



National Review Board for the Protection of Children and Young People

3211 FOURTH STREET NE • WASHINGTON DC 20017-1194 • 202-541-5413 • FAX 202-541-5410

2015 Progress Report to the Body of Bishops

Francesco Cesareo, Ph.D., Chair

June 2015

Good morning your Eminences, your Excellencies, distinguished visitors and guests. Thank you for allowing me to speak with you this morning.

My name is Dr. Francesco Cesareo. I am the Chairman for the National Review Board and I am here to give you our annual progress report.

The Catholic Church in the United States has benefited from your transformational leadership and resilience. Since the height of the abuse crisis, you have significantly improved the way the Church addresses the issue of sexual abuse of minors. Thanks to your efforts, and the efforts of your staff, the Church has created safe environments for children, and has become a place where victims/survivors of sexual abuse can find healing. Through your efforts, you have made clear your commitment to your “Promise to Protect, Pledge to Heal.”

Pope Francis and the Pontifical Commission

Pope Francis continues to emphasize the importance of your commitment to the victims/survivors of clergy sexual abuse in his words and in his actions. Earlier this year, he expressed his conviction to the Presidents of Episcopal Conferences that everything must be done “to rid the Church of the scourge of the sexual abuse of minors and to open pathways of reconciliation and healing for those who were abused.” The Holy Father’s institution of the Pontifical Commission for the Protection of Minors also shows the seriousness with which he approaches this issue.

The Pontifical Commission recognizes the efforts you have put into addressing clergy sexual abuse. Recently, it requested two foundational studies conducted on your behalf by independent researchers – The Nature and Scope and the Causes and Context Studies. Those studies, as well as the Annual Report on the Implementation of the *Charter* and the audit instrument used in your dioceses, have been sent to the Commission.

The Annual Report

The Annual Report, which is based on the results of a professional audit, shows the progress your dioceses have made in protecting children and responding to allegations of abuse. Last year nearly every diocese participated in the audit - only one diocese and five eparchies did not participate. This is an improvement from the previous year, and notably, three eparchies that did not take part in the audit last year will be participating this year. The National Review Board anticipates the day when all dioceses and eparchies participate in the audit.

Last year's audits found that 98% of adults working in your parishes and schools have been safe environment trained and have had background evaluations, and almost 93% of children have been trained on how to better protect themselves from abuse. The auditors also found that all known allegations of abuse were reported to civil authorities. Outreach to victims in the form of healing Masses, payment for professional therapy services, and pastoral care continues to be provided to 1,863 victims/survivors. Within your dioceses, you can find numerous examples of victims being treated with compassion, as they are offered reconciliation and hope for healing.

However, during the 2014 audit year, 37 allegations were made by current minors. By the time of the audit's completion, 6 of those allegations were substantiated. In addition, approximately 600 historical allegations were also made.

Audit

This persistence of allegations begs some questions for your consideration: Is there a need to change the audit instrument? Is the audit effectively serving the purpose for which you originally intended? How can the audit more effectively ensure the *Charter* is being implemented and children are being protected? What more can we learn from the audits? The NRB believes the answers to these questions might lead to the development of a more effective audit instrument.

The audit is a critical instrument of accountability that signals to the faithful the commitment of the bishops in complying with the articles of the *Charter*. It is imperative that we ensure the independence of the audit so it is not perceived by the faithful as a tool that is controlled by the bishops. The NRB takes seriously its role to serve as your consultants in improving the audit. By considering our advice and recommendations, this professional audit will be of greater service to you and will contribute to its credibility among the faithful.

Charter Revisions

The NRB is grateful for having been invited to be active participants in the *Charter* revision process. The vantage point we brought to the process was that of the laity, mothers, fathers, sisters, and brothers.

This year's *Charter* Revisions are of upmost importance to the NRB. After toiling for two years to make the necessary changes to the *Charter*, the NRB still believes there are areas of concern that should be addressed.

It is our belief that the preamble to the *Charter* should be updated to reflect both the historical realities of the abuse crisis and the current situation resulting from the experiences of the Church in the last twelve years. Through those experiences, issues and concerns that were not apparent twelve years ago have emerged that should now be addressed. The preamble should highlight the progress the Church has made, the challenges the Church continues to face, and the importance of the ongoing implementation of the *Charter* on the part of the bishops.

In light of recent statements made by Pope Francis regarding accountability, we also believe the Statement of Episcopal Commitment should be strengthened, in particular the concept of fraternal correction. In other words, what does this phrase mean in practical terms? How is it exercised when there is a failure to fully implement the *Charter*, resulting in a crisis which plays out in the headlines of national newspapers and creates scandal for the whole Church?

Accountability to the public is another vital part of the Church's response to the abuse crisis. For this reason, the *Charter* should define the meaning of "open and transparent communication" as indicated by Article 7.

As noted earlier, dioceses continue to receive new allegations of abuse each year. Many of those reports include "boundary violations." The National Review Board believes the *Charter* should address the issue of boundary violations because they can be a possible indicator of an individual's potential for sexual abuse. The *Charter* should set the expectation that diocesan policies include processes for handling boundary violations. For example, Codes of Conduct should set clear guidelines regarding boundaries and ministerial behavior.

A requirement of the *Charter* that all allegations be brought to diocesan review boards would eliminate the problems associated with having a gate-keeper decide which cases will or will not be reviewed by the boards. Requiring all allegations to be reviewed by your local boards will create a safety net for you as every allegation will be given the attention it is due. The *Charter* should also include a minimum number of meetings for diocesan review boards, regardless of whether or not an allegation has been received as they might spend that time to review and update your diocesan policies and programs, review the Annual Report and its recommendations, and educate themselves on the most current research.

