

# Canon Law and Safeguarding

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## Introduction

Safeguarding refers to actions taken to ensure practices are in place to protect the health, well-being, and human rights of children and adults in the Church. These actions protect all persons within the Church from abuse, harm, and neglect. Elements of safeguarding include but are not limited to recruitment; risk management; complaint handling; and acceptable use of online applications.<sup>1</sup> Church leadership must establish who is responsible for each of these elements, and the lines of accountability which are tracked and reviewed. Therefore, safeguarding must be part of the Church's governance, culture and leadership.<sup>2</sup>

Pope Francis wrote a very significant letter to the whole people of God in 2018.<sup>3</sup> He pointed out that safeguarding involves everyone in the Church and all clergy, religious and laity needed to be involved in safeguarding to stop abuse and to ensure that it does not happen again. Pope Francis wrote:

Together with those efforts, every one of the baptized should feel involved in the ecclesial and social change that we so greatly need. This change calls for a personal and communal conversion that makes us see things as the Lord does. For as Saint John Paul II liked to say: "If we have truly started out anew from the contemplation of Christ, we must learn to see him especially in the faces of those with whom he wished to be identified" (*Novo Millennio Ineunte*, 49). To see things as the Lord does, to be where the Lord wants us to be, to experience a conversion of heart in his presence.<sup>4</sup>

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<sup>1</sup> Commission for Minors, *Universal Guidelines Framework*, March 2024, (hereinafter Pontifical Commission for Minors, *UGF*) 1.1, (hereinafter Pontifical Commission for Minors, *UGF*) <https://www.tutelaminorum.org/universal-guidelines-framework/> 29.

<sup>2</sup> The Church's Response to sexual abuse in Vatican Documents, [https://www.vatican.va/resources/index\\_en.htm](https://www.vatican.va/resources/index_en.htm)

<sup>3</sup> Pope Francis, *Letter to the People of God*, 20 August 2018, (hereinafter Francis, *Letter to the People of God*), [https://www.vatican.va/content/francesco/en/letters/2018/documents/papa-francesco\\_20180820\\_lettera-popolo-didio.html](https://www.vatican.va/content/francesco/en/letters/2018/documents/papa-francesco_20180820_lettera-popolo-didio.html)

<sup>4</sup> *Ibid.*

The ecclesial and social change involved in safeguarding must be seen as a “path of conversion”—one that requires humility in recognising past errors, courage in promoting justice, and an authentic listening to voices too often ignored. Pope Francis warned that merely adopting procedures is insufficient:

“Where there is a lack of a culture of listening, transparency of actions and their accountability, even the best regulations remain a dead letter of the law. Do victims really feel they can speak freely? Are communities equipped to recognise signs of abuse? Are those responsible held accountable—without exceptions?”<sup>5</sup>

Victims must receive justice and ensure that those who abuse are held to account. The faithful need to be educated to recognise signs of abuse in minors and vulnerable people. A change in culture is urgently needed throughout the Church so abuse of any kind is not tolerated. The Synod on Synodality emphasised this:

Another area of great importance is the promotion in all ecclesial contexts of a culture of safeguarding, making communities ever safer places for minors and vulnerable persons. The work to equip church structures with regulations and legal procedures that enable the prevention of abuse and timely responses to inappropriate behaviour has already begun. It is necessary to continue this commitment, offering ongoing specific and adequate formation to those who work in contact with minors and vulnerable adults so that they can act competently and recognise the signals, often silent, of those experiencing difficulties and needing help. It is essential that victims are welcomed and supported, and this needs to be done sensitively. This requires great humanity and must be carried out with the help of qualified people.<sup>6</sup>

## 1. Rationale for Safeguarding

Jesus taught the greatest commandment was “You shall love the Lord your God with all your heart, and with all your soul, and with all your mind.” This is the greatest and first commandment. And a second is like it: “You shall love your neighbour as yourself.”<sup>7</sup> Not only should we love other people, but this commandment also implies an obligation to value all people and to protect them from all harm. The teaching of Jesus is the foundation for the safeguarding of children and vulnerable adults as an integral part of the life and ministry of the church. The Church must provide an environment where people feel valued and safe within all parishes and church

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<sup>5</sup> *Ibid.*

<sup>6</sup> Pope Francis, xvi ordinary general assembly of the synod of bishops, *For a Synodal Church: Communion, Participation, Mission*, 26 October 2024, 150, [https://www.synod.va/content/dam/synod/news/2024-10-26\\_final-document/ENG---Documento-finale.pdf](https://www.synod.va/content/dam/synod/news/2024-10-26_final-document/ENG---Documento-finale.pdf) (hereinafter *For a Synodal Church: Communion, Participation, Mission*).

<sup>7</sup> Mt 22:37-39 NRSV translation.

communities.<sup>8</sup> Therefore, the Church must have a zero tolerance for abuse or harm. Whenever there are concerns about harm or abuse, the Church must be proactive and not merely reactive. A reactive Church merely responds to allegations of abuse when it has no choice but to do something. A proactive Church does everything it can to prevent abuse and if it does occur it does everything to ensure that it does not happen again.

Pope Francis drew attention to the fact that all acts of abuse are:

Crimes that inflict deep wounds of pain and powerlessness, primarily among the victims, but also in their family members and in the larger community of believers and non-believers alike. Looking back to the past, no effort to beg pardon and seek to repair the harm done will ever be sufficient. Looking ahead to the future, no effort must be spared to create a culture able to prevent such situations from happening, but also to prevent the possibility of their being covered up and perpetuated...It is urgent that we once more reaffirm our commitment to ensure the protection of minors and of vulnerable adults.<sup>9</sup>

Consequently, safeguarding is necessary to ensure the safety and protection of the integrity of children and of vulnerable adults; to implement zero tolerance for sexual abuse; to make all those who perpetrate or cover up these crimes accountable; and to guarantee a greater culture of care both in the present and in the future.

