



CONGREGAZIONE DEI MISSIONARI DI SAN CARLO
- SCALABRINIANI -

GUIDELINES OF THE SCALABRINIAN CONGREGATION FOR THE PROTECTION OF MINORS AND VULNERABLE PERSONS

Presentation

"The Congregation of the Missionaries of St. Charles (Scalabrinians) is an Apostolic Community of Religious that shares in the missionary activity [...]. The world to which we are called to proclaim the mystery of salvation is that of the migrants" (*RL # 1*).

To the world of migrants, and to all whom the missionaries encounter in their apostolic work, especially to minors and all vulnerable persons, the Scalabrinian Congregation wants to be an image of the face of Christ, who came to serve (Cfr. Mk. 10,45).

Through these Guidelines, the Scalabrinian Congregation intends to present and recall the norms to be followed for the protection of minors and vulnerable persons, whom the missionaries encounter in their ministry and are present in the institutions in which the missionaries serve, imitating the Lord Jesus, who blessed the little ones (Cfr. Mk. 10:13-16).

I. PREAMBLE

Objectives

1. These Guidelines, which do not replace the canonical laws, nor the civil laws in force in the various Countries where the missionaries live and carry out their apostolic work, are intended to facilitate the correct application of the canonical norms on the subject.

In order to educate all Missionaries to individual responsibility in dealing with canonical and civil laws, and to ensure the prevention of abuse and protection of minors and vulnerable persons, the Scalabrinian Congregation is committed to:

- a. provide all its members, and those working with them, instructions on the prevention of abuse and on protection;
- b. observe and enforce canonical norms, where they are not contrary to divine law, the civil laws covering the sexual abuse of minors and vulnerable persons;
- c. ensure adequate forms of accompaniment for all persons involved.

The commitment of the Scalabrinian Congregation

2. The Superior General, the Regional and Provincial Superiors are committed to respect and enforce the criminal laws in force in the Catholic Church regarding the prevention of abuse and protection of minors and vulnerable persons.

3. Regional and Provincial Superiors, as Ordinaries for the religious assigned to their jurisdiction, may prepare specific Guidelines for their religious region or province, or otherwise, follow the Guidelines of the National Episcopal Conferences or those given by the National Conference of Major Superiors in their respective nations included in the religious region or province, always in compliance with applicable civil legislation.

Recipients

4. These Guidelines are intended for all Scalabrinian Missionaries, novices, seminarians and those who, in various ways, cooperate in the works and activities proper to the Scalabrinian Congregation or which are entrusted to it.
5. The implementation of the *Guidelines* depends on each person's responsibility. The legitimate authorities are responsible for making the Guidelines known and promoting appropriate strategies for their effective implementation.
6. With regard to the prevention of abuse and protection of minors and vulnerable persons, it is necessary to pay special attention to parishes, missions, migrant shelters and centers, sailors' centers, seminaries, orphanages, schools and other places where missionaries are present and carry out their apostolic work. All the works of the Congregation or entrusted to it, must be safe places, equipped with a specific protocol of prevention of abuse and protection for minors and vulnerable persons, to which the Major Superiors of the individual jurisdictions will provide, also taking into account applicable civil laws.

II. PRINCIPLES OF INTEGRITY AND ETHICAL STANDARDS

7. Civil society and the people of God expect a credible witness from the Church in respecting the dignity of minors and vulnerable people. The Scalabrinian Congregation, while condemning all forms of sexual abuse of minors and vulnerable persons, is also committed to ensuring that its Missionaries engage responsibly in human relationships, where "chastity is transformed into spiritual fruitfulness" (*RL, # 11*).
This is only possible through a deep spiritual life (*Cfr. RL # 83*), which enables us to welcome others as gifts and to "meet them as brothers and sisters" (*RL # 85*), in safe environments.
8. The abuse of authority, of conscience and the sexual abuse of minors or vulnerable persons is not only a serious sin, but also a crime. Every form of abuse offends God, causes serious discomfort to the Church of Christ, violates the dignity of the victims, causing permanent traumas, contravenes the duties of religious life and damages the Scalabrinian Congregation itself, to which the missionaries are bound by religious consecration; in addition, all forms of abuse offend the priesthood, which the Scalabrinian Missionaries share because of the sacrament of Holy Orders; finally, abuses are a source of scandal for the confreres, who strive to live the fidelity of consecration in the holiness of their lives, and for the migrants who entrust their exodus to the Missionaries.
9. Committed to live to the highest degree the demands for Christian ethics and personal integrity, according to the teachings of the Catholic Church and the requirements of consecrated and priestly life, the Scalabrinian Missionaries:

