Sexual Violence in the Catholic Church
France 1950 – 2020

Summary of the Final Report
Independent Commission on Sexual Abuse in the Catholic Church (CIASE)

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Preface

The Independent Commission on Sexual Abuse in the Catholic Church (CIASE) was set up at the initiative of the Catholic Church in France with four guiding objectives: 1/ To shed light on the sexual violence committed in its institution since 1950; 2/ To examine the extent to which these cases were, or were not, dealt with; 3/To assess the measures taken by the Church to treat this scourge; and 4/ To make all useful recommendations.

The Commission was formed solely by its President, with no outside interference in his choice. It is composed of men and women chosen for their competence and impartiality and who, between them, hold a broad range of opinions and beliefs. The Commission was free to decide on its own work programme and there was no cap placed on the budget. It had access, as and when it wished, to Church archives.

In the course of its mission, it consulted many specialists and established a number of research contacts with the aim of drawing as complete a picture as possible, on both a quantitative and qualitative level.

The Commission wanted to place the victims at the very heart of its work. Its members listened to the testimonials of many who had suffered abuse, not as experts but rather as human beings accepting to expose themselves and confront, personally and together, a dark truth. By plunging into the heart of the matter, the Commission wished to assume its part of common humanity - here wounded and painful - which we all share. How can we know and understand the reality of the situation, let alone hope to draw conclusions from it, if we are incapable of letting ourselves be touched by the suffering and isolation and, more often than not, the shame and guilt endured by the victims? These experiences formed the basis of the Commission's work.

Over time the Commission became convinced that the victims held the key to a unique knowledge about the sexual violence suffered and that only they could grant us the access which could lead to restoration. Consequently, it is their words which serve as the guiding principle of the Commission's report. These people were victims who became witnesses and, in this sense, active players in establishing the truth. It is thanks to these people that our report was conceived and written. It is also *for* them that it was conceived and written and not solely for the mandators who commissioned it. It is on this strange and invisible exchange that the report has been built - and without any of this having been clearly thought out in advance.

And, when the lead weight of silence smothering the crimes began to crack and fracture and send shock waves through society leading to the support of public opinion, we owe it to the courage of the victims who, in overcoming their pain, took it upon themselves despite endless hurdles to talk about what had happed to them, first in small circles, then to those responsible and finally to the justice system and in public. Without their words, our society would still be living in ignorance, or denial, of what happened.

The Commission's report, therefore, is impregnated with the often-overwhelming experience of individually meeting these people who have suffered, and recognizing that they have suffered, from sexual violence. The long path has been harrowing for many victims for whom it has opened deep wounds and the Commission is intensely conscious of this. The experience has not left its members or, more broadly, all who have worked with the Commission, unaffected either. There has been an emotional cost and the people involved have frequently been shaken, hurt or downright appalled but they have come through this changed, and more determined than ever to show themselves worthy of the trust invested in them.

At the end of its work, the Commission drew up an inventory of sexual violence in the Church, which makes for particularly grim reading. In the over-eighteens of the population of France, the number of child victims who suffered at the hands of clergy, monks or nuns is, in effect, estimated to be about 216 000. While, in absolute and relative terms, these acts of violence were in decline up until the early 1990s, they have since stopped decreasing. The Catholic Church is the place where the prevalence of sexual violence is at its highest, other than in family and friend circles.

Faced with this scourge, for a very long time the Catholic Church's immediate reaction was to protect itself as an institution and it has shown complete, even cruel, indifference to those having suffered abuse.

Since 2000 and, even more since 2016, the Church has taken important steps to prevent sexual violence and to deal with cases effectively, yet these measures have often been very late coming and unequally applied once in place. Imposed in reaction to events, they appear to the Commission to be generally insufficient. During a close examination into what factors might have favoured sexual violence in the Catholic Church, while also creating obstacles to their effective treatment, the Commission presents 45 recommendations which cover a very broad spectrum ranging from listening to victims, reforming canon law, recognizing crimes committed, whether or not these are statute- barred, and the essential reparation of harm inflicted. Without overreaching itself, the Commission proposes measures on questions of theology, of ecclesiology and of sexual morals because this is where, in its opinion, certain interpretations or corruptions of doctrine have encouraged abuse and excess. It also makes suggestions regarding Church governance, the training of clergy, the prevention of sex abuse and dealing with the perpetrators.

Faced with so many historical or recent traumas, the Commission believes that there can be no question of "turning the page". The future cannot be built on denial or on burying the harsh reality; recognition and responsibility are required in order to advance. It is vital to really deliver justice to the men and women who have suffered, in body and soul, from sexual violence in the Catholic Church. Consequently, everything must be done to repair, in so far as is possible, the harm which has been done to them and to help them rebuild their lives. And to eradicate the breeding ground of abuse and the impunity of the perpetrators of these crimes. Such a step forward cannot bypass the need for a humble acknowledgement of responsibility from the Church authorities for the mistakes and crimes committed under its auspices. This will involve taking a path of contrition – on a level with the scale of suffering – which cannot be conceived and covered in a matter of days or weeks.

After all that has happened, there can be no common future without work towards truth, forgiveness and reconciliation and this applies to the Church as much as to civil institutions. The Commission has tried to contribute to this search for the truth. It is now up to the Church to seize on it, follow it up in and regain the trust of Christians and the respect of the French people in whose society it has a full role to play. It is imperative to reestablish an alliance, which has been severely tested.

This is my colleagues' and my deepest hope.

Jean-Marc Sauvé

President of the Independent Commission on Sexual Abuse in the Catholic Church

Summary

This report charts the work undertaken by the Independent Commission on Sexual Abuse in the Catholic Church (CIASE), which was formed by Mr Jean-Marc Sauvé, honorary vice-president of the *Conseil d'État* (Council of State), further to a mission statement addressed to him on 20 November 2018 by Monseigneur Georges Pontier, then President of the Bishops' Conference of France (CEF) and Sister Véronique Margron, President of the Conference of Monks and Nuns of France (CORREF).

I. CREATION AND METHODOLOGY OF THE CIASE

A Commission comprised of twenty-one voluntary members, set up by Mr Jean-Marc Sauvé at the request of the CEF and the CORREF, operating with complete independence. Data collection organized by three research teams and hearings and interviews conducted by the members of the Commission themselves.

The joint decision of the two conferences indicates the salutary desire – comparable to that progressively taken over the last fifteen years by other countries such as the United-States, Chile, Australia, Ireland, the Netherlands, Germany, Belgium and the United Kingdom – to shed light on the sexual violence perpetrated since the post-war era by Catholic priests, deacons, monks and nuns on children or vulnerable persons. In France, as elsewhere, the highlighting of various cases by the media may well have acted as a catalyst in the demand for transparency and this report is the first concrete outcome of just such a demand. The CIASE, therefore, is not blind to the fact that, even if representatives of the French Catholic Church wanted the Commission to be set up, it is mainly thanks to the determined action of victims of violence that it actually came to be created, and it is beholden to these people to study their cases.

The twenty-one members of the Commission (*cf.* list in annex), which in the interest of impartiality does not include any members of the church or any victims, have been chosen for their competence in the broad range of social sciences involved in the study: law, medicine (psychiatry in particular), history, sociology, psychology, ethics, the politics of social and health care and theology. It comprises an almost equal number of men and women of all ages and different religious beliefs as well as agnostics and atheists. All members worked on a voluntary basis, assisted by a small, almost entirely part-time team comprising, around the secretary general and the general rapporteur, six to seven rapporteurs, a project co-ordinator, one to two collaborators and three trainees over the thirty-two months of work that began with the constitutive meeting of 8 February 2019. Associated members, mainly retired legal professionals, gave their time freely to help with the many hearings of victims or to refer cases to the court in the correct legal manner (Article 434-3 of the Criminal Code).

CEF and CORREF, the two mandators, allocated the financial resources necessary for the accomplishment of the Commission's mission, without any right of review as to the validity of their use, only as to their lawfulness and accuracy. Most of the expenditure went on research and on the appeal for testimonials, which added up to an estimated cost - by late 2021 - of 2.6 million euros. It should be noted that staff expenses have been kept to a strict minimum since the President, the members – including researchers in their roles as directors of studies – the associated members, some of the rapporteurs and the general secretary were all volunteers. Their commitment is estimated at 26 000

hours' work in total, representing the equivalent of 1.2 million euros, based on the UADF[1] hourly rate for its own volunteers. The total cost of the CIASE's work, adding together the financial cost to the mandators plus the valorisation of the all the volunteers who have worked for the Commission, can therefore be valued at 3.8 million euros.

The report begins with a methodological preamble summarizing the work undertaken, placing it within the overall logic which underpins the CIASE's approach, while at the same time pointing out the constraints against which the Commission came up against - the problem of making itself known to victims or witnesses and then of inciting these persons to talk, even under cover of anonymity; the slow process of identifying archival holdings and of fine-tuning the legal guarantees needed to access them; the consequences of the COVID-19 pandemic health restrictions etc.