## 2. Care for victims

In *Vos Estis Lux Mundi*, Pope Francis highlighted the effects of abuse:

The crimes of sexual abuse offend Our Lord, cause physical, psychological and spiritual damage to the victims and harm the community of the faithful. In order that these phenomena, in all their forms, never happen again, a continuous and profound conversion of hearts is needed, attested by concrete and effective actions that involve everyone in the Church, so that personal sanctity and moral commitment can contribute to promoting the full credibility of the Gospel message and the effectiveness of the Church's mission.<sup>10</sup>

As people grow in their awareness of the suffering of victims, they should feel more responsibility to help the victims and should be more motivated to ensure the evil of abuse is stopped and prevented from happening again. It is obvious there is a need for procedures to be put in place and to ensure that they are fully implemented. The scandal of sexual abuse in the Church is the greatest obstacle to the preaching of the

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<sup>8</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, 29.

<sup>9</sup> Pope Francis, *Letter to the People of God*, 20 August 2018.

<sup>10</sup> Pope Francis, motu proprio, *Vos Estis Lux Mundi*, 25 March 2023, [https://www.vatican.va/content/francesco/en/motu\\_proprio/documents/20230325-motu-proprio-vos-estis-lux-mundi-aggiornato.html](https://www.vatican.va/content/francesco/en/motu_proprio/documents/20230325-motu-proprio-vos-estis-lux-mundi-aggiornato.html)

Gospel and evangelisation today. Members of the Church struggle to accept that sexual abuse is so widespread in the Church, and although it varies from country to country, the reality is that the Church in every country has a problem with sexual abuse. Clergy need to appreciate the importance of ongoing formation in this area which is one of their canonical obligations.

Pope Francis was most concerned that victims and alleged victims and their families are cared for. He legislated in *Vos Estis Lux Mundi*:

Art. 5 – Care for persons

1. The ecclesiastical Authorities shall commit themselves to ensuring that those who state that they have been harmed, together with their families, are to be treated with dignity and respect, and, in particular, are to be:
  - a) welcomed, listened to and supported, including through provision of specific services;
  - b) offered spiritual assistance;
  - c) offered medical assistance, including therapeutic and psychological assistance, as required by the specific case.
2. The legitimate protection of the good name and the privacy of all persons involved, as well as the confidentiality of their personal data, must be ensured. To the aforementioned persons the presumption addressed in article 13 §7 shall apply, without prejudice to the provisions of article 20.<sup>11</sup>

We all know the tragic history of victims not being believed or experiencing coverups for many years, in many countries. This often resulted from clericalism. Pope Francis explained:

Clericalism, whether fostered by priests themselves or by lay persons, leads to an excision in the ecclesial body that supports and helps to perpetuate many of the evils that we are condemning today. To say “no” to abuse is to say an emphatic “no” to all forms of clericalism.<sup>12</sup>

Pope Francis was determined to change this culture of clericalism, where the rights of victims were ignored and instead clergy were protected and abuse was covered up. The Synod on Synodality reinforced this:

Clericalism is based on the implicit assumption that those who have authority in

<sup>11</sup> Pope Francis, motu proprio, *Vos Estis Lux Mundi*, 25 March 2023.

<sup>12</sup> Pope Francis, *Letter to the People of God*, 20 August 2018, [https://www.vatican.va/content/francesco/en/letters/2018/documents/papa-francesco\\_20180820\\_lettera-popolo-didio.html](https://www.vatican.va/content/francesco/en/letters/2018/documents/papa-francesco_20180820_lettera-popolo-didio.html)

the Church are not to be held to account for their actions and decisions as if they were isolated from or above the rest of the People of God. Transparency and accountability should not only be invoked when it comes to sexual, financial and other forms of abuse. These practices also concern the lifestyle of pastors, pastoral planning, methods of evangelisation, and the way in which the Church respects human dignity, for example, in regard to the working conditions within its institutions.<sup>13</sup>

### 3. Safe Environments

Creating a safe environment within the Church is an essential proactive approach to the sexual abuse crisis facing the Church. A fundamental element for a safe environment is all Church leaders publicly committing to a zero-tolerance stand towards abuse and taking all possible steps to prevent abuse.<sup>14</sup>

#### 3.1 Prevention of Abuse

This involves taking proactive steps to minimize the risk of harm, such as implementing strong recruitment policies which includes careful selection and the proper formation of seminarians and religious. All staff, religious, clerics and laity, need careful training on safeguarding. A culture needs to be created so that all concerns about safeguarding, grooming and improper conduct are reported to the appropriate Church authorities.

Pope Leo emphasises that true ecclesial reform is not rhetoric but a concrete path of humility, truth, and reparation: “Prevention and care are not just pastoral strategies—they are the heart of the Gospel... “[It is necessary to] radiate throughout the Church a culture of prevention that does not tolerate any form of abuse: abuse of power or authority, of conscience or spirituality, of sexual abuse.”<sup>15</sup>

#### 3.2 Protecting vulnerable individuals

Safeguarding is essential for ensuring that children, young people, and adults are protected from harm and abuse.<sup>16</sup> The policies and procedures of dioceses and Church entities must be:

- a) promulgated
- b) readily available in hard copy and electronically
- c) address physical and online risks.<sup>17</sup>

<sup>13</sup> *For a Synodal Church: Communion, Participation, Mission*, 18.

<sup>14</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, p. 30.

<sup>15</sup> Pope Leo XVI, *Letter to Proyecto Ugaz*, reported in Vatican News, 21 June 2025, <https://www.vaticannews.va/en/pope/news/2025-06/pope-leo-xiv-abuse-zero-tolerance-church-message-peru.html>

<sup>16</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, 8.3.

<sup>17</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, 2.1.

People will then be able to easily complain or raise concerns about improper behaviour. Everyone needs to know about safe practices in their entity. Compliance with safe practices and policies must be reviewed and monitored. There must be regular professional development and training for all staff. This will require a comprehensive safe environment programme,<sup>18</sup> with a risk management plan across all the Church's ministries.<sup>19</sup>

### 3.3 Promoting a safe environment

By implementing safeguarding measures, Catholic organizations can create a safe and supportive environment where individuals can thrive. A key element of promoting a safe environment is through having careful checks on visiting clergy and religious, as well as on clergy and religious coming into a diocese to work. There should be one check with their bishop or major superior about whether the priest or religious has ever been accused or found guilty of abuse or misconduct. Furthermore, each priest or religious should then be required to fill in their own personal form, attesting to whether they have ever been accused of abuse or misconduct.<sup>20</sup> Knowing whether a priest or religious has had drug or alcohol problems is essential, because frequently these problems are associated with abuse and financial crimes.

