



# General Guidelines of the Congregation of the Sacred Hearts (Brothers) on Sexual Abuse of Minors and Vulnerable Persons



## Introduction

The mission of the Congregation of the Sacred Hearts of Jesus and Mary leads its members *"to identify with the attitude of Jesus and with His reparative work (...) Our reparation makes us participate in the mission of the Risen Christ, who sends us to announce the Good News of salvation. At the same time, we recognize our sinfulness, and we feel ourselves to be in solidarity with the men and women who are victims of injustice, hatred, and sin in the world. Finally, our reparative vocation encourages us to collaborate with all those who, led by the Spirit, work to build a world of justice and love, sign of the Kingdom."* (Constitutions 4)

Consequently the Congregation of the Sacred Hearts is committed to prevent any kind of abuse of persons by its own members and to react in a fair and reparative way whenever abuses occur.

The present Guidelines are focused on a specific and devastating type of abuse: the sexual abuse of minors and vulnerable persons. Most of these abuses are not just a canonical offense but also a crime prosecuted by civil law. That is why the commitment expressed in this document is a public one: before the Church and before the entire society.

These Guidelines are presented as general orientations that must be concretized at the local level in every administrative unit of the Congregation.

## 1. Fundamental principles

In the light of the teaching of the Church and the requirements of civil authority, as a Congregation we commit ourselves to the following principles:

- 1.1. To respect the dignity and integrity of every human being and to reject any kind of abuse that might be inflicted on persons.
- 1.2. To promote the safety and protection of minors and vulnerable persons.

- 1.3. To honor the integrity of the Church and its mission, in which our Congregation and our mission are rooted and find meaning.
- 1.4. To put in place and loyally accept the necessary control systems and clear personal boundaries that must be part of our ministry and our other responsibilities.
- 1.5. To take all concerns, allegations, suspicions and disclosures of sexual abuse very seriously, always keeping as a paramount concern the protection of any eventual victim.
- 1.6. To care for the victims of sexual abuse of minors and vulnerable people made by the members of the Congregation and to foster justice and reparation for the victims.
- 1.7. To assist the member accused, guarantying his rights and providing the necessary help, and to protect his good name as long as he is not found guilty.
- 1.8. To demonstrate transparency and accountability in the procedures dealing with cases of sexual abuse by members of the Congregation, fully collaborating with Church and civil authorities.
- 1.9. To have a person -the major superior or his delegate- in every administrative unit of the Congregation who will be trained to carry out the procedures and to foster safety and recovery of the victim and accused.

## 2. Cases

These Guidelines specifically refer to the following cases:

- 2.1. The sexual abuse of a minor according to the definition made by *Norms on Delicta Graviora* (approved by Benedict XVI on May 29, 2010), article 6 § 1 n. 1: *“the delict against the sixth commandment of the Decalogue committed (by a cleric) with a minor below the age of eighteen years; in this case, a person who habitually lacks the use of reason is to be considered equivalent to a minor”*.
- 2.2. The sexual abuse of vulnerable adults. The expression “vulnerable adults” refers to persons with physical, mental, or emotional conditions that render them unable to defend themselves, protect themselves, or get help when assaulted physically or emotionally. The term applies as well, in the context of a helping or pastoral relationship, to someone liable to suffer from the exercise of unilateral power on the part of the care giver or pastoral minister.
- 2.3. The sexual abuse of minors or vulnerable people according to the civil law in every country.
- 2.4. Any of the cases mentioned above, when committed by a member of the Congregation, cleric or not.

### 3. Procedures

Every unit (major community, region, delegation) must provide clear guidance on what to do when a concern arises, in order to make sure that there be a prompt response and the legal and practical requirements of the local Church and civil authorities be met.

