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CHILD ABUSE:
definitions, intervention
and actions carried out
by faith led
organizations



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Introduction

Knowledge to prevent, prevent to promote children's well-being and protection as a common good, in the church and in society

by CHIARA GRIFFINI

“To these people - and even before to myself - I say that becoming aware of the phenomenon of abuse and accounting for one's responsibility is not a fixation, it is not an ancillary inquisitorial action to satisfy mere social needs, but rather a need arising from the very nature of the Church as a mystery of communion founded in the Trinity, as the People of God on a journey, which does not avoid, but faces, with ever renewed communion awareness, even the challenges related to abuses that occurred within her to the detriment of the smallest undermining and splitting this communion.”

(Linda Ghisoni, Undersecretary of the Dicastery for Laity, Family and Life, Meeting “The Protection of Minors in the Church”, February 22, 2019)

Meeting the Church's challenge to promote the protection of minors and vulnerable people as a rediscovery of its original evangelical mandate, as an action of pastoral conversion, as a social action of cultural renewal, is what animates the Safe project, *Educare e Accogliere in ambienti sicuri*.

The Pope John XXIII Community, Italian Catholic Action and the Italian Sports Centre are united as partners in this adventure and with them the Department of Sociology and Business Law of the Alma Mater Studiorum-University of Bologna - with the Interdisciplinary Research Centre on Victimology and Security (CIRVIS).

The project was co-funded by the REC Programme – Rights, Equality and Citizenship of the European Union. On the one hand, this project is aimed at Italian religious organisations to integrate the policy of protection of minors as the first tool of prevention against all forms of abuse, and in this case sexual abuse. On the other hand, it aims to offer members of these organisations a training course that will enable them to recognise, report and prevent abuse in their relationships and in the environments of educational and reception activities with minors and vulnerable people.

A healthy educating community does not move from anxieties, suspicions, or re-actions, but from pro-actions, that is, from positive and proactive interventions. These are translated into a vigilant and open gaze, into a real and co-responsible community discernment, into shared codes of conduct that help to manage not only the “unexpected”, as abuse often appears to be, but also to prevent it, promoting a culture of respect as opposed to a culture of power, because every person, starting with the young and the

vulnerable, has his or her own dignity, which requires recognition, acceptance and enhancement.

The training course developed builds its theoretical and scientific assumptions on the work of analysis and research reported in this book, which first of all allows us to distinguish and define the various forms of child abuse found in the scientific literature, and then to focus attention on sexual abuse.

After the first chapters on the knowledge of the abuse phenomenon, the risk factors that can favour the occurrence of abusive behaviour in ecclesial contexts and the awareness that has developed in the Church in the last two decades are highlighted, together with an overview of the situation in the various European countries.

Abuse prevention is effective to the extent that there is an awareness of risk factors that increase the likelihood of the creation of conditions that favour the negative consequences of inappropriate behaviour and educational practices; and with them the implementation of transgressive and abusive behaviour. This awareness supports the implementation of protective factors that limit the occurrence of such negative conditions and their consequences.

The second part of the work highlights how preventing the occurrence of abuse implies questioning the contexts, the actors involved, the strategies, their objectives and what programs have already been developed.

Of particular interest to the associations involved in the Safe project is the in-depth study of situational prevention, whose approach highlights the need to identify the typical daily or routine activities that are carried out within the organization in order to isolate the critical aspects that could increase the risk of abuse for children, especially in those moments/places where controls are reduced. Such prevention aims to change the organizational environment and thus make it safe from a safeguarding perspective and raises the barriers by discouraging the actions of potential abusers.

The practical application of these concepts to the target organisations of our project offers the possibility of identifying a wide range of preventive actions, many of which are also easy to implement. By way of example, the following are listed below: organizing group activities and minimizing one-on-one activities; teaching children simple techniques of assertive behaviour and self-protection to make them a less attractive target in the eyes of a potential perpetrator; redesigning rooms/dormitories so that there are no “blind spots” and that surveillance is easy; providing separate sleeping areas for adults and children; and facilitating informal exchange/meeting times during which children feel free to disclose their concerns (Higgins & Moore, 2019).

Alongside all of this, the adoption of codes of conduct and protection policies with the appropriate or-

ganizational structures is also highlighted as another important protective factor for ecclesial organizations. The value of shared codes of conduct translated into protection policies as a safeguarding factor in creating a healthy environment also emerges from an analysis of the path taken by the universal Church in terms of magisterium and reform of its own law, and how these steps have already been taken up and implemented by some organizations of the lay faithful, as well as examining the practices adopted by other organizations of religious inspiration at the international level.

Knowing the phenomenon of abuse is not enough, it is necessary to be questioned by this knowledge in order to move in the organizations the priority urgency, on the one hand, to promote in the initial and permanent training of their members the awareness of the preciousness and delicacy of their educational mandate through the acquisition of adequate skills in the protection of minors and vulnerable people; and on the other hand, in the creation of safe environments through policies of protection that focus on the child, its protection and then the reliability of the educator and the context in ensuring all this.

Through this analysis, hopefully, a time can begin in which all the ecclesial associations working with minors and vulnerable people will be able to guarantee their personnel the right to training in order to offer minors, families and society safe environments in terms of education and care.

1.1

Child sexual abuse: from grooming to child sexual abuse, what it is and how does its manifestation occur

«Children and adolescents experience more violence, abuse, and criminal victimization than any other age-related population group».
(Finkelhor, 2007)

In the present Western societies, the (very broad) topic of child abuse is a delicate, painful and prejudiced field of analysis. It is not easy to argue and present an in-depth analysis of this field of scientific research. In fact, the disciplines that deal with it range from legal studies to sociology, psychology, criminology, medicine and all related areas of interest; not to mention the production of government reports and private actions taken to address the problem. Moreover, it is difficult to conduct a broad-spectrum research without the risk of falling into the starting bias that each of us has on the issue. Not least because this subject of investigation has come to the fore in recent decades, research, therefore, is still immature and requires constant examination and further study. We will therefore make an effort to pres-

ent the scientific production that has been carried out so far over time, and the point of arrival can only be to give an initial “umbrella” definition of institutional abuse of minors through comparison in the literature, and then - as a result - to have a clear understanding of the specific topic that we want to deal with in this project: the abuse of minors in contexts of faith inspiration, contexts ranging from educational structures to sports and worship. In order to arrive at a definition of child abuse that can be applied to the case study, it is necessary to pay attention to all the definitions in the field and the various types of abuse identified so far in the literature.

The debate that has recently developed to identify this type of violence, both psychologically and physically, starts from the first studies on children victims of beatings. The identification of child abuse is therefore - as was said - a very “current” individual, social, health and forensic concern. In fact, it will be necessary to wait until 1962 with Kempe’s definition of the battered-child syndrome to have a first base of studies on the subject (Robinson, 2019; Corby, 2006; Kempe, Silverman, Steele, Droegemueller, & Silver, 1962). It was then only in the early 1980s that another type of abuse, sexual abuse of children, was formally identified for the first time in Britain. Until a few decades ago, the empirical, legal, social and treatment concerns surrounding child abuse (and neglect) were closely focused only on the inter-family context (Rob-

inson, 2019). In particular, various forms of physical and emotional abuse and neglect were considered, but sexual abuse was still represented as a rare event at that time (Corby, 2006; Negriff, Schneiderman, Smith, Schreyer, & Trickett, 2014).

Since these early developments, the scope of research and practice focused on child protection continues to expand, with the study of other forms of child abuse and their aetiologies, victim and perpetrator types and well documented prevalence rates (Negriff et al., 2014). Since the 1990s, surveys conducted by the media, news and research on organised sexual abuse and exploitation of children - particularly within institutional settings and via the internet - have increased exponentially, shedding light on the nature, extent and consequences for victims of these settings and the modus operandi of perpetrators (Robinson, 2019; Corby, 2006). The importance of a multidisciplinary approach to the classification of distinct forms of child abuse cannot therefore be underestimated and is certainly a challenge for research. Consequently, careful consideration of the characteristics, patterns and competition of the various types of child abuse can serve to reinforce the validity of the questions and theoretical hypotheses supporting this analysis report. This section of the report will then serve to illustrate the most commonly reported and examined types of child abuse: physical abuse, emotional abuse,

neglect and abandonment and sexual abuse will be included within the types under discussion in order to propose a general definition to be applied in our context. Then, let us go into detail about the specific type of institutional abuse, its peculiarities in cases of maltreatment perpetrated in religiously inspired institutional contexts.

The following are the main categories identified in the literature on the subject. The structure of the presentation of the types of abuse and the succession of their various descriptions is designed to ultimately define the category of abuse which is the focus of this text; and which presents some features found in other types of child maltreatment. The focus of the report's approach, it has been said, will mainly deal with abuse in institutional contexts, so we will try to define it in all its aspects and characteristics; in order to do so, it is necessary first of all to present all the abuses that the literature defines as:

- *Physical Abuse*

According to the World Health Organization (WHO, 1999), physical abuse of children can be defined as actions or omissions that result in actual or potential physical harm that is under the control or preventable by parents, by those who care for them or by a person authorized to do so, such as a teacher. According to a meta-analysis cited by Robinson (2019) involving

111 studies with an estimated 10 million participants, the prevalence of physical abuse on children is: “increased by 22% and confirms that physical abuse of children is a global problem that affects the lives of millions of children worldwide and is in stark contrast to the United Nations Convention on the Rights of the Child” (Stoltenborgh, Bakermans-Kranenburg, IJzendoorn, & Alink, 2013; Stoltenborgh, Bakermans-Kranenburg, & Van IJzendoorn, 2013, p. 81). An extensive literature has reviewed and reported the results of studies evaluating risk factors for physical abuse of children and it is not surprising that most of them reflect risk factors for other types of abuse. These include the young age of the parents and their low level of education, their parents’ past history of abuse when they were children, psychiatric treatment or history of violence (Dakil, Cox, Lin, & Flores, 2012); the family history of (Intimate Partner Violence¹) domestic violence (Taylor, Guterman, Lee, & Rathouz, 2009); and

¹The World Health Organization (WHO) presents intimate partner violence (IPV) as one of the most widespread forms of abuse against women (Robinson, 2019, p. 7), which includes physical, sexual, emotional and economic abuse and violent behaviour (Garcia-Moreno, Gueseses, & Knerr, 2012). In particular, acts of violence include slapping, kicking, punching or beating; sexual violence includes rape and other forms of sexual coercion; emotional abuse refers to threats of injury, denigration, humiliation, destruction of property and threats to escape with children. There are also control behaviours that include social isolation, monitoring of movements or financial aspects and restrictions on necessary resources such as employment, education or medical care (Centres for Disease Control and Prevention, 1999; World Health Organization, 1999).

low socioeconomic status (Dakil et al., 2012; Sidebotham, Heron, and the ALSAC Team, 2006). Several cognitive risk factors are also presented, including parental empathy and emotional intelligence, the place of parental control and levels of parental frustration and tolerance (McElroy & Rodriguez, 2008). Furthermore, it should be noted that modern changes in social and intergenerational attitudes and experiences and even religious teachings have led to changes in the way children's corporal punishment is seen or accepted as an effective form of discipline (Russa, Rodriguez, & Silvia, 2014). In fact, corporal punishment has been - until a few decades ago - an accepted practice in families and schools, where belts, rulers, whips of various kinds and other "weapons" have been rigorously selected to deal in the most appropriate way with a child considered rebellious or otherwise difficult. In fact, according to Robinson: "the Christian Bible contains references to the value of physical punishment as a form of discipline, including: He who spares the rod hates the child; but he who loves him chastises him in due time' (Proverbs 13:24). However, the use of physical discipline by parents has been identified by extensive contemporary literature as generally detrimental to a child's healthy development" (Robinson, 2019, p.12), with negative effects that can lead to behaviours that increase risk taking such as delinquency and sexual risk taking and child aggression (Annerbäck, Sahlqvist, Svedin, Wingren, & Gustafsson, 2012), post-traumatic stress

disorder (Rosner, König, Neuner, Schmidt, & Steil, 2014), negative health outcomes such as tobacco and drug use, and decreased understanding and acceptance of what constitutes reasonable, calm and non-violent behaviour (Gershoff, 2002; Thornberry, Freeman-Gallant, Lizotte, Krohn, & Smith, 2003). Ultimately, we can say that physical abuse of a child includes physical acts against a child or the omission of acts that could protect a child from physical abuse. These acts include hitting a child with a body part or weapon (such as a stick or belt), kicking, punching, shoving, throwing, dragging and dropping, shaking, choking, burning and poisoning the child. Physical abuse tends to involve actions carried out by an authorised parent/career/person, which makes it (by definition) a different action from sexual abuse. Although, as we will see, it can be part of it.

- *Emotional Abuse*

Emotional abuse has not been the primary focus of research on the subject from the outset. Research on the possible developmental effects of psychological/emotional abuse on children who have experienced psychological/emotional abuse has lagged behind research on child sexual and physical abuse (Robinson, 2019; Taillieu, Brownridge, Sareen, & Afifi, 2016; Trickett, Kim, & Prindle, 2011). Today, however, we know that this type of abuse has consequences just as serious as so-called “visible” abuse outside, such as

physical abuse. Psychological/emotional abuse can be defined as: “a repeated pattern of caregiver behavior or extreme incident(s) that convey to children that they are flawed, unloved, unwanted, endangered, or of value only in meeting another’s needs” (American Professional Society on the Abuse of Children (APSAC), 1995, p. 2). In other words, by psychological abuse we mean an emotional relationship characterized by repeated and continuous psychological pressures, emotional coercion, indifference, rejection, denigration, discrimination and devaluation that damage or inhibit the development of fundamental cognitive-emotional learning such as intelligence, attention, perception and memory. It is a very insidious form of violence because it is difficult to detect and detect it without characterizations visible to the naked eye, as it could be for physical abuse or states of neglect and even sexual abuse. Moreover, precisely because of this “invisible” characteristic, emotional abuse can be associated with other forms of maltreatment. The research generally identifies two subtypes of emotional abuse, one active and one passive: acts of commission (emotional abuse) and acts of omission (emotional abandonment) (Coates & Messman-Moore, 2014; Ferguson & Dacey, 1997; Taillieu et al., 2016). The APSAC (1995) in this regard describes six indicators of emotional abuse: a) contempt (hostile, verbal and non-verbal rejection/degradation); b) terrorizing (behavior that threatens or could physically harm the

child or endanger the child or objects dear to him or her); c) exploitation/corruption (encouraging the child to develop inappropriate behavior); d) denial of emotional sensitivity (ignoring the child's needs to interact, not expressing a positive attitude towards the child, and not showing any emotion in interactions with the child); e) isolation (denying the opportunity for children to interact/communicate with the peer group or adults); f) mental, health, medical and school neglect (ignoring or failing to ensure that the child's needs are met) (APSAC, 1995, quoted in Robinson 2019, p. 5). Moreover, CISMAI (Italian Coordination of Services against Child Abuse and Ill-treatment) also includes witnessing violence in this case. By this expression is meant:

“...the experience by the child of any form of maltreatment, carried out through acts of physical, verbal, psychological, sexual and economic violence, on reference figures or other affectively significant adult and minor figures. This includes violence carried out by minors on minors and/or other family members, abandonment and mistreatment of pets²” [CISMAI, 2005].

Ultimately, there is broad agreement in the literature that, although less is known about emotional abuse, for the reasons cited and the difficulty of in-

²Translation by the author.

vestigating this type of abuse, psychological abuse is a characteristic underlying other forms of abuse and may lead to more serious social and psychological developmental harm in children (Chamberland, Fallon, Black, & Trocmé, 2011; Taillieu et al., 2016). In fact, child emotional abuse per se has been associated with a number of negative impacts on long-term mental health problems such as depression (Bruce et al, 2012; Ferguson & Dacey, 1997; Gibb, Chelminski, & Zimmerman, 2007), post-traumatic stress disorder (Gibb et al., 2007; Taillieu et al., 2016), anxiety disorders (Hamilton et al., 2013) and dissociative and psychotic disorders (Ackner, Skeate, Patterson, & Neal, 2013; Taillieu et al., 2016). Furthermore, emotional abuse has been said to “destroy a child’s sense of self and personal security” (Kairy’s et al., 2002, p. 2) and is considered particularly disruptive to the development of a secure attachment to parents or primary caregivers. It is for this reason and the development of a kind of insecure or ambivalent attachment that is believed to be the basis of a correlation between emotional abuse and mental disorders (Taillieu et al., 2016).

- *Neglect*

Child neglect is considered, according to the reference literature, as one of the most common types of child abuse worldwide (Mennen, Kim, Sang, & Trickett, 2010). A meta-analytical review of specialized research estimates that the global prevalence of child neglect

(among nearly 60,000 participants) is about 16% of children for physical neglect and just over 18% for emotional neglect (Robinson, 2019). Nevertheless, child neglect is considered to be the least studied type of abuse and the one least subject to public attention than all other forms of child maltreatment. For this reason, some researchers have coined the expression: “the neglect of neglect” (Mulder et al., 2018; Stoltenborgh, Bakermans-Kranenburg, & Van IJzendoorn, 2013). A general definition of child neglect could be that of: “repeated inability to meet a child’s physical and/or psychological needs that results in a serious deterioration in health or development” (Dubowitz, 2014). Of course, this very broad definition is problematic for some researchers (Robinson, 2019) for a number of reasons. First, it may not be in line with the definitions given by the various legal systems that lead to questions of transnational validity and interpretation. Second, neglect often results in the omission of care, rather than the commission of harm, which can confuse perceptions of the seriousness of this omission; and third, social norms across cultures, socioeconomic status, different zones, and laws in different countries can influence public expectations about who is perceived as a “good parent” and who is not (Elliott & Urquiza, 2006; Mennen et al., 2010). In order to provide clarity, the literature therefore identifies subtypes of neglect in this regard. According to Mennen’s study (2010), in order to overcome a too broad definition,

it is necessary to define at least five subtypes of child neglect; the subtypes identified by the author's research are: care neglect, medical neglect, educational neglect, supervision neglect and environmental neglect (Mennen et al., 2010, p. 647). Below are the subtypes identified by Mennen's research (2010):

Examples of types of abuse by state of neglect/abandonment

Subtype	Definition	Potential Signs
Carelessness	Failure to meet the basic needs of the child: food, clothes, hygienic sanitary facilities.	Child who shows up at school without having eaten breakfast, no lunch, no proper clothes in winter, a dirty and scruffy outfit and untreated chronic lice.
Medical Negligence	Failure to evaluate or provide appropriate medical care for any injury, illness or disability.	Child presenting at school with untreated abrasions, swelling of the ankles, indicators of significant trauma.
Educational Neglect	Failure to enrol in school or to provide the necessary tools for training.	Child absent from school for a significant amount of time, without a reasonable reason and, when present, without having the necessary books and school supplies.

Supervision Neglect	Lack of adequate supervision in the immediate proximity or otherwise.	Parents/career who is an alcoholic or drug addict and, although present, unable to care adequately for the child's needs.
Environmental Negligence	Lack of a clean and healthy environment for the child.	Child living in unhealthy conditions, e.g. in accommodation infested with rats and soiled by animal faeces.

Table n°1: Elaboration of Robinson's presentation (2019), adapted by Mennen et al. (2010).

In addition, research based on reference case studies also attests that neglect and negligence play a significant role in the long term as they can cause some effects such as delays in cognitive and emotional development (Hildyard & Wolfe, 2002); poor academic performance (Thornberry, Ireland, & Smith, 2001); antisocial behaviour and association with deviant peers (Bolger & Patterson, 2001); Chapple & Vaske, 2010); insecure attachments (Bolger & Patterson, 2001); Bolger, Patterson, & Kupersmidt, 1998); problems in emotional regulation; increased reactivity to fear and negative perception in affections; consequences in behavioral modification (Chapple, Tyler, & Bersani, 2005; Chapple & Vaske, 2010; Ireland, Smith, & Thornberry, 2002). Overall, research has suggested that a conver-

gence of risk factors on an ecological basis is involved in the occurrence of this phenomenon, rather than just one or two factors (Bronfenbrenner, 2000; Mulder et al., 2018) as previously thought. Moreover, risk factors are related to proximity characteristics or social systems that influence the onset and maintenance of child abandonment (Mulder et al., 2018).