During the first three months of its existence, the CIASE's activity consisted of determining the Commission's approach, setting the exact perimeters of its investigations and implementing research and data-collection projects:

– An appeal for testimonials as the basis of a socio-demographic study led by a team from Inserm (*French National Institute of Health and Medical Research*) under the direction of Ms Nathalie Bajos, which included an online questionnaire and interviews as well as a vast general population survey[2]. The appeal for testimonials was launched on 3 June 2019, came to an end on 31 October 2020 and resulted in 6 471 contacts: 3 652 telephone calls, 2 459 emails et 360 letters dealt with by the team of France Victims. An anonymous online questionnaire, managed by the polling and market research firm, IFOP (*Institut français d'opinion publique*) was sent to these contacts with the aim of adding information to the Inserm analysis. 1 628 questionnaires were completed which, in turn, led to 69 research interviews. The general population survey took place online between 25 November 2020 and 28 January 2021 and was based on quota samples of 28 010 persons aged 18 and over; this was also managed by IFOP.

– An archival and socio-historical research project led by a team from the *École pratique des hautes études* (EPHE) under the direction of Mr Philippe Portier. This research was based on five types of source material:

- Firstly, the answers to a questionnaire sent to all bishops and major superiors of the institutions affiliated to the CORREF concerning the content of their archives in relation to the CIASE's study.
- Principally, the archives of the Church of France, including centralized archives and those of 31 dioceses and 15 institutes including historical, current and "secret" archives. Only two refusals were to be deplored, one from a diocese and one from an institute.
- Additionally, access to public archives - thanks to the derogations obtained by the researchers - mainly those of the Ministry of Justice, the Ministry of the Interior (the legal branch of the police force) and the *gendarmerie nationale.*
- A questionnaire-led survey of forty-eight clergy and monks on subjects varying from the evolution of training methods to chastity.
- Subsidiarily, all the testimonials, whether those addressed directly to the CIASE or the very many which are publicly available
- Even more subsidiarily, publicly available sources including public statistics and French press data bases.

– A socio-anthropological study led by a team from the *Fondation Maison des sciences de l'homme* (FMSH), under the direction of Ms Laëtitia Atlani-Duault (University of Paris, French Institute for

[1] French Union of Diocesan Organisations. This union is the administrative provider of the French Bishops' Conference.

[2] This system of survey (quantitative and qualitative) has been approved by the Inserm national ethics committee (Opinion N°20-667).

Research on Development, IRD) The first section of the study is based on a close study of all the victims' testimonies to the CIASE which is separated into two bodies of work: a) the 153 hearings of victims who bore witness during meetings with CIASE members and whose hearings have been transcribed and authorised by their authors and b) the 2819 letters and emails sent to the CIASE. This work made it possible to select the most representative of victims' verbatim accounts confided to the CIASE and to quote the victims' words throughout the report citing them, in particular, as the headings of each chapter as well as in the literary memorial entitled *"From Victims to Witnesses."* The second part of the study consisted of an analysis of the treatment of the CIASE's subject of investigation and, more specifically, of the media coverage and treatment of sexual violence against children in the Church in France from the 1950s to the present day, based on two bodies of work: a) news programmes of the main French television channels between 1990 and 2020, b) articles from four major titles of the national daily press from 2016 to 2020.

– A series of eleven research interviews with members of the clergy having perpetrated acts of sexual assault. These interviews were conducted, under the direction of Mr Philippe Portier, with ten priests and one deacon who had contacted the CIASE directly in response to the appeal to bishops and major superiors launched by the Commission. Additionally, Ms Florence Thibaut led the study of the personality analysis and psychiatric reports contained in 35 judicial files of ecclesiastics convicted for crimes falling within the scope of the Commission's investigation.

– Finally, a series of twenty interviews with priests and seminarists, of differing profiles and from all over France, led by Ms Alice Casagrande, Mr Stéphane de Navacelle and Ms Laëtitia Atlani-Duault. Scientific analysis of their words was provided by Ms Laëtitia Atlani-Duault.

In addition to these research projects and the interviews to which they gave rise, the Commission made use of two other types of interviews:

– 73 interviews during plenary sessions with specialists, experts, keynote speakers as well as victims - in individual and group contexts - and several interviews of representatives of the Commission's two mandators.

– 174 victims heard by representatives of the Commission – members, associated members or the general secretary - either in pairs or one-to-one with the President of the Commission, depending on the preference of the person wishing to speak at length. These interviews usually lasted between two and four hours. A protocol was drawn up for these purposes, including for when the hearings had to be organized remotely by video conference, in view of the restrictions on movement imposed from the spring of 2020 due to COVID-19.

- 48 interviews led by the Commission's four working groups which made it possible to hear 67 qualified persons from all walks of life (experts, representatives of the Catholic Church and other denominations, jurists, theologians, legal authorities, government services, members of diocesan and religious institutes' support centres etc.).

Anxious not to appear too "Parisian" and keen to contribute to its own appeal for testimonials, the Commission organized interviews in all major metropolitan areas of France (other than PACA – Provence-Alpes-Côte d'Azur – due pandemic-provoked cancellations), as well as Corsica and the Caribbean.

The abundant and weighty study and research material thus gathered allowed the Commission's four working groups to make a diagnosis and formulate recommendations:

– A group responsible for theological, ecclesiastical and church governance questions co-presided by Mr Alain Cordier and Mr Joël Molinario.

– A group responsible for studying the articulation between canon and civil law and for reflecting on ways of reforming canon law, co-presided by Mr Didier Guérin and Ms Astrid Kaptijn.

– A group devoted to the situation of victims and issues of responsibility and reparation, in particular the notion of restorative justice, co-presided by Ms Alice Casagrande and Mr Antoine Garapon. This group worked with a "mirror group" comprised of victims, either in their capacity as individuals or as members of an organisation, who were willing to let the CIASE benefit from their experience-based knowledge.

– A group called the "Evaluation Group" responsible for analysing the way in which the Church dealt with, or did not deal with, cases brought to its awareness, and to evaluate the measures taken by the Church of France since 2000 – at the express request of the CEF and the CORREF, co-presided by Mr Sadek Beloucif and Ms Anne Devreese.

The above skills and data have all been used in the compilation of this report - plus in the equivalent of some 2000-odd pages of digital annexes - which is divided into three sections corresponding to the three themes of the mission statement:

– "Casting light" on the painful quantitative and qualitative observations drawn from the collected data.

– "Revealing the shadows" and establishing a severe diagnosis based on the observations and placed within the context of the eras concerned.

– "Dispelling the darkness" and finding appropriate ways of dealing with the issue of sexual violence in the Catholic Church, with regard to the past, since 1950, the present and the future - as these questions loom large ahead of us.

II. CASTING LIGHT: A QUALITATIVE AND QUANTITATIVE ANALYSIS OF SEXUAL VIOLENCE IN THE CATHOLIC CHURCH BASED ON THE COLLECTED DATA

A massive phenomenon, long covered by a shroud of silence and difficult to ascertain the size of. The Catholic Church is much more concerned than any other place where children are socialized, with the exception of family and friends. Lives ravaged by the assaults.

In the first section of the report, the Commission presents an overview of the phenomenon of sexual violence committed against children and vulnerable persons in the Catholic Church in France from 1950 to the present day. Marked by the victims' traumatic experience of violence and silence, some of whom were speaking for the first time and many of whom were being listened to and recognized as victims for the first time, the CIASE wanted, first and foremost, to acknowledge their trauma and their stories, by both learning from their accounts and by recalling scientific opinion with regard to the long-term consequences of sexual abuse, in particular when suffered in childhood or adolescence.

Then, in a more traditional manner, the Commission puts the phenomenon in perspective by placing it in an historical, geographical and sociological context. Based on analysis provided by the EPHE, it evokes the evolution of French society – and of the Catholic Church at its heart – during the period in question. This was a period of secularization, individualization, the evolution of the place of women and children and the transformation of social ideas of sexuality and sexual violence. Against this backdrop, the phenomenon of sexual violence in the Catholic Church falls broadly into three periods: 1950-1970 can be described as the height of the abuse; 1970-1990 was a period in which the abuse appeared to decline

and the early 1990s which marked an apparent resurgence, based on information available, without it being possible to conclude with any certainty that there was a definite increase during this period[3].

Geographical analysis of the cases identified throughout the entire period would seem to indicate that, even if at first glance it would seem that more cases of abuse were committed in areas of high religious practice, if we look at the relative value, i.e. the number of cases per number of clergy in the area, it transpires that, in actual fact, more cases of abuse occurred in areas of low religious practice. This is probably a consequence of lower levels of supervision and support of priests in these areas as well as a lower tolerance of misconduct leading to a more systematic reporting of it over the past 70 years.

Sociological analysis, based principally on work undertaken by the Inserm, initially focuses on persons who suffered abuse as children. The main characteristics to emerge from the study show that most of the victims were pre-adolescent boys from all social backgrounds. The typology of abuse falls into six categories: "parochial abuse" committed by the local priest or vicar - the sort of person regarded as a village dignitary; "school abuse" committed by a priest, religious teacher or house master; "family abuse" committed by a family member or close family friend; "educational abuse" committed within the context of a patronage or scouts movement; "therapeutic abuse" committed by a priest acting, or claiming to act, as a psychotherapist; and "prophetic abuse" committed within the context of so-called new communities which were particularly popular in the 1970s. Superimposed on this typology in a transversal manner were three control mechanisms which aligned themselves along three powerful tenants of the Catholic Church: the sacraments, a sense of vocation and charity or helping others.

The cases of adult victims who responded to the Commission's appeal for testimonials or who were heard are dealt with separately in order to highlight specific traits of violence to which these persons were subjected. Particular emphasis is placed on the cases of nuns or seminarists who were sexually assaulted. As far as these adults are concerned, despite the diversity of their situations, there emerges an overall sense of authority morphing into power and control becoming all-important, particularly in situations of vulnerability which are reinforced by the ecclesiastical context. It comes across even more clearly with adults in so far as relationships of power associated with an age gap do not come into play.

