

# **Best Practices in Prevention of Sexual Abuse within the Church of South Africa**

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*Prevention is essential in seeing a long term response to the issue of sexual abuse both within the Church and society. This presentation will focus upon those practices of prevention and education that have been most helpful in South Africa in responding to sexual abuse first within the Church and then in the larger society.*

### **1. Preamble**

If history is to record the beginning of the twenty first century as a difficult time in the Church, then let history also record that this was a time when the Church used every available opportunity to learn from past mistakes, rectify past wrongs, and move forward in faith with a renewed purpose and vigour especially with regard to the safety and well-being of the young and most vulnerable.

The happenings in other parts of the Church around the world have not been without significant effect in the southern-most regions of Africa. Each time our local media published and highlighted cases and incidents in other parts of the world we have faced an emergence of similar cases in our region. That which has/had been suppressed for such a long time was made easier to face and deal with when the stories of others were heard.

It is hard for us to imagine what people have endured and kept to themselves over such a long period of time. With the help of modern psychology and its practitioners we have and are, however, able to deal with the incidents of the past and the present with a greater compassion, care and understanding – both of the victims and the perpetrators, and ensure justice, moral correction and proper and adequate assistance to all involved. This has been, without doubt, an enormous learning experience for us all. The learning process continues. Every new case, complaint and situation we face bring with it its own dynamics and complexities. The human state is a complex one and the clerical state brings with it its own nuances, characteristics and challenges.

### **2. Initial and current response towards dealing with complaints, prevention and education.**

In January 1999 the Bishops' Conference of Southern Africa produced a 'Protocol for Church Personnel in regard to the Sexual Abuse of Children.' This was in response to the concerns expressed by the Southern African Council of Priests at their Annual General meeting in 1994. A sub-committee of the Bishops' Conference was established with participation from the Council of Priests. Documents from other countries and Religious Congregations were studied and the Committee decided to adopt the Australian Protocol (Australian Catholic Bishop's Conference, Towards Healing, Hectorville, 1996) as its basic document adapted for use in the Southern African context.

A revised edition was approved by the Conference in 2004. Seven guidelines were presented in response to accusation of child sexual abuse:\*

- The safety and welfare of minors should be the first and paramount consideration following an allegation of child sexual abuse;
- A prompt response should be given to all allegations of child sexual abuse;
- Care should be given to the emotional and spiritual well-being of those who suffered abuse and their families;
- There should be immediate consideration, following a complaint, of child protection issues which arise, including whether the accused priest or religious should continue in ministry during the investigation;
- The rights under natural justice, civil law and canon law of an accused priest or religious should be respected; a appropriate pastoral response to the parish and wider community should be provided, with due regard to the right of privacy of those directly involved, and to the administration of justice;
- Adequate positive steps should be taken to restore the good name and reputation of a priest or religious who has been wrongly accused of child sexual abuse.

Further revisions have been made in 2007 and most recently in 2010 to include the Norms on More Grave Delicts approved by Pope Benedict XVI on 21 May 2010 as well as references to relevant South African legislation in accord with the Child Protection Act. This latest protocol has been renamed 'Protocol for the Preliminary Investigation of Complaints against Clerics and Religious in regard to the Sexual Abuse of Minors' \*and has been approved by the Conference of Bishops of the region. In addition this 2010 protocol is a detailed application of the directives of Canon 1717. There is an accompanying Vade-mecum. Both documents emphasize the duty of the Church personnel to report criminal offences to State authorities – this has already been done and some of the cases which have been handled.

Following the implementation of the protocol, Professional Conduct Committees were established in the Metropolitan Provinces. In addition, there is a Professional Conduct of the Bishops' Conference which co-ordinates the work of the Metropolitan Committees. Professionals in these following disciplines are appointed to the Metropolitan Committees: \*

- Canon Law
- Civil Law
- Psychology/Counseling
- Social/Mental Health professional
- Moral Theology/Ethics
- Communication and Media
- A Diocesan Priest
- The Bishop's Delegate

The work of these Metropolitan Committees is reported to the Committee of the Bishops' Conference which meets twice during the year.

### **3. Impact of the Protocol on the Clergy**

Clergy throughout the country have participated in workshops regarding the content of the Protocol and the procedures to be followed. The Protocol and its procedures were initially viewed with suspicion by the clergy but in more recent times and news and reports of sexual abuse of minors have around the world have impacted on the Church and raised questions and concerns among the laity, there has been a growing acknowledgement and acceptance of the necessity for such protocols and action and response from the Church. In the course

of this year (2012) structures will be set in place to update clergy and religious on the latest revisions. This will also create an on-going awareness that the Church is dealing with all cases in a serious and professional manner and that Bishops and Religious Superiors are being given every assistance in the handling of complaints of sexual abuse.

In addition, to assist clergy and religious to reflect on their way of life, the positions of trust they have and the standards of behavior demanded by their Christian calling, a further document titled "Integrity in Ministry" has been produced by the Southern African Catholic Bishops' Conference (2001). It is expected that all clergy and religious are familiar with the content of this document.