- 3.1. Any complaint regarding sexual abuse of a minor or of a vulnerable person by a brother of the Congregation, either direct or indirect, must be immediately forwarded to the major superior.
- 3.2. A preliminary investigation will be done immediately by an instructor, who may be the major superior himself or his delegate. If, after the preliminary investigation, the report of the delict has at least the semblance of truth, the full procedure will be put in motion and the superior will inform the Superior General. In the case of a cleric, the Superior General will refer the case to the Holy See.
- 3.3. There should be immediate consideration following a complaint, whether the accused brother should continue in ministry during the investigation. The major superior has the authority to impose precautionary measures on the accused brother during the process, according to CIC can. 1722.
- 3.4. The instructor will explain -to all those involved in the process- the elements of the procedure the Congregation has put in place for dealing with a complaint against our members, including its policy on reporting to the civil authorities.
- 3.5. In dealing with a case of sexual abuse, all civil and canonical documentation should be followed carefully. The process for recording incidents, allegations and suspicions and referrals will be stored securely, so that confidential information is protected and complies with relevant legislation.
- 3.6. The safety and welfare of the victim of sexual abuse should be the first and paramount consideration following an allegation. Care should be given to the emotional and spiritual situation of the victim and of his/her family.
- 3.7. The instructor should meet and inform the accused brother that a complaint has been received and that it is being dealt with in accordance with canonical and civil procedure.
- 3.8. The superior should appoint an adviser to be available to the accused brother. The adviser should attend to all legal, pastoral, and therapeutic issues arising for the accused brother. The adviser should have appropriate training.
- 3.9. If a brother is found guilty of abuse, the community will acknowledge the wrong which has been done to the victims and will fully accept the demands of civil law as regards punishment and restitution/reparation.

- 3.10. The religious found guilty of sexual abuse may incur canonical penalties even to the point of dismissal from the Congregation and the clerical state. He should never be reassigned to ministry as long as he presents a danger for minors or vulnerable persons.

## **4. Pastoral care for the victims and the accused**

### **4.1 Care for the victim of abuse**

- a) The victim who comes forward to talk about his or her experiences must be listened to, heard and have their experience acknowledged in a caring and sensitive manner.
- b) The victim must be protected and immediately cared for with respect and compassion.
- c) The religious community will be concerned to help the victim in his/her recovery process.

### **4.2. Care for the accused**

- a) The religious community's response to an allegation of sexual abuse against a brother must include respect for the right of the brother who has been accused. The fundamental presumption of innocence must be upheld and respected, unless the contrary has been established.
- b) Careful attention must be given also to the psychological and spiritual health of the accused brother. This should extend throughout the period of the investigation of an allegation and beyond whatever determination is made in regard to it.
- c) A brother who has been found guilty of abuse should be given therapeutic help after a professional assessment. Hope for renewal and reform should mean that the brother be supported in whatever efforts he makes to effect a change in his behavior.
- d) Adequate steps should be taken to restore the good name and reputation of a brother who has been wrongly accused of the sexual abuse of a minor or a vulnerable person.

## **5. Prevention of abuse**

### **5.1. Initial formation**

- a) Major Superiors need to exercise great scrutiny in accepting candidates for our Congregation, as well as providing formation programs that offer the necessary foundational human formation, including appropriate formation in human sexuality. Serious attention should be given to the transfer of candidates from other congregations or from a diocese.

- b) Formation in human maturity, celibacy and managing power are a fundamental part of initial formation. Formation should also assure that our brothers have an appreciation of the Church's discipline in these matters. More specific directions regarding this protocol can be integrated into formation programs.
- c) In particular, brothers can take the opportunity to follow minor protection courses that offered by Church and other minor protection organization in order to support safe environment for children and young people.

## **5.2. Ongoing Formation**

- a) Ongoing formation of the brothers, especially in the first years after perpetual vows and ordination, is absolutely necessary.
- b) The evaluation of the way we exercise authority and we deal with power should be an important part of the local community project of life and of ongoing formation programs.
- c) Our brothers who are in ministry are to be well informed of the damage done to victims of clerical sexual abuse. They should also be aware of their own responsibilities in this regard in both canon and civil law. They should be helped to recognize the potential signs of abuse perpetrated by anyone in relation to minors or vulnerable persons.
- d) Ongoing education that promotes psychosexual maturity, healthy living and human wholeness is essential.

## **5.3. Healthy environment**

- a) The practice of review of life, prayer and mutual support in community is very important.
- b) Clear policies to promote respect, safe environment and power management in ministry should be fostered everywhere we serve.

## 6. Final remarks

- 6.1. Every administrative unit of the Congregation will establish more concrete guidelines for prevention and dealing with sexual abuse cases, according to the orientations of the local Church and the legislation of the specific country.
- 6.2. These General Guidelines will be updated following any eventual change in canon law and any further evolution in general awareness regarding the demands of protecting human dignity.

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