## 4. Complaints/allegation response management that is Culturally Sensitive

The Church must meet its legal and ethical obligations. Throughout the world, secular safeguarding provisions are often a legal requirement for organizations that work with children or adults. Having safeguarding provisions in place is also a fundamental ethical responsibility. Safeguarding procedures and practices must be culturally sensitive and safe.<sup>21</sup> The Pontifical Commission for Minors and Royal Commissions into abuse in countries such as New Zealand have highlighted the necessity to be culturally sensitive in procedures and practices. Protocols must be adapted to the unique cultural context of local Churches.<sup>22</sup>

The protocol or complaints policy and procedures must be publicly available, easily understood and accessible.<sup>23</sup> When complainant/alleged victims report abuse, Church authorities must provide them with person-centred support and help by skilled

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<sup>18</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, 2.

<sup>19</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, 1.4; this would include things such as where the altar servers dress and the structure of confessional rooms.

<sup>20</sup> For example:  
[https://safeguarding.catholic.org.nz/documents/policies/?filter=true&documents\\_category=visiting-clergy-and-religious](https://safeguarding.catholic.org.nz/documents/policies/?filter=true&documents_category=visiting-clergy-and-religious)

<sup>21</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, Criteria 8. Personnel receive training and information on how to build culturally safe environments for children and adults, being able to incorporate local cultural nuances in their safeguarding practices.

<sup>22</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, 5.1.

<sup>23</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, 1.1.

professionals.<sup>24</sup> Most victims will need advocates to explain procedures and to advise them on Church processes.

#### 4.1 Mandatory Reporting

An important measure that Pope Francis took in the sexual abuse crisis was to introduce mandatory reporting of sexual abuse. When a cleric or a religious “learns, or has well-founded motives to believe” sexual abuse has or is happening, he or she must report this to the local Ordinary where the events have occurred or to another Ordinary, so that the abuse will be investigated and dealt with:

*VELM* art 3 §1. Except for when a cleric learns of information during the exercise of ministry in the internal forum, whenever a cleric or a member of an Institute of Consecrated Life or of a Society of Apostolic Life learns, or has well-founded motives to believe, that one of the acts referred to in art. 1 has been committed, that person is obliged to report it promptly to the local Ordinary where the events are said to have occurred or to another Ordinary among those referred to in canons 134 CIC and 984 CCEO, except for what is established by §3 of the present article.<sup>25</sup>

This requirement is now reinforced by canon 1371 §6<sup>26</sup> in the revised penal law which provides penalties for clergy and religious who fail to report an offence as required by canon law. All Major Superiors (including provincials and leaders of Societies of Apostolic Life) are bound by this obligation to report allegations of abuse that have been made against their members.

While lay people are not required by universal law to report sexual abuse, Pope Francis encouraged them to report:

§2. Any person, in particular the lay faithful who serve in offices or exercise ministries in the Church, can submit a report concerning one of the acts referred to in art. 1, using the methods referred to in the preceding article, or by any other appropriate means.<sup>27</sup>

As Archbishop Scicluna said in a letter to the people of his diocese “If you really love the Church, you need to report misconduct; if you report misconduct, you are

<sup>24</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, 3.1.

<sup>25</sup> Pope Francis, motu proprio, *Vos Estis Lux Mundi*, 25 March 2023.

<sup>26</sup> Canon 1371 § 6. A person who neglects to report an offence, when required to do so by a canonical law, is to be punished according to the provision of canon 1336 §§ 2-4, with the addition of other penalties according to the gravity of the offence, Code of Canon Law, c. 1378, in *Book VI: Penal Sanctions in the Church*, revised by the motu proprio *Pascite gregem Dei*, promulgated by Pope Francis, 1 June 2021, effective 8 December 2021, [https://www.vatican.va/content/francesco/en/motu\\_proprio/documents/20210601-motu-proprio-pascite-gregem-dei.html](https://www.vatican.va/content/francesco/en/motu_proprio/documents/20210601-motu-proprio-pascite-gregem-dei.html).

<sup>27</sup> Pope Francis, motu proprio, *Vos Estis Lux Mundi*, 25 March 2023.

going to be protected; victims should know that there is an obligation on the part of the Church to listen to them, to support them, to give them the help they need.”<sup>28</sup> There needs to be mutual accountability amongst all the people of God, but especially in regard to clergy and religious. The Synod on Synodality noted:

The attitude to transparency we have just outlined safeguards the trust and credibility needed by a synodal Church that is attentive to relationships. When this trust is violated, the weakest and the most vulnerable suffer the most. Wherever the Church enjoys trust, the practice of transparency, accountability, and evaluation helps to strengthen its credibility. These practices are even more critical where the Church’s credibility needs rebuilding. They are particularly important in regard to the safeguarding of minors and vulnerable adults.<sup>29</sup>

When there is transparent, mutual accountability, then the Church’s credibility can be rebuilt.

## 5. Collaboration between Dioceses and the Episcopal Conference

The Pontifical Commission for Minors published the *Universal Guidelines Framework*<sup>30</sup> promoting a one-Church approach to abuse extending from prevention of abuse to punishment of any offenders. These guidelines suggest Church structures, offices, policies, oversight, accountability and transparency for credible responses to the sexual abuse crisis. The whole Church must be involved to eradicate this evil in the Church and society.<sup>31</sup>

It is crucial that all the bishops of an episcopal conference<sup>32</sup> work together and have consistent policies, procedures and applications of the law. The *Vademecum* of the Dicastery for the Doctrine of the Faith expects episcopal conferences to have their own guidelines for procedures to handle investigations and cases.<sup>33</sup> The Dicastery for

<sup>28</sup> Archbishop Scicluna, adjunct secretary at the Congregation for the Doctrine of the Faith, press conference at the presentation of *Vos Estis Lux Mundi*, 9 May 2019; <https://www.vaticannews.va/en/vatican-city/news/2019-05/pope-francis-motu-proprio-sex-abuse-archbishop-scicluna.html>

<sup>29</sup> *For a Synodal Church: Communion, Participation, Mission*, 97.