- *Child Sexual Abuse (CSA)*

Both the reference literature and reports from international organisations such as the World Health Organisation (WHO) have been trying for some time to define this type of abuse. Finding an unambiguous definition that encompasses all variants and specificities is not easy. Also because, this specific type of abuse can contain - in addition to its peculiar characteristics - also peculiarities of the other types of abuse listed above. The WHO (1999) therefore defines a series of types of sexual abuse on minors, among them: (a) *rape*, defined as oral, anal or vaginal penetration by the offender; (b) *sexual violence*, a broader term referring to various stroking and non-sexual penetration behaviours; (c) *incest*, which refers to family sexual contact (close relatives and/or relationships up to the fifth degree); (d) *sexual exploitation*, defined as non-sexual contact in which the child is involved in pornographic activities, witnessing sexual activities, seeing adults exposing themselves to the child or adopting other behaviours inappropriate for

the sexual pleasure of the offender. More recently, the term has been expanded to include Internet pornography and other acts on the Internet as listed above (Greydanus & Merrick, 2017). The WHO also outlines a number of conditions necessary for an accurate definition of child sexual abuse, which are as follows: *a)* the child is deemed to be incapable of giving informed consent, *b)* the abuser violates the laws or social taboos of a community, *c)* the abuse is perpetrated by an adult or an older child or adolescent capable of sexual advantage, and *d)* the sexual abuse of the victim is aimed at the sexual gratification of the abuser (World Health Organization, 1999). In addition, the World Health Organization (1999) states that although the child may consent, most often he or she is involved in sexual activity that he or she does not fully understand; that children may be illegally involved in prostitution or pornography as part of the spectrum of types of child sexual abuse; and that the perpetrators are mostly trusted persons in a position of power over the vulnerable child. However, a comprehensive meta-analysis found in 2017, based on specialist studies published between 1980 and 2008, with almost 2 million participants, that the overall prevalence of SHA was 13% in self-assessment studies. The self-assessment of CSAs was more common among women (18%) than among male participants (8%). The lowest rates for both girls (12%) and boys (<1%) were found in Asia, while the highest rates were found for

girls in Australia (20%) and boys in Africa (19%) (Robinson, 2019). The outcomes and consequences of child sexual abuse during childhood and into adulthood are widely reported by a plethora of empirical research. The most widely examined and reported are post-traumatic stress disorder (Barrera, Calderón, & Bell, 2013), cognitive problems and problems of externalization and internalization (Miragoli, Procaccia, & Di Blasio, 2014), situations of disorganized or insecure attachment to primary caregivers that are then reflected in problematic relationships in adulthood (Briere, Runtz, Eadie, Bigras, & Godbout, 2017); social isolation (Miner et al, 2016); and the recurrence of traumatic events in adulthood (Nacak, Morawa, Tuffner, & Erim, 2017). In particular, growing literature suggests significant sexuality-related behaviours in CSA cases including a wide range of adult attitudes related to hypersexuality, sexual compulsiveness and risky sexual behaviour (Miner et al., 2010; Vaillancourt-Morel et al., 2016); as well as sexual inhibition, sexual avoidance or aversion, low desire and vaginal or pelvic pain (Vaillancourt-Morel et al., 2016).

It is therefore difficult to reach an agreed definition of child sexual abuse (CSA) that can contain all the dynamics reported. The Family Community Development Committee (2014) enucleates it in this way:

“Child sexual abuse includes acts such as touching a child’s or young person’s genitals under or over

clothing, masturbation of the perpetrator by the child or young person, oral sex on or by the child or young person, anal penetration, vaginal penetration, exposure to pornography, and sexualised discipline or punishment. Although specific acts of grooming have been criminalised in some Australian jurisdictions, these are not differentiated here” [Family and Community Development Committee, 2014].

It is interesting to note that the term “*grooming*” is also included in this definition from 2014. In fact, this is the terminology indicated to describe a behaviour that serves to circumvent the minor in order to let him/her enter his/her sphere of influence and be able to abuse it in freedom. According to McAlinder, “grooming”, which could be translated into Italian as “*adescamento*”, refers to a series of practices such as: “(1) the use of a variety of manipulative and controlling techniques (2) with a vulnerable subject (3) in a range of inter-personal and social settings (4) in order to establish trust or normalize sexually harmful behaviour (5) with the overall aim of facilitating exploitation and / or prohibiting exposure” (McAlider, 2013, p. 31). Again, according to the author, grooming manifests itself particularly in institutional contexts, also of a religious matrix. In particular, some of the peculiar characteristics of institutional grooming, including secrecy, autonomy, lack of supervision and responsibility, are particularly accentuated in relation

to the organizational subculture that exists within an all-powerful institution such as the Catholic Church. Moreover, this analysis extends the notion of “institutional grooming” beyond the current boundaries of institutional abuse to the processes of interaction between offenders and the professionals responsible for their evaluation, processing and management (McAlinder, 2013, p.148). It was therefore decided to include this practice within the CSA in order to highlight one of the peculiarities and problems of this type of abuse when it occurs in institutional contexts. These contexts are the basis and focus of this investigation report. Another accurate and detailed definition of this type of abusive relationship through grooming is described by Donald Palmer and Valerie Feldman in the study *Comprehending the Incomprehensible. Organization Theory and Child Sexual Abuse in Organizations* (2018), where they state:

“Grooming consists of a variety of tactics, such as performing favours, providing gifts, and sharing confidences with potential victims. Perpetrators groom potential victims to discern their capacity to resist sexual overtures and their inclination to expose such overtures to guardians in the environment. Perpetrators also groom potential victims to cultivate their emotional attachment and to acquire their guardians’ trust. Finally, perpetrators groom potential victims to encourage them to understand

the incipient abusive relationship as normative (Conte *et al.* 1989; Elliot *et al.* 1995). Organizational structures can facilitate this ideal type of abuse in many ways. For example, adults can orchestrate interaction with victims so as to cultivate the understanding that the abusive relationship is normative by portraying the incipient relationship as consistent with the organization's culture" [Palmer & Feldman, 2018].

• *Institutional CSA*

In institutional contexts, then, what is child sexual abuse? As we shall see, grooming, adopted by those who are in the process of abusing a child, is one of the peculiarities of what has been called Institutional CSA; which is the specific type of abuse that this report will deal with as far as faith-based institutions are concerned. Before going so far as to define this particular type of CSA it must be remembered that: "it is not only the victim herself who is groomed, but also families and communities, and the good deeds of clergy have been used in circular ways as a representation of the 'good deeds' of a 'good cleric', whilst simultaneously increasing the sense of betrayal and disbelief not only for victims and their families, but also for communities of faith" (Isely *et al.*, 2008; Pargament *et al.*, 2008; Shea, 2008). In fact, the reference literature identifies - and it is also unanimous - in believing that those belonging to religiously inspired environments

are not only figures of care and protection for the minors involved, but also spiritual guides and authorities, moral leaders. Moreover, they are often important figures for the family context of the child, particularly for poor families, with cases of alcohol abuse, domestic violence, absent father figures and with consequent opportunities for accessing children in vulnerable situations³ (Wexler, 2009). The practice of grooming becomes in these contexts a deliberate and calculated action not only against the intended victim, but also against his or her entourage in order to ensure a greater possibility both to continue the abuse and not to be discovered, because they are worthy of trust: “It will be demonstrated that the offender’s sphere of control may extend beyond the direct grooming of the intended victim to the psychological grooming of their family and manipulation of the surrounding environment (Wolf, 1985; Leberg, 1997; Craven, Brown, and Gilchrist, 2006). Each of these forms of grooming creates the capacity or opportunity to abuse while reducing the possibility of discovery or disclosure” (McAlinder, 2013, p. 85). By leading McAlinder (2006) to identify a specific type of grooming defined as institutional grooming, this concept can be used to define grooming of children within an institutional context, where sex offenders seem to exploit the unique characteristics of the organisational environment in which they are placed to facilitate

³ For example, consider the film *The Doubt* (2008) based on the play of the same name by John Patrick Shanley.

abuse and avoid detection. The notion can also be extended to the grooming or manipulation of professionals working with sex offenders in order to avoid being perceived as a risk and to reach potential victims.

Another relevant issue is the dimension of the so-called “institutional culture” (Kenaan, 2011) of the perpetrators and of the environment in which they operate, to whom the minors turn to obtain support, but who respond with tactics of discouragement to dissuade them from telling the story of the abuses suffered, using punishment, isolation, physical intimidation and “normalization” of the abuse, up to the deprivation of food (a mixture of psychological and physical abuse and states of deliberate abandonment). In addition, some victims are accused, by those who respond to their real requests for help, of being liars or of being deviants themselves, according to the “Commission on Institutional Responses to Sexual Abuse in Ireland” (2014). All this contributes to the proliferation of abusive behaviour by perpetrators in enclosed contexts such as religiously inspired ones: “It also reported that sexual exploitation and boundary-breaking is more likely to occur in closed organizations where individuals are trying to meet their personal, professional, social, and sexual needs inside the boundary of the one organization” (White, 1995, p. 190).

The risk factors related to this type of abuse and the institutional culture will be analyzed in the following section; what we now want to start to highlight is also the gender aspect of this type of abuse. We have just seen that gender-based sexual abuse is reported in the vast majority of cases by young girls. For example, there is scientific evidence showing that the number of female children abused by adult males is higher than the male counterpart. It should be noted, however, that females are more likely to report the experience of abuse than young males, so an underestimation is assumed especially in the institutional sphere (Easton, 2013). In the context of faith-based organizations the statistics seem to be the opposite, with a prevalence of male victims. Calkins (2015) argues that this is due to the easier access opportunities for male minors given the conditions of non-supervision with them; as in the case of altar boys, a role traditionally reserved for male boys. Masculinity studies also suggest that the causes of this underestimation are also to be found in shame, embarrassment, fear of being perceived as homosexual, guilt and the hegemonic role of masculinity that does not allow men to perceive themselves as victims of abuse or feel vulnerable: “There is also evidence that this situation contributes to the under-reporting of abuse and is effective in minimising and dismissing harms caused by such abuse, resulting in the silencing of boys and limitations on their ability to report such abuse and have it taken seriously”

(Death, 2018). It should therefore be emphasized that the Institutional CSA is subject to a mix of risk factors that coexist between institutional culture, grooming, the issue of masculinity and other particular forms of abuse that outline a complex picture that needs further investigation.

In this section we will therefore limit ourselves to a first operational definition and then we will identify the elements of risk on which it is good to shed light, to have knowledge of them in order to develop action strategies that limit or prevent child abuse in institutional contexts. It goes without saying that a definition of the ICSA cannot fail to take into account those who are in daily contact with children and who therefore have direct access to them; a first definition could therefore start from this concept: “Institutional abuse refers to the sexual abuse of children by people who work with them in an institutional setting, in which one or more staff members engage in or arrange the sexual abuse of children in their care” (Gallagher, 2000). To this first observation it is worth adding and underlining the context in which this abuse occurs: “Reports of institutional organised abuse are diverse, describing organised abuse in residential care, special schools, boarding schools, primary and high schools, day-care centres and preschools, and voluntary organisations. Some of the earliest reports of institutional organised abuse involved day-care centres and pre-

schools” (Selter, 2013, p. 31). Finally, among all the existing reports and scientific research, the broadest definition of this phenomenon - and therefore more appropriate as an umbrella definition to include all the facets and complexity of ICSEA - is certainly the one proposed by the Royal Commission into Institutional Responses to Child Sexual Abuse (2017):

“Any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child, to lower the child’s inhibitions in preparation for sexual activity with the child” [RCIRCSA, p. 30].

Although this may be considered the broadest definition and contains all the main types of abuse and grooming, it is incomplete in including the environment and institutional context. We therefore propose an operational definition that also includes the latter dimension. Therefore, one could consider *child abuse*

in institutional contexts as an act or omission that exposes the child or involves the child beyond his or her comprehension, in sexual practices, physical or psychological abuse within an institutional context such as nursing homes, educational or extracurricular institutions, sports or recreation centres, places of worship or meditation; set up by someone in charge of care and protection also including deliberate actions with the aim of grooming the child and gaining his or her entourage's trust. Having defined institutional child sexual abuse in this way, it will now be necessary - in the next section of this report - to indicate and describe the risk factors that may contribute to or facilitate the occurrence of this phenomenon.

2.1

Vulnerability and risks in institutional contexts: the contributing factors to abuse

As mentioned earlier, child abuse in institutional contexts has its own specificity and peculiarities that are distinctive to this type of maltreatment. It is therefore necessary to identify these characteristics, which are risk factors, in order to be able to recognize them and implement prevention strategies to minimize their extent. In fact, exposure to these specific situational dynamics puts the child in a state of vulnerability, reducing him/her to a more probable subject of harassment - becoming a victim - and of events that undermine his/her psychophysical health, learning and development. The factors identified in the literature are many, complex and interconnected. It will therefore be important to be able to recognize and list them correctly. In this context it will

be necessary to refer, as mentioned, to the institutional and organizational culture of the Catholic Church (Palmer & Feldman, 2018; Terry, 2015; Böhm et al., 2014; Lueger-Schuster et al., 2014; McAlinder, 2013; Keenan, 2011; Pilgrim, 2011; Kochansky & Cohen, 2007), the gender issue and issues related to the roles of power (Death, 2018; Rassenhofer et al., 2015; Keenan, 2012), clericalism and ecclesiastical “*hierarchism*” (Keenan, 2019; Joulain, 2018) and the substantial assumption of impunity that often accompanies this kind of abusive behaviour (Gleeson, 2016; 2018); without neglecting and minimizing social and systemic issues such as poverty, family abuse, access to education, race and class issues that play a central role in the lives of both victims and perpetrators (Death, 2018; Kenny, 2018; Keenan, 2012; Elias, 1986).

*Institutional and organisational culture:
faith, trust and authority*

In order for sexual abuse of a child to occur, the presence of an adult or a young person older than him or her who has the potential to offend him or her is the independent variable, to which the dependent variables are added, i.e. the fact that the child is vulnerable and that there is an environment that allows abuse to occur and that provides an opportunity for the adult to commit such an act. In this section, therefore, we will present and try to investigate this type of environmental context. Institutional child abuse may be

perpetrated on the spot or while children are engaged in off-site activities (e.g., hiking, vacation camps or sports trips). Similarly, child sexual abuse in institutional settings today can occur online when an adult exposes a child to pornographic material or involves the child in virtual sexual encounters (Higgins & Moore, 2019). Because of its often hidden and secret nature, the delays with which victims report it, and the few studies focusing on its frequency, it is difficult to adequately estimate how many children and young people are sexually abused in such contexts (Gallagher, 2000). To a large extent the criminological approach to the problem has historically focused, as has much public concern, on studies and research targeting sexual predators who are unknown to their victims. This has led to action and a narrative - now imprinted in our imagery - focused on warnings to children (and their parents) and the right recommendations to children educated in the ability to protect themselves and not to speak when meeting an unknown person. There are no counting films, productions aimed at a child audience and teachings where the phrase “*do not accept candy from a stranger*” is not used as a warning for the protection of the child. Later, however, the focus of research and victim associations has – rightly – turned to the *place* or context where child sexual abuse has most frequently occurred, namely: in the family (Higgins & Moore, 2019). Recently, however, also as a result of increasingly insistent news stories

since the 1990s, attention has also been turned to another type of *environment*, always caring, but outside the family context: youth organizations (Royal Commission into Institutional Responses to Child Sexual Abuse, 2017). In these two contexts, criminological studies have highlighted many concomitant factors and similarities of behaviour by abusing perpetrators. Examining the evidence for risk factors for perpetration of sexual abuse in family, extra-family and care settings; Quadara, Nagy, Higgins and Siegel (2015) found not only similarities in risk factors for perpetration of sexual abuse (biologically unrelated male, younger age, highly sexualized environment, child neglect, violent behaviour, lack of family cohesion and domestic violence in the family), but also similarities in abuser behaviour, i.e., grooming behaviour based on long-term planning; characterised by a solid relationship of trust, the presence of a position of authority and respect for the abuser; and supported by the victim's secrecy, shame and isolation. Although abuse can occur in a wide range of contexts, therefore, some of the characteristics of youth organisations and institutional settings, according to the findings of the Australian Royal Commission (2017), are linked in the testimonies of sexual abuse to situations where there were unsupervised or poorly supervised activities. In other words, circumstances in which an adult has high levels of authority/trust/responsibility and activities involving care or physical/intimate contact

with the victim. These latter elements suggest that, beyond the similarities with intra-family abuse, such as the victim's trust and context, there are also peculiarities specific to the institutional context where the abuse takes place. Where institutions have high levels of authority and hierarchical power structures and limited interactions with the rest of the community, it is easier to develop support or excuse the violation of appropriate boundaries between children and adults; and it is less likely that outside observation or opportunities for children/youngsters to recognise that their experiences are abusing and deserve help. It is also difficult for children themselves to be placed in a position to speak out and seek support. Moreover, child maltreatment and interpersonal victimisation experienced by children and young people are not always discrete events, but can coexist; which means that any form of abuse or harm is in itself a risk factor for other types of maltreatment (Higgins & McCabe, 2000). This is consistent with the broader literature on risk factors for child sexual abuse, where it has been shown that risks increase when young people have already been neglected or subjected to other forms of abuse or harm by peers - such as bullying - and as a result there is exposure to increased vulnerability to sexual abuse within an organisation. In other words, the context itself expresses a factor for which children and young people are inherently more at risk of sexual abuse because of their exposure in that context to

other forms of child abuse. This is clearly the case in institutions such as out-of-home residential care centres and even juvenile justice facilities, whose young guests have already been exposed (and in many cases continue to be exposed) to significant harm in their lives (Attar-Schwartz, 2014; 2011). In addition to allowing abuse to occur, organizational cultures can also influence the way adults and institutions react when children are abused. Some adults and institutions may not believe children and young people, particularly when the perpetrator is a highly valued member of the community and when they have already determined the nature of that individual's character. Staff at the institution are often reluctant to consider that a colleague may have acted inappropriately or abused a child. Likewise, adults may be concerned about labeling problematic sexualized behavior and tend to belittle such behavior as part of the sexual exploration and growth of the child or excuse it in some other way. Conversely, some adults may find it inappropriate to talk openly about children's sexuality and the sexual abuse of children, so they may tend to minimize or ignore events. This reluctance manifests itself in various contexts and - according to Robinson (2013) - requires adults to overcome narrow-minded ideas about children's sexual naivety and their inability to engage in discussions about sexuality (no matter how sensitively and appropriately done). Other studies on the safety of children and young people also

raise the same issues, where it is reported that adults are more likely to feel uncomfortable talking about sexuality and have difficulty in dealing with revelations; the consequences include often deterring adults from actively avoiding children discussing or sharing such information (Moore et al., 2015; Moore, McArthur, Death, et al., 2016). It should also be noted that in institutional contexts where care and protection figures belong to faith-based organizations, the relationship of abuse, in these cases, has a further and unique significance for victims. Indeed, while victims of institutional child sexual abuse by persons of faith experience common consequences with other CSA victims, they also experience the consequences “of spiritual abuse” (Death, 2018; Rinaldi, 2018). In fact, in these cases the abuser in the role of the clergyman:

“is a man of God who holds an important spiritual authority, especially in the eyes of the faithful, including the child, who sees him in relation to the figure he represents: he is the person in whom the whole family trusts and who, perhaps by tradition or by a practice that has been transmitted to him, is driven to listen and not contradict¹” (Rinaldi, 2018, p. 106).

Elements of spirituality can be used in these contexts for solicitation, perpetration of abuse and to silence the victims. This includes narratives that emphasize the or-

¹ Translation by the author.

dination of clergy to do God's work, the requirement of obedience to God and thus to the clergy; moreover, the constructions of sin and repentance and confession are thus directly controlled by the clergy themselves (Benkert and Doyle, 2009; 2008). All this is based on the spiritual and relational authority of the clergy (Doyle, 2003, 2006). Moreover, the titles of the clergy, such as Father and Brother, reflect an intimacy and power that should not be compromised. Therefore, relationships of trust are created that give the clergy a unique power. As a result, ICSA victims feel betrayed by God, the executor of the clergy, and the Church, carrying a deep psychological and spiritual scar (Benkert and Doyle, 2009; Doyle, 2008).

Clericalism is then something inherent in the organizational and structural context of Catholic religious institutions. A culture and a practice that marginalizes the lay faithful by transforming the clergy into a more or less closed group that preserves itself around charismatic figures capable of creating networks of affinity (Keenan, 2019; Slatter, 2019; Pappesh, 2002). According to Stéphane Joulain: "Clericalism is a problem, first of all, because of the culture of domination of one group by another that it conveys. Subsequently, it is also a problem because it represents a fertile cultural ground for abusive behaviour, giving religious people enormous psychological and spiritual powers, as well as privileged access to children. Clericalism within the Catholic Church cannot

be separated from its social context²” (Joulain, p. 104, 2018). As a result, the dominant culture that is extrinsic in these specific contexts helps to confuse authority with the power of the individual: “clericalism confuses institutional authority with personal power. The authority that is conferred is then equivalent to attributing the power of the institution to oneself on a personal basis; the cleric suffering from clericalism merges in his person what Jacques Maritain called instrumental and personal causality. Sexual abuse committed by clerics in the pastoral setting is both an abuse of power and an abuse of authority³” (Joulain, p.107, 2018). This concept has recently been updated also following the latest scandals involving not only simple members of the clergy in general, but also high figures in the ecclesiastical hierarchy, such as the Bishops. Even pushing some authors such as James Keenan (2019) to define a new concept called “*hierarchism*”, a neologism that specifically identifies the peculiarity of the culture of the exclusive power of high episcopal offices, a culture more problematic and unknown than the clerical one. According to the author, *hierarchism* is based on a lack of transparency and impunity of action, even more difficult to dismantle than clericalism, since one is closely interconnected with the other. Moreover, the issue of impunity/immunity enjoyed by certain hierarchical offices

²Translation by the author.