- a. take care of their spiritual, psychological and physical stability (*Cf. Rules of Life, 84*) to ensure an orderly and effective apostolic mission among migrants;
 - b. always avoid pursuing personal advantages in the exercise of ministry and religious consecration, especially with minors and vulnerable persons;
 - c. guarantee a human, professional and pastoral climate free from all forms of intimidation, physical or psychological harassment, manifested both in writing and verbally, as well as through the use of social media;
 - d. make sure, therefore, not to abuse anyone, sexually or psychologically, and to refrain from anything that can harm people;
 - e. assume the responsibility of protecting vulnerable children and adults entrusted to their care from all forms of abuse;
 - d. are committed, therefore, not to abuse anyone, sexually or psychologically, and to refrain from anything that can harm people;
 - e. assume responsibility for protecting children and vulnerable adults entrusted to their care from all forms of abuse;
 - f. are required to make known to the Local Superior or to the Major Superior the well-founded suspicion of sexual abuse or harmful or inappropriate behavior both by a confrere and by others in relating with a minor or with a vulnerable person;
 - g. are also required to inform the civil authorities, if this is required by the laws of the State, always safeguarding divine law.
10. Finally, all Scalabrinian Missionaries are committed to respecting the integrity and dignity of every person, and to safeguarding priestly ministry and religious consecration, and, therefore:
- a. are required to safeguard the confidentiality and discretion of all personal information they become aware of through their ministry;
 - b. are made aware that "*care must be taken to stay absolutely clear of any danger of violating the sacramental seal of confession*" (CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Normae de gravioribus delictis*, art. 24, § 3);
 - c. are clearly aware that any report and news of a crime, at least probable, must be forwarded to the competent Major Superior, who must initiate the preliminary investigation, referred to in Can. 1717 §1-3 of the CIC (see also CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Normae de gravioribus delictis*, art. 16; CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Vademecum*, art. 21).

III. PREVENTION

11. Prevention shall cover all actions that may prevent situations of abuse from arising, so that action can be taken in good time to reduce the negative consequences, contain risk factors and increase protection factors.
12. Prevention is promoted first and foremost through correct information which all Scalabrinian Missionaries are required to have.
This is followed by adequate formation on the protection of minors, especially on the part of those who are assigned to responsibilities in government at different levels, to initial and ongoing formation, and to active apostolic ministry.
Equal training must also be guaranteed to those who, although not members of the Scalabrinian Congregation, cooperate, in diverse ways, in its mission.
13. To prevent sexual abuse of minors and vulnerable persons, different and qualified attention and

actions are required, in carefully preparing:

a. Training programs

14. In the more general context of a review of educational and training processes and contents, it is necessary to promote preventive educational programs in the places where we operate, with the aim of ensuring "safe environments" for minors and vulnerable people. Such programs are also intended, to help Scalabrinian Missionaries, and those who cooperate in diverse ways with them, to recognize signs of sexual abuse and to take appropriate timely measures.
15. It is necessary to prepare information programs to know the Church's theological and legal response for the prevention of abuse and the protection of minors and vulnerable persons, as well as the *Universal Declaration of the Rights of the Child*, approved by the United Nations General Assembly in 1959, and the *Convention on the Rights of the Child and Adolescents*, also approved by the General Assembly in 1989.