<sup>30</sup> Pontifical Commission for the Protection of Minors, *Universal Guidelines Framework*, March 2024, [https://acrobat.adobe.com/id/urn:aaid:sc:AP:1ed671aa-794e-468b-b48e-3ddcbd32c38a?comment\\_id=a54f1bf5-2d22-49a5-bc78-04f75524ecce&showComments=true](https://acrobat.adobe.com/id/urn:aaid:sc:AP:1ed671aa-794e-468b-b48e-3ddcbd32c38a?comment_id=a54f1bf5-2d22-49a5-bc78-04f75524ecce&showComments=true).

<sup>31</sup> Pope Francis, *Letter to the People of God*.

<sup>32</sup> CDF, circular letter, *To Assist Bishops Conferences in Developing Guidelines for dealing with cases of sexual abuses of minors perpetrated by Clerics*, 3 May 2011, iii. Suggestions for Ordinaries on Procedures: [https://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_20110503\\_abuso-minori\\_en.html](https://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20110503_abuso-minori_en.html).

<sup>33</sup> DDF, *Vademecum*, 2022. “159. If an Episcopal Conference, in response to the request made by the DDF in 2011, has already provided its own written guidelines for dealing with cases of the sexual abuse of minors, this text should also be taken into account”; [https://www.vatican.va/roman\\_curia/congregations/cfaith/ddf/rc\\_ddf\\_doc\\_20220605\\_vademe](https://www.vatican.va/roman_curia/congregations/cfaith/ddf/rc_ddf_doc_20220605_vademe)



Legislative Texts explains “it is necessary that the Bishops of the same region or nation act in communion, if it is necessary to promulgate penal laws.”<sup>34</sup> Canon 1316 requires bishops of a region to be consistent in their application of penalties.<sup>35</sup> Financial penalties including compensation for victims are to be consistent and established by the episcopal conference.<sup>36</sup> When bishops are inconsistent, the faithful are confused, and the culture of clericalism is reinforced.

In many parts of the world there are insufficient qualified and experienced personnel to deal with abuse cases or to implement safeguarding measures. Countries such as France,<sup>37</sup> England and Wales have national penal tribunals.<sup>38</sup> Diocesan bishops can appoint canon lawyers from other dioceses or even countries to adjudicate Extrajudicial Penal processes or be judges in penal trials. For investigations of accusations against bishops Pope Francis encouraged bishops

of the respective Province, individually or together, establish lists of qualified persons from which the Metropolitan may choose those most suitable to assist in the investigation, according to the needs of the individual case and, in particular, taking into account the cooperation that can be offered by the lay faithful pursuant to canons 228 CIC and 408 CCEO.<sup>39</sup>

This advice could just as easily be applied to personnel for investigating accusations against clergy if there is a shortage of qualified personnel in the region.

The Pontifical Commission for Minors have a glossary of terms as part of their *Universal Guidelines Framework*. Law has an educative role, and it is most important to educate all the faithful as well as victims and their support people. Episcopal Conferences still need to define for their territory what is to be understood by terms such as “grooming”, “vulnerable”, and “abuse of authority” because the understanding

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<sup>34</sup> Dicastery for Legislative Texts, *Penal Sanctions in the Church: User Guide for Book VI of the Code of Canon Law*, 10; (hereinafter *Penal Sanctions in the Church: User Guide*); <https://www.delegumtextibus.va/content/dam/testilegislativi/TESTI%20NORMATIVI/Testi%20Norm%20CIC/Libro%20VI/LibroVISussidio/Penal%20sanctions%20User%20guide.pdf>.

<sup>35</sup> Canon 1316. Diocesan Bishops are to take care that as far as possible any penal laws are uniform within the same city or region.

<sup>36</sup> cc. Canon 1361 §4, Canon 1378 §2; 1336 §1. Expiatory penalties can affect the offender either for ever or for a determined or an indeterminate period. Apart from others which the law may perhaps establish, they are those enumerated in §§2-5.

§2. An order: 1° to reside in a certain place or territory; 2° to pay a fine or a sum of money for the Church’s purposes, in accordance with the guidelines established by the Episcopal Conference.

<sup>37</sup> <https://www.catholicnewsagency.com/news/253049/why-the-french-bishops-have-launched-the-world-s-first-canonical-criminal-court#:~:text=The%20tribunal%20is%20designed%20to,to%20decisions%20by%20the%20T%20PCN.>

<sup>38</sup> National Tribunal Service; <https://www.cbcew.org.uk/national-tribunal-service/>

<sup>39</sup> *Vos Estis Lux Mundi*, 25 March 2023, art. 14 §1.

of these terms varies from culture to culture. The definitions are crucial for bishops, judges, delegates and clergy accused of crimes.

## **6. Policies and Procedures Supporting Safety of Children and Adults**

Every diocese and Church entity needs to have policies and procedures in place so that appropriate action is taken when a child or adult is identified as being at risk. This would include reporting forms that can be filled in and directions on who and how their reports can be submitted. This then ensures that the relevant Church and civil authorities can provide support and ensure the safety of the individual at risk. Every allegation must be addressed promptly, thoroughly and transparently.<sup>40</sup> It is a principle of canon law that “justice delayed is justice denied.” However, as William Daniel states “the administration of justice has priority over the length of the process.”<sup>41</sup> Regardless, alleged victims must be kept informed of processes and what is happening.

### **6.1 Collaboration with civil authorities**

Safeguarding often involves working with different agencies, such as social services, the police, and healthcare providers, to ensure a coordinated response. Many canonical crimes are also crimes in secular law. The Dicastery for Legislative Texts notes “Collaboration with the civil authorities is to be particularly taken into account when, based on local circumstances, one is dealing with canonical delicts which are also civil crimes and may have been the subject of a complaint and investigation by the civil justice system or local police.”<sup>42</sup>

Examples of safeguarding in action could include:

- A diocese or a school implementing strict police vetting processes for staff and volunteers to ensure they are suitable to work with children or youth.
- A school training their staff on how to recognize and report signs of child abuse or neglect.
- A social services agency providing support to a child who has been abused or neglected, including therapy and family support.
- A care home ensuring that all residents have the right to make their own decisions and are not subjected to any form of abuse or neglect.

### **6.2 People Management**

A strong commitment to safeguarding must underpin the Church’s recruitment

<sup>40</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, 4.2.

<sup>41</sup> William Daniel, commentary on c. 1111, in J. Faris and J. Abbass eds., *A Practical Commentary to the Code of Canons of the Eastern Churches*, vol. 11, (Montreal: Wilson & Lafleur, 2019) 2089.

