



Implementation text

Prevention of sexualised violence, intervention and dealing with perpetrators and suspects in the Catholic Church

Decision of the Synodal Path adopted by the Synodal Assembly on March 10, 2023

Introduction

(1) Successful prevention of sexualised violence and competent intervention when cases occur requires not only a focus on those affected but also a targeted look at the perpetrators. This implementation text has focused in particular on clergy with the aim of preventing perpetration and describing a standardised and preventive approach to clergy who have become perpetrators.

(2) From the experiences gained with cases of sexualised violence¹ in institutional contexts² and in particular on the basis of the findings of the MHG study³ various insights have developed that form the foundation for the sustainable protection of (potentially) affected persons. These include, on the one hand, systemic framework conditions and, on the other hand, clear procedures in concrete cases of sexualised violence.

(3) In addition to prevention concepts, clear rules for dealing with perpetrators are also part of coping with the abuse scandal and preventing sexualised violence.

(4) Since the many cases of sexualised violence in the Catholic Church have become public, the German Bishops' Conference has developed standards for the prevention of sexualised violence⁴ as well as a clear set of rules for dealing with cases of abuse⁵ and for investigating them.⁶ These

¹ The general term sexualised violence encompasses different forms of violence (verbal, psychological, physical) and behaviour that violates boundaries.

² 254 Retkowski, Treibel und Tuider, *Handbuch Sexualisierte Gewalt und pädagogische Kontexte*, Beltz Juventa, Weinheim Basel 2018. Helmut Willems, Dieter Ferring (Eds.): *Macht und Missbrauch in Institutionen. Interdisziplinäre Perspektiven auf institutionelle Kontexte und Strategien der Prävention*, Springer VS (Wiesbaden) 2014.

³ The abbreviation "MHG" stands for "Mannheim, Heidelberg, Gießen". These are the locations of the researchers involved in the interdisciplinary research project. The results were published under the title "Research project: Sexual abuse of minors by Catholic priests, deacons and male religious in the area of the German Bishops' Conference".

⁴ "Framework Regulation - Prevention of sexualised violence against minors and vulnerable adults within the domain of the German Bishops' Conference" (Würzburg, 2019) and Handout "Framework Regulation - Prevention of sexualised violence against minors and vulnerable adults within the domain of the German Bishops' Conference" (2021).

⁵ "Regulation for dealing with sexual abuse of minors and vulnerable adults by clergy and other church staff" of the German Bishops' Conference (Würzburg, 2019).

⁶ "Joint declaration on binding criteria and standards for an independent examination of sexual abuse in the Catholic Church in Germany" (2020).

standards and regulations are updated regularly. They are to be supported by this implementation text and specified in individual places.

(5) Even though topics such as sexual development, respect for boundaries, personality development, education and training, etc. have already been addressed, we consider it important, especially in this implementation text, that dealing with sexualised violence and respect for boundaries (from education and training until retirement) is given attention again and again.

(6) This implementation text addresses the prevention of sexualised violence and dealing with convicted perpetrators⁷ and accused persons in the Catholic Church. We are aware of the need for a respectful and appreciative encounter with those affected. We see it as a self-evident requirement for bishops and leading church employees to practice the ability to speak about the topic of sexualised violence and to attend training courses on how to conduct appropriate conversations. These settings include clarity of roles, committee competence, transparent record keeping, adherence to standards of good administration among other things⁸. Such training would also be desirable in the congregations for the congregation leaders and members in order to be able to speak and deal with cases of sexualised violence.

Statements on primary prevention⁹

(7) 1. The Synodal Assembly calls on the DBK and the ZdK to work towards and review that prevention regulations are adopted in Catholic institutions and associations on the basis of the Framework Regulations¹⁰ and that protection concepts are implemented in a binding manner and their applications monitored. This includes all those working in the Church, full-time employees and volunteers, consecrated and lay people. Prevention regulations, their consistent implementation and the comprehensive development of institutional protection concepts are basic prerequisites for protection against sexualised violence. The dioceses, religious orders and ZdK member organisations shall provide an overview to the Assembly in 2026¹¹, which shows the proportion of church or association institutions with a prevention concept and church or association employees who have completed prevention training.