The way in which victims spoke out or broke their silence, as they told the Commission of their experiences, shows just how long and obstacle-strewn this process is and how it is all too rarely properly taken into account or followed up by the entourage or institution.

A study of the perpetrators of sexual abuse is based on the examination of two thousand cases found in the archives of dioceses or institutions and on interviews carried out in the spring of 2021 with eleven of the perpetrators who were born between 1933 and 1954. These interviews provide an insight into the way the abusers view their own behaviour, between (often) minimizing its importance, denial, and (rarely) with complete recognition and acknowledgement. Equally, these interviews shed light on the perpetrators' reaction to decisions which directly concern them, whether church sanctions, state justice, the creation of the CIASE or the changes which should, in its opinion, be brought about in priests' training, in particular about questions of sexuality.

The first section of the report ends with the presentation - and putting in perspective - of the quantitative results reached by the Commission. It affords equal importance to the qualitative analysis based on its work of listening to victims and experts but is aware that it is legitimately expected to deliver statistics reflecting the prevalence of sexual abuse and that these are useful both for reaching an accurate diagnosis and for suggesting appropriate recommendations in view of the magnitude of the trauma. However, such statistics must be treated with caution. The silence of the victims, of their entourage and of the Church inevitably limits our knowledge of the facts. The Commission, therefore,

[3] Cf. Inserm report p. 425. Confidence intervals for the last two periods overlap.

endeavored to cross-reference its sources – the general population survey, the quantitative and qualitative survey based on the appeal for testimonials and the analysis of archive material – and to double check the consistency of the results obtained. To verify their coherence different sources were compared to each other, to the results of foreign commissions working with similar mandates to the CIASE and to other data available in existing scientific literature.

Keeping these methodological precautions in mind, the Commission arrived at an estimate of the number of child victims to have suffered sexual assault at the hands of priests, deacons, monks or nuns to be 216 000[4] over the period from 1950 to 2020, based on the general population survey of 28 010 persons aged 18 and over and representative of the French population in accordance with the quota method. By broadening the analysis to include persons connected to the Church (staff of Catholic schools, laypersons providing catechism or chaplaincy services, organizers of scouts or other Catholic youth movements) the estimated number of child victims rises to 330 000 for the whole of the period. This study shows that more than a third of sexual assaults within the Catholic Church were committed, not by clergy or monks, but by lay people. Due to a lack of scientific certitude, the Commission renounced trying to estimate the number of adult victims of sexual assault in the Church.

The CIASE has made every effort to situate these cases of violence, which are extremely high in absolute terms, in the more general context of acts of sexual violence committed in our society as a whole. Two conclusions may be drawn by looking at it from this perspective.

The first, as may be expected from previous studies, is that sexual violence on an equally massive scale occurred across French society: 14.5 % of women and 6.4% of men, i.e. approximately 5 500 00 people suffered sexual assault in their childhood. Acts of sexual violence committed by clerics, monks or nuns represents just under 4% of this total. Those committed by persons connected to the Catholic Church (including laypersons) represents 6% of the total. The second conclusion concerns the prevalence of sexual violence committed on children in different socialization environments surrounding or linked to the Catholic Church: family, friends, state school, holiday camps, sports clubs or cultural activity structures. It emerges that whilst the vast majority of sexual violence against children was perpetrated by family or friends (3.7% of persons aged 18 or over in mainland France suffered sexual abuse as children by a member of the family, 2% by a family friend and 1.8% by a friend or acquaintance) significantly more such acts were committed within the Catholic Church (1.16% by persons connected to the Catholic Church of whom 0.82% by clergy, monks or nuns) than any other sphere of socialization (0.36% in youth holiday camps, 0.34% in state school, 0.28% in sports clubs and 0.17% in the context of cultural and artistic activities). The Catholic Church is thus, with the exception of family and friendship circles, the environment in which the prevalence of sexual violence is by far the highest.

That far fewer victims are individually counted in the appeal for testimonials or in archival investigations does not in any way negate these estimates. Partly because many of the testimonials collected mention other victims who have not come forth themselves and partly – mainly – because the massive underreporting of sexual assaults is well documented in scientific studies and is corroborated by this report. Furthermore, the only general population survey carried out for a similar commission to the CIASE, that working in the Netherlands under the direction of Mr Wim Deetman, has produced comparable quantified estimates to Inserm's survey conducted on behalf of the CIASE. In fact, the proportion of the population socialized in the Catholic religion being doubtless higher in France than in the Netherlands where Protestantism is widespread, it is highly likely that acts of sexual violence were, in relative terms, fewer in our country.

[4] Inserm-EHESS, Table 52, p. 428. Upper and lower limits of the 95% confidence interval are 270 000 and 165 000 respectively for this estimate.

Still more sensitive a question is the estimated number of clergy and monks who perpetrated sexual assault over the period in question. Research, conducted with great rigor and thoroughness by the EPHE, into the archives of the Church, the justice system and the press, completed by data gathered from the appeal for testimonials, leads to an estimation of between 2900 and 3200 aggressors. This bracket constitutes a lower limit in so far as not all cases of abuse are known to the Church and not all cases which are known have led to a file being opened. It indicates a ratio of 2.5% and 2.8% of clergy and monks from 1950 to today (approximately 115 000 clergy and monks). This ratio is lower than findings published by foreign commissions, which stand between 4,4% and 7,5% but is not incompatible with the even lower figure produced by the Deetman commission in the Netherlands. It is true that this would imply a very high number of victims per aggressor. However, such a result is not impossible as scientific research shows that a sexual predator can effectively assault a great number of victims, especially predators of male children - as is overwhelmingly the case in the Catholic Church. In order to continue the discussion, and based on contradictory scientific conclusions, the Commission drew other hypotheses corresponding to aggressor rates of 5% and 7%. However, it is conscious of the profound disparity between different types of aggressor: those who only act on impulse a handful of times and compulsive, repeat offenders. Ultimately, while conscious of the difficulty of ascertaining the real number of clergy and monk aggressors from a study reliant mainly on archives – a difficulty which, of course, applies to the studies of all the other countries too – the Commission came to the conclusion that a rate of approximately 3% of ecclesiastical perpetrators of sexual violence constitutes a minimum estimate and a pertinent basis of comparison with other countries.

The picture thus drawn reveals that the phenomenon of sexual violence in the Catholic Church from 1950 to the present day is massive; that is has decreased over time but is still present; that it is based on numerous clearly identified traits of a systemic nature. The trauma suffered by the victims is compounded by the perpetrator's standing.

III. REVEALING THE SHADOWS: THE CATHOLIC CHURCH'S ATTITUDE HAS EVOLVED OVER TIME, BUT IT HAS REMAINED TOO FOCUSED ON THE PROTECTION OF THE INSTITUTION, FOR A LONG TIME WITH NO REGARD FOR THE VICTIMS

A Church institution which has not come to the defence of the victims. Canon law with serious failings. Legal obligations which are still not widely enough known or respected.

In its second section, the report establishes the Commission's diagnosis regarding sexual violence in the Catholic Church. Once again, the various disciplines represented within the Commission, as well as the different sources of data used, are brought together to place the perpetrated acts and their media coverage, from 1950 to the present day "in the context of the era in question" to cite the terms of the mission statement.

The historical sequencing used in the first section is again employed here to help define the evolution of the Catholic Church's attitude towards the acts of sexual violence committed within its confines. From 1950 to 1970, the desire of the Catholic Church to protect itself from scandal and to "save" the aggressors dominated its policy, while it concealed the fate of the victims who were exhorted to remain silent. From 1970 to 1990, the question of sexual violence took a back seat to the priesthood crisis, which monopolized the internal support structures for "problem" clergy and this goes too for the clinical field which was a way of treating reported cases, abandoned by the end of this period. The Catholic Church's attitude gradually began to change from the 1990s as it started to take onboard the existence

of victims - even if this could not yet be considered recognition. It was only from 2010 that the Church began to recognize victims when it started reporting cases to the judicial system, imposing canonical sanctions and accepted that dealing with aggressors should no longer be an internal affair.

Over the greater part of the period studied by the CIASE, its observations show that the Church's attitude could be summarized as one of concealment, relativization or even denial, with only a very recent recognition, dating from 2015, and even then, unequally accepted by dioceses and religious institutions. If this analysis is combined with what has been said in the first section regarding the prevalence of sexual violence against children and vulnerable persons, the concept of a systemic phenomenon emerges. It is not that the violence was organized or accepted by the institution (although this did happen in a very small number of communities or institutions), rather that the Church did not have any clear idea how to prevent such violence or indeed even see it, let alone deal with it in a fair and determined manner.

In analyzing factors specific to the Catholic Church which might, in addition to the socio-historical contextualization, help explain the sheer scale of the phenomenon and the Church's inappropriate reaction to it, the Commission firstly looked into the specificities of canon law, as to a certain degree the inadequacy of the Church's response to the phenomenon lies in the shortcomings of this law. Canon law was conceived, above all, to protect the sacraments and reform the sinner. The victim has no place in this law. Canon law, even its criminal aspect, is totally ill-adapted to the repression of sexual violence, which, incidentally, it never refers to by name. The Commission reached the conclusion that canon law is entirely inadequate with regard to fair trial standards and human rights in a matter as sensitive as the sexual abuse of children.