b. Selection of candidates

16. In the selection of candidates for religious and priestly life in the Scalabrinian Congregation, appropriate vocational discernment is required, focusing particularly on the area of human and spiritual maturity, a root condition for entering consecrated and priestly life as a service and not as a base for power.
17. Before admission to the Scalabrinian Congregation, during the period of preparation for the novitiate, the necessary means must be adopted to know the candidates for the priesthood and religious life, paying particular attention to diagnostic tools and the gathering of specific information on the character and personality of the candidate, according to the precise indications provided by the *General Project of Scalabrinian Formation*, without prejudice to the right to good reputation and privacy.
18. If a candidate comes from another religious institute or diocesan seminary, the information necessary must first be requested and obtained to draw an accurate psychological profile, which, while respecting the privacy and good reputation of the candidate, allows to reasonably exclude the presence of potential abusive behavior.
19. In the Scalabrinian Congregation, the transfer from one religious region/province to another is not allowed, when a candidate has already been held responsible for abusive behavior. In these cases, it is the duty of the competent Major Superior to take the appropriate measures to remove the candidate from the formation house of residence.
20. The transition from one religious region/province to another of a candidate who has been wrongly accused of abuse, is allowed, following the exchange of written pertinent information between the Major Superiors concerned.

c. Formation of future religious and priests

21. Every effort must be made to form candidates, novices and religious during the initial formation process to appreciate the value of consecrated chastity and the responsibilities associated with it.

Those responsible for formation, together with those in formation, who are the actors and primary players of their own growth process, will realistically assess the psychological balance of those choosing celibacy, which implies a significant renunciation.

d. Accompaniment and ongoing formation

22. The Major Superior has the duty to accompany the religious entrusted to him; with the help of the local Superior, he must be attentive to the "*the problems that could affect our emotional stability stemming from physical fatigue and inner tension.*" (*Rules of Life*, 84).
23. It is up to the Major Superior to ensure that the religious entrusted to him are made aware and acquire consciousness of the damage caused to victims of sexual abuse and of their possible responsibility vis-a-vi canonical and civil law.
24. Scalabrinian Missionaries are required to know and observe the canonical laws on child and vulnerable persons abuse, these *Guidelines*, the *Guidelines* individual Major Superiors intend to issue for their jurisdiction, or the *Guidelines* of the National Episcopal Conference or the National Conference of Major Superiors in which they operate, as well as pertinent civil legislation, when not in contradiction with divine law.

IV. DEFINITIONS AND APPLICATION OF THE GUIDELINES

25. The *Minor* is the person whose age is lower than that set by law to reach adulthood. For the Church, a *Minor* is the person who has yet to turn eighteen years of age (CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Normae de gravioribus delictis*, art. 6, §1, 1°).
26. A *Minor* is equally considered, in the case of a crime committed by a cleric against the sixth commandment of the Decalogue, a person who has an ongoing impaired use of reason (CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Normae de gravioribus delictis*, art. 6, §1, 1°).
27. A *vulnerable person* is considered any person in a state of infirmity, physical or mental deficiency, or deprived of personal freedom, which, in fact, may even occasionally, limit their ability to freely understand or will or, otherwise, resist an offense (FRANCIS, *Vos estis lux mundi*, Apostolic Letter given in the form of m.p. art. 1, §2, b).
28. It is also considered a more serious crime "the acquisition or possession or dissemination, for the purpose of lust, of pornographic images of children under eighteen years of age by a cleric, in any way and by any means" (CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Normae de gravioribus delictis*, Art. 6, §1, 2°, as amended by Rescript of 3 December 2019).
29. Also, serious crimes are considered "those against the Sixth Commandment of the Decalogue consisting of:
 - i. forcing someone, with violence or threats or through abuse of authority, to perform or suffer sexual acts;
 - ii. performing sexual acts with a minor or a vulnerable person;
 - iii. the production, exhibition, possession or distribution, including electronically, of child pornography, as well as in the recruitment or induction of a minor or vulnerable person to participate in pornographic performances" (FRANCIS, *Vos estis lux mundi*, Apostolic Letter given

in the form of m.p., art. 1, §1, a).