³Translation by the author.

of Catholic institutions and the confusion of the legal and legislative levels to which the Catholic Church is subject in some countries, without forgetting that its members are subject to a Vatican State system that makes the legal framework even more confused and inconsistent, is the subject of two studies on Ireland and Australia by Kate Gleeson (2018; 2016). The author concludes her research by arguing - not without provocation - that this profound and contradictory incoherence suggests that the Church's relations with all areas of law, especially with regard to gender, can be influenced by their confused legal status in what Carl Stychin (2009) calls today's secular "aspirant" societies that aim to uphold equality while privileging a special status for the Christian Churches. It is thus considered that the immunity of the Church and not holding it legally responsible only accentuates the exceptional treatment by the State not only for crimes related to sexual abuse, but for all kinds of mistreatment. In the final analysis, in fact, this type of victim must not only manage the power dynamics of clericalism in the ecclesiastical sphere, but often also face the failure of state management of civil and criminal justice systems (Balboni, 2011) undergoing a further victimisation process (i.e. secondary victimisation).

A dynamic of power

The socio-criminological literature on abuse and violence considers that male domination represents a his-

torically contingent, but enduring, model of gender relations. While this model is institutionalized through the collective practices of the state, workplace, school and family, it is embodied by men in their daily lives and experienced as a constitutive force in their interpersonal and sexual relationships (Salter, 2013). This lead, for example, Connell (1995) to label this construction of masculinity, which gains cultural domination over women and other minorities, as “hegemonic masculinity”. The Istanbul Convention itself, Council of Europe Convention on preventing and combating violence against women and domestic violence of 11 May 2011, recognizes the gender issue as underlying a disparity of treatment and negative perception by stating that “the term gender refers to socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men” (Art. 3 paragraph b). In other words, this construction has the function of legitimizing the domination of masculinity by associating socially appreciated characteristics to men and boys, while less appreciated, or even despised, characteristics are associated with femininity. This gender order therefore manifests itself socially in everyone’s life, in the workplace, in the family and in other organizational spheres, thus creating unbalanced power dynamics.

As a result, children who suffer abuse in institutional contexts would be subject to different reactions that lead them not to denounce the abuse and con-

tinue to suffer because of the feelings of shame and self-pity developed, as well as embarrassment and fear of not being believed. In addition, it is possible that there are already elements in the child's life history that increase the risk of abuse such as social isolation, low self-esteem and a lack of understanding of the meaning of sexual behaviour and personal safety.

While this can be framed as a characteristic of young people that can make them vulnerable to these risks, it can also be read as a characteristic of organisations or societies: when they have unbalanced power dynamics and lack of transparency (Keenan, 2019, p. 566) the risk of sexual abuse for young people is increased (Higgins & Moore, 2019, p.49).

This would also explain why the literature is now widely agreed that child sexual abuse in institutional settings is greatly underestimated. Indeed, there is evidence suggesting that up to one in seven children will be sexually abused in childhood, taking into account of course that these figures are influenced by the under-representation of CSA in general and on children in particular (Easton, 2013; McElvaney et al., 2012).

In fact, Keenan (2012) also describes the abuse of religious on children as an institutional sexual abuse and as the “inevitable” outcome of the Church's power dynamics and structures. The author identifies the perpetrators of crimes committed by Catholic religious as part of “a total institution⁴” of absolute male

⁴ See Erwin Goffman, *Asylums: Essays on the Social Situation of*

hierarchy, in which they live: “of an unreflective script of private powerlessness whilst ministering in a site of unsupervised and unchallenged public dominance. This paradox is at the core of their sexual offending. A feeling of private powerlessness that eclipsed an awareness of the power context from which and in which they operated, as adult males and as ministers of the Catholic Church, became a deadly combination of circumstances that resulted in the sexual abuse of minors” (Keenan, 2012, p. 239). Thus, one could also say that, much more simply, in formal and informal hierarchies where men are subject to the control of those who have a status superior to their own, sexual abuse becomes a practice through which men and boys can dominate another without risk of retaliation or humiliation. The desire to control a vulnerable “other” can be explicitly recognized by offenders without feeling guilty (Salter, 2013). In fact, according to Salter: “the degree to which sexual abusers acknowledge their power over children may vary but it seems that the attractions of child sexual abuse are linked to the sexual anxieties that some men experience in their efforts to defend and affix masculine selfhood” (Salter, 2013, p.19).

Beyond the sexual behaviours that can arise in contexts of religiously inspired institutions, the dynamics of power that derive from a hierarchical and verticistic conception of ecclesial institutions are therefore not

Mental Patients and Other Inmates (Anchor Books, 1961).

to be underestimated, just as the question of gender is not to be ignored.

The cultural conditioning that the unbalancing of powers brings with it becomes in this specific case a double-edged sword. The minor victim is not able to dismantle his role and therefore denounce the incident or rebel, suffering the shame that ensues. Without forgetting the impossibility of perceiving oneself as vulnerable, and precisely victim, so as not to be accused of being “weak”. Moreover, this conception also reverberates towards those who carry out the abusing behaviour, especially in this institutional context where the status of power and position allow to conduct the abuse under the cover of a presumed situation of superiority and impunity without the fear of being discovered, also because it is very difficult for the child to denounce the abuse. As a result, the abuser is aware that he or she can secure a position of privilege over the faithful (Lukes, 1996) and, in this case, clerics are therefore leveraging the victims’ perception of their role (Rinaldi, 2018; p. 110).

That said, the question of power also touches a very “concrete” area of the child’s life in institutional contexts. One of the risk factors that expose children to possible violence is also physical proximity (in addition to emotional and spiritual proximity). In fact, in certain religiously inspired organizational contexts, opportunities for close and exclusive contact, without supervision, between the caregiver and the child are

very frequent: “Sex offenders may become affiliated with youth groups or children’s clubs or a range of other professions which allow one-to-one unsupervised contact with children” (Powell, 2007). Other authors who have evaluated government reports on ICSA also point out that: “although abuse can occur in a wide range of contexts, some of the features of youth-serving organisations and contexts that the Royal Commission identified as being linked with reports of sexual harm were activities that were unsupervised or poorly supervised, where an adult has high levels of authority/trust/responsibility, and activities that involve care or physical/intimate contact” [Higgins & Moore, 2019, p.49].

Ultimately, this is a plausible risk and one that occurs because the work that these figures generally do with children in congregations, oratories, schools, sports centres and even during holidays (think of colonies and summer camps), generally takes place both in situations of access to children without supervision (Keenan, 2012) and, in many cases, also through direct one-to-one personal relationships.

Other systemic risk factors: the socio-economic contexts

In all the specific abuses mentioned above, it has remained in the background and hinted that other risk factors come into play. They are systemic risk factors and belong homogeneously to all contexts. They are risk factors specific to social systems and, as Butler

(2005) points out, the recognition of “victims” remains a political process that clashes with the limits of social, cultural, political and individual perspectives (Death, 2018, p.22). In fact, it must be considered at the same time that the rise and confirmation of the neoliberal ideology has entered as a philosophy of “common sense” today into the ordinariness also of government policies and actions; and has had an impact on the construction of victimhood and victimization as individual experience, pathologizing of individual perpetrators with a minimum recognition of the systemic understanding of victimization and a substantial reduction in social benefits and services for vulnerable individuals and communities (Death, 2018; Coulter, 2009). According to Death: “victims of child abuse are in a particularly difficult position, as they are represented for their vulnerability as children, and chastised for their failure to manage the consequences of their abuse as adults. Many victims of child sexual abuse suffer adverse consequences such as substance abuse and addiction, poor educational outcomes, teenage pregnancy, poor and unstable employment opportunities, as well as poor and unstable relationships” (Death, 2018, p. 24). The risk is therefore that, having focused all attention on so-called ‘bad apples’ and their severe punishment, the other needs of victims and the community are left aside. Affirming individual responsibility for the child sexual abuse is a way of forgetting social and systemic

issues such as poverty, access to education, class and all other macro-variables of which potential victims are carriers (Elias, 1986). It has been proven, for example, that victims of abuse through religious institutions, rather than demanding punishment from the perpetrators, are more concerned about ending abuse of them and others, and that the Church could help to regain peace of mind from the consequences of abuse (Death, 2018; Balboni & Bishop; 2010). In conclusion, what we want to emphasize here is that, beyond specific risk factors such as gender issues within an openly male-dominated organization or a typical institutional and organizational culture, there are always other concomitant and co-presenting risk factors such as systemic ones that expose certain individuals to be more vulnerable on the basis of their life histories, poor socio-cultural contexts, past violence, ethnic issues and educational level. All these factors cannot and should not be overlooked.

2.2 The rise of the problem and awareness within the Catholic Church

After the news events involving the Catholic Church and the waves of sex scandals that overwhelmed its image in the United States and around the world, ecclesiastical hierarchies began to want to deal with an insidious and subterranean problem that had been covered for years and where minimization strategies had been in place for decades. Child abuse within

religiously inspired institutions is now a recognized problem and even the highest pontifical authorities both Pope Benedict XVI and Pope Francis have begun to address the issue. The media scandal raised in 2002 by The Boston Globe, which uncovered the Pandora's Box of systematic abuses, was also complicit in this awareness - perhaps belatedly - because, starting with the first priest of the Archdiocese of Boston convicted of having abused a 10-year-old child, other priests will later be investigated⁵. Despite this, for a long time the Archbishop of Boston had limited himself to moving the priests with charges pending without clamor, without intervening decisively and without providing any form of protection for the victims (Cantelmi & Urbano, 2012). At this point, the authorities of the Catholic Church could not remain silent for much longer; an awareness, albeit late, came and led the Vatican to take serious measures. The American Bishops' Conference finally decided that the time had come to take a stand on what was emerging within its own representatives, as well as within the pastors of God's people, and in June 2002 it drew up a Charter for the Protection of Children and Young People (OCYP), which in turn provided for the establishment of an Office, Office of Child and Youth Protection) and a Commission (NRB, National Review Board) that receive a mandate to collaborate not only to try to

⁵ On this subject, the BBC documentary "Sex crimes and the Vatican" caused a huge shock.

investigate the past and current problem, but also to devise prevention strategies with a view to the future. The OCYP and the NRB then decided to commission the John Jay College Criminal Justice research group to carry out a first study on the presentation and extension of the problem of sexual abuse by Catholic priests in the American Church from 1950 to 2002. Consequently, in February 2004, “Nature and Scope” was presented to the Conference of Catholic Bishops of the United States (USCCB). The study, conducted as a sort of “census” gathering data from different dioceses and religious institutes, reports what is happening: the number of abuses, their geographical and temporal distribution, the characteristics of priests accused of sexual abuse and abused children, the response of the Church and finally the economic impact of the sad story (Cantelmi & Urbano, 2012).

However, despite these first steps, the scandals that overwhelmed the Church of Rome did not stop in 2002, there were further waves until 2018 that also affected high prelates in the ecclesiastical hierarchy (Keenan, 2019). Already in 2010 Benedict XVI addressed the issue personally in his Pastoral Letter to the Catholics of Ireland⁶ in March 2010, not hesitating to define the abuse of minors by prelates as

⁶ Following several cases of sexual abuse of children by priests and religious from the 1930s to the 2000s (on some of these facts, see the next part of this report).

a “painful wound” inflicted as much on defenseless young people as on the Church itself (Milani, 2012). Consequently, in 2012 the Italian Episcopal Conference (CEI) published its Guidelines for cases of sexual abuse of children by clerics. The first part of these guidelines outlines the behaviours that the Bishop is required to adopt when reporting or reporting sexual abuse of minors. Then follow provisions in favour of both victims and the accused. One of the innovations introduced is certainly the invitation to move within the confines of national legislation, with particular regard to the obligation - if provided for by civil law - to notify the authorities of the State of a *delictum contra mores*⁷ (Milani, 2012, p.458). It must be stressed, however, that these guidelines are only aimed at abuses committed by clerics, leaving aside religious or lay personnel working within ecclesiastical struc-

⁷ Unfortunately, however, there is no provision in Italian law that obliges the ecclesiastical authority to denounce the news of an abuse learned in the exercise of its functions. In fact, the Code of Criminal Procedure (*Codice di Procedura Penale - C.P.P.*) imposes this obligation only on the public official and the person in charge of a public service (art. 331). Milani (2012) also points out that, even in the event that it is admitted that the minister of worship, limited to the exercise of certain functions, assumes the role of public official or person in charge of a public service, the limit imposed by the discipline of secrecy, under which all ministers of worship are exempted from the obligation to testify (Article 200 of the Code of Criminal Procedure) or to produce documents regarding what is known or detained by reason of their ministry (Article 256 of the Code of Criminal Procedure), remains insuperable according to the CEI, as amended by Article 8, paragraph 6, Law no. 48/2008).

tures, and that ministers of worship are not obliged to testify or show documents to civil justice.

With the pontificate of Pope Bergoglio, the reform of Vatican criminal law continues with even greater vigour. It will be under the aegis of Pope Francis, in fact, that on June 1, 2019 the rules on the protection of minors and vulnerable persons of the Vatican City State will come into force with Law No. CCXCVII. In particular, it protects and regulates the procedural aspects related to the weaker subjects; according to Fabris, the novelty of this legal discipline is the equalization of the protection of minors to vulnerable persons regardless of their age:

“In this sense, it should be noted that the law places minors on the same level (i.e. minors under the age of eighteen according to art. 4, letter a of Law no. VIII of 11 July 2013) and those who are called vulnerable persons regardless of their age. It is, as specified in art. 1 n. 3, “any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty that in fact, even occasionally, limits their ability to understand or want or otherwise resist the offense. This provision appears to be an absolute novelty in the Vatican penal regulations⁸...” [Fabris, 2019, p. 399].

⁸Translation by the author.

Always according to the author, the underlying will behind these new provisions of law is, therefore, that of wanting to fight hard and effectively against certain criminal conduct. In fact, it is also introduced the obligation to report by the public official in the exercise of his duties and the consequent possible sanctions for failure to report or delay in doing so. Moreover, this new ecclesiastical legislation does not forget to give the right space to victims of abuse, establishing that the offended person must be duly informed both in terms of rights and in the order of the services dedicated and available to him/her. The new Vatican law also enshrines the active and not only passive role of the victim, giving him or her the opportunity to “provide evidence, request the performance of specific investigative activities and ask to be heard” (Art. 4 letter c). In addition to specific references to the protection of the privacy of the offended person, the law introduces ad hoc guarantees for the minor and his or her hearings and the establishment of an accompanying service under the Directorate of Health and Hygiene of the Governorate of Vatican City State. This Service, in the intentions of the legislator, will have to provide the necessary assistance to the presumed victims and their families. The Service therefore: “carries out its functions both in a pre-trial phase, through the activity of listening to the minor, the provision of medical, social, therapeutic and psychological assistance, facilitating the recourse of the injured person to the judicial authorities and providing

any information useful for the protection of rights and the way to enforce them. But the Service also carries out its task in a phase following the introduction of the procedure, protecting the image of the offended person, his or her private sphere and the confidentiality of his or her personal data⁹ (Fabris, 2019, p. 404). It should be pointed out that beyond the accompaniment of the victim, the task of this new protection institution is also to implement information communications addressed to minors, parents, educators and staff working at the Vatican on the risks of sexual exploitation and abuse, as well as on ill-treatment through the indication of means useful to identify and prevent such behaviour (Art. 10).

In the final analysis, it should be remembered that Pope Francis also in March 2019 wrote an apostolic letter addressed to the Curia and the Vatican State on the protection of minors and vulnerable persons where he laid the foundations and principles of the above mentioned reform. The precepts can be summarized in this way: *a)* attention to the needs of children and vulnerable persons, prevention of all forms of violence, abuse and mistreatment both in relationships and in places or structures of sharing; *b)* duty to report abuse and cooperation with the authorities, *c)* prosecution of crimes, *d)* accompanying and listening to victims; *e)* pastoral care, spiritual, medical,

⁹Translation by the author.

psychological and legal support to victims and families, *f*) guarantee of a fair trial, *g*) removal from office and accompaniment of the offender; *h*) protection of the reputation of those unjustly accused; *i*) training for the protection of minors and vulnerable persons (cf. Fabris, 2019). Finally, it should be stressed that these precepts of the reform welcome sexual abuse of children in institutional contexts in its entirety, highlighting how this can occur not only in interpersonal relationships, but also in contexts and places or structures of sharing.

3.1

The “visible” entity of the phenomenon: everything that we can estimate on a quantitative level

Starting from the awareness that the obscure number relating to the phenomenon of child abuse in religious and/or religiously inspired organisations is very high, in this section we intend, however, for cognitive purposes, to make an overview of what has emerged, in Europe, at a quantitative level; as well as to provide summary evidence of any subsequent actions taken in connection with the facts that have emerged. In-depth analyses of what has been done and what can still be done to prevent these events and to support the victims will be reported elsewhere in this report.

The discovery of sexual abuse and the taking charge of victims are areas that have developed in Europe since the late 1980s on the basis of North American

studies that demonstrated the relevance of the phenomenon and the weight of the secrecy surrounding it (Böhm et al, 2014). Subsequently, also as a result of several striking cases, the number of complaints and convictions has increased significantly over the course of a few years, gradually stabilizing. In fact, what happens is that the mediatisation of a case allows new revelations and accusations to emerge: both young people and adults, thanks to the impact that these facts have on public opinion, feel in a certain sense authorized, even long afterwards, to tell what they have suffered and denounce it¹.

On the basis of these premises, in order to provide an initial picture of the magnitude of the phenomenon at a global level, we recall data from a recent research (Kenny, 2018, p.118) which reports 4,000 cases of sexual abuse of minors committed by members of the clergy and judged by the courts of the Vatican State in 50 years (until 2012). Of these, 60% refer to facts where the perpetrator was male as well as the victim in adolescence; 30% where the victim was a female adolescent, while in the remaining 10% of cases the victim was a boy or a girl. As already pointed out in the literature analyzed in the previous section of this report, it emerges that these victimological data contrast with those referring to the same typology of facts committed within the general population

¹ See: <https://luttercontrelapedophilie.catholique.fr/accueil/reperes-sur-la-pedophilie/pedophilie-et-societe/>

as the latter see a triple percentage of female victims compared to those of the male sex. With reference to about 20% of these cases, criminal or administrative action was taken, while 40% concerned actual trials. Given the advanced age of many perpetrators, disciplinary sanctions were imposed, such as, for example, a ban on celebrating masses or making confessions, with the aim of encouraging these people to “lead a withdrawn life of prayer”.

Recently, on December 20, 2019, Monsignor John Joseph Kennedy, office head of the Disciplinary Section of the Congregation for the Doctrine of the Faith, declared that in 2019 alone the record number of 1000 cases reported from all over the world was reached. These are reports that often concern events that took place years or even decades earlier, most of them in the United States, Argentina, Mexico, Chile and, to come to Europe, in Italy and Poland².

Therefore, given the complexity of the phenomenon, in order to gather information to outline this situation, various Italian and European sources have been consulted: in addition to socio-criminological and victimological literature, reports and institutional sites of bodies and associations, articles from newspapers and periodicals, press releases from news agencies.

² Moia L., “Sos minori. Abusi, mille casi emersi nel mondo. Kennedy: è uno tsunami”, *L’Avvenire*, 20/12/2019, available on the website page: <https://www.avvenire.it/chiesa/pagine/abusi-mille-casi-emersi-nel-2019>

Without claiming to be exhaustive, the treatment will be divided by State, obviously referring to those territorial contexts for which it was possible to find quantitative data.