Secondly, and more fundamentally, the Commission studied the deviations, the distortions and the perversions which the doctrine and teachings of the Catholic Church have allowed to flourish, and which are likely to have encouraged the occurrence of sexual violence: the "clericalism", so criticized by Pope Francis in his August 2018 *Letter to the People of God,* including the excessive sanctification of the person of the priest; the overvaluation of the state of celibacy and charism of the priest; a misguided adherence to obedience when exercised at the cost of conscience; and a false interpretation of the Scriptures. Based on the testimonials it received, the Commission also endeavored to identify what in the writings of the sacred tradition of the Catholic Church, such as the Catechism, could have maintained this fertile terrain: a lack of attention to the assaults, hiding behind "offences to chastity" or an excessively taboo view of sexuality.

In was in this context that the Commission made observations inviting the Church to ask itself some fundamental questions. A word of reassurance, however, at no point did the CIASE overreach itself or exceed its mandate, or even, it could be argued, take the high ground. On the contrary, it seems to the Commission that this was the only way of genuinely fulfilling its mandate, even if it was not how it originally envisaged doing so. It has, however, over the months, collectively come to the conviction that its creation as an independent body, exterior to the Church, at this precise moment in the history of the institution as it is hit by the acute sex abuse crisis, confers upon it the responsibility to dig right down to the roots of the problem, as deeply as the Church is itself doing, as is made clear by, among other publications, Pope Francis' aforementioned *Letter to the People of God* or the specific work of the Bishops' Conference of France's doctrinal commission which has been submitted to the CIASE.

To close the second section of the report, as a transition towards the more concrete recommendations intended to put a stop to the tragedies of sexual violence and ensure that they do not recur, particular attention has been paid – as requested by the CEF and the CORREF – to the measures taken by these bodies, or under their leadership, since the turning point of 2000s which is when, from the very top of its organization, the Catholic Church began speaking in public about what it has chosen to call the fight against pedophilia. These measures have been substantial on both a national and local level. But – with

huge differences between one diocese or religious institution to another - the response from the Church has been globally insufficient, has often come too late and only in reaction to events, or has been poorly applied. This is very much the case with the obligation to report to the justice system any behaviour from clergy or monks which could constitute a crime or misdemeanor. This measure was decided by the CEF as early as 2000, so no later than other public or private institutions for minors, but was applied slowly and unevenly over different dioceses. The Church also failed to take onboard criticism from, in particular, victim support groups which wanted it to go much further. The Church's flagship measure of setting up, across dioceses, support centres for the victims of sexual violence, came in for much criticism. The round tables organized by the CIASE with many of the laypersons responsible for these centres from all over France, made it clear that they had been set up without any solid foundations and in a highly dispersed manner. The plan, according to announcements made by the CEF and the CORREFF in spring 2021, was to make them much more visible at a national level, however, it had failed to take the time to clarify the centres' missions, competences or even their place in relation to the Church. And yet, the goodwill is there, and these questions are just waiting to be asked for rapid progress to be made. The Commission, therefore, has made precise recommendations to structure and consolidate the existing network of support centres by both combining local (preferably inter-diocesan) and national levels and by clearly positioning what is internal and what external to the Church. It is recommended that the centres are staffed only by specially trained laypersons, but who are not "disconnected" from the Church, and who are in contact with professionals trained to deal with victims of sexual violence.

It is with this in mind, based on the concrete evidence of testimonials, that the Commission proposes in the third section of its report, ambitiously and methodically, the measures which it believes correspond to the phenomenon of sexual violence against children and vulnerable persons in the Catholic Church, during the period studied.

IV. DISPELLING THE DARKNESS: TOWARDS A PROCESS OF TRUTH AND REPARATION FOR THE PAST; TOWARDS A FOOLPROOF SYSTEM OF PREVENTION IN THE FUTURE

The Church must recognize the facts and take steps towards reparation, inspired by the work of the CORREF and the approach of Bishop of Luçon. It must take responsibility both individually and systemically. Restorative justice initiatives must complement the criminal procedure. The statute of limitations must not be extended. The Church must establish a procedure for the recognition of abuse, even in time-barred cases, and provide compensation for the harm suffered. The governance of the Church must be reorganized to be more pluralist and to regulate the risks of abuse of power. Training is a key preventive tool that should be widely implemented.

The recommendations made by the CIASE to try and overcome the trauma caused by sexual violence and the shroud of silence covering it, are not conceived in a spirit of "turning the page" because in all the testimonials – which the Commission very much hopes echo loudly through its report – the first cry is for justice. In other words, before proclaiming "it must never happen again", the "it" has to be recognized, acknowledged, and described, those responsible for "it" need to be designated and, in as far as is possible, reparation for "it's" consequences need to be found. It is not enough for the Church to claim awareness, albeit too late in the day. Or to claim that the past is the past and that for today's and tomorrow's children and vulnerable persons the same mistakes will not be repeated. For such a discourse which is consistent with the logic of "helping" victims of historical abuse, more often than not time-barred by the [French] Criminal Code, perpetuates an attitude of non-recognition or denial of what

really happened, characteristic of the Church during the period analyzed, and is used as an escape from genuinely dealing with the phenomenon.

This is why the Commission insists on the Church's need for a process of truth and reparation and that it has to begin with the acknowledgement of responsibility which has so far been avoided, with the notable exception of the recent initiative undertaken by the CORREF, or the individual initiative of the Bishop of Luçon. The Commission proposes a level of responsibility which would encompass firstly the legal level – in a criminal sense – but also civil and social levels. It must apply individually and to the particular role exercised by the individual, as well as to all legal entities comprising the Church. It must apply to individuals who have committed acts of abuse as well as to those who have not but whom, through the legal relationship existing between the perpetrator and the bishop of the perpetrator's diocese, are linked. Its responsibility is also of a systemic and civic nature because the Church's social and spiritual role bestows on it a particular responsibility towards French society within which it is a major player. In other words, in the CIASE's opinion, the Catholic Church would be wrong to believe that it is immune from any responsibility that it has not itself accepted, based on an absence, to date, of any judicial conviction other than for the individual criminal responsibility of the perpetrators or for its failure to report cases to the legal system. Indeed, other than the fact that the civil liability of dioceses (as well as religious institutes, but this point is not disputed) is all but excluded under the current state of the law, it is possible, even probable, that the legislator shall draw consequences from the trauma of sexual violence committed in society as a whole, in order to determine compensation mechanisms weighing, in particular, on the institutions and communities in which the harm occurred. It is highly doubtful that, outside of the Catholic Church, a social space could exist in which measures of reparation did not prevail. In fact, this is precisely how legislation has proceeded over the past thirty years faced with catastrophes causing major health effects. In the CIASE's opinion, these considerations should be added to the moral argument for convincing the Church of the need to engage in an ambitious process of responsibility, recognition and compensation.

Such an approach should begin by recognising the violence committed, its scale - as uncovered by the Commission - the absolute illegitimacy of such acts, and the seriousness of the harm they have caused. Concrete recognition, through public ceremonies or memorials, as the CEF committed to in March 2021, is required. The Commission is insistent, however, on a humble recognition "at a human level" which must be utterly sincere: it is not simply a question of sins to be confessed but of crimes to be repaired, without any euphemisms, without any "we did not knows", without any excuses drawn from the social or institutional context. The prerequisite of such an unfeigned abasement is indispensable for the credibility of the restoration measures as proposed by the CIASE, adjusted to the specific situation of sexual abuse committed within the Catholic Church.

In response to the need for justice expressed by victims, who are frequently confronted with the limitations of criminal proceedings or the statute of limitations, despite the evolution of criminal law during the period studied, the Commission suggests that two main avenues should be explored: that of so-called restorative justice, and that of the introduction of provisions making it possible to establish the truth, irrespective of how long ago acts were committed. The principle of restorative justice is to attempt to repair the harm done to the very being of victims, over and above the physical harm. This necessitates carrying out investigations regardless of the length of time since the violence has been perpetrated, in order both to respond to the need for justice and recognition, as well as the need to prevent future violence. This approach seems preferable to further extending the statute of limitations by law, an option that CIASE examined in detail before rejecting, seeing it as a dead end. A prolongation of the statute of limitations would not help in the recognition of crimes and would not help victims in their reconstruction, indeed these latter would be confronted with the even more uncertain outcome of a criminal trial due to the long periods of time passed since the event.

At the end of the process described above, a system of compensation should be put in place, with some chance of it achieving what it set out to do. The Commission heard from many victims that money could not make up for the irreparable damage incurred, and worse, if badly executed, could feel like the price

of silence. But many also insisted on the symbolic dimension of such a scheme, or on the desire to use compensation money other than for purely personal purposes. The Commission also looked at systems put in place in other countries: Germany, Belgium, Ireland, the Netherlands, the United States and Australia.