<sup>42</sup> DLT, *Penal Sanctions in the Church: User Guide*, 186.

processes.<sup>43</sup> There needs to be a recruitment policy in place so that when a job is advertised, there are police checks authorised by the applicants, and these checks are carried out before any interviews take place. Referees are always to be contacted and there needs to be careful evaluations made on the suitability of applicants before they are employed.

After people are employed, they must participate in a safeguarding induction programme.<sup>44</sup> There needs to be ongoing supervision, mentoring and performance appraisals.<sup>45</sup>

### 6.3 Ongoing Education and Formation

Clergy, religious, employees and volunteers need to be trained to recognise the signs of potential abuse or neglect, whether in children or adults.<sup>46</sup>

Pope Benedict XVI emphasised the positive side of celibacy, teaching “It is not sufficient to understand priestly celibacy in purely functional terms. Celibacy is really a special way of conforming oneself to Christ's own way of life... a sign expressing total and exclusive devotion to Christ, to the Church and to the Kingdom of God.”<sup>47</sup> Therefore, the code of canon law mandates bishops to provide more detailed norms concerning celibacy and clerical conduct:

Canon 277 §1. Clerics are obliged to observe perfect and perpetual continence for the sake of the kingdom of heaven and therefore are bound to celibacy which is a special gift of God by which sacred ministers can adhere more easily to Christ with an undivided heart and are able to dedicate themselves more freely to the service of God and humanity.

§2. Clerics are to behave with due prudence towards persons whose company can endanger their obligation to observe continence or give rise to scandal among the faithful.

§3. The diocesan bishop is competent to establish more specific norms concerning this matter and to pass judgment in particular cases concerning the observance of this obligation.

An important step for bishops is to mandate a Code of Conduct for clergy. Such a code clarifies the specific expectations of priests and office holders, setting an objective standard. E.g. The Archdiocese of Regina in Canada has a Code of Conduct for Clergy

<sup>43</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, 7.1.

<sup>44</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, 7.2.

<sup>45</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, 7.3.1.

<sup>46</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, 8.1.

<sup>47</sup> Pope Benedict XVI, apostolic exhortation, *Sacramentum Caritatis*, 22 February 2007, 24, [https://www.vatican.va/content/benedict-xvi/en/apost\\_exhortations/documents/hf\\_ben-xvi\\_exh\\_20070222\\_sacramentum-caritatis.html](https://www.vatican.va/content/benedict-xvi/en/apost_exhortations/documents/hf_ben-xvi_exh_20070222_sacramentum-caritatis.html)

that includes these clauses:

- 2.6. Clergy must not use alcohol (including wine outside the Eucharist), tobacco or marijuana when working with minors.
- 2.7. Clergy are prohibited from having an unrelated minor in a vehicle unless supervised. Therefore, clergy must not travel in a vehicle with an unrelated minor or vulnerable adult without another safe environment trained adult present, except in documented emergencies.
- 2.8. Clergy are to not share private overnight accommodations (bedroom, hotel room, tent, camper, bed, etc.) with any minor.
- 2.9. Communications by clergy with unrelated minors must be for professional reasons only. Clergy must maintain appropriate boundaries in all communications with a minor, including communications using electronic devices or web-based media.

These are wise practical measures to ensure safe conduct.

Clergy should also be signing a document to acknowledge:

I am a Cleric with faculties to minister or who is seeking faculties to minister in the diocese of ..... I have read and understood this Code of Conduct for Clergy of the diocese of ..... and I promise to abide by it. I understand and agree that I am subject to periodic background checks, and that I am required to participate in professional development, supervision/mentoring and diocesan safe environment training commensurate with my role. I also understand that I may face penal consequences or discipline, up to and including removal from ministry or duties for violations of this Code.

Date:.....

Signed:.....

Name:.....

The Code of Canon Law and many canonical documents do not address issues such as grooming. It is important for the Church to be proactive, although sometimes a bishop might have to give a priest a precept when a complaint is received.<sup>48</sup>

There has been a great deal of abuse of trust, power and authority in the Church.<sup>49</sup>

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<sup>48</sup> Precept: a personal law in a decree requiring someone to do or not to do an action after there is evidence of misconduct. Precepts specify the individual, the situations and circumstances encompassed by the law. The penal precept binds immediately and should have a determined penalty.

<sup>49</sup> c. 1378.

Individual clerics and bishops must be accountable for their actions and/or their failure to act. Transparency is an absolute necessity for the Church to be credible. Reviews and audits of the policies and procedures as well as their implementation are necessary.<sup>50</sup>

Newly ordained clergy or professed religious need to be mentored for the first 5 years after ordination or perpetual profession.<sup>51</sup> When religious or clergy come from other countries to minister, the Pontifical Commission for Minors recommends that they are mentored for the first 2 years in the new country.<sup>52</sup> It is noticeable that recently there have been many more complaints about financial crimes<sup>53</sup> and other abuses perpetrated by international clergy.

#### **6.4 Informed and Empowered People**

Safeguarding must ensure each person is informed about their rights. There must be easily available information on who people can complain to, and the procedures that will then be followed. This approach emphasizes the importance of involving the individual in safeguarding decisions and supports them in making their own choices. They will then feel respected and have more control over their lives.<sup>54</sup>

#### **6.5 Continuous Improvement**

It is crucial for the Church to improve the trust of the faithful as well as the wider community. It is a reality that organizations that prioritize safeguarding are more likely to build trust with the public and with the individuals they serve. Transparency and accountability enable the Church to be evaluated and trusted by the society in which it ministers. Individual Office holders such as bishops or religious superiors can then be seen to be credible and doing their best to provide a safe environment for children and adults.

### **7. Responding to allegations of Sexual Abuse**

Religious superiors and bishops have made the sexual abuse crisis significantly worse by not implementing penal law. Pope Francis noted this failure which had led to:

tolerating immoral conduct, for which mere exhortations or suggestions are

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<sup>50</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, 10.1

<sup>51</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, 7.4.5.

<sup>52</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, 7.6.3.

<sup>53</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, Glossary: “Financial abuse involves the illegal or improper use or mismanagement of a person’s money, property or resources. Stealing, fraud, embezzlement, forced changes to a will, inappropriate removal of a resident’s decision-making powers and misuse of power of attorney are all forms of financial abuse or exploitation.”