30. If a Major Superior has been grossly negligent in the matter of abuse of children or vulnerable adults, he can legitimately be removed from his office (FRANCIS, *Like a loving mother*, Apostolic Letter given in the form of m.p., art. 1, §3).
31. If one who has been, or is currently, Supreme Moderator is guilty of a crime referred to in Art. 1 of m.p. *Vos estis lux mundi*, he is to be judged in accordance with the provisions of the same m.p.
32. "Without prejudice to the right of the Congregation for the Doctrine of the Faith to consider exceptions from the statute of limitations for individual cases, criminal action regarding crimes reserved for the Congregation for the Doctrine of the Faith, is voided by the statute of limitations in twenty years" (CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Normae de gravioribus delictis*, art. 7 §1).
33. "The limitation period shall be determined in accordance with Can. 1362 §2 of the CIC, Can. 1152 §3 CCEO. But in the crime referred to in Art. 6 §1, 1, the limitation period begins from the day on which the child has reached the age of eighteen" (CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Normae de gravioribus delictis*, Art. 7 §2).
34. A religious cleric, guilty of one of the crimes defined in art. 6 §1 of the *Normae de gravioribus delictis* is to be punished according to the seriousness of the crime, not excluding being discharged from the clerical state.
35. For the crimes against the Sixth Commandment, referred to in Can. 1395 §2:
 - a. In the case of a cleric, "the Code establishes the Superior's obligation to take into account the criminal case in point, evaluate it and adopt a discretionary decision on the need to proceed with the discharge. In the event of abuse of one under age 18, to whom are equated those who have an ongoing limited use of reason, if the accused religious is a cleric, exclusive jurisdiction rests with the Supreme Tribunal of the Congregation for the Doctrine of the Faith, according to m.p. *Sacramentorum sanctitatis tutela*. As in all other crimes, the limitation period is twenty years and, in the case of abuse of a child under 18, it begins to run from when the child reaches the age of 18.
 - b. When it comes to a non-clerical member, responsibility lies with the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life. In the cases referred to in §2 of Can 1395, the Superior must proceed with the dismissal, unless he considers it appropriate to provide in another way for the correction of the member, the reinstatement of justice and the reparation of the scandal (can. 695, §1). In the aforementioned cases, the Major Superior is obligated to initiate the process of dismissal, observing the procedure provided for by law (can. 695, §2)" (CONGREGATION FOR INSTITUTES OF CONSECRATED LIFE AND SOCIETIES OF APOSTOLIC LIFE, *Guidelines, The gift of fidelity the joy of perseverance*, n. 91).
36. The laity, who cooperate in various ways in the works proper to the Scalabrinian Congregation or are entrusted to it, when accused of abuse of minors or vulnerable persons, are punishable, by reporting them to the competent civil authorities and terminating any relationship of collaboration, including the termination of the employment contract, in accordance with the procedures established by the laws of the individual States in this matter.

V. Canonical procedures

Admission of charges

37. Given that allegations of sexual abuse may come from a number of sources, from formal reports to media reports (cf. CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Vademecum*, art. No. 9-14), those who receive the *notitia criminis* must communicate it to the Major Superior in a written and signed document; the people involved must also, as far as possible, sign it. In the verification of the “*notitia criminis*” the Major Superior can be helped by other prudent and wise people.
38. If the charge involves the arrest of a cleric, the canonical procedure is suspended until the civil procedure is concluded. In this case, the Major Superior must inform the Superior General.

