguards in place to prevent abuse and effective procedures to respond to allegations of abuse, for the "future of humanity passes by way of the family" which is the "building block" of both society and the Church.<sup>54</sup>

## *Parishes*

Experience has shown that revelations of sexual abuse by clergy profoundly impact parish life and communities, especially when the abuse occurred within the parish itself. Parishioners often make their grief and anger known by distancing themselves from the Church. Attempts to rebuild a parish community after the disclosure of a sexual abuse incident must address the parishioners' lack of trust and even suspicion of an incoming new pastor or bishop as well as other daunting realities such as declining attendance, low morale, strained finances (e.g., stemming not only from litigation, but dwindling collections and fewer volunteers), and the parishioners' embarrassment at being associated with a parish or diocese where abuse has taken place. In some cases, parishes affected by sexual abuse are unable to recover from the impact and can be forced to close their doors. It is clear that if a parish is to survive, it must undergo its own process of healing. Bishops are called to facilitate this process as generously as possible, for they know that parishes are key to the life and vitality of a diocese/eparchy. The parish is where the people of God come together to be nourished through the word of God and the Sacraments; it is where faith life is animated and ministries are exercised; and it is where the community of faithful disciples is formed and informed. The parish is "at the heart of both the outward missionary thrust of the New Evangelization, and of the inward strengthening of its members for mission."<sup>55</sup>

Particular safeguarding expectations have also brought about unique changes in parishes. While good in themselves, meeting these expectations has required everyone – priests, staff, and parishioners – to become acquainted with and accustomed

to new ways of operating. Physical spaces (e.g., confessionals and offices) have been reconfigured for transparency. Personnel are now submitted to background and criminal record checks as well as other kinds of screening. While many youth programs (e.g., summer camps, youth groups) have been revamped, they are generally regarded as a liability, despite the good that can be fostered through this kind of apostolate, and their management must be carried out with particular care for the responsibilities and potential risks involved.

### *Dioceses/Eparchies*

The experience in Canada and elsewhere has shown that incidents of abuse in parishes or other institutions within a diocese/eparchy have a direct impact on the diocesan/eparchial organization itself. Where dioceses/eparchies have been required to pay out large sums of money in legal settlements, feelings of anger and resentment have arisen at all levels of the Catholic community, but most importantly among the faithful of the diocese directly affected by the loss of resources originally derived from their support of the Church. This has caused cynicism with regards to bishops and other clergy and further interfered in the efforts and obligation to support victims in the healing process.

In many instances, vocations to the priesthood, to consecrated life, and to lay ministries have also been affected. While lay involvement in Church ministry has declined, the sexual abuse crisis has also deterred many good candidates from entering the seminary and houses of formation, and caused some of those who were already in formation to leave. Combined with the current shortage of priests in Canada, this



has already necessitated increased assistance from international priests. A trend unlikely to change in the foreseeable future, it is not necessarily the sign of a thriving local Church.

### *Other Institutions*

It is a fact of history that a number of institutions established to care for vulnerable children and youth within dioceses across this country, such as schools, hospitals, shelters, soup kitchens, and youth centres, as well as some of the former Indian Residential Schools, were once run by Catholic entities. Some of these charitable institutions have had their own experience of the sexual abuse crisis. While a number of these institutions no longer exist, those which remain find themselves having to apply the lessons learned. Dealing with survivors of institutional abuse requires, in part, that the Church and society deepen their understanding of what has gone wrong in the past in order to enact policies which improve Church-run institutions where they exist today and for future generations. It is already clear that a major part of this concern for the future is to ensure that all staff and volunteers working with children be familiar with the warning signs of sexual abuse and know to whom they should report any concerns.<sup>56</sup> Similarly, staff and volunteers who work with children are now required to undergo background checks, receive appropriate supervision, and be given clear guidelines about boundaries, just as the institutions themselves are to be audited concerning their own compliance with provincial/territorial statutes and diocesan norms.