Belgium

Already a few years before the resignation of the Bishop of Bruges (Roger Vangheluwe), which will be discussed below, and following complaints made by the victims since the 1980s, the Belgian Bishops had set up two listening posts in 1997 where they could report situations of sexual abuse³. These listening points were replaced in January 2000 by the Halsberghe Commission (*Commission interdiocésaine pour le traitement des plaintes pour abus sexuels commis dans l'exercice de relations pastorales*)⁴, whose President will resign in 2009, which in turn will be replaced in 2010 by the new Adriaenssens Commission. In its short period of operation (January-July 2010), this Commission received 475 “complaints”, of which more than half (270) in the weeks immediately following April 23,

³ Les Évêques et les Supérieurs majeurs de la Belgique, *Abus sexuels de mineurs dans une relation pastorale dans l'Église de Belgique. Vers une politique cohérente 1995-2017*, 12/2/2019, available on the website page: <https://www.kerknet.be/sites/default/files/19%2002%2012%20Rapport%20Abus%20sexuels%20de%20mineurs.pdf>

⁴ Bouffieux M., «Seul compte le pardon que la victime doit accorder à son abuseur», *ParisMatch Belgique*, 5/5/2010, available on the website page: <http://www.michelbouffieux.be/article-abus-sexuels-commis-par-des-pretres-des-documents-inedits-interpelent-29-04-2010-49688209.html>

2010, the day on which the resignation of the Bishop of Bruges was made public. It is interesting to note that the victims were left to their fate after the dissolution of the Commission following the search of its headquarters on 24 June 2010⁵.

Thus, in April 2010, the Bishop of Bruges resigned after revealing that he had sexually abused his nephew⁶ from 1973 to 1986⁷. It is true that, as pointed out in the official report of the Belgian Episcopal Conference, this was not an abuse committed in the context of his pastoral functions, but rather incest⁸, a crime now proscribed because more than twenty years⁹ had passed; however, to date, the Vatican State has only asked Roger Vangheluwe to leave the country and no longer occupy any public role, while leaving him the status of priest¹⁰.

From this context, at the request of the Belgian Bishops, a group composed of jurists, psychologists, criminologists and the Bishops themselves was organized,

⁵https://www.rtbf.be/info/belgique/detail_pedophilie-la-commission-adriaenssens-jette-l-eponge?id=4893773», 28/6/2010.

⁶ https://www.la-croix.com/Religion/Actualite/L-veveque-de-Bruges-demissionne-pour-pedophilie-_NG_-2010-04-23-550429, 23/4/2010.

⁷ https://www.lexpress.fr/actualite/societe/abus-sexuels-l-enlissement-d-un-cardinal-belge_916720.html, 2/9/2010.

⁸ Les Évêques et les Supérieurs majeurs de la Belgique, *op. cit.*, p. 13.

⁹ <https://www.rtl.be/info/belgique/faits-divers/l-veveque-pedophile-ne-sera-pas-poursuivi-par-l-eglise-185558.aspx>, 1/9/2010.

¹⁰ «L'évêque de Bruges veut plus de sévérité envers Roger Vangheluwe», 27/1/2017, available on the website page: <https://www.7sur7.be/belgique/l-veveque-de-bruges-veut-plus-de-severite-envers-roger-vangheluwe-a18746c8/?referrer=https://www.google.com>

which outlined a new policy for the Catholic Church described in two guides entitled “*Une souffrance cachée. Pour une approche globale des abus sexuels dans l’Église*” (January 2012) and “*Du tabou à la prévention. Code de conduite en vue de la prévention d’abus sexuels et de comportements transgressifs dans les relations pastorales avec les enfants et les jeunes*” (June 2014).

Through the 2012 guide, an appeal was made to victims of sexual abuse suffered during childhood to make themselves known and, in this way, to try, together with them, to put in place measures to make good, in an appropriate manner, the damage suffered as a result of facts now prescribed which, therefore, could no longer be dealt with by the ordinary courts.

Two possibilities were proposed to the victims: a) the way of arbitration through a Centre created, at the request of the Federal Parliament, outside the structures of the Church, in order to obtain compensation of an economic type; b) the way of contact points created by the Dioceses and religious congregations (10 throughout Belgium) in order to obtain compensation not necessarily of a monetary type.

The Arbitration Centre (set up on 14 December 2011 by the Special Committee of the Belgian House of Representatives) received 628 requests until 31 October 2012, the date set for its decommissioning¹¹. All of these victims received compensation calculated on the basis of four categories of facts covered

¹¹ Les Évêques et les Supérieurs majeurs de la Belgique, *op. cit.*, p. 215.

by the Arbitration Regulation: offences to decency (without violence or threat) - compensation up to a maximum of 2. 500 Euro; offences of decency with violence or threat, or with presumption of threat or violence, when the child was under 16 years of age at the time of the facts or showed a certain vulnerability - compensation up to a maximum of 5000 Euro; rape with sexual penetration (regardless of nature or means) perpetrated against a minor, without consent or with presumption of lack of consent if the child was under 16 years of age at the time of the first facts or showed a certain vulnerability - compensation up to a maximum of 10. 000 Euro; facts such as those in the previous category which, given their seriousness, their duration over time or the special circumstances of the sexual abuse, must be considered exceptional and which have led to extreme and manifest harm whose causal link with the sexual abuse is proven - compensation up to a maximum of 25,000 Euro)¹².

In 2012-2017, the contact points received 426 reports, 78% of which were made by victims themselves, 11% by a member of their families, 10% by other persons and 1% directly by abusers. 83% of the victims were over 40 years of age at the time of the report and 35% were over 60. 76% of the victims were male and 24% female. With reference, however, to the sex of the abusers, 95% were men and only 5% were women. 43% of the reported incidents took

¹² *Ibidem*, pp. 219-238.

place in schools, 28% in parishes and 15% in other contexts. Those who approached the contact points were also able to obtain monetary compensation if this could have contributed to the overall dynamics of the reparation. The calculation of the amount of this sum was carried out according to the categories provided for in the Arbitration Rules¹³.

In conclusion, since 2012, the Catholic Church of Belgium, both through the Arbitration Centre and the contact points, has paid out approximately 4.13 million to victims of prescribed offences¹⁴.

France

One of the scandals that has affected the Catholic Church in France in recent decades and that has been reported, occurred in 2001 when the then Bishop of Bayeux-Lisieux (Pierre Pican) was condemned. It will be the first event of its kind since the Revolution with a sentence of 3 months' imprisonment (with suspended sentence) for failing to report sexual acts with minors for which a priest from his diocese, René Bissey, was guilty. Bissey was also sentenced on 6 October 2000¹⁵ to 18 years imprisonment for committing sexual violence, sexual harassment and corruption of minors, aggravated by the abuse of authority and the

¹³ *Ibidem*, pp. 178-181.

¹⁴ https://www.lepoint.fr/monde/les-affaires-d-abus-sexuels-dans-l-eglise-catholique-01-05-2018-2214897_24.php#, 1/5/2018.

¹⁵ <https://www.nouvelobs.com/societe/20010829.OBS7884/l-abbe-bissey-renonce-a-son-appel.amp>, 29/8/2001.

under- 15 years of age of the victims¹⁶, from 1987 to 1996, against 11 minors who attended some parishes in Caen.

Almost twenty years later, and in particular on 22 November 2018, the former Bishop of Orleans, André Fort¹⁷, was sentenced to eight months' imprisonment (with suspended sentence) for failing to report sexual acts with minors committed by Pierre de Castelet, chaplain of the Scouts of Europe and parish priest of Lorris. The latter was sentenced to two years' imprisonment for acts committed against a dozen minors under 15 years¹⁸ of age during a summer camp in 1993¹⁹.

Surely the case of the Scout Saint-Luc Group of Lyon is to be considered as the most mediatised scandal that has affected the Catholic Church in France, from which a film entitled "*Grâce à Dieu*", released

¹⁶ <https://www.franceculture.fr/religion-et-spiritualite/pedophilie-dans-leglise-catholique-comment-reagit-le-vatican-depuis-les-premiers-scandales>

¹⁷ https://www.lepoint.fr/monde/les-affaires-d-abus-sexuels-dans-l-eglise-catholique-01-05-2018-2214897_24.php#, 1/5/2018.

¹⁸ Vaillant G., «Mgr Fort condamné à huit mois de prison avec sursis pour non-dénonciation d'actes pédophiles», *La Croix*, 22/11/2018, available on the website page: <https://www.la-croix.com/Religion/Catholicisme/France/Mgr-Fort-condamne-huit-mois-prison-sursis-non-denonciation-dactes-pedophiles-2018-11-22-1200984818>

¹⁹ Seelow S., «Pédophilie: un prêtre et un ex-évêque d'Orléans renvoyés devant le tribunal», *Le Monde*, 28/6/2018, available on the website page: https://www.lemonde.fr/police-justice/article/2018/06/28/pedophilie-un-pretre-et-un-eveque-d-orleans-renvoyes-devant-le-tribunal_5322705_1653578.html

in 2019 and made by the famous director François Ozon, was also based.

This case emerged in June 2015 when one of the victims (Alexandre Hezez) filed a complaint with the Lyon Public Prosecutor's Office²⁰. However, this situation had already been brooding under the ashes since 1991 when the relatives of another victim (François Devaux) sent a letter to the then Cardinal Decourtray to represent the events suffered by his son, following which the Cardinal removed Bernard Preynat from the post of Vicar of the Parish of Saint-Luc. However, after 6 months, Preynat began to be assigned new posts again and, lastly, he was appointed Decane by Cardinal Barbarin in 2013²¹.

Following the first denunciation in 2015, Bernard Preynat was suspended and, on December 17 of that year, the Association "*La Parole Libérée*" was created whose founders were Hezez, Devaux and a third victim (Bertrand Virieux²²). The purpose of this association is to listen to and support victims of paedophile acts that took place within the Saint-Luc Group from 1970 to 1991²³.

²⁰ https://www.lexpress.fr/actualite/societe/pedophilie-dans-l-eglise-en-appel-le-cardinal-barbarin-assure-qu-il-n-a-rien-cache_2109322.html, 29/11/2019.

²¹ <http://www.laparoleliberee.org/les-etapes-judiciaires-affaire-prey>

²² Frisullo E., «Pédophilie: je ne crois plus en la bonne intention de l'Église, regrette le président de la Parole libérée», *20Minutes*, 21/3/2018, available on the website page: <https://www.20minutes.fr/societe/2240527-20180321-pedophilie-crois-plus-bonne-intention-eglise-regrette-president-parole-liberee>

²³ <http://www.laparoleliberee.org/l-histoire-de-l-association>

In addition to Hezez's complaint, in February 2016, there were also those filed by ten members of the Association who were civil parties in the trial against Cardinal Barbarin²⁴; and five other people who were reported for failing to report sexual assault on minors under the age of 15 and for failing to provide assistance. In the same year, the canonical trial against Preynat began at the same time as the victims' claims to the Vatican²⁵.

At the end of various stages of the trial, in January 2019 Cardinal Barbarin was sentenced to 6 months' imprisonment (with suspended sentence), while the other five defendants were acquitted. Subsequently, Cardinal Barbarin was released on appeal on January 30, 2020 as the crime is now time-barred²⁶, but against this decision the civil parties have filed an appeal to the Supreme Court²⁷. The day after his acquittal, Cardinal Barbarin put his office back into the hands of the Pope²⁸ who, on 6 March 2020, accepted

²⁴ https://www.lexpress.fr/actualite/societe/justice/le-pere-preynat-devant-les-juges-pour-repondre-d-agressions-sexuelles-sur-mineurs_2114499.html, 13 /1/2020.

²⁵ <http://www.laparoleliberee.org/les-etapes-judiciaires-affaire-prey>

²⁶ Robert-Diard P., «Pourquoi le cardinal Barbarin a été relaxé en appel des faits de non-dénonciation d'agressions sexuelles sur mineurs», *Le Monde*, 30/1/2020, available on the website page: https://www.lemonde.fr/societe/article/2020/01/30/pourquoi-le-cardinal-barbarin-a-ete-relaxe-en-appel-des-faits-de-non-denonciation-d-agressions-sexuelles-sur-mineurs_6027843_3224.html

²⁷ https://www.lexpress.fr/actualite/societe/justice/non-denonciation-d-un-petre-le-cardinal-barbarin-relaxe-en-appel_2116792.html, 30/1/2020.

²⁸ Chambraud C., «Relaxé en appel, le cardinal Barbarin a placé sa

his resignation²⁹. Thanks to the tireless work carried out by the Association “*La Parole Libérée*”, in November 2018, the French Episcopal Conference accepted the request for the establishment of the *Commission Indépendante sur les Abus Sexuels dans l'Église* (CIASE), which took office in February 2019 under the Presidency of Jean-Marc Sauvé³⁰ (former President of the Council of State). Its objectives are to measure the extent of the phenomenon of sexual abuse of minors and vulnerable people committed within the Church by clerics and religious since 1950, to study the way these cases have been dealt with and to evaluate the measures taken by the French Church since the early 2000s, with a view to making recommendations so that these crimes are no longer committed and the victims are properly taken care of³¹.

charge entre les mains du pape», *Le Monde*, 31/1/2020, available on the website page: https://www.lemonde.fr/societe/article/2020/01/31/relaxe-en-appel-le-cardinal-barbarin-a-place-sa-charge-entre-les-mains-du-pape_6027938_3224.html

²⁹ Rodari P., “Papa Francesco accetta le dimissioni del cardinale di Lione Barbarin”, *La Repubblica*, 6/3/2020, available on the website page: https://www.repubblica.it/vaticano/2020/03/06/news/papa_francesco_vaticano_arcivescovo_lione_rinuncia_philippe_barbarin-250440164/

³⁰ <http://www.laparoleliberee.org/les-etapes-judiciaires-affaire-prey>

³¹ <https://eglise.catholique.fr/sengager-dans-la-societe/lutter-contre-pedophilie/commission-independante-abus-sexuels-eglise-ciase-appel-a-temoignages/>

The first priority of the CIASE was to launch an appeal, on 3 June 2019³², to collect the testimonies of those who had suffered personally or who would be able to testify about facts of sexual abuse in order to undertake a work of recognition and memory. To this end, a special telephone line was first set up, with properly trained operators, an e-mail address and a post office box. Subsequently, it was proposed to victims and witnesses to answer, anonymously, a questionnaire drawn up also thanks to the advice of victims and their associations.

In the following four months, CIASE received 2,500 testimonies by telephone, letters and e-mail. In addition, 800 questionnaires were completed.

The majority of the victims are male (60%) who suffered the crime when they were minors (90%). At the time of their response to the appeal, they were over 50 years old in 85% of cases. 88% of the facts suffered by these persons were not reported.

A fixed sum will be paid to the victims in recognition of their suffering³³.

More recent data (February 2020) speak of 4,500 testimonies collected and a final report that will be presented at the end of 2020-early 2021³⁴.

³²<https://www.ciase.fr/wordpress/wp-content/uploads/2019/06/CIASE-Communiqu%C3%A9-Appel-%C3%A0-t%C3%A9moignages.pdf>

³³ <https://www.letemps.ch/monde/lancement-dun-grand-appel-temoignabus-sexuels-leglise-france,3/6/2019>.

³⁴ Sipos A., «Pédophilie dans l'Église: déjà 4500 témoignages reçus par la Commission Sauvé», *Le Parisien*, 12/2/2020, available on

Finally, it is possible to make numerous considerations of a victimological nature regarding a murder committed in Agnetz, in the department of Oise, in November 2019 and which reached the honour of the chronicles more than a month later. Reading this news, it is very easy to reflect on the consequences that a victim (even indirectly) experiences as a result of victimization processes suffered or otherwise experienced due to the climate that is established in a family context marked by abuse. The connection is also immediately found in the theories of Hans von Hentig, who, in his work *The Criminal and His Victim* of 1948, examines author-victim relationships as they are considered fundamental for understanding and preventing crimes. In this sense, and in relation to the fact committed in France, it is important to remember his definition of victim-criminal (Von Hentig, 1948, pp. 431-432), which is that he is the one who, after experiencing humiliation, suffering and injustice for years and not having obtained adequate reparation for the injustices incurred, turned from victim to perpetrator.

This is probably the connection with the case that occurred in November 2019 when a young 19-year-old boy, fictitiously called Alexandre, was arrested because he was accused of killing a 91-year-old priest, now retired, Roger Matassoli, and hospitalized to

the website page: <http://www.leparisien.fr/societe/pedophilie-dans-l-eglise-deja-4500-temoignages-recus-par-la-commission-sauve-12-02-2020-8258541.php>

carry out a “compulsory health treatment” since his post-crime behaviour aroused the suspicion that he was suffering “from serious mental problems³⁵”. The victim was found in his home with a crucifix planted in his throat and likely signs of suffocation. Very quickly after the announcement of his death, several people began to report that they had been abused by Roger Matassoli when they were altar boys or catechism students. It is also brought to light that the first rumours of suspected abuse and mistreatment committed by Matassoli had already begun to circulate in 1984 when, in a landfill near a village where he was serving as parish priest, a picture of him naked was found. Placed in front of the evidence, Matassoli claims it was a memento of military service when he was 18 years old, but many believe that the facial features did not correspond at all to those of an eighteen-year-old person. At that time, it also emerges that Matassoli had already been transferred from village to village since 1962 and that everyone knew. Some of the victims had also filed complaints, but the investigations had never led to the opening of trials because of the prescription; nor did the letters sent to the Bishop of the diocese in 2002 have immediate effects. In fact, it is necessary to wait until 2009 when

³⁵ https://www.francetvinfo.fr/societe/religion/pedophilie-de-l-eglise/tout-le-monde-savait-la-soeur-d-une-victime-presumee-du-pere-matassoli-accuse-de-pedophilie-et-tue-dans-l-oise-temoigne_3753441.html, 23/12/2019.

Matassoli is relieved of his duties, but he continues to receive his salary until the moment of his death³⁶.

Returning to the murder committed by Alexandre, his lawyer reports that Matassoli had also abused his father and that his grandfather had committed suicide when he became aware of the facts. Alexandre himself had previously attempted suicide³⁷. As a result of the facts, a reception and listening point has been set up by the diocese so that the victims can come out into the open.

These cases of abuse and mistreatment, and above all their characteristic of being known to all, are reminiscent of those of an “ordinary incest”, entitled an ethnographic research carried out in a small country in the Paris region (Caisne, 2014). In fact, for 28 years, Nelly was raped and tortured by her father, Lucien. These incestuous facts, from which 6 children were born, were known to all (local administrators, neighbours, villagers in general, shopkeepers, social services, hospital, schools). In the quiet village of residence, as well as in the working-class neighbourhood where the father worked, everyone knew, and everyone talked about them. This research was carried out to try to understand this situation of general “*laisser-faire*” and to analyse the wave of collective indig-

³⁶ <https://www.dailymail.co.uk/news/article-7830283/Teenager-19-kills-paedophile-priest-abused-ramming-crucifix-throat.html>, 27/12/2019.

³⁷ https://www.ilmessaggero.it/mondo/prete_pedofilo_ucciso_padre_francia_ultime_notizie_oggi-4948975.html, 27/12/2019.

nation that was generated only as a result of Nelly's public testimony. It is an analysis that highlights that the incestuous relationship between Lucien and Nelly was not only "a family affair", but was also a "collective case" as this incest became part of the life of the places inhabited and frequented by the protagonists of the story until it became an almost ordinary element. In other words, the author concludes her research by saying that the inhabitants of this village have never portrayed these events as incest, or as a crime committed by a father on his daughter but have always lived them as facts and gossip belonging to the "history of the village". (*Ibidem*, pp.333-338). This incest was neither silent nor hidden, but on the contrary it was an event perpetrated, and about which people spoke, openly and this fact was never elaborated for what it was, an incest indeed.

The inhabitants were simply incapable of questioning themselves about the suffering inflicted on Nelly and her 6 children. In their existential flows, the forbidden and crime had found no place. This incest did not even contrast with their ordinary representations of family and family relationships between men and women. Lucien's incest on his daughter became a problem for the inhabitants only because of the mediatization generated by Nelly's complaint and the indignation that followed. This is because Nelly's public denunciation threatened

the course of ordinary life in the country and, therefore, from that moment on, incest had been named and, legally qualified as a crime, was once again a social and legal prohibition. As in a family in which the victim reveals incest and whose members remain anchored in the pre-existing order and exclude it, the villagers attempted to restore the order of the village by attacking Nelly.

Germany

The paedophilia scandal in Germany broke out at the end of January 2010 when it was announced that the then Rector of the prestigious Canisius-Kolleg school in Berlin, run by the Jesuits, had received letters the previous month from former pupils, now adults, asking him to act by reporting what they had suffered from teachers who had already left school and the Jesuit order in the 1980s; and convincing him that this was a wider and more systematic phenomenon of violence suffered by dozens of students.

The Rector, Father Klaus Mertes, then sent 600 letters to all those who, between 1975-1983, had been high school students to ask for and offer help, assuring them of the widest discretion and reassuring them that what they would reveal could help the school to repair these abuses³⁸.