The CIASE concluded that financial reparation - which, despite not being sufficient, is nonetheless indispensable as it completes the recognition process - must be individualized, without, however, it qualifying as "integral" in the legal sense. It cannot, therefore, be a set, lump-sum payment; a method of calculation is needed to compensate the specific harm suffered by each direct victim - rather than a scale for each category of offence - and, in the event of the victim's death, the compensation should go to the indirect victim. The compensation mechanism should be entrusted to an independent body, exterior to the Church, which should be given the threefold mission of receiving victims; mediating between them, the perpetrators and the institutions to which they belonged; and arbitrating disputes which cannot be resolved amicably. An endowment fund which the CEF announced it would create in March 2021 would provide the financing. According to the Commission, this fund should be replenished from the assets of the perpetrators and from those of the institutions belonging to the Church in France. It should exclude any appeal for donations from the faithful, as this would not be consistent with the recognition of the Church's responsibility as an institution. Any form of socialization of funding for violence committed in the Catholic Church, or in any public or private institution, should also be excluded. In the same way as the CIASE was financed and based respectively on a distribution key yet to be determined, the majority of contributions should therefore come from the following:

- for the diocesan Church, from the Union of Diocesan Associations of France, a not-for-profit organization established under the terms of the law of 1st July 1901 and the administrative support of the CEF.
- for religious institutes, from the CORREF.

It would be as absurd as it would be unfair if different systems of reparation were put in place by the two Conferences. However, failing the creation of a single compensation system, the CIASE proposes that the same rules and principles be applied in the diocesan Church as in religious institutes.

Beyond this triple challenge of responsibility, recognition and reparation, the Commission proposes - from the outside point view it has been asked to take on issues specific to the Catholic Church - a robust plan of action in areas of governance, sanctions, training and prevention.

The CIASE does not wish to formulate any ready-made answers as it feels these need to come from the Church itself, but as far as governance is concerned, it invites the Church to reflect in depth on the palpable tension which exists between its hierarchical constitution and its desire for synodality, and on the consequences of concentrating the powers of order and government in the hands of the bishop. Put more simply, and avoiding all dogmas, thought should be given - as in any organization, and the Catholic Church is no exception - to the articulation between verticality and horizontality and to the separation of powers. Similarly, it could only be an advantage to develop assessment and internal control processes with tools as simple as risk mapping or annual interviews. This would improve the Church's governance without undermining any of its foundations. Increasing the number of laypersons in general, and women in particular, in the decision-making spheres of the Catholic Church, would appear to be, not only useful, but totally necessary with regard to the principle of equal dignity. Moreover, in a plenary session with the CIASE, the leaders all admitted to this fact, although it has to be said, with varying degrees of enthusiasm.

Despite taking into account the reform of the criminal section of the Code of Canon Law due to come into force on 8 December 2021, in the light of the bleak observations made in the second part of the report, the CIASE nonetheless pleads for a wide-ranging overhaul of canon law in criminal matters, and in dealing with and sanctioning offences. This should begin with a clear definition of the offences in the Code of Canon Law and their implementing legislation, specifying applicable reference standards by

establishing a scale of the gravity of offences and by distributing a collection of case law in the matter. Secondly, canonical criminal procedure needs to be reworked and aligned with basic fair trial rules, thereby giving victims a place in canonical procedure – which is not the case today. These reforms would allow the inter-diocesan canonical criminal court, whose creation was announced by the CEF in the spring of 2021, to operate efficiently. The said court shall present all the required guarantees of competence and impartiality which shall be principally achieved by integrating specially trained laypeople into its ranks. A better articulation with the State criminal justice system is also needed, namely the recognition of the State's predominance in dealing with the criminal offences in question, which must include an absence of interference by the Church in its investigations and procedures. In this respect, the signing of protocols similar to the one concluded on 5 September 2019 between the Archbishop and the Public Prosecutor of Paris would improve the handling of reported cases.

Finally, the Church must issue precise directives to confessors regarding the seal of confession. Confessors must not be allowed to derogate, on the grounds of the sanctity of the seal of confession, from the obligations provided for by the [French] Criminal Code, which are compliant with those of natural and divine law which provides for the protection of a person's life and dignity, to report to the competent authorities cases of sexual violence inflicted against a child or a vulnerable person. This is not to question the seal of confession generally; but within the scope of sexual violence inflicted against children, a reminder is issued that the letter and the spirit of the law of the French Republic (Articles 223-6, 226-14, 434-1 and 434-3 of the Criminal Code) apply to every single person on French territory.

However, as regards training, before mentioning the setting up of specific sessions on child abuse and sexual violence against vulnerable persons - which are obviously necessary and would benefit from being co-organized with victim support groups - the Commission recommends really getting to the bottom of things. It suggests that a distinction be made between spiritual accompaniment and professional guidance for seminarians and novices; that the incentive contained in the Church's reference texts (the *Ratio* issued by the Holy See and implemented at national level) to carry out a psychological assessment of candidates for the priesthood or religious life be taken to heart, and that psychological follow-up be provided if desired. The content of the training itself should include more human sciences, be taught by specialists with more diverse profiles than is currently the case, and place greater emphasis on the development and affectivity of children and young people; law (canon law and state law - including the rights of the child); and the importance of critical thinking, particularly about issues of authority and obedience. The Commission also recommends a more formalized recruitment procedure of seminaries and novitiates which would be helped by an improved communication of negative responses given to unsuccessful candidates between dioceses, seminaries and congregations. Continuing education should include modules about sex abuse, including specifically for trainers and supervisors in seminaries and novitiates, as well as for *fidei donum* priests in their induction session. It should also be nourished by peer-to-peer exchanges and the experiential knowledge of victims, and indeed of the faithful in general.

Finally, in terms of prevention, the Commission encourages a very broad approach, which, it believes could, by its very generality, spontaneity and regularity, prevent failures of vigilance or a return to silence. Thus, over and above unprompted reactions and measures which have begun to be put in place such as re-organizing the living quarters of clergy and monks to avoid being alone with a child and separating private rooms from visiting areas, encouragement of parish-level preventative measures would also be welcome: initiatives and activities which teach children that they have rights and that they detain knowledge (and not only as receivers of doctrine), based on the model for thought and action organized by the City of Paris (with the Parisian Charter for the Rights of the Child drawn up in 2020 by the children themselves). The Commission also advocates implementing measures, throughout France, to ensure that every priest or monk in regular contact with children or young people is aware of the obligation of reporting incidents to the justice system; is in a position to call on a referent with whom to be able to discuss ambiguous or risky situations; is able to reflect regularly and cool-headedly

on the vigilance needed around sensitive issues (physical contact, time and place for meeting with young people, procedures for making appointments etc.); reads pertinent articles on the subject on a regular basis and has others with whom to exchange on the lessons which may be personally drawn from them. The Commission also suggests regular meetings, for example an annual meeting per diocese or institute, which would provide clergy and monks with the opportunity of discussing methods of prevention, based on information received from local support centers. This project should not only be conducted by the heads of dioceses or institutes, but rather be deployed concretely in parishes - places of worship, exchange and sharing – with equal involvement from priests and laypersons. These initiatives are intended to strengthen trust and should, under no circumstances, be interpreted as personal accusations.

While it is convinced of the merits of such policies of prevention and practical provisions, the CIASE is not blind to the risk entailed by undue rigidity and "protocolization", so little in keeping with the vocation of the Church - indeed with any healthy human relationship - and which could potentially asphyxiate relationships. Similarly, too much transparency can be detrimental to intimacy and lead to a paradoxical climate of surveillance and suspicion. The balance is fragile but necessary in order to clamp down on risk without distorting human relationships.

This balance needs to be found by those whose job will be to implement the recommendations of this report. Recommendations which the Commission is, of course, calling for, but which it cannot put into place itself. Its members are now destined to become humble, post-CIASE witnesses, whilst remaining the “witnesses of witnesses” who have been heard for the last two and half years and whom, we sincerely hope, shall never be silent again.

List of Recommendations

Recommendation N° 1:

- Systematically check the criminal record of any person (clergy, monk, nun or layperson) mandated or assigned by the Church to be in regular contact with children or vulnerable persons.
- Ensure that persons convicted of sexual violence or sexual abuse against a child or vulnerable person be offered long-term care by health professionals.
- Ensure that any person who has been implicated in a case of sexual assault or sexual violence against a child or vulnerable person has no access to children, adolescents or vulnerable persons within the context of a Church assignment.
- These last two points shall apply without prejudice to any measures which may be imposed by a judicial authority.

Recommendation N° 2:

- In order to be able to measure more accurately the prevalence of sexual violence within the Catholic Church of France, create a joint CEF and CORREF department responsible for collecting, processing and analyzing data and ensure that the said department is equipped with a solid, lasting, statistical tool, used by all dioceses and congregations.

- Ensure that the said department is in contact the other services responsible for monitoring sexual violence in public and private institutions.

- Monitor and assess cases of violence in the Church; produce an annual report; ensure contact between victims, their organizations and religious authorities.

- Ensure that the said department has the help of an independent committee of experts.

- Investigate the possibility of setting up a hotline in the Church (or in conjunction with other institutions) for victims of sexual violence. (cf. Recommendation N°15).

Recommendation N° 3:

- With the use of a tool similar to risk-mapping, identify all forms of abuse of power, or of placing the priest in a position above the baptized. In this context, distinguish between practices the Church believes to be legitimate from others.
- Closely examine practices in the episcopal and priestly ministries and study the discourse on which they are based to see if this has encouraged a distorted interpretation.
- Publish a guide of ethics and good practices in spiritual accompaniment, highlighting the distinction between the responsibility of governance and spiritual accompaniment to avoid any divergence from the said ethics and good practices.
- In all types of training and catechism, underline the fact that the Gospels should be a source of inspiration for spiritual accompaniment where the challenge is to help the subject reach his own understanding in a face-to-face relationship, not to dominate him through manipulation.