## CHAPTER THREE THE ROAD AHEAD

*Do not fear transparency.*

*The Church does not need darkness to carry out her work.*

*Be vigilant so that your vision will not be darkened by the gloomy mist of worldliness; do not allow yourselves to be corrupted by trivial materialism or by the seductive illusion of underhanded agreements; do not place your faith in the ‘chariots and horses’ of today’s pharaohs, for our strength is in ‘the pillar of fire’ which divides the sea in two, without much fanfare (cf. Exodus 14:24–25).*

*Address of Pope Francis to the Bishops of Mexico*

13 February 2016

The sexual abuse of minors, which has so marked the Church in different countries, is an example of what the Gospel refers to as scandal. While some may understand scandal as having to do with the kinds of behaviours which can do harm to a person or institution’s reputation, the Gospel with respect to “scandal” refers specifically to those who place a “stumbling block” (*skandalon*) in the path of another’s knowledge of and relationship with God (cf. Matthew 16:23, among others). The sexual abuse crisis is rightly seen as a scandal in the sense of an obstacle. It has led many victims and countless others to reject Christ, the Church, and even God in one way or another. For this reason, the Church must regain its credibility by examining its own self-understanding; it must conform itself ever more closely to the model of Christian life as set out in the Gospel. The existing policies of many local dioceses and eparchies and the necessity to revise and update them, goes beyond a mere change in administrative procedure; it marks

a shift in institutional culture and mentality. This chapter discusses the distinguishing features of this shift in terms of the bishops' greater awareness of their responsibility as pastors; in terms of their willingness to exercise this responsibility with others and in a spirit of communion and solidarity; and in terms of their recognition of the need to act in accordance with the highest standards of accountability and transparency, as underscored by Pope Francis in the epigraph above. A further and arguably more foundational shift lies, however, in the spiritual transformation of the Church through a process of profound repentance and conversion in which the Church's practices grow in authentic witness to the Gospel and the mission conferred upon it by Christ himself.

### *3.1 Policies and Protocols for the Protection of Minors*

In the wake of the sexual abuse crisis, Church leaders in Canada are being challenged to move beyond a reactive attitude to one which is proactive and preemptive. Local diocesan policies and protocols are seen as indispensable to ensuring safe pastoral environments and in delineating clear measures for responding to allegations. They are also helpful in determining the proper treatment of survivors, offenders, and the enquiring public. By reason of their scope and importance, it is essential that guidelines be clear, comprehensive, and accessible. They must be consistent with the requirements of secular law, both provincial/territorial and federal, as well as the directives of the Holy See and canon law. They must also accord with the expectations of the Episcopal Conference and, in the case of Eastern Catholic Bishops, of their Synod *sui iuris*. Bishops should ensure that new policies address past failures (even the smallest ones), resist oversimplification of

complex matters, benefit as required from outside expertise and contemporary scholarly research, and take into account the requirements of neighbouring dioceses and eparchies. Since it is important also to ensure their ongoing effectiveness as needs and circumstances change, bishops should regularly see to the review of such policies both through internal inspection and by third-party auditing.

### 3.2 *Increased Episcopal Awareness of Responsibility*

Bishops have a particular duty connected to their office as shepherds of the faithful to ensure that all pastoral environments within their dioceses or eparchies are safe. This task is an administrative as well as a pastoral responsibility.<sup>57</sup> In addition to considering what is needed for the life and ministry of the clergy and what is best for the spiritual growth of the faithful, bishops must also “make laws for [their] people, judging and regulating all that pertains to [...] the apostolate.”<sup>58</sup> In light of such laws, the bishop must monitor carefully all parishes as well as all offices, institutions, and services in his care to ensure that personnel are fully informed of and compliant with the norms that have been established. The protection of minors presents bishops with a particularly urgent task to which they are called, and they must attend to it concretely as one of the preeminent needs of the people of God entrusted to their care. The Directory for the Pastoral Ministry of Bishops, *Apostolorum Successores*, states clearly that the bishop “needs to condemn vigorously all forms of violence and to raise his voice in favour of [...] children who suffer grave abuse.”<sup>59</sup> The weight of this responsibility can be daunting not only because of the matter concerned, but also because every authoritative

act carried out by a bishop is pastorally effective insofar as it is based on his own commitment to lead a holy life.<sup>60</sup>