³⁸Tarquini A., "Germania, stupri sugli studenti. L'orrore nelle scuole dei preti", *La Repubblica*, 5 febbraio 2010, available on the website page: https://www.repubblica.it/esteri/2010/02/05/news/germania_abusi_preti_studenti-2201355/

This case was a forerunner to complaints from other former Catholic high school students in Hamburg, Hanover, Göttingen, Hildesheim, Bonn.

As a result of these events, in 2010, both the German government and the Catholic Church launched two CRIS (Critical Incident Reporting System), which were independent of each other but which saw forms of mutual collaboration (for example, each of them included a member of the other system in its Advisory Board), with the aim of collecting information on victims of sexual abuse of children committed within the Church. A study carried out jointly by the University of Ulm and the Diocese of Trier offers the possibility to compare the victimological data collected by the two institutions (State and Church) and to analyse the motivations of victims who have chosen to communicate through one channel instead of the other (Rassenhofer et al., 2015).

Both CRIS appealed to German citizens urging victims to provide the information they considered appropriate through letters, e-mails and telephone calls to call centres. The Church's program included an online psychological counselling service, while the state program required call centre operators to advise callers to go to a local counselling centre if they so wished.

CRIS was contacted by a total of 927 individuals who reported being sexually abused in their childhood, 571 through the Church's counselling centre and 356 through the government's CIRIS.

It should be noted that the data collected by the government CRIS also refer to both Protestant and secular institutions.

With reference to the socio-demographic data of the 927 total victims at the time of the collection of information, the average age is 55.3 years, 65% of them are male and the majority reside in the West German states. If these data are analysed individually for the groups of the two CRIS, the same average age emerges, but the government database contains a higher number of male victims and residents in the Western states than the Church's database.

On average, the majority of victims (88.6%) reported repeated victimization that, in 65.9% of cases, was inflicted by a priest. The latter figure is higher in the CRIS of the Church than in that of the government (75.1% compared to 51.1%). The majority of victims stated that the attacker was male (92.3%).

Almost half of all victims (45%) reported experiencing psychosocial problems as a result of the abuse and, in particular, those most commonly reported were "flashbacks and nightmares" and "relationship problems/sexuality effects".

Finally, with regard to compensation, only a minority of victims (22%) raised this issue, both in terms of monetary compensation and other forms of reparation (e.g. a request for recognition of their suffering). This percentage is higher in the government database (37.7%) than in the Church database (13%).

Almost a decade later, the plenary assembly of the German Bishops' Conference, held in March 2019³⁹, analysed the results of a further study, the so-called MHG⁴⁰ study, carried out with the aim of detecting the frequency and forms of cases of sexual abuse of minors perpetrated by priests, deacons and other religious belonging to the jurisdiction of the German Bishops' Conference. The study analysed the events that occurred between 1946 and 2014, but previous cases were also considered if the suspect, at the time of the investigation, was still alive and had been accused of a crime committed before 1946. The data collected came from secondary sources such as diocesan archives as well as information collected during interviews with victims and religious (both accused and not accused). As part of the research, 38,156 files held in the 27 German dioceses in which circumstantial reports of sexual abuse of minors by 1,670 religious' people, i.e. 4.4% of them, were analysed. Clearly, this is an approximate figure by default because a considerable amount of information was found to be missing, especially when the persons involved had already died at the time of the research and when it had to do with episodes dating back a long time.

³⁹ <https://www.synodalerweg.de/italiano/>

⁴⁰ Available on the website page: https://www.dbk.de/fileadmin/redaktion/diverse_downloads/dossiers_2018/MHG-Studio-ital-Endbericht-Zusammenfassung.pdf

To these 1,670 religious people it was possible to trace back an equal number of 3,677 children and young people who were victims of their sexual abuse. 62.8% of them were male, and this research also confirms the contrast, already highlighted above, between this gender figure and that which emerges from the same types of facts committed within the general population. At the time of the first sexual abuse, 51.6% of the victims were no more than 13 years of age, 25.8% were at least 14 and 22.6% could not be reconstructed, while most of the first acts of abuse were committed by religious people between 30 and 50 years of age.

75% of the links between the accused and their victims stemmed from personal relationships, for example, at school during religious instruction, during ministerial services, during preparation for Communion or Confirmation. A very interesting aspect of the research concerns the list of psychological techniques used by the accused to prepare and justify the crime as well as to silence the victims: pressure or real psychological violence using their position of authority (on all victims); promise or granting of benefits (in 35% of victims); threat or physical violence (in 20% of victims); justification of the fact by religious, hygienic or sexual pedagogical reasons (in 16% of victims).

Only 33.9% of the accused had canon law proceedings initiated, about 25% of which were concluded without any penalty for the accused.

As a result of the discovery of increasing numbers of child abuse committed by religious people, prevention programmes have been implemented in all dioceses, although at the time of the publication of this research in 2016, it was reported that not all priests had yet been made aware, trained and updated in this regard.

Ireland

The situation in this country since the end of the 1990s is a succession of scandals, institutions of commissions, bodies and publication of the results of investigations⁴¹, of which a brief list is given below:

- 1999-2013: Magdalene Laundries scandal and 2013 government report. The Magdalene Laundries, also known as Magdalene Asylums, were opened in the 18th century, on the basis of the English and Dutch “workhouses”, to welcome the so-called “fallen women” in order to rehabilitate them. These institutions were run by nuns belonging to the following religious orders: The Sisters of Mercy, The Sisters of Our Lady of Charity, The Good Shepherd, The Sisters of Charity. The women interned came from poor families and were sent to these institutions to take them off the streets, but in reality, the aim was to lock them up so that no one could see them/meet them again.

⁴¹ <https://www.reuters.com/article/us-pope-ireland-abuse-factbox/factbox-reports-into-abuse-in-the-irish-catholic-church-idUSKCN1L51J0,20/8/2018>; <https://www.irishnews.com/news/popevisit/2018/08/25/news/clerical-sex-abuse-scandals-in-ireland-1415652/>, 25/8/2018.

At the beginning of the 20th century, these institutions also began to take in orphans, unmarried mothers, daughters of unmarried mothers and other young women whom the Church regarded as rebels. Controlled day and night by the nuns, who punished them for every slightest (suspected) infraction, they were deprived of all contact with the outside world and were also kept hidden from most visitors to those convents. Compulsory unpaid work was at the heart of the “re-educational” activities of these institutions (McCarthy, 2010, p. 8). These women worked for free as washerwomen, reduced to conditions similar to those of slavery, while these services were paid to the convent by external clients (churches, orphanages, penitentiaries, etc.). It is estimated, on the basis of the documents found, that from 1922 (the date of the founding of the Irish State) to September 1996 (the closing date of the last Magdalene Laundry) some 10 000 women were interned in 10 of these facilities (all figures here do not include two Laundries run by the Sisters of Mercy). The average age of the women when they entered the facilities was 23.8 years old (the youngest was 9 and the oldest was 89), while the youngest of the 879 women who died in the Laundries was 15 and the oldest was 95. The median duration of internment was 7 months, with 61% of the women remaining only up to one year, 12.4% between

2 and 5 years and 7.7% at least 10 years⁴². This scandal broke out in 1999⁴³ when the discovery of the remains of 155 women, buried in anonymous tombs, was reported during the restoration of part of a convent of the nuns of the order of Our Lady of Charity located in Dublin's High Park. It was, in fact, a portion of a building that had been sold in 1993 to a real estate company that intended to build residential housing. This story is masterfully told in a documentary entitled "The Forgotten Maggies", released in July 2009⁴⁴, directed and produced by Steven O'Riordan, which, thanks to the testimonies collected, focuses on human rights violations suffered by interns. It was shot between 2006 and 2009 in many Irish and British locations, such as Carlow, Wexford, Dublin, Kildare, Cork, Limerick, London and Bournemouth, and screened for the first time at the 2009 Galway Film Fleadh. The religious orders that ran the Magdalene Laundries declined the invitation to participate in the making of the documentary. Due to legal problems, the film was modified several times. It was also screened internationally at the Cantor Film Centre in New York in October

⁴² <https://www.thejournal.ie/magdalene-laundries-report-finds-direct-state-involvement-783428-Feb2013/>, 5/2/2013; <http://www.justice.ie/en/JELR/Pages/MagdalenRpt2013>; <http://www.justice.ie/en/JELR/Executive%20Summary.pdf/Files/Executive%20Summary.pdf>

⁴³ <https://www.cbsnews.com/news/the-magdalene-laundry/>, 8/8/2003.

⁴⁴ <https://www.irishcentral.com/culture/entertainment/shocking-new-documentary-tells-stories-of-four-irish-women-forced-into-magdalene-laundries-63309672-237662871>

2009 and was subsequently released in a limited edition in cinemas throughout Ireland. It has been available on YouTube⁴⁵ since 1 April 2016. This documentary gave the victims the opportunity to make themselves politically visible and this paved the way for the Irish state to admit responsibility for these events, led to an official apology in 2013 followed by the allocation of an Irish £50 million budget to survivors⁴⁶. In fact, the report completed in early 2013, and prepared by a committee appointed by the Government in July 2011 (Report of the Inter-Departmental Committee to establish the facts of State involvement with the Magdalen Laundries), highlighted three key points: about a quarter of the women (at least 2,500) interned were sent to Laundries directly by the State; the State entered into lucrative “procurement” contracts with the structures, which were configured as employer companies, without providing minimum wages for the women workers and in the absence

⁴⁵ The Forgotten Maggies, 2009, <https://www.youtube.com/watch?v=Y4VAdN7HaxQ>.

^Ajournalistic report on this subject was broadcast on Canadian private English-speaking television GlobalTv, and subsequently published on YouTube, in which, after briefly reviewing the events of the Irish Magdalene Laundries, it is revealed that similar institutions were also present in Canada until the middle of the 20th century. Available on the website: <https://www.youtube.com/watch?v=edlG5YbUf2U> (Slave Labour: Magdalene Laundries disgraced Irish Catholic women)

⁴⁶ McDonald H., “Ireland finally admits state collusion in Magdalene Laundry system”, *The Guardian*, available on the website page: <https://www.theguardian.com/world/2013/feb/05/ireland-magdalene-laundry-system-apology> 5/2/2013

of any compliance with the obligations arising from Social Insurance; the republican police hunted down and brought back to the institutions the interns who had managed to escape. The Minister of Justice addressed the religious orders in question asking them to contribute to the financing plan, receiving only denials⁴⁷. The victims received a sum of between £11,500 and £100,000 calculated on the basis of the length of their internment in the Laundries. These religious congregations have, however, assured the Minister of their full cooperation in helping women to gain access to documents relating to them, documents which were necessary to apply for access to the planned restorative justice programme. List of these commissions/investigations: https://www.safeguarding.ie/images/Article_Images/NBSCCC_Report_2009.pdf

- Ferns Report⁴⁸ presented in October 2005 by Ferns Inquiry to the Minister for Health and Children from which about 100 allegations or complaints by CSA against 21 priests of the Diocese of Ferns emerge. These events occurred between 1996 and 2005.
- The National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) was established in 2008 to provide help and advice,

⁴⁷ O Sullivan N., “Magdalene compensation snub is ‘rejection of Laundry women’”, *The Irish Post*, 2/8/2013, available on the website page: <https://www.irishpost.com/news/magdalene-compensation-snub-is-rejection-of-laundry-women-10561>

⁴⁸ <https://www.bishop-accountability.org/ferns/>

monitor and develop policies, procedures and operational guidelines for the whole area of child protection within the Catholic Church in Ireland⁴⁹. The NBSCCCI publishes annual reports outlining its activities and analysing suspected cases of abuse that have emerged⁵⁰.

- Ryan Report⁵¹, published May 20, 2009, was prepared by the Commission to Inquiry into Child Abuse, established by the Irish Government in May 2000. The purpose of the Commission was to provide an opportunity for people to report abuse, not just sexual abuse, suffered during childhood in institutions. Subsequently, a detailed implementation plan was published in July 2009 which included a set of 99 actions with the following objectives: to address the effects of past abuse; to develop and strengthen national child care policies and evaluate their implementation; to strengthen inspection functions; to improve the organisation and delivery of services for children; to make children's stories more effective; and to review Children First, the national guidelines for the protection and well-being of children and to support their implementation through legislation.
- The Murphy Report⁵², published in July 2009, was prepared by the Dublin Archdiocese Commission

⁴⁹ <https://www.safeguarding.ie/index.php/whatwedo>

⁵⁰ <https://www.safeguarding.ie/publications>

⁵¹ <https://www.gov.ie/en/publication/3c76d0-the-report-of-the-commission-to-inquire-into-child-abuse-the-ryan-re/>

⁵² <http://www.justice.ie/en/JELR/Pages/PB09000504>

of Investigation with the main objective of selecting, examining and accounting for the types of response provided by the Church authorities to complaints or allegations of child sexual abuse made, during the period 1 January 1975-1 May 2004, against members of the clergy of the Archdiocese of Dublin. This commission examined 46 complaints against as many priests, whose victims were more than 320 children, mostly male. The report describes the culture of secrecy that, until the mid-1990s, helped to keep the facts hidden so as not to damage the reputation of the Church.

- Cloyne Report⁵³ of December 2010, prepared by the Commission of Investigation, Dublin Archdiocese, Catholic Diocese of Cloyne. This report describes the handling of CSA allegations, complaints and suspicions against 19 priests over the period 1 January 1996-1 February 2009 and estimates that there were at least 40 victims.

Norway

In Norway also, in 2010 the news of the reality of the phenomenon of child abuse within the Catholic Church won the honour of the chronicles⁵⁴.

In the month of April, Bishop Eidsvig, during a press conference, announced the existence of a fur-

⁵³ <http://www.justice.ie/en/JELR/Pages/Cloyne-Rpt>

⁵⁴ <http://edition.cnn.com/2010/WORLD/europe/04/07/norway.bishop.sex.abuse/index.html>, 7/4/2010; <https://www.reuters.com/article/us-pope-abuse-norway/norways-catholic-church-reveals-new-abuse-cases-idUSTRE6382F620100409>, 9/4/2010.

ther 4 alleged cases of sexual abuse of minors committed by priests after he had already revealed a few days earlier that Bishop Mueller had resigned the previous year, publicly admitting that the cause of this was an abuse he had committed, twenty years earlier, on an altar boy. The victim, now in his thirties, did not wish to report the case to the Norwegian authorities.

With reference, then, to these 4 new cases made known to the public opinion, 2 probably occurred in the 1950s and involved alleged perpetrators now deceased. The alleged perpetrator of another fact, which had happened two decades earlier, has left Norway, whereas, with reference to the fourth case, it is reported that these are only rumours.

On 6th September 2019, the independent Anglican Church Times⁵⁵ newspaper published the six-month sentence imposed on an Anglican pastor, Peter Hogarth, serving in Norway for possession of child pornography and online solicitation of children under 16 years of age. Following his arrest in March 2019, the Bishop in Europe, Robert Innes, suspended him from his duties. Bishop Innes and the suffragan Bishop in Europe, David Hamid, in a joint statement, announced that the Diocese in Europe has provided support to those recently affected by these situations.

⁵⁵ Paveley R., "Prison for Norway cleric over child-abuse images", *Church Times*, 6/9/2019, available on the website page: <https://www.churchtimes.co.uk/articles/2019/6-september/news/world/prison-for-norway-cleric-over-child-abuse-images>.

Polonia

It is 2019 and, like many other countries, Poland, too, has had to deal with the revelations of child abuse committed by members of the clergy. In February of that year, an association of victims handed Pope Francis a report on paedophilia among the clergy in which a list was drawn up with the names of 24 Polish bishops accused of covering up cases of sexual abuse of minors.

In the following month, the Institute of Statistics of the Polish Church publishes a study, carried out by means of a questionnaire sent by the secretariat of the Bishops' Conference to all dioceses and religious orders, which shows that 382 priests have been found guilty of sexual abuse of minors committed since the 1990s. In particular, there were 625 victims, of whom 345 were under 15 years of age at the time and 58.4% of them were male. The events took place between 1 January 1990 and 30 June 2018 and the document also explains that it was not possible to obtain information relating to previous periods because the archives are empty or incomplete⁵⁶.

The canonical trial was established in 94.8% of the cases, 74.6% of which had already been judged at the time of publication of the study. In 25.2% of the cases the accused was sentenced to expulsion from the clerical state, while, in 40.3% of the cases, penalties were imposed such as suspension, canonical admonition,

⁵⁶ https://www.lapresse.it/vaticano/pedofilia_preti_polonia-1242533/news/2019-03-14/, 14/3/2019.

prohibition to work with minors, removal from office, restriction of the ministry and prohibition to appear publicly. 11.5% of the trials ended with the imposition of other types of sanction and, in particular, the imposition of penance, transfer to another parish or to a home for the elderly or sick, the obligation to follow a therapy. Finally, 12.6% of the trials were dismissed due to the death, suicide or poor health of the accused as well as insufficient evidence. In 10.4% of cases, the proceedings ended with acquittal⁵⁷.

Despite the spread of this news, what actually caused a ruckus in Polish public opinion was the publication on YouTube in May 2019 of a docufilm entitled “Tell No One⁵⁸”, filmed and produced by the Sekielski brothers which, in the first month alone, has been viewed 21 million times⁵⁹. At the time of writing this document, the views have risen to more than 23 million.

In the documentary, some victims tell their own story and their struggle for the truth which, in some cases, even goes as far as trying (and sometimes) to get a direct confrontation with the alleged molester with the aim of finding an answer to the question “Father, why did you choose me?” This feature film also aims to denounce the silence of the ecclesiastical hierarchies who preferred to

⁵⁷ <https://www.acistampa.com/story/conferenza-episcopale-polacca-studio-sulle-segnalazioni-di-casi-di-abusi-su-minori-10916,15/3/2019>.

⁵⁸ <https://www.youtube.com/watch?v=BrUvQ3W3nV4>

⁵⁹ Falco S., “Pedofilia: un video scuote la Chiesa Polacca”, 23/5/2019, available on the website page: <https://it.euronews.com/2019/05/23/pedofilia-un-video-scuote-la-chiesa-polacca>

move the accused priest from parish to parish rather than face the problem or make a complaint to the authorities⁶⁰. It also documents situations in which priests, already condemned with a perpetual ban on educational and care activities for minors, continue to teach catechism.

A few months later, at the beginning of September 2019, in order to provide a systemic response to abuse, the Polish Bishops' Conference inaugurated the Office for the Protection of Minors, whose main objective is to develop concrete and comprehensive ways of supporting victims, including the implementation of a network of psychological, legal and spiritual aid⁶¹.

Another documentary and another scandal: "Hide and Seek" is the title of the new docufilm published on YouTube on May 16, 2020 and viewed more than 4 million times after only two days⁶². Once again produced and directed by the Sekileski brothers, this feature film details the story of two brothers who were victims of sexual abuse committed by a priest who, according to the directors, has enjoyed, over the years, the tacit but concrete protection of Edward Janiak, now Bishop of Kalisz⁶³.

⁶⁰ <https://www.ilpost.it/2019/05/16/documentario-preti-pedofili-polonia/>, 16/5/2019.

⁶¹ <https://www.agensir.it/quotidiano/2019/9/5/polonia-conferenza-episcopale-crea-lufficio-per-la-protezione-dei-minori-risposta-sistemica-agli-abusi/>, 5/9/2019.

⁶² <https://www.youtube.com/watch?v=T0ym5kPf3Vc>

⁶³ <https://www.20minutes.fr/monde/2780347-20200516-pologne-nouvelles-revelations-pedophilie-eglise-pleine-celebration-centenaire-jean-paul-ii>

The Primate of Poland has also watched this film and with his statement released by the Catholic news agency KAI he underlines how the rules of protection of children and adolescents in force within the Church have not been respected. He also asks the Holy See to open a procedure in the form of a *motu proprio* by Pope Francis on the omission of a legally binding reaction.

Sweden

The Catholic Church in Sweden in early 2011 revealed that between 1940 and 1979, 3 priests sexually abused children. One of them molested two boys, another abused a girl for about 4 years during confession and the third molested two sisters⁶⁴.

Recently (October 2019), journalists on national SVT television discovered that two priests suspected of sexual abuse in the United States had previously worked in Sweden and had been dismissed because of allegations of sexual abuse in Sweden.

A few months after this news, SVT aired an interview with a victim of sexual violence (16 years old at the time) committed by a monk. The interviewee said that she had only revealed the incident in 2012 to the superior of the monk in question, who was contacted by journalists in December 2019 and reported that both he and the church hierarchy believe that it was

⁶⁴ <https://sverigesradio.se/sida/artikel.aspx?programid=2054&artikel=4372278>, 26/2/2011.

a long-term relationship between two adults and that no one had informed the Swedish authorities because it was too late to report the facts.