Preliminary investigation: nature and purpose

39. Once the veracity of the accusation has been certified, the Major Superior must initiate the preliminary investigation, which can be carried out in person or through one of his delegates (cf. Can. 1717 CIC).
After the preliminary investigation has been launched, the Major Superior must report it to the Superior General. To him he will send a copy of the file of the preliminary investigation, so that the Superior General may submit his *notum* to the Congregation for the Doctrine of the Faith (Cf. CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Vademecum*, art. 69 and 70).
40. At the start of the preliminary investigation, the Major Superior will appoint a notary, priest, to guarantee the public accountability of the acts he has redacted (cf. CONGREGATION FOR THE DOCTRINE OF THE FAITH, *De gravioribus delictis*, art. 14).
41. "It must always be borne in mind that the preliminary investigation is not a trial, and its purpose is not to reach moral certainty regarding the examination of the facts subject to the accusation. It serves: a/ to collect the data useful to delving into the *notitia de delicto*; and b/ to ascertain its veracity, i.e. to define what is called *fumus delicti*, that is, the sufficient basis in law and in fact to consider the accusation to be true" (Cf. CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Vademecum*, art. 33).
42. During the preliminary investigation, the Major Superior or his delegate must investigate about:
 - a. the identity of the alleged victim (name, date of birth, domicile);
 - b. the identity of the accused (name, age, role and responsibility);
 - c. the deliberate intent to commit the crime, recklessness, negligence or negligent omission;
 - d. the facts reported and their circumstances;
 - e. the statements of the alleged victim, of the accused, any documentary and testimonial evidence;
 - f. any other element deemed useful.
43. Since the preliminary investigation is not a trial, clear evidence of the crime and of the culpability of the cleric are not required at this stage, but only serious suspicions. The evidence will be presented later, if and when criminal, administrative or judicial proceedings are initiated.

Secrecy, protection of confidentiality and good reputation

44. Investigations must be carried out with prudence and caution so as not to damage the good reputation and the privacy of anyone (cf. can. 220). Respect for privacy and good reputation rests on all those who intervene: denounced religious, alleged victim, family members, witnesses, investigator, notary, people who become aware of the investigations and the ecclesiastical authority.

Spokesperson

45. Only the Major Superior, or one of his delegates, will be the official spokesperson for any cases involving more serious crimes, always respecting the confidentiality of the investigation and, when required, of papal secrecy.

Guarantees of the accused

46. The Major Superior must implement guarantee measures regarding the accused:
- unless there are serious reasons to the contrary, the accused Scalabrinian must be informed of the accusation presented, to give him the opportunity to respond to it, before referring the case to the Congregation for the Doctrine of the Faith. The prudence of the Major Superior will decide what information should be communicated to the accused during the preliminary investigation (cf. CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Circular Letter Among the important responsibilities*, 3 May 2011, in AAS 103 [2011], 410);
 - ensuring that the Scalabrinian during the preliminary investigation receives the necessary spiritual and/or psychological help;
 - ensuring that during the preliminary investigation, the good reputation and privacy of the accused are protected (cf. cann. 220 and 1717 §2).
47. The accused Scalabrinian maintains the presumption of innocence until proven otherwise, even if the Major Superior, out of prudence, limits the exercise of the ministry, while investigations are underway to clarify the accusations (cf. CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Normae de gravioribus delictis*, art. 19).
48. The accused Scalabrinian can always appeal to the Superior General or to the Congregation for the Doctrine of the Faith (Cf. CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Normae de gravioribus delictis*, art. 26-27).

Decisions and possible protective measures

49. During the preliminary investigation for the trials planned by civil authorities or the Congregation for the Doctrine of the Faith, the Major Superior may restrict the ministry of a Scalabrinian cleric or religious, for example, with restrictions on community life, personal and pastoral activities, prohibiting the exercise of sacred ministry or proceeding to the suspension from an ecclesiastical office, imposing or prohibiting residence in a certain place or territory. He may also suggest to the religious other pastoral measures to support him.
50. Protective measures shall be taken when needed and for objective guilty evidence of the accused. When the reason for which they were imposed ceases, they must be revoked; and will cease *ipso iure*, when the criminal proceedings cease (cf. can. 1722; CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Circular Letter Among the important responsibilities*, in AAS 103 [2011], 410).

