



Presentation of Synodal Forum II

“Priestly existence today” for the Second
Reading at the Fifth Synodal Assembly (9 -11
March 2023) for the implementation text

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

[Voting result in the Forum: 29 Yes, 1 No]

Introduction

We are aware that in all questions concerning sexual abuse in the Church, the victims must always come first. Nevertheless, in order to counteract sexualised violence, it is also necessary to look specifically at the perpetrators. This implementation text has focused in particular on clergy with the aim of preventing perpetration.

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 sustainable victim protection. These include, on the one hand, systemic framework conditions and, on the other hand, clear procedures in concrete cases of sexualised violence.

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

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

² 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".

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 standards and regulations are updated regularly.

The standards are to be supported by this implementation text and specified in individual places.

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.

This implementation text addresses prevention of sexualised violence and dealing with the perpetrators⁷ in the Catholic Church. We are aware of the need for a respectful and appreciative encounter with those affected. Among other things, we consider a trained conversation on the topic of sexualised violence to be a natural prerequisite for bishops and other responsible persons. If necessary, special training for bishops and those responsible on how to conduct conversations would be useful.⁸ An offer for parishioners to be able to speak out in cases of sexualised violence would also be helpful in the parishes.

Decisions on primary prevention:

1. The Synodal Assembly instructs the DBK and the ZdK to work towards and review the adoption and binding implementation of prevention regulations in Catholic institutions and associations. 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.

Reasons: So far, there seems to be a gap between aspiration and reality in parts.

2. The Synodal Assembly instructs the bodies 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

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).

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.

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. 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.

Sensitisation to behaviour that respects boundaries is part of the training with regard to all areas of life. 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 is generally excluded in cases of abusive behaviour or sexual assault.

Reasons: These measures serve to protect children and young people as well as adults in the church space. They can deter potential offenders from continuing to aspire to enter the ministry of the Church.

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. For example, there should be regular supervision in (pastoral) teams.

Reasons: It is essential to address misconduct 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 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.⁹

Decisions on secondary prevention and intervention:

4. Special men's, violence and conflict counselling centres or contact points¹⁰ should be regularly presented in the circle of staff and also in clergy circles and thus be known as a possible option for help and support.

Reasons: For priests and other staff members who notice that they have problems with transgressive 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,

⁹ For a more detailed discussion of this topic, see: Implementation text professionalisation

¹⁰ Here, for example, there are the networks "Don't become a perpetrator", "Real men talk" or "Treatment initiative for victim protection".

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.

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 traumatisation¹¹ or at least in a feeling of irritation and uncertainty within the institution.

Reason: This encourages those affected or those with knowledge of certain cases of abuse to report violations of boundaries and sexual violence. Moreover, the discussion fills the protection concepts that have been developed with life.

6. The Synodal Assembly calls on the German Bishops' Conference to develop a 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.

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.

Reason: 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 perpetrators:

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.

7. If a cleric has been proven to be a perpetrator, he must be required by decree to undergo therapy. This therapy should be carried out by special offender counselling centres or by therapists specialised in this field. The contents and goals of therapy with perpetrators of sexualised violence must above all be victim protection (assessing and averting danger for

¹¹ Vgl. u.a. 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**.“

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.

Reason: 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.

8. Ideally, each offender is assigned a kind of "case manager" by the Ordinary. This person is not a counsellor, but a control person who checks the therapy conditions and follows the further career and life of the perpetrator in accordance with the "Regulations for Dealing with Sexual Abuse of Minors and Adults in Need of Protection or Assistance by Clerics and Other Employees in Church Service" 50 ff. This is to be observed in a special way in the case of changes across diocesan boundaries.

Reason: 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:

9. The Synodal Assembly instructs the DBK and the ZdK to continue to work towards the establishment of a state agency for coming to terms with the past. This is to be understood exclusively as a supplement to the already ongoing internal investigation and in no way replaces it.
10. The Synodal Assembly instructs 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 "case manager" 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).