The Catholic Church has written a reply to the SVT stating that the investigations were carried out on the basis of standard procedures, adding that it has set up a special group to analyse how the victim was treated by the church authorities.

The monk was subject to disciplinary sanctions imposed by his order in Rome and, in particular, was relieved of many duties, ordered to follow a therapy and prevented from working alone with children or young people. However, SVT journalists reveal that, even after these punitive measures, he continued to deal with young people⁶⁵.

⁶⁵ <https://www.svt.se/nyheter/inrikes/accusations-of-sexual-assault-in-sweden-s-catholic-church>, 19/12/2019.

4.1

A theoretical introduction on prevention

Generally speaking, to the concept of prevention are attributed profoundly different contents according to the points of view adopted: there are those who conceive prevention as a criminal deterrent, both general and special; those who intend to direct this sphere towards practices to be developed outside the criminal system with the objective of reducing the occurrence of criminal behaviour and, in this perspective, others broaden the field of action of prevention towards social policies in a broad sense.

Declining these different theoretical approaches in an operational key with reference to the current methods to prevent and control crime means, however, questioning the contexts, the actors involved, the strategies, their objectives and which programmes have already been developed.

It should be pointed out that talking about crime prevention measures means at the same time also referring to measures to reduce victimisation. Indeed, the Recommendation on the participation of society in criminal policy (Committee of Ministers of the Council of Europe - ECR R(83)7 of 23/06/1983) considers that an appropriate response to the problems of crime must include the development of a criminal policy geared not only to crime prevention, the promotion of measures to replace prison sentences and the social reintegration of offenders, but also to helping victims. It also affirms the importance of the participation of society as a whole in the development of criminal policy (e.g. through ad hoc advisory committees and public debates) and the definition of the roles to be played by society in the implementation of criminal policy (e.g. through awareness-raising and involvement in victim support).

It is true that the term prevention raises issues for which solutions often do not differ much from common-sense practices. Undoubtedly, the widespread use of this term has also contributed to a certain amount of terminological confusion which has resulted in numerous expressions which, while all refer equally to the notion of prevention, thus demonstrating its extraordinary richness and highlighting its complexity, require precise explanations which clearly identify the different logical and action plans at stake.

Therefore, what is meant at present when we talk about crime prevention?

In order to answer this question, it is certainly useful to continue to refer to certain definitions taken from European provisions (standards and other acts and measures), given that crime prevention, over the last decade, has become an area of priority action not only at local and national level, but also from an international perspective.

In particular, the decision of the Council of the European Union of 28 May 2001 establishing a crime prevention network¹ highlights the need for a multi-disciplinary and partnership-based approach to crime prevention. Article 1 of this Decision defines crime prevention as follows:

“Crime prevention covers all measures that are intended to reduce or otherwise contribute to reducing crime and citizens’ feeling of insecurity, both quantitatively and qualitatively, either through directly deterring criminal activities or through policies and interventions designed to reduce the potential for crime and the causes of crime. It includes work by government, competent authorities, criminal justice agencies, local authorities, and the specialist associations they have set up in Europe, the private and voluntary sectors, researchers and the public, supported by the media”.

¹ European Council Decision 2001/427/JHA of 28 May 2001 setting up a crime prevention network (published in the Official Journal of the European Communities of 8 June 2001).

Reading this description, it can be assumed that preventing crime, among other things, consists, from an operative point of view, in preventing the commission not only of a criminal act in the strict sense, but also in reducing the frequency of other “antisocial” manifestations, using various types of resources to be employed in relation to individuals, groups and situations.

According to the 2004 Communication of the European Communities², in order to ensure the implementation of effective policies at all levels on their territories, it is necessary to have a special focus on the local dimension, developing preventive actions as close as possible to the citizens and involving different types of participants, both from the public sector (police officers, local administration, social workers particularly concerned with young people) and the private sector (business associations, insurance companies, voluntary associations and other citizens’ organisations). Therefore, this European Union document seems to encourage a significant evolution in the field of social control of crime, favouring the creation of what has been defined as the “third sector”, or “new apparatus of prevention and security” (Garland, 2004, pp. 283-285), which is making its way into the spaces left free by the other two sectors, namely that of law enforcement and the criminal apparatus. Compared to the other two, the sector of prevention and

²Commission of the European Communities, ‘Prevention of crime in the European Union’, COM (2004) 165, 12/3/2004, p. 7.

security appears, however, to be the weaker one, less endowed with resources, both human and economic, even if its strong points consist in the organizational networks which, in a set of practices coordinated among themselves, “whose primary task is to relate the activities of the existing actors and agencies, to coordinate the efforts of all towards a shared objective: the reduction of criminality” (*Ibidem*, p. 283).

To achieve this objective, it is necessary that a policy of prevention acts on situations or norms, separately or jointly: in the first case, the aim is to diminish the favourable opportunities for the commission of illegal acts or, vice versa, to increase the unfavourable ones; in the second case, instead, it is necessary to encourage the development of informal social norms which are in harmony with the respect of the law.

In the literature, many authors³ agree that prevention can be implemented through three levels of action:

- primary (or general) prevention, which concerns all interventions of a general nature to be directed towards socio-economic, psychological or situational factors affecting the commission of criminal acts. This approach therefore places the emphasis

³For instance: F. Dieu, B. Domingo, “La prévention de la délinquance: définitions, politiques, évaluation”, in MODAT Etudes, n. 2, December 2003 - January 2004, available at www.contratdeville-agglotoulousaine.fr, December 2003 - January 2004; P. Ekblom, A. Wyvekens, “Le partenariat dans la prévention de la délinquance”, Council of Europe Publishing, Strasbourg, 2004.

on the global population, on situations potentially at risk of delinquency/victimisation or on the objectives of crime (people and property) through, for example, the promotion of better living conditions for all and the participation of citizens in community life. It is therefore not simply a question of preventing the worst from happening, but rather of acting to achieve something good;

- secondary (or specific) prevention, which groups together multiple and different forms of social activities and insists on those groups or individuals who are considered to present a specific risk of committing crimes, on those subjects who, more than others, represent the privileged target of crime and on the places that could become theatres of victimization episodes (including the social actors that animate them);
- tertiary prevention intervenes, one might say, when the other two have failed. In fact, it intends to act also on the causes of recidivism and, therefore, deals with the individuals already convicted and the victims of the crime, favouring the reintegration of these subjects in their own life environments.

Combining these classifications, two prevention models can currently be distinguished: a) situational prevention, which seeks to avoid victimisation through surveillance and neutralisation; b) social prevention (Robert, 1991), which seeks to avoid the transition to

criminal acts and victimisation through more structural measures (Hebberecht & Sack, 1997, p. 10).

Situational prevention, first used in Anglo-Saxon countries, the Netherlands and Scandinavia, is a specific approach that is particularly targeted at potential victims. Its primary objective is to change certain situations in order to make them less favourable to the commission of criminal or antisocial acts.

The other model is that of social prevention, used particularly in France since the early 1980s, which includes programmes for which the target groups must be identified: for example, an intervention of social, cultural, sporting or economic animation aims to improve overall living conditions in a certain neighbourhood in the hope, in so doing, of indirectly intervening in crime.

By ideally applying these concepts to our research project, we will have:

1. WP3 - *Design of child protection policy* → action 3.1 “*Workshops with children/parents*”: focuses on situations potentially at risk of victimisation (primary prevention and social prevention) and involves direct (children) and indirect (families) potential victims (tertiary and social prevention); action 3.2 “*Development of Child protection policy*”: focuses on social actors who animate places that could become theatres of victimisation episodes (secondary prevention and situational prevention) and deals with both possible criminals and victims of crime (tertiary and social prevention).

2. WP4 - *Training implementation* → acts to increase awareness and improve the preparation of the social actors participating in the community life of the associations as well as the training of social control operators who come into play when the worst has unfortunately happened (primary and tertiary prevention as well as both situational and social prevention).

4.1.1 Preventing abuses through a situational approach

The so-called four preconditions theory (Parkinson, Oates & Jayakody, 2012) argues that sexual abuse can occur if the perpetrator sequentially satisfies the following four preconditions to his or her advantage: 1) he or she is motivated to sexually abuse a child; 2) he or she overcomes his or her internal inhibitions against this type of behaviour; 3) all external barriers can be overcome, including those that prevent access to the child; 4) the child's resistance is also overcome.

A situational preventive approach is able to work on all these 4 preconditions.

In fact, it provides operational indications (policies and practices) that identify critical points on which to intervene in order to reduce both those points of vulnerability that can expose children to possible victimization and to make adults responsible for taking active roles in the protection of young people.

In this sense, a situational prevention programme must identify the typical daily or routine activities that

are carried out within the organisation to isolate the critical points that could increase the risk of abuse for children, especially in those moments/places where controls are reduced. It is an approach that focuses on the criminal event (the CSA) and on what facilitated its execution (and any previous solicitation events), leaving out, however, the perpetrator's person and his motivations.

The purpose of this approach, therefore, is to modify the physical and organizational environment in order to reduce the chances of being able to commit crimes. It is therefore a question of creating situations in which potential perpetrators, in order to commit the abuse, should make enormous efforts and take high risks and, in this way, lead them to desist from their intentions; it is also necessary to work on the organizational culture to increase the level of perception of the phenomenon by operators.

The application of these concepts to the target organizations of our project offers the possibility to identify multiple preventive actions, many of them also of simple realization. By way of example we list the following ones: organising group activities and minimising one-on-one activities; teaching children simple assertive behaviour and self-protection techniques to make them a less attractive target in the eyes of a potential perpetrator; redesigning rooms/bedrooms so that there are no "blind spots" and surveillance is easy; providing separate sleeping areas for adults and children; facilitating informal exchange/

meetings during which children feel free to reveal their concerns (Higgins & Moore, 2019).

4.1.2 Training as a primary and tertiary prevention approach

As our SAFE project demonstrates, there is now a deep awareness that operators working with children have a unique position that allows them to engage in preventive actions thanks to the accessibility to the children themselves and the possibility to train properly.

In this regard, some researches have analysed the changes in the behaviour of social and health workers thanks to the participation in training sessions in which not only specific knowledge was transmitted, but also skills concerning, for example, the ability to better observe the surrounding environment. Although increased knowledge is not always directly linked to behavioural change, the literature suggests that knowledge and attitudes can influence behaviour and that the more specific the training is, the more likely it is to produce changes (Rheingold et al., 2014).

An important part of the training courses for practitioners and volunteers' concerns teaching how to be receptive to children's words, preparing them to listen and raising awareness of behavioural change. It is certainly not a question of demanding that operators and volunteers also assume the role of investigators in the

context of alleged CSA events, what needs to be conveyed is the importance of their position as “sentinels” and intermediaries in order to seek help.

Training programmes should also address the social change that affects the change in the forms of CSA. In fact, information technologies and social networks, as we know, make possible different forms of communication between perpetrators and victims. In other words, training courses will certainly have to study the past, but strategies for the protection of minors must also take into account the current environment and the challenges it presents.

Codes of conduct as a secondary and tertiary prevention approach

Finally, it should be remembered that, in recent years, numerous religiously inspired contexts in different parts of the world have committed themselves to improving the protection of children, for example by making rigorous selections of staff (structured and voluntary) in contact with them and by drawing up codes of conduct/guidelines to make explicit specific conditions to regulate the behaviour of these operators; codes to which they are required to express their clear consent.

In general, the aim of these codes is to clarify the levels of responsibility of the operators/volunteers and to describe the appropriate behaviour to be adopted in order to adequately protect the children in their care.

In particular, when we talk about child protection, we mean⁴:

- Protect children from abuse;
- Prevent the psycho-physical harm children may suffer;
- To ensure that children grow up in safe environments and receive adequate educational and care services.

The ChildFund Alliance, a network of 11 organizations operating in more than 50 countries around the world, sets out the values that must underpin these codes of conduct / guidelines⁵:

3. Dignity and value of each child
4. Children's right to participation
5. Empowerment
6. Respect for children's rights.

However, codes of conduct alone are not enough. In fact, they need to be monitored through committees set up for this purpose.

The following part of this report therefore aims to provide an overview of the guidelines for the protection of minors and vulnerable persons adopted by various religious and/or faith-based organizations at the Italian and international level.

⁴ University of Chester Academic Trust, Safeguarding Policy and Procedure Document, 25/9/2018. Available at the website page: <http://www.chester.ac.uk/education/journey/key-docs/ipp>

⁵ ChildFund Alliance, Keeping Children Safe, April 2017. Available at the website page: <https://childfundalliance.org/resources-old/publications/tools-guidelines/1468-keeping-children-safe>

5.1

The Catholic Church is moving: strategies in place to prevent the phenomenon

Following the first steps taken by Pope Benedict XVI to address the problem in the Church and later by a clear position taken by Pope Francis, the actions aimed at protecting abused minors within Catholic institutions are now much more substantial than in the past. Strongly desired by Pope Francis is the creation in March 2014 of the Pontifical Commission for the Protection of Minors, whose task is precisely to propose initiatives for the protection of minors and vulnerable persons in order to encourage awareness and responsibility of the Church, in agreement with the Congregation for the Doctrine of the Faith. This commission, initially composed of 17 lay members, religious and of different nationalities, will be joined by specialists in the field of child protection. Since its

establishment, this commission has conducted more than 200 educational meetings around the world with the aim of raising awareness of the impact of sexual abuse on children and supporting local churches in developing prevention policies. The Church's awareness and acceptance of responsibility to the victims is also marked by the words spoken by Pope Francis in August 2018 at the meeting in Ireland with 8 victims of abuse by ordained Catholics. In this fundamental meeting for the new path of responsibility undertaken by the ecclesiastical authorities, the Pope made his own the words of Pope Emeritus in his letter to the Catholics of Ireland in 2010 and added very strongly that these abuses are the sign of a "failure of the ecclesiastical authorities - bishops, religious superiors, priests and others - to adequately address these repugnant crimes"¹.

In 2019, in February, a fundamental meeting on "The Protection of Children in the Church" was organised in the Vatican, during which there were several speeches by academic experts and especially where the victims spoke on the issue of child abuse. Not only that, this congress represented the first opportunity to confront victims of abuse, who for years have kept their experience and trauma quiet, with 190 participants, including cardinals and bishops. The

¹ See the article in La Repubblica, *Pedofilia, il Papa in Irlanda: "La Chiesa ha fallito e io mi vergogno"*, available at: https://www.repubblica.it/vaticano/2018/08/25/news/papa_viaggio_irlanda_pedofilia_famiglie-204861002/, last consulted on 17/06/2020.

importance of this meeting is based on the fact that for the first-time victims of abuse have been placed at the centre of reflection in an open manner and that the congress has focused on the issue of guilt within the Church. From the theme of the guilt of those who blame themselves for the trauma suffered to the Pope's words about the Church. At the end of this congress it will, in fact, be Pope Francis himself who will speak with a statement in which he emphasizes the following:

“I would like to reiterate clearly here: if even one case of abuse - which in itself is already a monstrosity - is found in the Church, this case will be dealt with the utmost seriousness. Brothers and sisters: in the justified anger of the people, the Church sees the reflection of God's wrath, betrayed and slapped by these dishonest consecrated men and women. The echo of the silent cry of the little ones, who instead of finding in them paternity and spiritual guides have found executioners, will make hearts anesthetized by hypocrisy and power tremble. We have a duty to listen attentively to this suffocated silent cry”.

In addition to issues relating more specifically to abuses and how to combat them, the four days in the Vatican also dealt with issues relating to raising the minimum age for marriage to 16 years, in order to

limit the extent of the phenomenon of marriage-children, the establishment of an easily accessible structure for victims within the Vatican and the preparation of rules to regulate the transfer of priests.

At the end of the work, the Pope proposed eight points on which to work and concentrate the future efforts of the Church: 1) the protection of children against all psychological and physical abuse; 2) an “impeccable seriousness” to carry out what is necessary to bring to justice those who commit such crimes; 3) a “true purification” with commitment to pastoral life; 4) the formation of candidates for the priesthood; 5) the need for the unity of bishops in applying shared parameters as norms and not only guidelines; 6) the accompaniment and listening to abused people; 7) attention to abuse through the new media and websites; 8) addressing the problem of sex tourism both in the repression and in the reintegration of victims.

As a result of this meeting in the Vatican, in May 2019, Pope Francis issued an apostolic letter in the form of “*Motu Proprio*”, the “*Vos Estis Lux Mundi*” which has the force of law and has been in force since June 1, 2019 *ad experimentum* for three years. The novelty of this law is inherent in Article 3 of the same law, which establishes for the first time in a universal law of the Catholic Church the obligation to report promptly for a cleric or a member of an Institution of Consecrated Life or a Society of Apostolic Life the facts to a local Ordinary or other Ordinaries. It is nec-

essary to consider this further step of the Church as important for the direction taken to equip itself with internal norms that serve as an instrument for the creation of a climate of transparency and true protection for victims of child abuse and vulnerable persons.

In June 2019 the Italian Episcopal Conference (CEI) also moved in the wake of the principles established in recent years under the impetus of Pope Bergoglio, through new guidelines for the protection of minors and vulnerable people. In the aforementioned text, the emphasis placed on the formation of lay and pastoral workers who collaborate in ecclesial structures, as well as the importance given to the formation and accompaniment of the clergy, is of certain interest. As regards the first aspect, through the guidelines the *Regional Service for the Protection of Minors* (SRTM), the *Interdiocesan Service for the Protection of Minors* (SITM) and the *Diocesan Referent for the Protection of Minors* (RDTM) on what is proposed by the *National Service for the Protection of Minors* (SNTM):

- promote specific selection and training programmes for those working with minors;
- in collaboration with parents, civil authorities, educators and other community organisations, provide training on how to create and maintain a safe environment for children. These age-appropriate courses should explain what sexual abuse is, how to identify it, what grooming techniques are used,

how to report suspected sexual abuse to civil and ecclesiastical authorities;

- prepare appropriate texts of prayers and catechesis on the theme of dignity and respect for minors in order to foster and increase the spiritual life of the community, a necessary foundation for a real and conscious care of the most vulnerable (*Linee guida per la tutela dei minori e delle persone vulnerabili*, 2019, p.9).

As far as members of the clergy and their training are concerned, the guidelines focus on a training path which can be permanent, and which consists of specific lessons, seminars or courses on the protection of minors. In addition, candidates for ordination must undergo a specialist assessment “carried out by an expert approved by the Ordinary, who can reasonably exclude that the candidate suffers from sexual deviations or personality disorders or other psychiatric disorders, which may affect the control of sexual impulses, encouraging the commission of sexual offences or inappropriate sexual behaviour²” (*Linee guida per la tutela dei minori e delle persone vulnerabili*, 2019, p.9).

From a purely legal point of view, then, the Pontiff has recently issued a Rescript promulgating the Instruction on the confidentiality of cases (17 December 2019). In essence, it is provided that complaints, trials and decisions regarding the crimes referred to

²Translation by the author.

in Article 1 of the *Motu proprio* “*Vos estis lux mundi*” of 7 May 2019 are no longer covered by pontifical secrecy. In particular, these are: crimes of sexual violence, abuse of minors or vulnerable persons, production, exhibition, detention or distribution, including by telematic means, of child pornographic material, as well as the recruitment or induction of a minor or vulnerable person to participate in pornographic exhibitions.

This does not mean, however, that there will be an obligation to send the acts or the criminal news *ex officio* to the competent civil institutions, but it certainly makes the procedures of canon law in this regard more transparent and clearer. In fact, it is now easier to cooperate with the civil authorities, if there is a state law in every place that requires those with knowledge of the facts to report them. As a result, a central role is given to the victim, whose figure is recognised in the canonical process and who, therefore, will be kept informed of the various stages of the proceedings. Even though it still lacks that obligation for the ecclesiastical authorities to denounce the facts without the prosecution offices having to access the archives in search of evidence, it seems, in any case, that the path taken is the same and new developments are expected.

Another recent reform implemented on December 17, 2019 is the promulgation of a second Rescript, which specifically concerns child pornography, which

extends the crime of imprisonment and disclosure of such material, reserved in the judgment of the Congregation for the Doctrine of the Faith as punishable if it portrays minors under 18 years of age and no more than 14 as it was previously, defining it in Article 1. as: “the acquisition or detention or disclosure, for libidinal purposes, of pornographic images of minors under the age of eighteen by a cleric, in any way and by any means” (*Rescriptum ex audientia ss.mi*: Rescript of the Holy Father Francis introducing some modifications to the “*Normae de gravioribus delictis*”, 17.12.2019).