Recommendation N° 4:

- Identify the ethical requirements of consecrated celibacy, in particular with regard to the representation of the priest and the risk incurred of bestowing on him the status of hero, or of placing him in a position of dominance.
- Assess, for the Church in France, perspectives opened by the propositions of the Amazon Synod, in particular the suggestion that "*ad experimentum*, […] married men could be ordained as priests if they fulfill the conditions for pastors, as laid down by Saint Paul in the First Epistle to Timothy"[5].

Recommendation N° 5:

- Expand the doctrinal work already commenced by the Church so as to "better understand how good fruit may have come forth from bad trees" and ensure that all founding charism is, effectively, subordinated to charity.
- Identify all forms of distorted charism and over-involvement in pastoral practices (using risk-mapping) and all possible cross-over between seduction and charism.
- Investigate the means of remedying the above.
- Ensure that there exist effective procedures for controlling the Catholic hierarchy in all religious communities, including the more recent ones which do not fall into the traditional scope of institutes of consecrated life or societies of apostolic life.
- Ensure that the distinction between the internal and the external forum is clearly made everywhere, in particular in the so-called new communities.

[5] Cited in "Amazon Synod, to debate ordination of married men," La Croix, 10 September 2019.

Recommendation N° 6:

- Ensure that university theology departments, seminaries and diocesan training sessions teach the importance of listening to one's conscience with discernment in consecrated life. Seek, in these teachings, to highlight ways of applying critical intelligence to issues of conscience.
- Closely examine how the rules of different religious orders and the rules of so-called new communities are taught to see if there is anything in these teachings which could lead to a warped interpretation of the obligations of obedience and silence.
- During all types of catechism, teach the faithful, particularly children and teenagers, the importance of listening to one's conscience with critical intelligence under all circumstances.

Recommendation N° 7:

- Teach, in all types of training and catechism, that the Gospels show us words being used in a dynamic, not as a means of exerting power over another but with the desire to help the other grow and learn, and point out that, just as in any healthy human relationship, words are only given in order to be received.
- Highlight biblical expressions which have been distorted and used manipulatively while encouraging both a critical and a spiritual reading of the Bible at all levels of training.

Recommendation N° 8:

Closely examine:

- The canonical provision known as the absolution of an accomplice in sin which is fundamentally inappropriate in cases of sexual assault.
- The language of certain magisterial documents which refer to sin and forgiveness in instances of crime and punishment; it is necessary to clearly distinguish a moral situation from a legal one. A crime always implies a sin but not all sins constitute crimes.

During all types of training and catechism and in pastoral care, teach:

- Of the prior need for sanctions and retribution for crimes and misdemeanours committed against civil law and against Church law.
- Of the risk of distorting forgiveness by granting easy absolution to torturers and, worse still, of requiring victims to forgive their persecutors.
- That sex abuse prevention practices must be put in place during the ritual of the Sacrament of Penance.
- That "I forgive you" must not be confused with a priest's personal power over a penitent.
- That the seal of confession only applies during the period of the Sacrament of Penance.

Communicate a clear message, issued directly by the Church authorities, telling those confessing and the faithful that the seal of confession cannot derogate from the obligation laid down by law and the [French] Criminal Code - which is, in the Commission's opinion, compatible with the obligation of divine natural law to protect the life and dignity of the person - to report to the judicial and administrative authorities all cases of sexual violence inflicted on a child or a vulnerable person (cf. Recommendation N°43).

Recommendation N° 9:

- Teach that the profanation of a sacrament recalls the most fundamental profanation: that of people.
- Closely examine anything in the declaration of the Sacrament of Grace which may be painful or unacceptable to victims, who remain churchgoers, when faced with an abuser priest continuing to officiate.

Recommendation N° 10:

- Teach in all types of training and catechism:
    - That attention should not be focused on the "subject" of the moral act but rather on assessing the responsibility of every individual towards another.
    - That harm starts with an attack on a person, including a lack of respect of the person's integrity.
- Closely examine the Catholic Church's catechisms and make sure, before anything else, that the victim and his inalienable dignity have their rightful place.
- Embark upon a re-writing of teachings based on the sixth commandment in documents designed for children, adolescents and catechumens which are used for training purposes or in pastoral accompaniment.

Recommendation N° 11:

- Closely examine:
  - In what ways the paradoxical obsession of Catholic morality on issues of sexuality could be counterproductive in the fight against sex abuse.
  - The choice of lumping together the whole of human sexuality in just the sixth commandment of the Decalogue.
- Encourage doctrinal thought about not separating doctrine on sexuality from the Church's social doctrine and the equal dignity of all human beings.

Recommendation N° 12: Consolidate what has already been done

1/ Maintain existing awareness and information programmes within the Church, without excluding any of its members, by privileging - even indirectly - approaches to awareness inspired by human rights campaigns, children's rights in particular. Even if it is difficult to assess their impact, such measures can only help develop a different mindset and preventative attitudes within the Church. It would, moreover, send a clear message that the ecclesiastical institution is taking a definite stand against sexual abuse and that it is open to listening to victims. The idea is to instigate a climate of confidence propitious to discussion, rather than one of general defiance.

2/ Publish, on a regular basis, better documented reports with a programme-based approach; envisage an annual publication. Publication by the CEF of a report every two years is a powerful measure which was adopted in 2016. However, the content of these reports could be more comprehensive, less factual and retrospective and it would be preferable to adopt an approach more geared towards objectives. The CEF, and possibly the CORREF, will announce ongoing and upcoming projects as well as the current state of advancement of the said work. They will specify their objectives and advise of any commitments made to third parties, in particular to victims and organizations representing them. They will gather information in a more systematic way regarding good practices noted at a grass roots level, thanks to feedback from national bodies, who are, when appropriate, in contact with the victim support groups.

3/ Initiate debate about the support centre provisions set up for victims which must be maintained but the modalities of which require revision.

Recommendation N° 13: Provide training in internal and external control procedures for the main leaders in the organization of the Church in France, for instance each newly appointed bishop or newly elected major superior, and develop risk management strategies specific to the Church and adapted to its way of functioning.

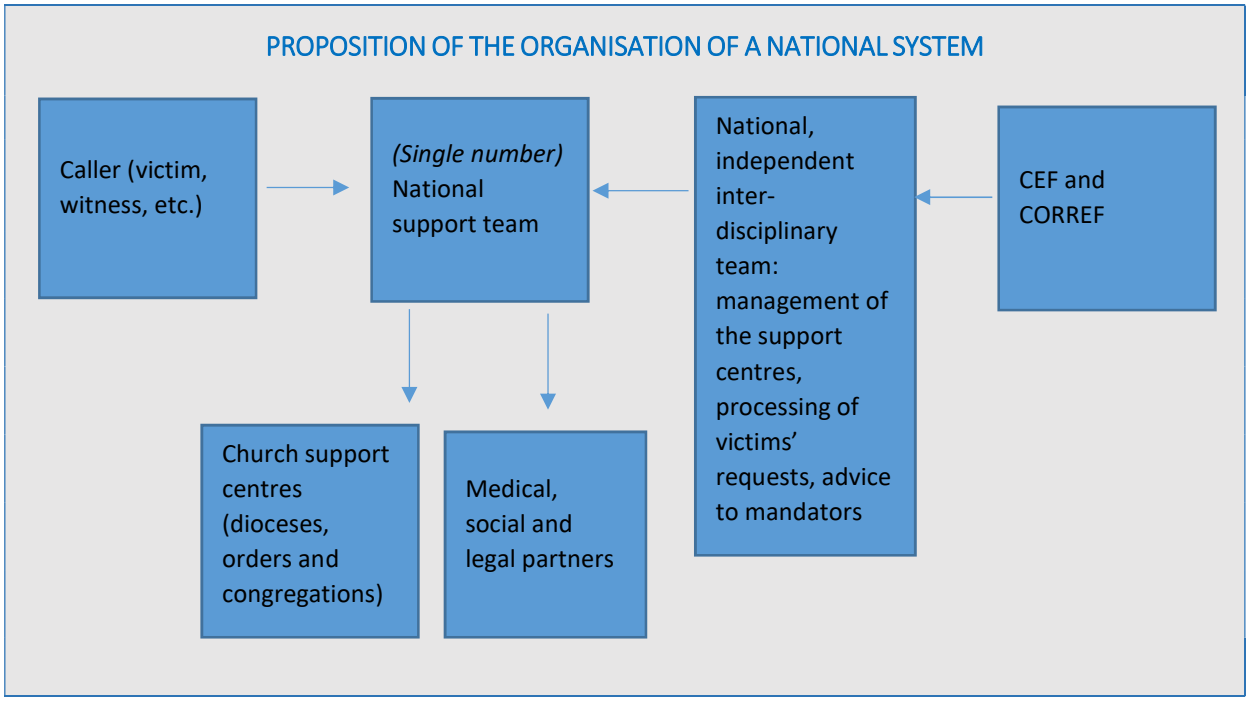
Recommendation N° 14: Ensure that the adoption of measures taken to combat sexual abuse are based on a qualitative approach. Current and future provisions should be more based around the desired outcome and should be subject to an assessment of their effectiveness and results.

Encourage a process of appropriation of shared references within the dioceses with priests and laypersons instead of issuing orders which may lead to misunderstandings and exclusion.

Recommendation N° 15: Reform the modalities of the support centres set up by the Church by moving towards a combined internal/external, local/national system.