The *Charter* also needs to address the difficulties regarding the ongoing supervision and monitoring of permanently removed clerics who have not been laicized. Questions concerning this issue need to be considered. For example: "what constitutes supervision and monitoring," "how can supervision and monitoring be institutionalized," and "when is supervision and monitoring appropriate?" Similarly, the supervision and monitoring of clerics placed on restricted ministry needs to be incorporated into the *Charter*.

It is at the parish level that abuse most often occurs. Parishes and schools represent the front lines in your dioceses' *Charter* compliance efforts. If a diocese/eparchy does not conduct some form of audit of its parishes and schools – whether by a diocesan/eparchial representative or an external auditor, you cannot be sure that *Charter*-related policies and procedures are clearly communicated and effectively carried out. For this reason, the National Review Board encourages you to include a requirement for parish audits in the *Charter*. Doing so will allow you to verify that your parishes and schools are effectively protecting children and responding to allegations.

This year, auditors visited eighty-six parishes and schools in twenty-four dioceses and eparchies. The auditors also noted an increasing number of dioceses conducting their own parish audits. Of the 188 locations participating in the audit this year, 109 indicated that they perform parish audits in some form on a regular basis. We applaud those bishops who continue voluntarily to utilize this important tool.

The National Review Board recognizes that while the Essential Norms are the particular law of the Church, the *Charter* is not. One might ask whether the recommendations of the National Review Board are more prescriptive than the Essential Norms. This is a legitimate question, but to the average person in the pew, or anyone observing the actions of the Church from the outside, there is no distinction between the two when a child becomes a victim of sexual abuse by a cleric. Therefore, the NRB poses for your consideration two questions: Should particular

Essential Norms be integrated into the appropriate articles of the *Charter*? Secondly, should the Essential Norms themselves be reviewed for potential revision so as to reflect the issues and concerns that have emerged in the last twelve years reflected in our recommendations during the revision process?

The National Review Board hopes that as you consider the upcoming presentation of the revised draft of the *Charter*, you will keep in mind the perspective we bring so as to strengthen the efficacy of the *Charter*, if not in this revision, in future revisions.

Safe Environment Study

In order to ensure the programs and policies implemented by the *Charter* are effective, the National Review Board is exploring two important concepts: Safe Environment Efficacy and the principles used by High Reliability Organizations.

In 2011, the National Review Board successfully completed the Causes and Context Study commissioned under Article 10 of the *Charter*. We now ask that you consider commissioning a new study that will measure the efficacy of your dioceses' safe environment programs. This study will ensure your dioceses are teaching the faithful the most current and effective methods for detecting, preventing, and responding to abuse, and ensuring that certain criteria be common to all safe environment programs, since there is great diversity among dioceses and eparchies as to the nature and content of these programs.

High Reliability Organizations

The National Review Board also believes the principles used by High Reliability Organizations can aid you in your mission to protect children. If your diocese were to adopt the practices of High Reliability Organizations, you would be confident that your personnel will spot signs of trouble while there is still time to prevent a disaster.

High Reliability Organizations rely on five guiding principles to create “cultures of safety” including tracking small failures, resisting oversimplification of issues, remaining sensitive to operations, maintaining capabilities for resilience, and deferring to expertise. These principles can help your dioceses more effectively detect signs of abuse, prevent abuse before it occurs, respond to abuse if it does occur, and learn from incidents of abuse to prevent them from occurring again. Creating a culture of safety based on the principles used by High Reliability Organizations is a concept you, the bishops, must champion to create positive change in your dioceses. Through your leadership, dioceses can embrace cultures based on reporting, justice, flexibility, and learning. Through your leadership, your dioceses can be provided with the tools necessary to effectively anticipate abuse or respond to the abuse if it occurs. The National Review Board applauds those bishops who have already begun to embrace the principles of High Reliability Organizations, as well as those bishops who have encouraged their diocesan Safe Environment Coordinators and Victim Assistance Coordinators to attend the recent webinars and presentations offered on this subject.

The National Review Board encourages you to learn more about the principles of High Reliability Organizations so that you might incorporate them into your own diocesan culture. We believe it will help you and your staff more effectively protect children and heal victims/survivors.

Conclusion

The National Review Board remains committed to assisting, advising, and collaborating with the you in addressing this issue, and restoring trust with the faithful. We bring significant expertise on the part of our members to provide counsel to you that will restore the trust of the faithful as well as your credibility as moral authorities at a time when such leadership is needed. We share in your mission to make Catholic parishes and schools the safest place for children and we recognize the accomplishments you have made.

Yet while substantive progress has been made, now is not the time to grow complacent. It should not be concluded that the sexual abuse of minors is a problem of the past that has already been adequately addressed. The fact that there were six substantiated cases of abuse of current minors in this year's audit is indicative of the fact that there are still instances where we fall short. There must be a renewed commitment each day to being diligent in the implementation of the *Charter*. The safety of children and the healing of victims/survivors should always be at the top of your priorities. Now is the time for you to boldly embrace your role as leaders and inspire a culture of safety throughout your dioceses.

As committed and faithful lay Catholics who love the Church, we are privileged to have been given this unique opportunity to serve you, our shepherds and teachers, and the entire Body of Christ. Through our advice and challenges we seek to encourage you, to support you, and to assist you to assume courageous leadership in your dioceses around this issue so as to model for our society, what it means to create and nurture a culture of safety for our children. With your leadership, the Church can be an inspiration to institutions beyond the Church struggling with this issue for the sake of the well-being of all children.