51. In case of a cleric, the reinstatement of the Scalabrinian to the public exercise of the sacred ministry must be forbidden; the same in case of a religious, to apostolic activities, when the ministry and the activities are deemed "*a danger to minors or scandal for the community*" (CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Circular Letter Among the important responsibilities*, in AAS 103 [2011], 411).

Transmission of documents to the Superior General

52. After the investigation has been completed, the Major Superior will transmit the originals or an authenticated copy, with his own "vote", to the Superior General.
53. The originals, or copies, of the preliminary investigation are kept in the secret archives of the Curia of the Major Superior.
54. The Superior General will transmit the acts of the preliminary investigation to the Congregation for the Doctrine of the Faith, together with his "vote" and that of his Council on the merits of the cause; the Congregation for the Doctrine of the Faith will indicate how to proceed *ad ulteriora* (by judicial process, by out-of-court decree or dismissal ex officio by the Holy Father).
55. The Congregation for the Doctrine of the Faith, after examining the case, will send instructions to the Superior General on how to proceed, "by ensuring both a just procedure against accused clerics, respecting their fundamental right to defense, and protecting the good of the Church, including the good of the victims" (CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Circular Letter Among the important responsibilities*, in AAS 103 [2011], 409). In the case of an out-of-court process, the Superior General may reserve to himself to conduct this administrative procedure or entrust it to a delegate, establishing in this case the appropriate provisions regarding the delegate, the two assistants and the notary.
- For non-clerical religious, the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life is competent and the procedure indicated under 35 b is to be followed.

Reporting to civil authority

56. The Scalabrinian Congregation will offer full cooperation to the civil authorities, in case of proven evidence of the crime; however, Scalabrinian religious are required not to violate the sacramental seal (Cfr. FRANCIS, *Vos estis lux mundi* Apostolic Letter given in the form of m.p., Art. 19).
57. On the possible obligation to notify the civil authorities about an alleged crime, the Major Superior will act, without prejudice to divine law, according to the civil laws of the country covered by his jurisdiction (cf. CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Vademecum*, art. 48-50).
58. The collaboration with civil authorities is not limited to cases of sexual abuse committed by members of the Scalabrinian Congregation, but also concerns situations involving staff who, in diverse ways, work in the structures of the Congregation or are entrusted to it (CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Circular Letter Among the important responsibilities*, in AAS 103 [2011], 407). In such cases, the procedure will follow the pertinent civil laws.

Unfounded complaint

59. In the event that at the end of the preliminary investigation or criminal proceedings the complaint proves to be unfounded, it is up to the Major Superior to bring the accused cleric back to his ministerial office and do everything necessary to rehabilitate the good reputation of the one who has been unjustly accused.

It may also be right to initiate canonical and/or civil proceedings for defamation and slander against the false accuser (cf. can. 1390, §§2-3).

Archival of procedures

60. The acts and decrees of the preliminary investigation, if they are not necessary for the criminal trial, are kept in the secret archives of the Curia of the Superior Major (cf. can. 1719).

VI. Pastoral solicitude

Towards the alleged victim

61. Once the truth of the report, or the credibility of the complaint, are ascertained, the Major Superior must intervene immediately to help the alleged victim and the family.

62. During the preliminary investigation and the trial procedure, the Major Superior must "be attentive to ensure that the alleged victim and his/her family are treated with dignity and respect, and [...] are accorded welcome, attention and accompaniment, including specific services, as well as spiritual, medical and psychological assistance, depending on the specific case (cf. art. 5 VELM). The same can be done with regard to the accused. Care must be taken, however, to avoid giving the impression of showing preference in anticipating the results of the procedural findings" (CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Vademecum*, art. 55).

63. The victim has the right to intervene as the injured party in the canonical procedures and to request the compensation of damages from the person responsible (cf. can. 1729).

64. "If it becomes necessary to listen to a minor or to a person deemed as such, the civil norms of the Country and the methods appropriate to his/her age and state are adopted, allowing, for example, that the minor is accompanied by a trusted adult of his or her choice and preventing him/her from coming into direct contact with the accused" (CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Vademecum*, art. 51).