⁷ This implementation text does not use the term perpetrator in the legal sense of a proven criminal offence, but in the following sense: a person who is charged/accused of performing an act that is at least assaultive. It is known that there are also female perpetrators in the Catholic context. But in this text, the focus is on male clerics, hence the reference to perpetrators.

⁸ From the reports of those affected, it has often become clear that they were not treated with the necessary sensitivity and sympathy, but rather with a defensive attitude. Those responsible seemed and still seem to be partially at a loss when it comes to dealing with this issue and the people involved.

⁹ The terms primary, secondary and tertiary prevention as well as intervention do not describe a ranking or a degree of importance, but are separate fields of work within a problem management. Primary prevention aims to create framework conditions in order to prevent acts in principle. Secondary prevention takes place when the first manifestations of problematic behaviour are already present and a (further) consolidation/aggravation is to be prevented. Tertiary Prevention/intervention intervenes when the offences have been committed and are known. Intervention creates structures to prevent further acts and to set consequences in various areas (legal, therapeutic, etc.).

¹⁰ This refers to the "Framework Regulations - Prevention of Sexualised Violence against Minors and Vulnerable Adults within the Domain of the German Bishops' Conference", which has been in force in all (arch)dioceses since 1 January 2020. Of course, it is always to be understood as a reference point in its current version.

¹¹ According to Article 13 Implementation and Evaluation of the Statutes of the Synodal Path, the Synodal Assembly "shall meet three years after its last meeting ... to evaluate the implementation of the results of the Synodal Path"

Reasoning:

(8) Based on the expert opinions of the dioceses available so far there seems to be a gap between aspiration and reality in parts.

(9) 2. The Synodal Assembly asks the persons responsible for the formation regulations to include the following standards for prevention work in their framework regulations, insofar as these are not already laid down there: prevention work is an integral part of priestly formation and the formation of all pastoral vocations. This is reflected by the following standards: The prevention of sexualised violence is to be discussed between the training supervisor and the interested person during the admission procedure. The basis for this is a code of conduct which contains binding rules of behaviour for a professional and appropriate relationship of closeness and distance for seminarians and formation leaders. This code of conduct must be signed by all participants. For seminarians, this applies at the beginning of priestly training; for other pastoral vocations, this point in time is to be determined in a comparable manner. Raising awareness of and practising behaviour that respects boundaries, but also becoming aware of ways to complain and appeal, is part of the training with regard to all areas of life. In order to prevent candidates from behaving correctly only towards the training and diocesan leadership, but not towards peers or subordinates, there should be a low-threshold reporting possibility. An appropriately sensitive training programme must take into account the fact that trainees may also be victims of sexualised violence. If necessary, it supports the victims in the process of healing and coming to terms with the situation. If transgressive behaviour (e.g. insensitivity in daily contact with hugs, sexist language, condescending behaviour, etc.) already occurs during the training and there is no change in behaviour despite practised criticism and the issuing of possible conditions, acceptance into the church ministry is excluded. Acceptance into church service, also in other dioceses, is generally excluded in cases of abusive behaviour or sexual assault.

Reasoning:

(10) These measures serve to protect children and young people as well as adults in the church space and in all respective institutions. They can deter potential offenders from continuing to aspire to enter the ministry of the Church.

(11) 3. The Synodal Assembly asks the DBK, in cooperation with the Commission for Spiritual Vocations and Church Services (K IV), to anchor the feedback culture of all those working in church ministry in a framework regulation.¹² For example, there should be regular supervision in (pastoral) teams. A code of conduct as described in 2. is introduced in each diocese as binding for all pastoral workers and signed by each pastoral worker as a voluntary commitment. It formulates pastoral standards which serve as a basis for feedback discussions, regular discussions in pastoral teams and in staff management.