### *3.2.1 A Bishop Does Not Act Alone*

While the bishop himself is instrumental in creating within his diocese or eparchy a culture of safety, he exercises this ministry in cooperation with others by respecting secular laws and civil authorities and by virtue of his communion with the universal Church, his fellow bishops, and the faithful entrusted to his pastoral care. To all the collaborators of the bishops – priests, deacons, officially mandated religious and laypersons – many of the expectations below also apply.

### *3.2.2 Respect For Civil Laws and Authorities*

In addition to the laws of the Church, bishops are answerable to secular laws and civil authorities. Because of their office and their position as leaders within the community, they must be and are expected to adhere to the laws of the land in exemplary fashion. The norms of the Holy See on protecting minors as well as the present guidelines of the Canadian Conference of Catholic Bishops (CCCCB) likewise require bishops and major superiors to observe the stipulations of secular law. It is essential, therefore, that bishops take the time not only to familiarize themselves with the secular laws applicable to the geographical territory in which their diocese or eparchy is situated, but also to ensure that their own diocesan protocols are compliant with them.

### *3.2.3 Communion With the Universal Church*

While autonomous in the administration of his own diocese, each bishop also shares a spiritual concern with all other bishops for the pastoral solicitude of the whole Church. This spirituality of communion includes living in conformity with the teachings of the Church. Just as adherence to doctrine is one source of unity in the Church, so commitment to the norms and expectations of the Holy See regarding cases of alleged or established sexual abuse represents the unified commitment of bishops to safeguarding minors. Bishops, therefore, are to apply the Holy See's directives effectively and with due regard not only for their content and weight (e.g. teaching documents, laws, norms, guidelines) but in view of the pastoral considerations they address. Furthermore, each bishop is expected to ensure that regulations in his own diocese or eparchy conform to canon law and other general norms, i.e., that these regulations must be properly promulgated, implemented, and observed.

### *3.2.4 Communion With Fellow Bishops*

A national Conference of Bishops is a forum constituted by the bishops of a country to provide members of the same episcopacy with a means to deliberate collectively on Church matters and questions primarily of national importance; to assist each bishop with advice and counsel in the exercise of his ministry; and to develop appropriate ways of responding to matters of common concern in keeping with the communion and solidarity among the country's bishops.<sup>61</sup> The Conference allows the bishops to share information, exchange ideas, and achieve consensus. It is not a governing body with the power

to enact regulations binding its members, except in those few areas where the Code of Canon Law explicitly requires it.<sup>62</sup> Nor is it a national headquarters of any kind, for each diocese is autonomous in its own right. Its function is to serve as a vital assembly for the bishops of a country with respect to establishing a common vision and approach to important national issues. In Canada, as in many other parts of the world, the protection of minors is an example of one such important national issue.

### *3.2.5 Communion With the Faithful*

As the practice of episcopal authority has evolved in recent years – from the exercise of power vested in a bishop to the service of a community expressed in a spirit of coresponsibility and synodality – so too has the understanding of mutuality, interdependence, and appreciation for the variety of roles and vocations in the Church deepened. Bishops have become more aware of the importance of listening to the voices of other members of the People of God in matters of ecclesial importance and particularly concerning issues related to the protection of minors. It is, in this sense, that the bishop, in addition to serving as shepherd of his flock, is expected to live a spirituality of communion with the faithful. The bishop’s daily contact with priests, religious, and lay faithful, as noted in *Apostolorum Successores*, “provides the setting in which the Spirit speaks to him, reminding him of his vocation and mission, and forming his heart through the vibrant life of the Church.”<sup>63</sup> Furthermore, in all matters, but especially those affecting other members of the Catholic faithful, “the bishop should always adopt an attitude of careful listening to what the Spirit is saying to the Church and in the Church.”<sup>64</sup> The various councils, particularly the presbyteral council and the

diocesan pastoral council, which exist to assist the bishop in this ministry, are examples of ways to promote deeper reciprocity and communion between a bishop and the other members of the diocese or eparchy entrusted to his care. In recent attempts to grapple specifically with the problem of sexual abuse, bishops have sought and welcomed input from the faithful as well as from professionals in the secular sciences, from legal experts, survivors and their families, and the wider community. Through consultations and meetings, bishops have deepened their understanding of sexual abuse and enhanced their response to it as a major priority.