The new system should include unique, highly visible, contact details (telephone, email and postal address) and be facilitated by professionals working in partnership with the Church. The professional listeners would be able to direct calls towards internal support systems (CEF services and centres managed at a diocesan, religious institution or new community level) or towards external services facilitated by victim support organizations.

At a national level, the system should be supervised by an inter-disciplinary team comprised of Church representatives, victim representatives and health professionals. Dioceses should keep local support services for people who address them directly, either through the centres set up along the existing model or directly via a bishop.



Recommendation N° 16: Encourage, when appropriate, merged centres at an inter-diocesan level or partnerships between diocesan centres in order to pool resources, create relevant areas of intervention and develop a network of members. It is important to maintain a dense local network in to be able to offer support solutions close by.

Recommendation N° 17:

Insist upon the fact the support centres offer reception and listening services only and that their mission ends where care and legal advice begins. However, it is therefore essential that the centres build up directories of local professionals to be able to direct victims towards the appropriate structure (social services, medical professionals, legal counsel).

Emphasize the centres' prioritization of victims. Their role is not to take care of the perpetrators of crimes - this should be subject to separate protocols at a diocesan level to ensure adequate care is provided, in particular with help of external partners (e.g. the CRIAVS: *Resource centres for those helping perpetrators of sexual violence*).

Formalize, in conjunction with the diocesan referents responsible for the fight against child abuse, the centres' mission in terms of prevention. The centres are automatically involved in prevention in various ways (presentations to seminarians and priests; drafting protocols; the organization of seminars/conferences).

Clarification is needed with regard to the centres' role in advising bishops: the centres do not always have the means to advise episcopal leaders, in particular on legal issues. In any case, its advisory role seems to be ill-defined and a source of ambiguity.

Recommendation N° 18:

It would be preferable for centres to be composed entirely of laypersons in order to limit the risk of confusion for victims. This would also limit the risk of ethical tensions among the centres' volunteers.

However, it is important for the centres to be in contact with the diocese's bishop, vicar general or priests or with any monks or nuns present in the bishopric, for a number of reasons: to be able to put questions to them, to put them in contact with any victim who may wish to talk to a member of clergy, to ask advice or even request the participation of a member of clergy during interviews, if this is wanted by the person being heard.

Map the external resources useful for the proper functioning of the centres (organizational advice, advice on carrying out their mission).

Recommendation N° 19:

Make the support centres more visible, through regular communication in the local press and existing Church channels (posters, broadcasts, websites).

Make the means of contacting the support centres better known and give centre members full control over all tools used when in contact with the victims (e.g. an electronic mailbox which can only be accessed by members of the centre.)

Recommendation N° 20:

Strengthen support for centres from the CPPLP (*Catholic Church advisory board in the fight against child abuse*) or from any department which may later take over this role. It seems to the Commission that stronger action in terms of guidance (sharing guidelines), leadership (sharing information, networking) and support (creation of an operational kit, training sessions, communication material etc.) would be mutually beneficial.

Make the centres an expert resource for the CPPLP, or any department which may later take over this role: the centres and their members have a wealth of skills and expertise which could be useful to the CPPLP on an ad-hoc basis (for instance, for an in-depth audit of the centres' functioning and development) or on a more permanent basis (for instance through thematic work groups periodically reporting their findings).

Recommendation N° 21:

Provide the support centres with organizational documentation to help clarify their missions, their position in the diocese, their material means (budget, premises, communication tools). To this end, propose, at CEF level, a model document incorporating the essential elements, while still leaving room for individual dioceses to adapt to local situations.

To the above should be added operating protocols and simple internal regulations such as the manner of responding to requests (deadlines, formats etc.); rules about discretion and confidentiality; legal procedures (GDPR, referral to the appropriate judicial authority, basic knowledge of canon law); and training sessions, particularly psychological training, for the listeners.

Recommendation N° 22: Undertake an in-depth audit of the functioning of the centres and the routes open to them to ensure consistency with the resolutions taken by the Plenary Assembly of Bishops on 26 March 2021.

The work carried out by the CIASE has shown that, while the current system has many positive attributes, there is also much untapped potential and there are ongoing questions which need to be addressed before the system can be reformed.

Recommendation N° 23: Recognize, for the entire period analyzed by the Commission, the civil and social responsibility of the Church, irrespective of individual fault and the criminal and civil liability of the perpetrators of sexual violence and, as the case may be, Church officials.

Recommendation N° 24: Recognize the systemic responsibility of the Church and, as such, examine the factors which contributed to its institutional failure. Acknowledge that the Church's social and spiritual role confers on it a particular responsibility in the society in which it plays a part.

Recommendation N° 25: Recognize the Church's civil responsibility and, on this basis, deepen a horizontal exchange with the whole of society.

Recommendation N° 26: Implement, in consultation with victims and their support groups, concrete measures of recognition such as public ceremonies, liturgical celebrations in remembrance of the suffering inflicted; memorials to the victims and their suffering; measures which demonstrate the Church's capacity to apprehend perpetrators and keep victims informed.

Recommendation N° 27: Implement measures of restorative justice during criminal proceedings for sexual violence, in particular for acts committed within the Church. These need to be kept separate from mediation procedures for reparation of the consequences of such violence.

Recommendation N° 28: Introduce provisions for systematic police inquiries, followed by an interview with a judge for victims of historical sexual violence when the limitation period has expired.

Recommendation N° 29: Generalize protocols between the prosecutor's office and the diocese: these must include commitments from the diocese to transfer all reported incidents to the prosecutor and from the prosecutor's office to conduct inquiries rapidly. (cf. Recommendation N°42).

Recommendation N° 30: Set up within the Church a process for clarifying accusations of sexual violence made when the perpetrator is dead, or the legal proceedings instigated by the prosecutor terminated.

Recommendation N° 31:

Calculate the compensation of each victim on a case-by-case basis, not that this is intended to constitute integral reparation in the legal sense.

To this end, establish a method of calculation designed to compensate each victim for the specific suffering endured. The compensation shall be paid either directly to the victim or, in the event of the death of the latter, to the indirect victim.

Favor a method of calculation which consists in considering the suffering endured rather than referring to categories of crimes committed.

Recommendation N° 32:

With regard to financial reparation, entrust to an independent body exterior to the Church, the triple mission of receiving the victims; offering the possibility of mediation between them, the perpetrators (if the latter are still alive and if they accept to participate) and the institutions which harboured the victims at the time of the assault(s); and arbitration in the event of no amicable resolution being reached.

If this measure - which seems to the Commission to be the simplest and the clearest - fails, the independent, exterior body could be different for each diocese and institution, so long as the same rules and principles were applied.

Recommendation N° 33:

Finance compensation for the victims through funds recouped from the perpetrators and from the Church of France via the endowment fund which the CEF announced it was creating and to which the UADF and the CORREF will be contributing.

Alternatively, set up two funds, applying, as indicated above, the same rules and principles to issues of compensation.

Avoid going down the route of appealing to the faithful for donations and of socializing the financing.

Recommendation N° 34:

The Commission believes that it is necessary to closely examine:

- The hierarchical constitution of the Catholic Church in view of internal disagreement concerning its own understanding of itself: between communion and hierarchy; between apostolic succession and synodality; and, essentially, between affirmation of the authority of preachers and the reality of grass roots practices which are increasingly influenced by democratic practices.
- Concentration of the powers of order and of governance in the hands of the same person which leads to an insistence on the rigorous exercise of power and, in particular, on respect for the distinction between internal and external forum.
- Identification of the power of the sacrament with power more generally.

Recommendation N° 35:

The Commission believes that it would be useful for the Church to:

- Implement and develop procedures of assessment and internal control with *ad hoc* commissions which can function light-handedly.
- Develop risk-mapping in this context.
- Set up training and organizations for this purpose.
- Consolidate the dynamics of the annual review with the bishop, vicar general, or major superior which lies at the heart of the measure of accompaniment of every priest, monk and nun.

Recommendation N° 36:

The Commission believes that, with regard to the principle of equal dignity, a far greater presence of laypersons in general, and women in particular, is required amongst the deciders of the Catholic Church.

This work would necessarily involve knowing the current situation and determining objectives with implementation dates.

Recommendation N° 37: Substitute, in the description of sexual violence committed against children and vulnerable persons in criminal canon law, a reference to the sixth commandment ("Thou shalt not commit adultery") with a reference to the fifth commandment ("Thou shalt not kill") thereby harmonizing interpretation of Canon 1398 §1 of the Code of Canon Law and avoiding all distortion of this norm.

Recommendation N°38: Define in the Code of Canon Law, all sexual offences committed against a child or a vulnerable person, by highlighting the constituent elements of each offence and their corresponding sanctions, to make the law easier to read; emphasize the level of seriousness of failings and harmonize the interpretation of reference norms.

Recommendation N° 39: Create and distribute a collection of anonymous decisions handed down by jurisdictions applying canon law, at least within the scope of offences analyzed by the Commission.

Recommendation N° 40: Set up, without delay, the inter-diocesan criminal canon law court announced in March 2021. Ensure its efficacy and take care that it be seen to be competent and impartial, in particular, by having a collegiate bench of judges composed not only of expert priests but also of specially trained lay judges.

Recommendation N° 41: Align canon criminal procedure with international fair trial standards, guaranteeing, in particular for the injured party, the right to legal remedy, notably by ensuring access to a court and the free choice of legal counsel.