¹² For further work in this area, please refer to the basic principles in the implementation text "Personality development and professionalisation", which contains the necessary measures for personality development, personality formation, professionalisation of personnel deployment, quality management, for cooperation between full-time and part-time pastoral personnel (priests and non-ordained persons) and for the professionalisation of priestly formation

Reasoning:

(12) It is essential to address and punish misconduct appropriately and to provide support for change up to special conditions and target agreements. If staff and priests do not respect boundaries, openness to a culture of criticism and error is indispensable. In this context, it is imperative that this also takes place as a matter of course and without fear, beyond hierarchical and professional boundaries. It must be possible for people who have experienced boundary violating and abusive behaviour to make complaints easily without disadvantages to the person making the report. A team culture and regular team meetings, also across professional groups, are helpful in all the bodies at the respective levels as well as in the parishes and pastoral units.¹³

Decisions on secondary prevention and intervention:

(13) 4. Special men's, violence and conflict counselling centres or contact points¹⁴ should be regularly presented to the circle of staff and also specifically to seminarians and clergy and thus be known as a possible option for help and support.

Reasoning:

(14) For priests and other staff members who notice that they have problems with transgressive or abusive behaviour or develop fantasies of sexual assault, a low-threshold offer of psychological help must be available and accessible to them. From a research perspective, it is known that a certain percentage of the population has a sexual preference for children or adolescents. For these people, therapy in the counselling centres can be very helpful in dealing responsibly with their predisposition and preventing perpetration.

(15) 5. The Synodal Assembly asks the German bishops to address the issue of sexualised violence during their visitations. This must be anchored accordingly in the visitation regulations where this is not yet the case. The visitors should proactively address the topics of sexualised violence, of a protection concept and border-respecting behaviour in the various talks. This is especially true in communities that are or have been affected by sexualised violence, as this usually results in traumatisation¹⁵ or at least in a feeling of irritation and uncertainty within the institution or among the members of the congregation in particular.

Reasoning:

(16) This encourages those affected or those with knowledge of certain cases of abuse to report violations of boundaries and sexual violence. It is the right and duty of the bishop to demand the creation and implementation of protection concepts, to advocate for those affected by

¹³ For a more detailed discussion of this topic, see: Implementation text professionalisation.

¹⁴ Examples are the networks "Don't become a perpetrator", "Real men talk" or "Treatment initiative for victim protection".

¹⁵ Cf. ,inter alia, Ursula Enders, Zartbitter Köln, 2004: „Eine Institution, die zum Tatort sexueller Ausbeutung von Mädchen und Jungen wurde, ist dann als traumatisiert zu bezeichnen, wenn neben der objektiv und/oder subjektiv erlebten Bedrohung des Lebens und der Sicherheit der Kinder auch die Einrichtung von ihren Mitgliedern als in ihrer Existenz bedroht wahrgenommen wird. Meist erleiden betroffene Einrichtungen einen institutionellen Schock, der eine Einengung der institutionellen Wahrnehmung zur Folge hat. [Diese Institutionen] sind bei der Konfrontation mit sexueller Ausbeutung in den eigenen Reihen oftmals in ihren institutionellen Handlungsmöglichkeiten erheblich eingeschränkt sie sind wie gelähmt oder entwickeln Überreaktionen und handeln nicht nach den Prinzipien fachlichen Handels. In der Regel erleben sie einen institutionellen Kontrollverlust.“

sexualised violence and to be present in affected parishes, as he is entrusted with pastoral care for all the faithful of his diocese (Can. 383 CIC).