### 3.3 *Accountability*

The term *accountability* is used in many diverse fields today and can sometimes mean different things to different people depending on the context. In the present document, accountability refers to the obligation of one party to answer for how it fulfills its responsibilities to another. It is not primarily about accepting blame for something that goes awry, but about delivering on accepted and shared commitments. Central to this understanding is the identification and acknowledgement of a good which is held in common by a number of people and an understanding of *who* is accountable to *whom* for the well-being and safekeeping of this good. The safety and well-being of younger generations and the integrity of the Church are two such goods to which bishops, other members of the Catholic faithful, and society at large share varying degrees of investment and commitment. Bishops are not immune, therefore, to rendering an account for their actions with respect to such goods. If in the past there had been an exaggerated sense that the bishop was all powerful, and therefore beyond



questioning and reproach, what prevails today is a shared sense of commitment and responsibility to what is held in common. This shared sense of responsibility is helping to foster an ever-growing culture of accountability within the Church.<sup>65</sup>

In their efforts to improve accountability, bishops in Canada have found third-party auditing services helpful. Community service organizations as well as insurance providers offer various options, which can help establish a more rigorous and coordinated approach to implementing and maintaining safeguarding standards. Many (if not most) Canadian dioceses and eparchies have already established regular audits of protection policies and short-term risk prevention mechanisms, including screening, monitoring, and training sessions. The results of such audits not only aim to establish the highest standards of protection within individual dioceses and eparchies, but can also provide relevant and useful advice to bishops in their efforts to be mutually accountable. In Canada, many institutes of consecrated life and societies of apostolic life have turned to two major child protection agencies based in the United States: *Praesidium*<sup>66</sup> and *Virtus*®.<sup>67</sup> These organizations have offered professional assistance in implementing and maintaining safeguarding protocols. While varied in scope and application, these and similar auditing services are very helpful and necessary. However, the approach to effective long-term prevention of sexual abuse and the renewal of the Church's duty to ensure the protection of minors also demands ongoing education and formation – a perpetual investment in personnel, resources, time, and educational programs – and attention to the constant conversion of minds and hearts.

### 3.4 *Transparency*

In order for there to be accountability there must be a mechanism to ensure that the decisions and actions of those being held accountable are being communicated to other concerned individuals in a timely, open, efficient, and truthful manner. The name commonly given to this mechanism favouring communication is *transparency*. Indeed, transparency comprises a commitment to communicate with sincerity and honesty. It facilitates access to information to those who are entitled to receive it and welcomes external input in the development and implementation of policies and protocols.

And yet, while transparency involves the public disclosure of information, it is important to understand that not all victims (be they alleged or established) wish their identities to become publicly known. Furthermore, the presumption of an accused person's innocence and the right to an impartial and fair hearing, cornerstones of the criminal justice system in Canada,<sup>68</sup> at times require the courts to ensure that information be held from the public. Bishops in Canada have found it challenging at times to balance confidentiality obligations, on the one hand, and the demands for public disclosure, on the other. Not only do they appreciate the desire of the general public affected by the occurrence of sexual abuse in their communities to receive information in a timely manner, bishops also understand that maintaining or regaining public trust entails transparency and accountability in tandem with overriding legal and moral obligations to protect privacy interests of those involved even in the face of public pressure.