<sup>54</sup> Pontifical Commission for Minors, *Universal Guidelines Framework*, 5.2.1.

insufficient remedies. This situation often brings with it the danger that over time such conduct may become entrenched, making correction more difficult and in many cases creating scandal and confusion among the faithful.<sup>55</sup>

Penal law is like a fence around the faithful to protect them from offending clerics and lay officials. The law also helps to maintain and reinforce minimum standards of behaviour for clergy, religious and laity. Penal law can also function like an electronic security system around the faithful to protect them when they get in danger of committing offences. As the title of the apostolic constitution suggests, a pastoral bishop protects the faithful away from danger and also corrects them when necessary. He should consider the application of penal law as part of his pastoral ministry.

## 8. More Grave Crimes

Pope John Paul II promulgated as universal law *Sacramentorum Sanctitatis Tutela* (SST) on 30 April 2001. The 2001 document was revised in 2010<sup>56</sup> and there have since been further revisions.

*Sacramentorum Sanctitatis Tutela* reiterated that a sin against the sixth commandment with a minor is a more grave crime. Pope John Paul II recognised sexual abuse causes grave damage to the normal development of the victim and grave damage to the Church and its credibility. Furthermore, it betrays the trust that people have in priests. He said that this crime deserved the strictest punishments. SST raised the age a person was considered a minor to 18 years. Other more grave crimes included: acquiring, possessing, or distributing child pornography of minors (SST, 6);<sup>57</sup> engaging in solicitation and seeking sexual activity in the sacrament of penance (canon 1387);<sup>58</sup> and absolving an accomplice with him in a sin against the sixth commandment (cc.

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<sup>55</sup> Pope Francis, *Book VI*, 2021.

<sup>56</sup> Congregation for the Doctrine of the Faith, Letter from Prefect of the Congregation to Bishops, Ordinaries and Hierarchs on 21 May 2010 with the revised *Substantive Norms*.  
[http://www.vatican.va/resources/resources\\_norme\\_en.html](http://www.vatican.va/resources/resources_norme_en.html).

<sup>57</sup> *Ibid.*, Art. 6 §1. The more grave delicts against morals which are reserved to the Congregation for the Doctrine of the Faith are:

1° the delict against the sixth commandment of the Decalogue committed by a cleric with a minor below the age of eighteen years; in this case, a person who habitually lacks the use of reason is to be considered equivalent to a minor.

2° the acquisition, possession, or distribution by a cleric of pornographic images of minors under the age of fourteen, for purposes of sexual gratification, by whatever means or using whatever technology;

§ 2. A cleric who commits the delicts mentioned above in §1 is to be punished according to the gravity of his crime, not excluding dismissal or deposition.

<sup>58</sup> *Ibid.*, Art. 4 §1 4° the solicitation to a sin against the sixth commandment of the Decalogue in the act, on the occasion, or under the pretext of confession, as mentioned in canon 1387 of the Code of Canon Law, and in canon 1458 of the Code of Canons of the Eastern Churches, if it is directed to sinning with the confessor himself;

977, 1384).<sup>59</sup>

Any sexual sins involving the Sacrament of Penance are particularly serious. E.g. in absolving his accomplice in any sexual sin, the priest is making a judgment about his own case and acting in a depraved manner. The priest in the sacrament of Penance is acting in the person of Christ and is supposed to be leading penitents to follow the teaching and example of Jesus Christ. He cannot do this if he has sinned with the penitent.

All Ordinaries of dioceses and clerical religious institutes (normally a diocesan bishop or Provincial) must, after the preliminary investigation, report to the Dicastery for the Doctrine of the Faith any accusation that has a semblance of truth concerning clerical sexual abuse of a minor or any other crime encompassed by the norms of *Sacramentorum Sanctitatis Tutela*. The Dicastery oversees investigations and authorises:

1. A penal trial.
2. An Extra-judicial penal process, an administrative process like an abbreviated trial.
3. The presentation of cases directly to the Pope for dismissal from the clerical state.

Sexual abuse is defined in *Vos Estis Lux Mundi* (VELM) art. 1 §1a as

- \* a delict against the sixth commandment of the Decalogue committed through violence or threat or through abuse of authority, or by forcing someone to perform or submit to sexual acts;
- \*\* a delict against the sixth commandment of the Decalogue committed with a minor or with a person who habitually has imperfect use of reason or with a vulnerable adult;
- \*\*\* the immoral acquisition, possession, exhibition or distribution, in any way or by any means, of pornographic images of minors or of persons who habitually have imperfect use of reason;
- \*\*\*\*the recruitment or inducement of a minor or of a person who habitually has imperfect use of reason or of a vulnerable adult to pose in a pornographic manner or to participate in real or simulated pornographic exhibitions.<sup>60</sup>

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<sup>59</sup> *Ibid.*, Art. 4 §1 1° the absolution of an accomplice in a sin against the sixth commandment of the Decalogue, mentioned in canon 1378 § 1 of the Code of Canon Law, and in canon 1457 of the Code of Canons of the Eastern Churches;

<sup>60</sup> Pope Francis, motu proprio, *Vos Estis Lux Mundi*, 25 March 2023, 1a.

Sexual abuse is a grave sin and is explained by the *Catechism of the Catholic Church*:

1858. Grave matter is specified by the Ten Commandments, corresponding to the answer of Jesus to the rich young man: "Do not kill, Do not commit adultery, Do not steal, Do not bear false witness, Do not defraud, Honor your father and your mother." The gravity of sins is more or less great: murder is graver than theft.<sup>61</sup>

## 9. Changes to canons on sexual abuse

In 2021 Pope Francis, with the Apostolic Constitution *Pascite Gregem Dei*, ("Tend the Flock of God"), promulgated the revised book 6 of the Code of Canon Law, "Penal Sanctions in the Church", consisting of canons 1311-1399. Of these 89 canons, 63 have been changed and others have been renumbered. Pope Francis has eliminated conflict and confusion over bishops and religious superiors being pastoral by saying the implementation of penal law is pastoral since it is an instrument of mercy and correction.