Again in 2019 there is a meeting dedicated to the “Prevention of sexual abuse: the commitment of ecclesial associations and movements” organized by the Dicastery for Laity, Family and Life³ and held on June 13 at the Hall of the General Congregation of the Jesuits in Rome. This dicastery, founded in 2016 by the will of Pope Francis, had already sent a letter in May 2018 to associations and movements asking them to draw up rules and procedures aimed at the protection of minors and vulnerable persons. The will of this meeting is therefore a further step to invite associations and movements to equip themselves with guidelines against abuses, in fact more than one hundred leaders of international aggregations attended the meeting. Of particular significance is the address

³ Please refer to the official website for further details: <http://www.laityfamilylife.va/content/laityfamilylife/en/il-dicastero.html>

of Dr. Linda Ghisoni Undersecretary of the Dicastery who followed up on her experience at the Meeting “The Protection of Minors in the Church”, that took place in February with the Presidents of the World Episcopal Conferences, dwelling on the ecclesial responsibility shared by all baptized persons. She then mentioned some testimonials given by victims that had highlighted the strict interconnection between abuse of power, conscience and sexual abuse. In his report on “shared ecclesial responsibility” Ghisoni touches on essential issues to adequately address the problem of abuse within religious institutions. Starting from the recognition of listening to the victim and citing direct testimonies, she enucleates all the most important dynamics of psychological-spiritual manipulation and abuse of power typical of these violent relationships. Finally, the lecturer challenges ecclesial associations and movements to create healthy environments, to provide correct information and to adopt transparent procedures by investing in training on an affective-sexual level.

In addition, following the Vatican summit held in February 2019, a “manual” against abuses in the church by the Congregation for the Doctrine of the Faith was recently promulgated. This document is intended to be a response to the 21 points of reflection that Pope Bergoglio had expressed at the 2019 congress. This “*Vademecum* on certain points of procedure in treating cases of sexual abuse of minors

committed by clerics”, promulgated on 16/07/2020, is addressed primarily for Ordinaries and other personnel needing to apply the canonical norms governing cases of the sexual abuse of minors by clerics. The aim is to give guidelines to the ecclesiastical structures addressed to clergy members on how to deal with cases of abuse and the procedure to follow after the reports received. The document does not add any ecclesiastical norms but wants to be a guiding tool to assist those who have to deal concretely with cases from beginning to end. In fact, the text concludes by making it clear that it is not intended to replace existing legislation: “this *Vademecum* does not claim to replace the training of practitioners of canon law, especially with regard to penal and procedural matters⁴”. Nevertheless, this new step promoted by the Congregation for the Doctrine of the Faith is important, if only because it has provided a new tool for intervention and help to those priests who find themselves having to deal with cases of abuse without knowing what procedures to follow.

It seems, therefore, that the Catholic Church is moving more and more towards an awareness of the problem within the Church, also addressing the issue in a practical way.

⁴ Full text available in several languages at the address: http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20200716_vademecum-casi-abuso_en.html

In fact, in the magazine of the Italian Clergy an essay has recently been published, signed by a religious woman belonging to the CEI commission on abuses, which specifically considers the path of care and protection to which abusers must also be subjected. According to this essay, the Church, “compassionate, transparent and responsible”, has the delicate task of caring not only for the victims, but also for those who carry out these actions⁵.

It will be interesting, therefore, to understand how much the associations and ecclesial organizations have included and accepted the proposed steps within their activities and what plans they have in this regard for the future.

5.1.1 Church organisations and implementation of the prescriptions on child abuse

The universe of associations, movements, organizations and universities that gravitate around the Church of Rome and its precepts is very populated and varied.

In this section of the report we will try to analyse how some of the most important of these religiously inspired structures have reacted to the problem of child abuse and what actions they have taken. It will not only focus on the Italian level but will also try

⁵ See the article of the *Messaggero*, *Preti pedofili, suora terapeuta rompe tabù: devono essere seguiti dalla Chiesa e non abbandonati*, available at: https://www.ilmessaggero.it/vaticano/vittime_abusi_pedofilia_preti_vaticano_cei_suor_anna_deodato_commissione_terapia-5256798.html, last consulted on 04/06/2020.

to highlight what is happening in the international context to verify the awareness of the phenomenon in these associative environments.

First of all, the guidelines of the *Focolari Movement* are of interest, since they differ in part for some decisive and significant choices. This lay movement of religious inspiration, also called the *Opera di Maria* (Work of Mary), born in the Catholic Church, is widespread in many countries, in addition to Italy, and its aim is fraternity, with a precise ecumenical vocation centred on the unity of peoples believing in respect and appreciation of diversity. It is in fact present in over 180 countries with over 2 million members⁶. With regard to the issue of the protection of minors, on 21 June 2019 (revision of the text of April 2014) the movement adopted its own guidelines for the promotion of well-being and the protection of minors and vulnerable people.

In the document drawn up by the *Commissione per il benessere e la tutela dei minori* (Commission on the well-being and protection of children - CO.BE.TU) it is of certain interest - at the beginning of the text - to refer to the United Nations Convention on the Rights of the Child, approved by the UN General Assembly on 20 November 1989.

While other Catholic inspired associations in general refer to the Pope's words and various ecclesiastical doc-

⁶ Data provided on the official website of the movement, on the page: <https://www.focolare.org/chi-siamo/#aboutus>, last consulted on 27/05/2020.

uments, the *Focolari Movement* directly implements Articles 3 and 19 of the aforementioned convention with reference to the prevention of violence, abuse, mistreatment and bullying of minors. In addition, the guidelines of the movement pay particular attention to the attendance of preparatory courses and in-depth studies on the subject by its members who carry out activities with minors, and require them to declare that they have not been convicted of crimes against public morality, decency, family morality and moral freedoms. All this within a framework of ongoing training with biennial updates. The importance of these guidelines also lies, and above all, in trying to enter into the internal dynamics and to “normalize” the methods of working with minors internally, for example by stating that: *“For safety and for the proven effectiveness of work in activities aimed at minors, it will be necessary that at least two adults are present”*.

The latter point thus addresses the issue of supervision of minors by a single adult without control by other members of the movement.

On the same line of prevention of risk factors there are then the two following steps: *“As far as possible, parents will be asked to provide for the transport of their children; in case of impossibility, they will be asked for an appropriate authorization, albeit informal”*. *“Discussions with children should be conducted in open, accessible and visible places”*.

Again with a view to following the indications of situational prevention (Higgins & Moore, 2019), at

least three other good practices are included, such as: a) *that conversations with minors are always conducted in open, accessible and visible to others*, b) *that adults sleep in separate but adjacent spaces for night-time rest to ensure vigilance* and c) *that minors who are able to use toilets and showers are not accompanied except in emergency situations*.

The same logic is observed here to avoid the one-to-one ratio between adults and minors in order to avoid possible abuse in the absence of external supervision.

Beyond the desire to regulate practices involving minors, it is good to remember that the text is drawn up by the same commission mentioned above and is established by the Movement itself. Its functions are those of a sort of internal court to which suspected cases of abuse must be submitted; furthermore, there is also the parallel institution of a Supervisory Body which has the task of checking that the commission's procedures comply with its mandate. Despite the internal reporting procedures and the reference for alleged abuses of canon law with regard to acts committed by clerics, the guidelines also point out that:

“The Focolari Movement, with regard to the obligation to report to the judicial authorities, will abide by the criminal legislation of each country or nation and the directives of the local Episcopal Conference. Therefore, in the presence of this obligation, the persons in charge of the Citadel, zone or zone where

the abuses took place, at the end of the internal procedure carried out by CO.BE.TU. or by the zone or zone commissions, in case of ascertained truthfulness of the reported facts, will forward a complaint to the competent judicial authority, containing a detailed account of what has been established, guaranteeing the closest collaboration with it and transmitting all the information in their possession⁷”.

This aspect is very important because it highlights the progress made by the Movement that goes beyond the provisions conceived so far within the Catholic Church. The willingness to include in its guidelines the obligation to report to the judicial authorities thus establishes an evident precedent that could act as a forerunner and example for other associative realities, bodies and organizations of religious inspiration.

As far as *Comunione e Liberazione* (CL) is concerned, in fact, in their *Regolamento sulla tutela dei minori e delle persone vulnerabili* (Regulation on the Protection of Minors and Vulnerable Persons) at least in three respects there are similarities with the guidelines of the Focolari Movement. In fact, CL also provides the following: a) training and prevention courses for members and adherents (art.1 and art.11); b) the production of self-declarations of

⁷All the quotations of the Focolari Movement Guidelines in this section have been translated by the author.

suitability regarding the absence of criminal records for collaborators (art.11); c) and the establishment of a commission for the protection of minors at the Fraternity of *Comunione e Liberazione* (art.17) with a whole series of specific competences and functions (art.19) ranging from the receipt of reports to any referral to the ecclesiastical authorities and/or civil authorities.

It is also specified that: “The Commission will not accept anonymous reports, rumours or accusations for which the person issuing such reports does not assume responsibility by drawing up a signed declaration, except in cases of imminent and concrete danger to the child or vulnerable person⁸”.

Moreover, this Regulation is in force *ad experimentum* for a three-year period starting from 1 January 2020.

In addition, Caritas, in its international structure through Caritas Internationalis, has adopted various guidelines and protocols more generally for the protection of harassment (Caritas Internationalis Guidelines against harassment), specifically for the protection of minors and vulnerable persons (Caritas Internationalis Guidelines on the Protection of Vulnerable Minors and Adults) and a protocol defining the procedures for reporting abuse (Caritas Internationalis Protocol on Case Reporting) which also serves as a model for national Caritas. All these documents and procedures must necessarily be adopted by all Caritas on the national and international territory.

⁸ Translation by the author.

Not only the ecclesial or religiously inspired bodies that have concrete and continuous activities with children have taken care of introducing internal regulations to address the issue of abuse, but also structures such as religiously inspired universities have dedicated bodies. For example, the Pontifical Gregorian University (PUG) has established the Centre for Child Protection with the clear intention of conducting studies, prevention policies, training and research in order to “put the focus on victims and survivors” of abuse. The approach of this centre is therefore to:

- Increasing sensitivity in the Church and in society at large,
- Enabling safe discourse about the risk of abuse,
- Competence in therapeutic and pastoral care,
- The spiritual and psychological empowerment of those who have been or could be harmed,
- The creation of a global network of knowledge and best practices in safeguarding⁹.

In addition, the Centre for Child Protection also has a specific diploma and a two-year licence on the subject of safeguarding.

5.2.2 Further faith-based international organizations and practices in the field

It has been said that listening to the minor when he reveals a secret, being able to perceive discomfort and

⁹ With regard to the mission and vision of the PUG project, please refer to the page of the dedicated website: <https://childprotection.unigre.it/our-purpose/>, last consulted on 28/05/2020.

not minimize it, is fundamental especially in certain institutional contexts where this is already difficult in itself to happen.

On this point the British Methodist Church has taken on board what is stressed in the literature in this regard not to neglect listening to the child (Moore et al., 2015; Moore, McArthur, Death, et al, 2016). In the Methodist Council's Safeguarding Policy, Procedures and Guidance of 2019 there is a section specifically dedicated to listening to the child (Listening, section 4.1) and the practices to be put in place in order to do so in the best and safest way. Not only that, there is much emphasis in the text on the obligation to set in motion all the institutional channels, police and bodies dedicated to the news of abuse within the Methodist Church.

This document is also very attentive, as seen in other guidelines, to situational prevention and to regulate a whole series of activities in a detailed and timely manner; what distinguishes this text from the others analysed is section 7 dedicated entirely to the presentation of a real mini guide both on the recognition of the so-called "alarm bells", i.e. changes in the behaviour of the child, and on the substantial definitions of abuse, maltreatment, sexual abuse and also dwelling on institutional abuse.

Still in Great Britain is also active the association Faith Associates whose aim is to bring together the

communities of religious minorities under the umbrella of a single entity proposing common actions. In this specific case the association promotes, among other things, a meeting between the Catholic, Muslim and Jewish faiths.

Among the unitary approaches promoted is a guide to 2015, *Protecting the rights of children and adults at risk of abuse. A guide to Child Protection and Adult Safeguarding for Faith Based Establishments*, which aims to be a vademecum for all religious entities regardless of the underlying faith inspiration. This document, in an almost brochure format, is surprising for its immediacy in dealing with FAQ-style topics or questions and answers such as “why is it important to protect children and people at risk of abuse?” or “what is the need for such a guide?”

The communicative method used, which may seem simplistic, is instead suitable for the purpose of the publication, i.e. to provide information in an immediate, simple and notionistic way that is well suited to the needs of reaching as many people as possible and especially with different cultural and religious backgrounds, which is the ultimate goal of this organization. Following this informative logic, the vademecum also introduces in the corpus interactive passages through which the reader, according to his or her role, with a yes/no answer mechanism to questions, passes to the section that directly concerns him or her, also following a useful checklist. The imme-

diacy and elementarity of the presentation, however, do not forget to address in a rigorous and serious way the topic of abuse in various forms; from the domestic one, to define the various degrees of serial, long-term or opportunistic abuse not forgetting the typologies linked also to the institutional one, thanks to an intelligent use of illustrations and explanatory drawings also in order to recognize possible risks. Finally, a focus is presented on the legislative aspect and a whole series of bodies, institutions, local authorities, internet sites and contacts specifically dedicated to reporting abuses are suggested, also recalling the importance of online security and abuses perpetrated on the internet.

Both this document by Faith Associates and the British Methodist Church guide explicitly mention institutional abuse in their texts.

An examination of the “good practices” implemented by various institutions, bodies, universities and religiously inspired associations reveals a multi-faceted picture of bodies attentive to sensitive issues concerning children and abuse. A virtuous path is thus undertaken in the promotion of protection and practices in order to prevent dynamics facilitating the risk of abuse.

However, it would be appropriate to add the possibility of analysing, as a whole, the problems linked to the discovery of sexuality, gender identities and discrimination linked to these conditions and trajectories of life of minors. The sensitivity of such an

issue to be addressed is evident, but it remains to be considered that organisations dealing with the education of minors must be fully aware of social, relational and individual dynamics in order to be able to act in the best possible way and to intervene preventively in case of abuse, especially to protect victims who are to be recognized in their individuality (Honneth, 2019). Finally, it is suggested to seriously consider the issue of the obligation to report abuse to the civil justice system and to adopt compliant legislation within its legal system to provide a clear signal that the objective of providing adequate protection to victims is being pursued.

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ANNEXES

MAPPING OF EXISTING PRACTICES ON SAFEGUARDING IN CHILDREN ABUSE

Name of the organization(s): _____
Caritas Internationalis _____

1. NAME, AIMS AND OBJECTIVE OF THE PRACTICE

Which needs does the practice address? What are the aims?

- PROTECTION FROM ABUSE AND EXPLOITATIO - Children and Vulnerable Adults Safeguarding Policy
- Caritas Internationalis Complaints Handling Mechanism - Policy and Procedure

These two documents apply directly to the following categories: all Caritas Internationalis General Secretariat staff and associates, those deployed through Caritas Internationalis mandated support mechanisms, member organizations staff and associates. The first document identifies the policies for the defence and protection of children within Caritas Internationalis, while the second regulates the procedure for reporting abuse.

2. CONTEXT

A short description of the context where the practice has been implemented (country; legislative framework; etc.)

The documents are addressed and apply to all Caritas in the world which are bound to follow their principles. As far as the reporting protocol is concerned, this act provides an alternative and complementary channel for managing complaints that can be activated in predetermined circumstances and when certain conditions are met. Caritas Internationalis recognizes that the responsibility to handle complaints remains with member organizations.

3. TYPE OF PRACTICE

Choose one or more of the categories below to define the practice.

- Identification
- Health and mental health Intake/Referrals/Assistance
- Legal Status/Legal Representation
- Awareness of Rights and Options
- Psychosocial and mental health services and support
- Victim Support and Counselling
- Education
- Spiritual Activities
- Prevention Regulations**
- Complaint to the civil authorities**
- Reporting and internal procedure**
- Offender Distancing
- Other modes of support/prevention intervention
(please specify) _____

4. DESCRIPTION

a) **Aims and objective of the practice** (which needs does the practice address? Which are the aims?)

As far as the document for the protection of minors is concerned, Caritas Internationalis provides for a whole series of conduct for Caritas staff and prohibited behaviour towards minors. A special attention is given to recruitment procedures where the person hired must not have a record.

The aims of the case report document are encourage all improper, unethical or inappropriate behavior to be identified and challenged at all levels of the organization; ensure anyone aware of a wrong-doing is supported in total confidence in reporting matters they suspect may involve anything improper, unethical or inappropriate; provide clear procedures for the reporting of such matters; manage all disclosures in a timely, consistent and professional manner; provide assurance that all disclosures will be taken seriously, treated as confidential and managed without fear of retaliation.

b) **Target population of the practice** (indicate if it refers to specific abuse or special categories of offenders and if it involves other parties such as family, victims, etc.)

The documents are addressed to all Caritas Internationalis staff, volunteers, internals and Board members. Consultants and contractors are also considered.

c) Tools and methodology (brief description of the main tools/ devices)

In the document for the protection of minors, the instruments indicated are a set of definitions of abuse and indications on practices to be avoided.

In the document for reporting cases, on the other hand, we have a number of bodies. Caritas Internationalis Complaints Handling Officer (CHO) who handles and receives reports. In addition, there is the staff of the General Secretariat who are also involved in the entire investigation process. The final decision is taken by the Secretary General.

d) Services involved in the practice (brief description of the types of services involved; e.g. public/private institutions, NGOs, specialist bodies, etc.)

The policies of Caritas Internationalis involve internal organisms and those created ad hoc to deal with reports of abuse. There is a general reference to reporting to the competent authorities if it is certain that punishable offences have been committed.

e) Professionals involved in the practice (what professionals have to be involved for the implementation of the practice: role, age and qualification needed)

The Complaints Handling Committee is composed as follows: The Complaints Handling Officer; One Caritas Internationalis Board member; The Caritas Internationalis Secretary General; The Ecclesiastical assistant of Caritas Internationalis.

Members of the CHC are nominated by the Secretary General of Caritas Internationalis in consultation with the CHO and the Human Resource Manager. There is no data on the selection process.

5. STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> • Indication of good practice (first document) • Internal investigation procedure (second document) 	<ul style="list-style-type: none"> • General reference but no explicit obligation to report to the competent authorities • Difficult to understand how the documents are adopted in the various national Caritas • No mention of victim protection

6. SPECIFICITIES / INNOVATION

Is the practice innovative? How? Is it an updating of a pre-existent practice or has it been implemented for the first time?

The abuse reporting process and internal investigations can be considered an innovative tool even if the focus on confidentiality seems to undermine this tool.

7. POLICY

The policy covers the different individuals who work in the organisations - staff, volunteers, trustees, contractors, partners. The policy covers all aspects of the organisation's work.

Yes, the policies are all-inclusive and address all staff members, all organisational levels and also the partners involved.

8. ACCOUNTABILITY

Responsibility for safeguarding at all levels of the organisation. Managers have oversight of safeguarding practice. How the organisation ensure that safeguarding measures are implemented.

Unfortunately, there is no mention of accountability processes, nor is there any mention of bodies monitoring the policies adopted and the investigation processes.

9. NOTES

Any other useful information or notes

On the Italian Caritas website there is no mention of these documents and the bodies involved, or if there is, it is not visible on the homepage of the site nor is it possible to know how the policies are adopted at national level.

Date: _____ 23/06/2020 _____

MAPPING OF EXISTING PRACTICES ON SAFEGUARDING IN CHILDREN ABUSE

Name of the organization(s): _____
Centre for Child Protection - Pontificia Università Gregoriana

1. NAME, AIMS AND OBJECTIVE OF THE PRACTICE

Which needs does the practice address? What are the aims?

The Centre for Child Protection (CCP) is addressed to all those who work in the field of child protection and provides educational resources, from basic to specialized training within the Pontifical Gregorian University.

2. CONTEXT

A short description of the context where the practice has been implemented (country; legislative framework; etc.)

The centre addresses both the Italian and international national context, welcomes scholars who want to improve the theme of safeguarding with specific courses, the promotion of conferences in english, research, publications and online courses.

3. TYPE OF PRACTICE

Choose one or more of the categories below to define the practice.

- Identification
- Health and mental health Intake/Referrals/Assistance
- Legal Status/Legal Representation
- Awareness of Rights and Options
- Psychosocial and mental health services and support
- Victim Support and Counselling

X **Education**

X **Spiritual Activities**

X **Prevention Regulations**

- Complaint to the civil authorities
- Reporting and internal procedure
- Offender Distancing
- Other modes of support/prevention intervention

(please specify) _____

4. DESCRIPTION

a) **Aims and objective of the practice** (which needs does the practice address? Which are the aims?)