Transparency can be demanding. However, Pope Francis has urged bishops: “Do not fear transparency. The Church does not need darkness to carry out her work.”<sup>69</sup> The call for transparency to which Pope Francis was responding comes from a social and ecclesial context where the behaviour of leaders is being held to a high standard. Because of contemporary concerns about the loss of credibility and trust in public leadership – both in the Church as well as in other institutions – calls for transparency at times seem to involve a level of expectation which is not easy to attain. Nevertheless, it is important to recognize that transparency is a challenge which must be taken up as generously as possible in order for broken trust to be restored.

### 3.5 *Preventing Sexual Abuse: A Call to Conversion*

Preventing sexual abuse by tackling the cultural and systemic factors which contributed to the crisis must be a present concern and a future goal for both the Church and society. The importance of prevention in pastoral environments was underscored in the Winter Commission Report, in *From Pain to Hope*, and more recently in the conclusions of the 2011 John Jay College Report commissioned by the United States Conference of Catholic Bishops.<sup>70</sup> While all of the Catholic faithful are eager for the crisis in the Catholic Church to pass, the sexual abuse of minors remains a long-term societal problem likely to persist in many diverse contexts, including in families, where most incidents of sexual abuse occur, and in institutions involved in educating and mentoring minors.<sup>71</sup> Within the Church, the goal of prevention is first and foremost a call to conversion. Firstly, this entails identifying long-standing institutional practices linked to sexual abuse; and

secondly, it involves transforming those practices, ensuring that they are more closely aligned with the Gospel and the Church's mission.

The Canadian experience and the worldwide crisis of sexual abuse have highlighted difficult lessons about human weakness, sexuality, ministry, leadership, authority, and the interrelationship of laity with clergy and religious. As eye-opening and heart-wrenching as the crisis has been, it presents a renewed opportunity for the spiritual transformation of the Church today by way of repentance and conversion. The Second Vatican Council reiterated that there would never be an age when the Church was not in need of purification and penance: "The Church, embracing in its bosom sinners, at the same time holy and always in need of being purified, always follows the way of penance and renewal."<sup>72</sup> The community of faith survives through renewal and reform. "Be transformed by the renewing of your minds, so that you may discern what is the will of God – what is good and acceptable and perfect" (Romans 12:2). This is the spiritual transformation required for the effective prevention of sexual abuse and the commitment to protecting minors not only today but in the future.

The mission of Christ's Church to live and proclaim the Gospel in present circumstances demands renewed faithfulness. The Church must be a credible witness of the Gospel. Only as bishops, other Church leaders, and the faithful face with firm resolve and courageous action the demanding tasks of preventing sexual abuse – addressing the misuse of power and the abuse of trust in the process – will the credibility of Christ's disciples begin to be restored. Sexual abuse has reminded the followers of Christ that the darkness in the world

can profoundly affect the Church and the lives of individual Christians when they are unfaithful. The way of overcoming this darkness is through repentance and conversion, which comes at great personal cost, and by commitment to concrete action joined to humility and genuine Christian witness.

### *3.6 Changing Conditions*

The sexual abuse scandal in the Church has dramatically revealed the effects of child sexual abuse and the importance of addressing allegations of this abuse appropriately, of recognizing the motivational factors related to the psychological and psychosexual health of clergy and consecrated persons, while highlighting the need for healthy conditions and wholesome relationships within pastoral ministry environments. The crisis has also shed critical light on the attitudes of many towards children and youth as well as on the responsibility of adults to nurture and protect them.

The abuse of minors by clergy and religious has also uncovered the extent and the evil of clericalism with its focus on the privileges and prerogatives of authority and the expectation of some clergy and religious to be treated as entitled, superior, and untouchable. Many such offenders took full advantage of their authority and social status in order to abuse children within the communities they were meant to serve. The culture of clericalism made it easier for clergy and religious to overcome the resistance of their victims with psychological and spiritual intimidation as well as by physical force. In some communities, this culture and its conditions made Church leaders as well as parents and other guardians of society less vigilant about protecting minors and dismissive of allegations when they arose.