Recommendation N° 42: Emphasize to all bishops, the advantages of having protocols in place, for instance the protocol of 5 September 2019 agreed between the archbishop and the public prosecutor of Paris or that agreed in 2020 in the jurisdiction of Grenoble Court of Appeal with regard to the reporting of any sexual offence of which the archbishop is made aware and the transmission of information concerning legal actions filed further to the said reporting of the offence (cf. Recommendation N°29).

Recommendation N° 43: Send a clear message from the Church authorities to penitents taking confession and to the faithful that the seal of confession may not derogate from the obligation provided for by the [French] Criminal Code, - which is, in the Commission's opinion, compatible with the obligation of divine natural law to protect the life and the dignity of the person - to report to the judicial and administrative authorities all cases of sexual violence inflicted on a child or a vulnerable person (cf. Recommendation N°8).

Recommendation N° 44:

Accompaniment

In the relationship between the candidate for priesthood and his spiritual director, clarify which confidences are covered by the seal of secrecy.

Take advantage of the possibilities offered by the RFIS and the *Ratio nationalis* to improve the training of trainers in matters of accompaniment (making a distinction between vocational construction and preparation for a function).

Take advantage of the RFIS and the *Ratio nationalis'* incitement to conduct psychological assessments of candidates before they enter a seminary and make it easier for candidates for priesthood to access psychological help, if they ask for it, once they are in ecclesiastical institutions.

Training

Encourage the study of human sciences; specialists with diverse profiles; and "*extra muros*" teaching spaces for seminarists.

Align in a more systematic and formal manner, the initial training and continuing education of priests, monks and laypersons in the Church with shared training sessions (LEME).

Implement assessment procedures of the new format of training programmes dispensed in every *Ratio* (*fundamentalis* and *nationalis*).

Reinforce the following aspects of training:

- Develop an understanding of the dynamics and challenges in the development and affectivity of children and young people.

- Teach canonical and civil rights (the rights of children in particular) during the seminary or novitiate years.

Work on the development of critical thinking, reflection and elaboration in seminarists and novices, particularly with regard to questions of authority and obedience.

Share experiences and teaching methods with other training centers. Encourage additional university courses and externalized training (in mixed situations, with members of the public and groups of students).

Consider training sessions on the prevention of sexual violence, co-organized with victim support groups, with the participation of health professionals.

Assessment and Recruitment

Formalize the assessment process by means of precise questionnaires addressed to the assessors.

Explain clearly and systematically to candidates the reasons they have not been accepted on a course of discernment or training, or the different steps required in becoming a priest.

Establish formal intermediary assessments which are shared with seminarists (put a name on difficulties when they are noted).

Ensure a written follow-up of candidates' progress, and communication between dioceses, seminaries and Congregations to make sure all parties are aware of the negative responses received by the unsuccessful candidates.

Continuing Education

Include, in the framework of clergy's continuing education, training on the fight against child sex abuse (law, response tools, prevention plans) as well as on control, power and the hold one person can have over another.

Pay particular attention to the training of the trainers and seminar supervisors, ensuring that they have the necessary tools for providing good spiritual or professional accompaniment.

Adapt the welcome session of *fidei donum* priests, to integrate training in the fight against child sex abuse with specific modules on the exercise of authority and appropriate positioning in interpersonal relationships.

Encourage discussion groups between priests about their work with children and vulnerable adults so that collective, peer-led intelligence may contribute towards the regulation of practices and adjustment of positioning in relationships and groups.

Include contributions from the faithful and from victims in initial and continuing education, following in the lead of the 2019 health law and 2017 decree defining social work.

Recommendation N° 45:

Strengthen prevention policies by formalizing them and making them known to as many people as possible.

Involve the various stakeholders in the Church (clergy, committed laypersons, parishioners) in an adapted manner whether this is through training, awareness-raising or information.

Encourage parish initiatives and activities which teach children that they have rights and that they detain knowledge (and not only as receivers of doctrine), based on the model for thought and action organized by the City of Paris (with the Parisian Charter for the Rights of the Child drawn up in 2020 by the children themselves).

Ensure that priests' and monks' living and working space is organized with regard to the need for vigilance, taking particular care to:

- Keep bedrooms separate from any visitor/third party reception space.

- Keep a physical space between the priest and the penitent during confession

Implement measures throughout the country enabling all priests or monks in regular contact with children and young people to:

- Be aware of the obligation to report incidents to the justice system (and not simply the obligation of raising an internal alert).
- Have a referent with whom to be able to discuss ambiguous or risky situations.
- Have a space for reflection and in which to be able to stand back from regular practices to maintain a perpetually vigilant attitude towards sensitive issues (physical contact, time and place for meeting with young people, procedures for making appointments etc.)
- Read the CIASE report closely and discuss the lessons which can be learnt from it during periods of reflection with external parties.

Set up obligatory, annual meetings in each diocese or religious community thus ensuring that all priests and monks are made aware of the CPPLP (*French Catholic Church advisory board in the fight against child sexual abuse)* activity report, or that of the national department which may take over its role; make this annual meeting an occasion for collectively building measures of reparation and prevention.

Composition

President:

Jean-Marc SAUVÉ, *Honorary Vice-President of the Conseil d'État* (Council of State)

Members:

Laëtitia ATLANI-DUAULT, *Anthropologist; Director of Research, French Centre of Population and Development, CEPED (University of Paris, French Institute for Research on Development, IRD); Affiliate Professor of Columbia University; President of Covid9 Ad Memoriam Institute (University of Paris); Director of the World Health Organisation Collaborating Centre for Research on Health and Humanitarian Policies and Practices*

Nathalie BAJOS, *Sociologist-demographer; Director of Research, Inserm (Institute of Interdisciplinary Research in Social Issues: Social Sciences, Politics, Health); Director of Studies, School for Advanced Studies in the Social Sciences, EHESS*

Thierry BAUBET, *Professor of child and adolescent psychiatry, Sorbonne Paris Nord University; Head of Department, Avicenne Hospital AP-HP; Scientific Co-director, National Centre of Resources and Resilience (Cn2r)*

Sadek BELOUCIF, *University Lecturer - Medical Practitioner; Head of Department of Anaesthesia and Intensive Care, University Paris 13 and Avicenne Hospital*

Jean-Marie BURGUBURU, *Barrister at the bar of Paris; President of the National Consultative Commission on Human Rights; former President of the Bar Council*

Alice CASAGRANDE, *President of the Commission of the Combat against Maltreatment and Promotion of Good Treatment of the High Council of the Family, Children and Age of the National Consultative Council of Persons with Disability*

Alain CORDIER, *Honorary Inspector-General of Finances, has been member of the French National Authority of Health; Vice-President of the National Consultative Ethics Committee; President of the National Solidarity Fund for Autonomy, CNSA; President of the executive board of Bayard-Presse; Managing Director of the* Assistance Publique-Hôpitaux de Paris

Carole DAMIANI, *Doctor of Psychology; Director of the Paris Help for Victims Organisation; General-Secretary of the French organisation for the study of stress and trauma (ALFEST)*

Anne DEVREESE, *Deputy Managing Director responsible for childhood, family and youth in the Nord* département*; former Managing Director of the National School for the Judicial Protection of Young People*

Antoine GARAPON, *Honorary Judge*

Didier GUERIN, *Honorary Judge*

Astrid KAPTIJN, *Professor of Canon Law; former Vice-Principal of Fribourg University, Switzerland*

Christine LAZERGES, *Emeritus Professor of University Paris 1 Panthéon-Sorbonne; former President of the National Consultative Commission on Human Rights (2012-2018)*

Laurence MARION, *Conseillère d'Etat* (Councillor of State); *General Delegate of the* Cité internationale universitaire de Paris

Joël MOLINARIO, *Theologian; professor; Head of the Theology of Practices Department of the Research Unit "Religion, Culture and Society" of the Catholic Institute of Paris; Director of the* Institut Supérieur de Pastorale Catéchétique, *ISPC*

Marion MULLER-COLARD, *Theologian; Doctor of the Protestant Faculty of the University of Strasbourg; member of the National Consultative Ethics Committee for Human Sciences and Health*

Stéphane de NAVACELLE, *Barrister at the bars of New York and Paris; former member of the Bar Council*

Philippe PORTIER, *Historian and sociologist of religion and secularism; first Vice-President of the* École pratique des hautes études

Jean-Pierre ROSENCZVEIG, *Honorary Judge; former Presiding Judge of Bobigny Juvenile Court; board member of the National Council for the Protection of Children; ex-member of the Board of Children's Rights working under the auspices of the Defence of Human Rights, DDD; UNICEF expert; lecturer at Paris Nanterre University in criminal law for child victims and perpetrators*

Florence THIBAUT, *MD, PhD, Professor of Psychiatry and Addictology (University of Paris, Cochin University Hospital, AP-HP, U1266 INSERM and the Institute of Psychiatry and Neuroscience of Paris); Member of the Senate of the University of Paris; President of the International Association of Women's Mental Health (IAWMH); Honorary President of the World Federation of Societies of Biological Psychiatry (WFSBP)*

Jean-Pierre WINTER, *Psychoanalyst* (for health reasons, Mr. Winter was only able to attend the first meeting)

<u>General Secretariat:</u>

Sylvette TOCHE, *Secretary General*

Camille CLAUSSE-PUJO, *Project Coordinator*