There was a canon concerning the sexual abuse of minors in the 1983 code, in the section under "Offences against Special Obligations" i.e. as an offence against the obligation to observe celibacy. Victims and the Australian Royal Commission recommended that in the revised penal law there should be a canon specifically relating to sexual abuse.<sup>62</sup> Pope Francis has responded to this recommendation with a new canon 1398 in the section of the Code appropriately entitled "Offences against Human Life, Dignity and Liberty":

Not all grave sins are crimes, but grave sins that seriously affect the individual or the Church community are sometimes classified by the Church to be crimes. Crimes are opposed to everything the Church stands for. The most important canon concerning sexual abuse crimes is canon 1398:

- §1. A cleric is to be punished with deprivation of office and with other just penalties, not excluding, where the case calls for it, dismissal from the clerical state, if he:
  - 1° commits an offence against the sixth commandment of the Decalogue with a minor or with a person who habitually has an imperfect use of reason or with one to whom the law recognises equal protection;

<sup>61</sup> *Catechism of the Catholic Church*, [https://www.vatican.va/content/catechism/en/part\\_three/section\\_one/chapter\\_one/article\\_8/iv\\_the\\_gravity\\_of\\_sin\\_mortal\\_and\\_venial\\_sin.html#:~:text=1858%20Grave%20matter%20is%20specified,murder%20is%20graver%20than%20theft](https://www.vatican.va/content/catechism/en/part_three/section_one/chapter_one/article_8/iv_the_gravity_of_sin_mortal_and_venial_sin.html#:~:text=1858%20Grave%20matter%20is%20specified,murder%20is%20graver%20than%20theft)

<sup>62</sup> The Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report*, 2017, [https://www.childabuseroyalcommission.gov.au/sites/default/files/final\\_report\\_-\\_volume\\_16\\_religious\\_institutions\\_book\\_1.pdf](https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_16_religious_institutions_book_1.pdf) (=RCIRCSA, *Final Report*).



- 2° grooms or induces a minor or a person who habitually has an imperfect use of reason or one to whom the law recognises equal protection to expose himself or herself or to take part in pornographic exhibitions, whether real or simulated;
  - 3° immorally acquires, retains, exhibits or distributes, in whatever manner and by whatever technology, pornographic images of minors or of persons who habitually have an imperfect use of reason.
- §2. A member of an institute of consecrated life or of a society of apostolic life, or any one of the faithful who enjoys a dignity or performs an office or function in the Church, who commits an offence mentioned in § 1 or in can. 1395 § 3 is to be punished according to the provision of can. 1336 §§ 2-4, with the addition of other penalties according to the gravity of the offence.<sup>63</sup>

Related to this canon is canon 1395 which legislates that a cleric is committing a crime if he abuses authority and has a sexual relationship with someone he ministers to, such as a parishioner; or who engages in a long-term affair; or who has serial sexual relationships.

### 10.1 Abuse of Vulnerable people

A vulnerable person<sup>64</sup> is defined in *Vos Estis Lux Mundi* as “(b) “vulnerable adult”: means any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist the offence;”<sup>65</sup>

- a) Vulnerable can also apply when someone is living in a vulnerable situation: for example, a person who has recently had a bereavement, a person who has had a seriously ill child and all other similar situations;
- b) Vulnerable can also apply if there is an imbalance of power with a cleric: an employee, a person being counselled, a young parishioner aged 18-20.

### 10.2 Grooming

Grooming (c.1398 §1. 2°) includes having a minor or vulnerable adult alone with

<sup>63</sup> Pope Francis, *Book VI*, 2021; New Book VI of the Code of Canon Law (vatican.va) hereinafter all translations of the changed book 6 from this source.

<sup>64</sup> “Vulnerable” is encompassed by the phrase “one to whom the law recognises equal protection” in c. 1398 §1. 2°; Juan Arrieta, in Arrieta, J, *Code of Canon Law Annotated*, 4th ed. (Montreal: Wilson & Lafleur, 2022), 1106, says the canon “avoids using the term ‘vulnerable person’, which is not entirely defined in doctrine, and instead uses an indirect formulation ‘one to whom the law recognises equal protection’) which covers all possible forms of vulnerability.”

<sup>65</sup> Pope Francis, *motu proprio, Vos Estis Lux Mundi*, 25 March 2023.

a cleric: staying overnight; spending a significant time; going on trips; or these circumstances: being given special gifts; engaging in sexting; receiving or being provided with money, alcohol, or drugs; being photographed without parental consent; supplying mobile phone numbers without parental consent and other similar activities.

### 10.3 Pornography

Pope Benedict XVI approved *in forma specifica* the “Revised Norms on Dealing with Clerical Sex Abuse of Minors and Other Grave Offenses”<sup>66</sup> published on July 15, 2010, and made the use of child pornography a crime:

- 2° The acquisition, possession or distribution by a cleric of pornographic images of minors under the age of 14 for purposes of sexual gratification, whatever means or using whatever technology.”<sup>67</sup>

Restricting the crime to under age 14 was far too restrictive. This has now wisely been amended to “minors under the age of 18”. While clergy sexting those under age 18 or using child pornography has been a canonical crime for many years, there has been no canonical definition or description of pornography until *Vos Estis Lux Mundi* in 2019. In fact, people buying or using pornography are financing its manufacture and are cooperating<sup>68</sup> in the commission of the crime.

In *Vos Estis Lux Mundi* Pope Francis stated child pornography means “any representation of a minor, regardless of the means used, involved in explicit sexual activities, whether real or simulated, and any representation of sexual organs of minors for lewd purposes or for profit.”<sup>69</sup> Pornography was legislated as a crime in the revised canon 1398 §1. 3°.

Other grave crimes that cause scandal and seriously impact the Church are addressed by canon 1395:

- §1. A cleric living in concubinage, other than in the case mentioned in can. 1394, and a cleric who continues in some other external sin against the sixth commandment of the Decalogue which causes scandal, is to be punished with suspension. To this, other penalties can progressively be added if after a warning he persists in the offence, until eventually he can be dismissed from the clerical state.
- §2. A cleric who has offended in other ways against the sixth commandment of the Decalogue, if the offence was committed in public, is to be punished with

<sup>66</sup> Congregation for the Doctrine of the Faith, *Revised Norms on Dealing with Clerical Sex Abuse of Minors and Other Grave Offenses, Origins*, 40(2010-2011), 146-151.

<sup>67</sup> Congregation for the Doctrine of the Faith, *Revised Norms on Dealing with Clerical Sex Abuse of Minors and Other Grave Offenses, Origins*, 40(2010-2011) 148.