While clergy and religious in Canada may no longer be held in the same high regard as they once were, it is a source of hope that many who faithfully minister in Christ's name are still looked upon with respect and are appreciated by the faithful in their communities. Nevertheless, the need for pastoral conversion remains a concern which calls for the renewal and transformation of "everything," in the very sense underscored by Pope Francis.<sup>73</sup> There must be openness to changes in the way ministry is exercised. There is equally a need to understand authority not as a manifestation of power, but as ministry of service.<sup>74</sup> Certain challenges persist concerning the quality of relationships among clergy, religious, and the laity; around the understanding of coresponsibility for the Church by all of its members; and with respect to the role of parents and the entire parish community in the prevention of sexual abuse and the protection of minors. Much has changed because of the crisis of sexual abuse, but more needs to change if the Church is to recover its missionary thrust and effectiveness.

### *3.7 Renewing the Face of the Church*<sup>75</sup>

The commitment to transformation, reform, and spiritual renewal is the primary hope for bringing about the healing and reconciliation of individuals and communities of faith. Renewing the face of the Church is a journey which begins with the acknowledgement of failure; it is followed by the express desire for the forgiveness of sinful behaviour; and it is confirmed by the experience of grace – of restored trust in and among those who make up the Church as redeemed disciples of Christ. Such a journey will not only be the way to renewed life in the Church and transformed relationships with others, it will also initiate and foster the appropriate conditions for the

long-term protection of minors. As recipients of this grace, the community of faith and its individual members will experience healing of body, mind, and spirit, and the awakening of new life. Hopefully, this spiritual transformation will take place at all levels of each of the individual dioceses and eparchies in Canada. Perhaps from the pain of sexual abuse will emerge the grace not only of healing for individuals, but of the ecclesial renewal which cannot be deferred.<sup>76</sup>

### *Conclusion*

Sexual abuse is a profound contradiction of everything that Jesus Christ represents. As Pope Saint John Paul II has written, society will not be mended if the faithful do not “first remake the Christian fabric of the ecclesial community itself.”<sup>77</sup> At the heart of this vision is the need to acknowledge and learn from the past; to face the challenge of pastoral conversion; to embrace the need to renew pastoral ministry; and to make visible the truth of God who is loving, forgiving, and merciful. All persons in the Church are again called in their personal and communal lives to be visible signs (Sacraments) of justice, mercy, and compassion. Since Christians are meant to witness the message and embody the ministry of Jesus, they must always be vigilant and attentive to the ways clergy and laity can share more effectively and credibly in Christ’s mission of healing and reconciliation.

With the implementation of the principles and recommendations outlined in the present document, it is the hope of the CCCB that the Catholic faithful and their pastoral leaders will learn the lessons taught by experience over these past years and see the profound urgency for

transformation in the Church and the healing of its members. The recommendations and action points included in this pastoral resource are intended to encourage bishops and other Church leaders to be effective agents of justice, mercy, and reconciliation through their commitment to protect minors and to prevent sexual abuse.

Pope Francis has, on numerous occasions, stressed the importance of the Church's mission of mercy. As he stated in *Misericordiae Vultus*: "The Church feels the urgent need to proclaim God's mercy. Her life is authentic and credible only when she becomes a convincing herald of mercy."<sup>78</sup> Hope, mercy, and transformation are central to the Gospel experience and are at the heart of the mystery of faith. It is the deeply held conviction of Christians that darkness and death will give way to new life in Christ. This hope and new life, as far as the Canadian experience has shown, is only possible with hard work, strong resolution, much prayer, and personal sacrifice. For a Christian, whether a survivor of sexual abuse or not, the promise of a new heaven and a new earth begins with a renewed personal encounter with Jesus Christ, where the promise of new hope and new life is actually lived in the community of faith on a daily basis and where the members of the Church understand themselves as redeemed by Christ. May this document assist the Catholic faithful in their efforts to remake "the Christian fabric of the ecclesial community itself"<sup>79</sup> by drawing inspiration and counsel from it as we all travel the road ahead.