(17) 6. The Synodal Assembly calls on the German Bishops' Conference to develop a church disciplinary regulation for priests. Bishops are to have the option of imposing a condition of cooperation with regard to possible external counselling or therapy on priests who have not been proven to have engaged in criminally relevant behaviour but who do engage in behaviour that crosses boundaries or that is abusive. In this case, the term "condition" is not to be understood in the legal sense, but analogous to service agreements in the case of problematic behaviour.¹⁶

Reasoning:

(18) Bishops often do not see themselves in a position to take disciplinary action if no justiciable behaviour can be identified. This creates a vacuum which leads to insecurity and reticence/passivity.

Decisions on dealing with identified perpetrators¹⁷:

(19) Preliminary remark: With regard to perpetrators, everything must be done to prevent them from re-offending. Work with perpetrators is considered part of victim protection.

(20) 7. If a cleric is proven to be a perpetrator, the forensic-psychiatric expert opinion provided for by Intervention Order No. 52 must be obtained before possible therapy. A subsequent therapy should be carried out by special offender counselling centres or therapists specialised in the field. The contents and goals of therapy with perpetrators of sexualised violence must above all be victim protection (assessing and averting danger for those among the perpetrator's environment who are directly or indirectly affected) as well as accepting responsibility for the acts and consequences of their actions. In addition, recognition of their own patterns and motivations used by the perpetrators when committing sexualised violence is imperative in order to find perspectives for possible further employment and the respective suitability of the person. Failure or refusal to comply with the requirement must result in expulsion from the service. The same applies to other offenders, taking into account the possibilities and limits of labour law provisions. A completed therapeutic measure does not mean institutional rehabilitation of the offender.

Reasoning:

(21) The danger of repeat offences must not be underestimated. Statistically, the risk of re-offending is extremely high in the field of sexualised violence. It is therefore all the more important that sustainable security measures are taken with offenders.

(22) 8. Each offender is assigned a person by the Ordinary who checks the conditions and requirements and follows the further career and life of the perpetrators in accordance with the

¹⁶ Reference is made here to the applicable intervention "Order for dealing with sexual abuse of minors and vulnerable adults by clerics and other employees in church service" (Würzburg, 2019)

¹⁷ The introductory part of this text explains, why only perpetrators are mentioned here. See, among others, footnote 7.

"Regulations for Dealing with Sexual Abuse of Minors and Adults in Need of Protection or Assistance by Clerics and Other Employees in Church Service"¹⁸. In the case of transfers across diocesan boundaries, there is a mutual obligation to inform each other. It must be clarified which legal possibility exists in this regard in the case where a laicisation process has been completed or the employment relationship has been terminated.

Reasoning:

(23) Too often, due to transfer, change of residence and/or temporary "leave of absence" keeping track of and control over previous offenders has not been possible.

Further decisions:

(24) 9. The Synodal Assembly calls on the DBK and the ZdK to advocate for the continuation and further development of the "Independent Commission for Coming to Terms with Sexual Child Abuse" on a legal basis at the Office of the Independent Commissioner for Child Sexual Abuse Issues (UBSKM). This is to be understood exclusively as a supplement to the already ongoing internal investigation and in no way replaces it.

(25) 10. The Synodal Assembly asks the German Bishops' Conference to set up a specialist committee within two years at the latest to clarify the outstanding questions. This committee shall submit proposals on the following questions, among others: Clarification of disciplinary rules, the conduct of interviews and obligatory further training, staffing of the person in charge of controlling the offenders and the qualifications required for this position. In addition, this expert body is to be established as a permanent instrument and is to give account on a regular basis. The organisation of these processes will then be presented to the Synodal Assembly, which will "meet again three years after its last meeting ... to evaluate the implementation of the results of the Synodal Path" (Statutes of the Synodal Path, Article 13 Implementation and Evaluation).

¹⁸ Ordnung für den Umgang mit sexuellem Missbrauch Minderjähriger und schutz- oder hilfebedürftiger Erwachsener durch Kleriker und sonstige Beschäftigte im kirchlichen Dienst der Deutschen Bischofskonferenz (Würzburg, 2022), Nr. 50-55.