Furthermore candidates for the priesthood at both Major Seminaries are required to study this document 'Integrity in Ministry' and to participate in workshops regarding its practical application. They are also taught about the Protocol for the Preliminary Investigation of Complaints against Clerics and Religious in regard to the Sexual Abuse of Minors and the procedures therein.

#### **4. Other documents that have been and are currently being developed to assist with prevention and education:**

The Catholic Institute of Education, which falls under the Bishops' Conference, has developed a document "Child Safeguarding Policy for Catholic Public Schools in South Africa." (I have not seen this document yet). It has been developed as a child protection policy for workers and volunteers in Catholic Educational institutions.

The Bishops' Conference is in the process of developing a policy which will apply to pastoral assistants, youth workers, catechists and other members of the laity who are involved in diocesan or parish pastoral work.

"Protocol for Church Personnel in regard to Sexual Misconduct between Adults" approved by the Bishops' Conference in 2002. While this document is still to be further developed it has been valuable to the Metropolitan Professional Conduct Committees in handling a significant number of cases of sexual abuse and sexual misconduct involving a member of the clergy or religious and an adult person.

The Professional Conduct Committee of the Bishops' Conference has encouraged bishops to make use of a specially formulated 'Testimonial Letter of Suitability for Ordained Ministry' in the case of priests and deacons who seek to exercise ministry under their jurisdiction. This confirms that the particular member of the clergy is

- in good standing in the place of his current jurisdiction,
- has never been suspended or canonically disciplined,
- has no criminal record or has not been found guilty of a criminal offence,
- has never behaved in a way as to indicate that he is likely to deal with children or vulnerable adults in an inappropriate manner nor has had allegations made against him in such regard,
- does not have an unresolved problem with alcoholism or other forms of substance abuse

and is therefore able to exercise an ordained ministry under the bishop's jurisdiction. Those bishops who have made this a requirement for the exercise of ministry in their diocese have

found this most valuable. A similar Testimonial Letter applies to suitability for Religious Ministry for religious Brothers, Sisters or other non ordained members in formation.

## **5. Recommendations for implementation in Dioceses in the Episcopal Territory**

The Professional Conduct Committee of the Bishops' Conferences has recommended to the Conference that the following should be implemented in every Diocese or Metropolitan Province:

### **5.1 On-going Formation for Newly Ordained Priests**

Following ordination a five year period of on-going formation should to be implemented. In addition to pastoral and theological formation, moral and spiritual development is to be emphasized. The document "Integrity in Ministry" needs to be re-examined in the light of pastoral experience and with special emphasis on the profession conduct and behavior expected of members of the clergy.

During this period of on-going formation assistance need to be given in the area of psychological, emotional and sexual growth and development particularly with regard to the different stage(s) in life they are entering into, new roles and responsibilities they are being entrusted with and situations which they encounter in their pastoral ministry.

The Southern African Council of Priests have been encouraged to play an active role in this regard.

### **5.2 Support for and Supervision of Newly Ordained Priests**

The shortage of priests for parish ministry often necessitates the appointment of newly ordained priests as parish priests – sometimes on their own in remote or far-flung parishes.

It is recommended that each Diocese has a pool of senior, experienced priests who are willing to take on the responsibility of mentoring a priest during the first five years of his priesthood. As a father figure he would be tasked with the responsibility of giving guidance, direction, fraternal correction (where necessary) as well as pastoral and priestly advice.

Given the number of cases of abuse involving relatively newly ordained priests the Committee hopes that this mentorship programme will be able to prevent some of the pitfalls facing newly ordained priests adjusting to a lifestyle and ministry outside the discipline and confines of seminary life.

### **5.3 Psychological assessments prior to entering the seminary**

It has become necessary for each candidate for the priesthood to undergo a psychological assessment prior to acceptance to the seminary. We recommend that this assessment be evaluated from time to time throughout his seminary formation. It is our hope that any inconsistencies with priestly life may be detected through this process.

### **5.4 On-going Human Development for Candidates for the Priesthood**

The Major Seminaries have been encouraged to develop and implement a process of on-going formation in human growth and development as the candidates mature into adulthood and embrace a life and lifestyle of celibacy and chastity, leadership and responsibility, service and accountability.

This arises out of experiences the Committee has encountered involving immature behavior and attitudes in recently ordained clergy.

## **6. House of Wellness**

The Committee continues to explore the possibility of establishing a House of Wellness for priests that will offer spiritual and psychological assistance for priests in need of such, as well as an opportunity for rest, relaxation and renewal.

## **7. Conclusion**

Sexual abuse of minors (and adults) by clergy and religious has caused great scandal and done inestimable damage to the Church. Failure to take decisive action and to implement preventative measures and opportunities for education would create even greater damage and indicate great irresponsibility. This scandal is a call to vigilance and transparency, to honesty and justice, to humility and holiness. If this call is heeded then the Church can continue to grow and be renewed into a loving, vibrant, caring and faith-filled community rooted in gospel values and authentic to its mission to serve God and humanity. We commit to living in an even greater way the values of Jesus our Lord and Saviour who said "Let the little children alone and do not stop them coming to me; for it is to such as these that the kingdom of Heaven belongs." (Matthew 19:14.)

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