The Centre's team and those working for the safety of children are committed to promoting awareness and prevention, as well as providing the necessary training for this purpose. This approach includes: raising awareness of the Church and society at large, fostering free dialogue about the risks of abuse, promoting expertise in therapeutic and pastoral care, spiritual and psychological empowerment of those to whom harm has been done or may be done, creating a global network for sharing knowledge and good practice in the protection of children.

b) Target population of the practice (indicate if it refers to specific abuse or special categories of offenders and if it involves other parties such as family, victims, etc.)

The centre is addressed to all those who work and gravitate in safeguarding to provide adequate tools of knowledge and intervention in the field.

c) Tools and methodology (brief description of the main tools/devices)

The teaching tools range from basic courses to specialist courses, international conferences, publications and teaching takes place with frontal or blended lectures.

d) Services involved in the practice (brief description of the types of services involved; e.g. public/private institutions, NGOs, specialist bodies, etc.)

On the CCP's official website there are no reported partners, although it is explained that there are a number of them also at international level whose aim is always to promote training for protection and prevention in the countries concerned.

e) Professionals involved in the practice (what professionals have to be involved for the implementation of the practice: role, age and qualification needed)

The whole team of experienced teachers who are trainers within the CCP have a pastoral imprint and doctorates in theology. Other specialisations alongside the theological one includes expertise in psychology, pedagogy and social work.

5. STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> Strong commitment to the educational and prevention context 	<ul style="list-style-type: none"> Being an educational centre, it does not take on any intervention to protect victims or report abuse

6. SPECIFICITIES / INNOVATION

Is the practice innovative? How? Is it an updating of a pre-existent practice or has it been implemented for the first time?

The innovation lies in the fact that the Pontifical Gregorian University has equipped itself with an educational centre entirely dedicated to the theme of safeguarding.

7. POLICY

The policy covers the different individuals who work in the organisations - staff, volunteers, trustees, contractors, partners. The policy covers all aspects of the organisation's work.

The educational tools are open to all those who want to benefit from them.

8. ACCOUNTABILITY

Responsibility for safeguarding at all levels of the organisation. Managers have oversight of safeguarding practice. How the organisation ensure that safeguarding measures are implemented.

There is a Scientific Advisory Board that meets twice a year to review and provide input for training resources. It is composed of academics from different disciplinary backgrounds and with an international approach.

9. NOTES

Any other useful information or notes

It would be of interest to know which partners have collaborated with the CCP and for what educational purposes. It would also be interesting to know concretely as well as education how this expertise has been exploited.

Date: _____ 25/06/2020 _____

MAPPING OF EXISTING PRACTICES ON SAFEGUARDING IN CHILDREN ABUSE

Name of the organization(s): _____
Faith Associates _____

1. NAME, AIMS AND OBJECTIVE OF THE PRACTICE

Which needs does the practice address? What are the aims?

- Protection of the rights of children and adults at risk of abuse. A guide to Child Protection and Adult Safeguarding for Faith Based Establishments (2015).

The guide is specifically designed to meet the needs of faith-based institutions who have consistently requested advice and guidance in relation to their safeguarding arrangements.

2. CONTEXT

A short description of the context where the practice has been implemented (country; legislative framework; etc.)

To produce this guide, Faith Associates have paid particular attention to developments in statutory and safeguarding legislation up until April 2015. Its authors have conducted a comprehensive literature review of good practice in the sector, whilst utilising established guidance from the Local Authorities. The guide also reflects the development of positive engagement with faith institutions nationally as well as locally. The Equalities, Community Safety and Cohesion Service is also to be acknowledged for providing the funding for this project.

3. TYPE OF PRACTICE

Choose one or more of the categories below to define the practice.

- Identification
 - Health and mental health Intake/Referrals/Assistance
 - Legal Status/Legal Representation**
 - Awareness of Rights and Options**
 - Psychosocial and mental health services and support
 - Victim Support and Counselling
 - Education**
 - Spiritual Activities
 - Prevention Regulations**
 - Complaint to the civil authorities**
 - Reporting and internal procedure
 - Offender Distancing
 - Other modes of support/prevention intervention
(please specify) _____
- _____
- _____

4. DESCRIPTION

a) **Aims and objective of the practice** (which needs does the practice address? Which are the aims?)

This guidance will help faith based establishments in England meet their responsibilities by helping to ensure: good accountability structures e.g., safeguarding role of the management committee, designated leads for Child Protection and Adult Safeguarding Person for 'Position of Trust Issues' to deal with complaints and allegations against staff, sufficient training in place, safe recruitment practice, supervision and support for staff (paid and volunteers), a clear process for dealing with complaints and allegations against staff.

b) Target population of the practice (indicate if it refers to specific abuse or special categories of offenders and if it involves other parties such as family, victims, etc.)

This guide is an essential communication tool that is addressed to all religious organizations that want to have policies to protect minors regardless of their religious beliefs or cultural approach.

c) Tools and methodology (brief description of the main tools/devices)

The document is a sort of communicative booklet in the form of a comprehensive set of good practices for the development of protection policies. It is intuitive and immediate, correlated with intelligent examples and checklists to cope with abuse issues in a systematic way.

d) Services involved in the practice (brief description of the types of services involved; e.g. public/private institutions, NGOs, specialist bodies, etc.)

The partners who have joined this project of Faith Associates are: Midlands Association for Safeguarding in Education (MA-SIE), University of Birmingham, Birmingham City Council.

e) Professionals involved in the practice (what professionals have to be involved for the implementation of the practice: role, age and qualification needed)

The project of this guide is addressed to all religious realities that want to equip themselves with safeguarding policies and that need to find tools and suggestions to do so, as well as useful numbers and good practices to be put in place.

5. STRENGTHS	WEAKNESSES
<ul style="list-style-type: none">• The purpose of being a tool suitable for all faith-inspired realities• High-impact communicative style	<ul style="list-style-type: none">• Being a brochure attentive to all realities and cultures, has no evident weaknesses in its simplicity.

6. SPECIFICITIES / INNOVATION

Is the practice innovative? How? Is it an updating of a pre-existent practice or has it been implemented for the first time?

The sure innovation is the communicative style with the help of images, check-lists and specific examples that help the reader to immediately frame the problem.

7. POLICY

The policy covers the different individuals who work in the organisations - staff, volunteers, trustees, contractors, partners. The policy covers all aspects of the organisation's work.

This guide is suitable for all religious organizations and for this reason it can be adopted at all levels thanks to a careful and uncomplicated approach to the issue despite the very simple style of presentation.

8. ACCOUNTABILITY

Responsibility for safeguarding at all levels of the organisation. Managers have oversight of safeguarding practice. How the organisation ensure that safeguarding measures are implemented.

It is not possible to speak of accountability in this case also because the guide is a guidance tool and not a specific policy within an organisation.

9. NOTES

Any other useful information or notes

Interestingly, all issues related to safeguarding are addressed in a sober and straightforward manner despite the simple form. Moreover, the approach allows them to be readable for any kind of culture or religion and this is a sure advantage of the guide.

Date: _____ 25/06/2020 _____

MAPPING OF EXISTING PRACTICES ON SAFEGUARDING IN CHILDREN ABUSE

Name of the organization(s): _____ Fraternità di Comunione e Liberazione _____

1. NAME, AIMS AND OBJECTIVE OF THE PRACTICE

Which needs does the practice address? What are the aims?

La tutela dei minori e delle persone vulnerabili

This series of practices are presented as a subsidiary document to the existing protocols in Comunione e Liberazione and above all not as an instrument of internal investigation, but more of guidance, prevention, education and caution.

2. CONTEXT

A short description of the context where the practice has been implemented (country; legislative framework; etc.)

The document sets out the policies relating to the training of educators and the practices to be put in place for the protection of minors. In addition, an internal commission for the protection of minors and vulnerable persons is established within the Fraternità di Comunione e Liberazione.

3. TYPE OF PRACTICE

Choose one or more of the categories below to define the practice.

- Identification
- Health and mental health Intake/Referrals/Assistance
- Legal Status/Legal Representation
- Awareness of Rights and Options
- Psychosocial and mental health services and support**
- Victim Support and Counselling
- Education**
- Spiritual Activities**
- Prevention Regulations**
- Complaint to the civil authorities
- Reporting and internal procedure**
- Offender Distancing**
- Other modes of support/prevention intervention
(please specify) _____

4. DESCRIPTION

a) **Aims and objective of the practice** (which needs does the practice address? Which are the aims?)

The ultimate aim of these guidelines is to train the protection of minors on the one hand and to take action following reports of abuse on the other. The policies of *Comunione e Liberazione* are not meant to establish internal organs of judgement but to support those existing in the Catholic Church and in the State.

b) Target population of the practice (indicate if it refers to specific abuse or special categories of offenders and if it involves other parties such as family, victims, etc.)

The practices are primarily directed to the protection of minors; therefore, they tend to the consequent removal of persons suspected of abuse and include psychological and health support for the victims.

c) Tools and methodology (brief description of the main tools/devices)

The entire first part of the document is designed to provide the organization with rules and practices of prevention to protect minors involved in educational, recreational and spiritual activities. The second part, however, includes the creation of the tool of the Commission for the protection of minors and vulnerable people.

d) Services involved in the practice (brief description of the types of services involved; e.g. public/private institutions, NGOs, specialist bodies, etc.)

Among the services provided for prevention are the supervision of minors, which should never take place with adults alone. Furthermore, as far as the commission is concerned, it carries out functions of receiving and evaluating reports of abuse, accompanying the persons involved and any referrals to Church and civil authorities.

e) Professionals involved in the practice (what professionals have to be involved for the implementation of the practice: role, age and qualification needed)

The commission is composed of five professional members in the medical/psychological, psychotherapeutic, pedagogical, legal and theological-pastoral fields. The members of the commission are chosen from personalities outside of *Comunione e Liberazione*.

5. STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> • Psychological and medical support to victims • Training for all staff in the organisation 	<ul style="list-style-type: none"> • No obligation to report to the civil authorities

6. SPECIFICITIES / INNOVATION

Is the practice innovative? How? Is it an updating of a pre-existent practice or has it been implemented for the first time?

The most significant innovation of this document is the provision of psychological support and assistance to victims.

7. POLICY

The policy covers the different individuals who work in the organisations - staff, volunteers, trustees, contractors, partners. The policy covers all aspects of the organisation's work.

The policies cover all aspects in which minors and vulnerable people are involved and address all staff.

8. ACCOUNTABILITY

Responsibility for safeguarding at all levels of the organisation. Managers have oversight of safeguarding practice. How the organisation ensure that safeguarding measures are implemented.

There is not a real system of accountability because there are any obligations to report as there are guidelines to support other protocols.

9. NOTES

Any other useful information or notes

The specificity of the document lies in the purely psychological and pedagogical approach chosen to protect the victims, also with respect to the composition of the members of the commission.

Date: _____ 22/06/2020 _____

MAPPING OF EXISTING PRACTICES ON SAFEGUARDING IN CHILDREN ABUSE

Name of the organization(s): _____

The Methodist Church _____

1. NAME, AIMS AND OBJECTIVE OF THE PRACTICE

Which needs does the practice address? What are the aims?

Safeguarding Policy, Procedures and Guidance for the Methodist Church in Britain. (2019)

This document sets out the policy, procedures and guidance relating to safeguarding within the Methodist Church. The provisions outlined are informed by current legislation and accepted good practice from within the Church, statutory agencies and other community organisations with safeguarding responsibilities.

2. CONTEXT

A short description of the context where the practice has been implemented (country; legislative framework; etc.)

The Church fully supports the personal dignity and rights of all children, young people and adults, as enshrined in the Human Rights Act 1998 and the 1989 United Nations Convention on the Rights of the Child. It recognises that safeguarding work is undertaken within a British legislative and associated government guidance framework which sets out a range of safeguarding duties and responsibilities

3. TYPE OF PRACTICE

Choose one or more of the categories below to define the practice.

- Identification
- Health and mental health Intake/Referrals/Assistance
- Legal Status/Legal Representation
- Awareness of Rights and Options
- Psychosocial and mental health services and support
- Victim Support and Counselling**
- Education**
- Spiritual Activities**
- Prevention Regulations**
- Complaint to the civil authorities**
- Reporting and internal procedure**
- Offender Distancing**
- Other modes of support/prevention intervention
(please specify) _____

4. DESCRIPTION

- a) **Aims and objective of the practice** (which needs does the practice address? Which are the aims?)

The Methodist Church is committed to safeguarding as an integral part of its life and ministry.

Safeguarding is about the action the Church takes to promote a safer culture. This means that the Church: promote the welfare of children, young people and adults, work to prevent abuse from occurring, seek to protect and respond well to those that have been abused. The Methodist Church affirms that safeguarding is a shared responsibility. Everyone associated with the Church who comes into contact with children, young people and adults has a role to play. This is supported with consistent policies promoting good practice across the whole Church. The Church will challenge any abuse of power within church communities by ensuring church officers adhere to safer working good practice and are supported to challenge bullying and abusive behaviour. It will ensure that processes are in place that listen to and advocate on behalf of children, young people and adults with the knowledge that they will receive care.

- b) **Target population of the practice** (indicate if it refers to specific abuse or special categories of offenders and if it involves other parties such as family, victims, etc.)

To put the policy in action these guidelines refer to all organizational levels of the Methodist church. At the local level in the circuits of individual churches, at the level of districts, charity trustees, Methodist schools and Methodist houses. In addition, it provides for a Safeguarding Director and Safeguarding Team at connexional level.

c) Tools and methodology (brief description of the main tools/ devices)

The Connexional Safeguarding Team, led by the Safeguarding Director, undertakes support, investigation and development activities in relation to a broad remit of safeguarding areas working with Connexional Team members, the Methodist Conference and Methodist Council.

d) Services involved in the practice (brief description of the types of services involved; e.g. public/private institutions, NGOs, specialist bodies, etc.)

All services and all levels of the Methodist Church are involved, from private houses to charity services to Methodist schools, all of them must adopt policies.

e) Professionals involved in the practice (what professionals have to be involved for the implementation of the practice: role, age and qualification needed)

Any worker within the structures managed by the Methodist Church must be aware of the policies and put them into practice, from educators to teachers to other workers.

5. STRENGTHS	WEAKNESSES
<ul style="list-style-type: none">• Protection of children• Promotion of good practices• Pastoral victim support• Obligation to report	<ul style="list-style-type: none">• No weakness

6. SPECIFICITIES / INNOVATION

Is the practice innovative? How? Is it an updating of a pre-existent practice or has it been implemented for the first time?

This document is the most innovative one analysed so far. Not only does it take all abuses seriously, it also takes domestic violence and policies are adapted to all aspects of the Methodist church and cover all levels from schools to private homes. In addition, there is a wide resonance given to the handling of complaints, the involvement of the authorities and the protection of the victim. It is among the most comprehensive documents of all.

7. POLICY

The policy covers the different individuals who work in the organisations - staff, volunteers, trustees, contractors, partners. The policy covers all aspects of the organisation's work.

The policies of this document cover all aspects of the organizations and structures managed by the Methodist church and are addressed entirely to all participants, from the faithful to the workers to the authorities of the church itself.

8. ACCOUNTABILITY

Responsibility for safeguarding at all levels of the organisation. Managers have oversight of safeguarding practice. How the organisation ensure that safeguarding measures are implemented.

The responsibility for implementation lies with the relevant charity trustee body: The Church Council for a local church and Circuit Meeting for the circuit. It is the relevant trustee body and the minister with pastoral charge or superintendent, if the allegations relate to activities of the circuit, who is also responsible for ensuring that allegations concerning those engaging in the life of the church are responded to immediately and according to good practice procedures (as outlined in this policy and Recruiting Safely) including referral to the statutory authorities.

9. NOTES

Any other useful information or notes

This document should serve as an example for other religiously inspired structures because it is complete and does not omit any aspect related to the theme of safeguarding.

Date: _____ 25/06/2020 _____

MAPPING OF EXISTING PRACTICES ON SAFEGUARDING IN CHILDREN ABUSE

Name of the organization(s): _____

Movimento dei focolari _____

1. NAME, AIMS AND OBJECTIVE OF THE PRACTICE

Which needs does the practice address? What are the aims?

Linee Guida del Movimento dei Focolari per la Promozione del Benessere e la Tutela dei Minori e delle persone vulnerabili.

These are internal rules for the promotion of the well-being of children and adolescents. The aim is to prevent and avoid all forms of violence, abuse, mistreatment and bullying of children, including those perpetrated by other children, during their activities.

2. CONTEXT

A short description of the context where the practice has been implemented (country; legislative framework; etc.)

The practices identified by the Focolarini movement are part of the association's structures. These are addressed to members and constitute an internal body for judging and evaluating complaints. As regards the legislative framework, they refer to the obligation to report to the civil authorities.

3. TYPE OF PRACTICE

Choose one or more of the categories below to define the practice.

<input type="checkbox"/> Identification
<input type="checkbox"/> Health and mental health Intake/Referrals/Assistance
<input type="checkbox"/> Legal Status/Legal Representation
<input type="checkbox"/> Awareness of Rights and Options
<input type="checkbox"/> Psychosocial and mental health services and support
<input type="checkbox"/> Victim Support and Counselling
<input checked="" type="checkbox"/> Education
<input checked="" type="checkbox"/> Spiritual Activities
<input checked="" type="checkbox"/> Prevention Regulations
<input checked="" type="checkbox"/> Complaint to the civil authorities
<input checked="" type="checkbox"/> Reporting and internal procedure
<input checked="" type="checkbox"/> Offender Distancing
<input type="checkbox"/> Other modes of support/prevention intervention (please specify) _____

4. DESCRIPTION

a) Aims and objective of the practice (which needs does the practice address? Which are the aims?)

The purpose of such practices is to put in place an internal process that can intervene and stop abusive behaviour, including referral to the competent authorities.

b) Target population of the practice (indicate if it refers to specific abuse or special categories of offenders and if it involves other parties such as family, victims, etc.)

The target population is definitely the perpetrator of the abusive behaviour. The aim is to stop this type of abuse as soon as possible. The victims are only taken into consideration as witnesses and for reporting the facts.

c) Tools and methodology (brief description of the main tools/ devices)

The main tool of these guidelines is the establishment of this internal judging body (*Commissione Centrale per la Promozione del Benessere e la Tutela dei Minori - COBETU*) together with a supervisory body (Organo di vigilanza) that must verify that the commission has correctly operated.

d) Services involved in the practice (brief description of the types of services involved; e.g. public/private institutions, NGOs, specialist bodies, etc.)

The services involved are the internal commission and the supervisory body set up to deal with the problem of child abuse. There are no external services involved other than external members of the supervisory body or in the case of complaints to civil authorities.

e) Professionals involved in the practice (what professionals have to be involved for the implementation of the practice: role, age and qualification needed)

The staff of the 7 member committee must belong to moral, legal, psychological, educational and medical fields. In addition, the supervisory body must have at least one member outside the Focolarini movement. Finally, complaints are referred to the civil authorities through the obligation to report.

5. STRENGTHS	WEAKNESSES
<ul style="list-style-type: none">• Internal Selection Committee• Supervisory body• Obligation to report	<ul style="list-style-type: none">• Protection and support for victims not present

6. SPECIFICITIES / INNOVATION

Is the practice innovative? How? Is it an updating of a pre-existent practice or has it been implemented for the first time?

The specific innovations of this document and the policies adopted consequently within the Focolarini movement are expressed in the following two main strands: prevention and detection. In the first case we have a strong focus on the training of those who carry out activities with children even if they not belong to the Focolarini movement. In the second case there is the willingness to cope with the problem by setting up an internal judiciary structure to isolate and quickly intervene in cases of abuse, also referring to the civil institutions with responsibility in that area.

7. POLICY

The policy covers the different individuals who work in the organisations - staff, volunteers, trustees, contractors, partners. The policy covers all aspects of the organisation's work.

The policies adopted by the Focolarini movement are addressed to all members within the movement and thanks to the committee attempts to protect minors as quickly as possible.

8. ACCOUNTABILITY

Responsibility for safeguarding at all levels of the organisation. Managers have oversight of safeguarding practice. How the organisation ensure that safeguarding measures are implemented.

The responsibility of members such as clergymen is taken seriously at all levels of the members' roles. The ultimate aim of the Supervisory Body (Organo di Vigilanza) is to verify that all procedures have been adopted in accordance with the guidelines and in consideration of the roles assigned to the Internal Investigation Committee.

9. NOTES

Any other useful information or notes

If a serious path of protection and accompaniment of victims had been set up alongside that of identifying the responsibilities of perpetrators of abuse, this document would be the most advanced ever within a religiously inspired association.

Date: _____ 22/06/2020 _____

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