<sup>68</sup> c. 1329.

<sup>69</sup> Pope Francis, *motu proprio, Vos Estis Lux Mundi*, 25 March 2023, art. 1 §2c.

just penalties, not excluding dismissal from the clerical state if the case so warrants.

- §3. A cleric who by force, threats or abuse of his authority commits an offence against the sixth commandment of the Decalogue or forces someone to perform or submit to sexual acts is to be punished with the same penalty as in §2.

## 11. Special Faculties for the Dicastries for Clergy and Evangelisation

These Dicastries have special faculties to dismiss clerics from the clerical state for serious sexual and financial misconduct.<sup>70</sup> The Dicastries have a policy when they receive reports of clergy fathering children that the cleric must leave active ministry and be a proper father to the child whether the mother will marry him or not.

## 12. Crimes of Religious Leaders Failing to Act or Deal properly with Abuse

Pope Francis in *Vos Estis Lux Mundi* legislated that it is a serious crime for bishops and Major Superiors (Provincials):

- 1) To fail to investigate allegations.
- 2) to inadequately deal with offenders.
- 3) to fail to cooperate with civil or canonical investigations.

Bishops Conferences must have procedures in place to handle allegations against bishops and their Equivalents for sexual abuse or failures to act.<sup>71</sup>

## 13. Crimes of Religious Brothers and Sisters

If religious brothers and sisters sexually abuse a minor, they should usually be dismissed from their religious institute:

Canon 695 §1. A member must be dismissed for the delicts mentioned in canons 1397, 1398, and 1395, unless in the delicts mentioned in can. 1395, §2, the superior decides that dismissal is not completely necessary and that correction of the member, restitution of justice, and reparation of scandal can be resolved sufficiently in another way.

§2. In these cases, after the proofs regarding the facts and imputability have been collected, the major superior is to make known the accusation and proofs to the

<sup>70</sup> Congregation for the Evangelisation of Peoples, “Special Faculties Granted by Pope Benedict XVI”, 19 December 2008, in John Renken, *The Penal Law of the Roman Catholic Church: Commentary on Canons 1311-1399 and 1717-1731 and Other Sources of Penal Law*, Ottawa: Saint Paul University, 2015, 485-490.

Congregation for Clergy, circular letter, 18 April 2009, Prot. No. 2009/0556, in John Renken, *The Penal Law of the Roman Catholic Church: Commentary on canons 1311-1399 and 1717-1731 and Other Sources of Penal Law*, Ottawa: Saint Paul University, 2015, 491-499.

<sup>71</sup> Pope Francis, motu proprio, *Vos Estis Lux Mundi*, 25 March 2023, 6.

member to be dismissed, giving the member the opportunity for self-defense. All the acts, signed by the major superior and a notary, together with the responses of the member, put in writing and signed by that member, are to be transmitted to the supreme moderator.

The investigation of the alleged crime by the religious is to be overseen by the local Ordinary (usually a diocesan bishop) where the alleged events took place. After the investigation, if the crime is proven with moral certainty, the Major Superior will have to follow the constitutions of the religious institute to dismiss the religious brother or sister.

#### **14. Abuse of Authority (c. 1378)**

The revised penal law reiterates that abuse of authority as a cleric is a crime. It is recognised that many so-called “consenting adult” relationships are not ones with equal consent and often vulnerable people are manipulated by people with positions of power and authority. In the revised Book 6, canon 1389 has become canon 1378:

c. 1378 §1. A person who, apart from the cases already foreseen by the law, abuses ecclesiastical power, office, or function, is to be punished according to the gravity of the act or the omission, not excluding by deprivation of the power or office, without prejudice to the obligation of repairing the harm.

c. 1378 §2. A person who, through culpable negligence, unlawfully and with harm to another or scandal, performs or omits an act of ecclesiastical power or office or function, is to be punished according to the provision of canon 1336 §§ 2-4, without prejudice to the obligation of repairing the harm.

Abuse of authority includes culpable negligence and failing to act on complaints concerning abuse crimes or more grave crimes. A penalty is not to be remitted until there has been reparation of harm:

Canon 1361 §4. Remission must not be granted until, in the prudent judgement of the Ordinary, the offender has repaired any harm caused. The offender may be urged to make such reparation or restitution by one of the penalties mentioned in can. 1336 §§ 2-4; the same applies also when the offender is granted remission of a censure under can. 1358 §1.

This provision gives Church authorities real power to demand restitution or reparation for offences causing harm to others. The Ordinary must not remit a penalty before he prudently judges the offender has repaired any harm caused.<sup>72</sup>

<sup>72</sup> Canon 128. Whoever unlawfully causes harm to another by a juridical act, or indeed by any other act which is malicious or culpable, is obliged to repair the damage done.

Canon 1347 §2. The offender is said to have purged the contempt if he or she has truly repented of the offence and has made suitable reparation for the scandal and harm, or at least seriously promised to make it.

Any abuse of authority for financial gain, and/or sexual gratification, or taking advantage of another is a crime. This includes a cleric with a parishioner with whom had/has a ministerial relationship.<sup>73</sup>

## 15. Conclusion

Everyone in the Church has a role in safeguarding. The safety and wellbeing of all persons, especially minors and vulnerable persons must be the highest priority in every diocese and Church entity. Children, youth, and adults at risk require special safeguards to promote their safety, security and welfare. Clergy, employees and volunteers must be committed to safeguarding; creating a culture that strives to prevent abuse in the first instance and responds appropriately and effectively if abuse does occur.

Pope Leo XIV instructed bishops they "must be firm and decisive in dealing with situations that can cause scandal and with every case of abuse, especially involving minors, and fully respect the legislation currently in force."<sup>74</sup> The culture of safeguarding must be supported and underpinned by policies, practices and procedures. The Catholic Church must be and be seen to be a welcoming Church that respects the dignity of each person and enables its people to grow and develop their faith in a caring and supportive environment. A safe Church is a credible Church.

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<sup>73</sup> c. 1378; DLT, *Penal Sanctions in the Church: User Guide*, 114.

<sup>74</sup> Pope Leo XIV, *Meditation Jubilee of Bishops*, 25 June 2025; <https://www.vatican.va/content/leoiv/en/speeches/2025/june/documents/20250625-giubileo-vescovi.html>