Towards the accused

65. If a Scalabrinian Missionary, cleric or layperson, declares himself guilty of sexual abuse or is judged guilty of the same, the Scalabrinian Congregation will provide spiritual and psychological accompaniment, and offer fraternal support, regardless of the canonical or legal punishments inflicted on him.

66. The Major Superior will have an honest and clear dialogue with the accused cleric, dealing with him with evangelical mercy and juridical firmness, and will take the necessary measures to face and resolve the accusations according to justice and truth.

67. While the investigation or the canonical process are underway, the Major Superior will suggest and

prepare for the accused religious a condition of community life appropriate to the situation and consistent with his human and spiritual care; the same Major Superior will not fail to provide the conditions for normal sustenance; together with the accused, he will take into consideration that, should the charges be recognized as well founded, the penalty imposed for such crimes could include discharge from the clerical state and, therefore, from the Scalabrinian Congregation.

68. The Major Superior may also encourage the religious to follow psychological therapy. Always safeguarding his good name and privacy, the Major Superior will see to it that the religious gives his consent that periodic evaluations are sent to the Superior himself. This is necessary, especially in cases where gradual reintegration into ministry and missionary activity is possible.

Towards the community

69. Faced with serious evidence of sexual abuse of minors or vulnerable persons done by a Scalabrinian Missionary, it is necessary to act quickly and firmly, taking all unavoidable measures, while always safeguarding the good reputation and privacy of the people involved.
70. Both the civil community, the ecclesial community and the religious community must know that there can be no connivance with these most serious crimes, and therefore the Scalabrinian Congregation, in solidarity with the victims and their families, deals with it in a rigorous and transparent manner, in full respect of the laws of the Church.
71. If the crime is in the public domain, the prayer by both the religious and pastoral communities, is recommended for the persons involved in the sexual abuse complaint.
72. Information on facts and persons subject to preliminary investigations and criminal proceedings shall be subject to procedural secrecy and, where required, to papal secrecy.

VII. Final considerations

73. These Guidelines mostly contain the canonical laws already enacted and entered into force on the abuse of children and vulnerable persons. They represent, for the Scalabrinian Congregation and especially for the Major Superiors, who, according to Can. 24, are the privileged recipients of them, a clarification of the universal provisions already in existence and specify the procedures for their implementation, at the level of their regional or provincial jurisdiction.
74. These *Guidelines* are published in the “Scalabrinian Congregation Information” Communication Service” (ICS), on the Official Bulletin and on the Scalabrinian Congregation website.
75. The Major Superior will identify the most appropriate way to bring these *Guidelines* to the knowledge of the religious communities of his jurisdiction and to the laity who, in diverse ways, collaborate in the religious houses and in the services proper to the Congregation or entrusted to it.
76. The prevention of sexual abuse and protection of children and vulnerable persons are issues that deserve utmost attention. Therefore, the Scalabrinian Congregation, in the person of the current Superior General, asks the Major Superiors to:
- a. study these Guidelines and make them known, within their jurisdiction;

- b. sign on the appropriate location the attestation of receipt of these Guidelines;
- c. have the local Superiors sign the certificate of receipt of the Guidelines on the appropriate location;
- d. keep in the current archives of their Curia the duly signed attestation of receipt.

ATTACHMENTS

- 1) Confirmation of delivery/receipt of a copy of the *Guidelines for the protection of minors and vulnerable persons in the Scalabrinian Congregation*

I _____

I testify that today I have received a copy of the *Guidelines* of the Scalabrinian Congregation for the Protection of Minors and Vulnerable Persons, published on _____ (Prot. N. _____).

Received _____

(Signature)

Place _____ Date _____.

- 2) CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Circular Letter Among the important responsibilities, to help episcopal conferences prepare guidelines for the treatment of cases of sexual abuse against minors by clerics*, May 3, 2011, in AAS 103 (2011), 406-412.
- 3) CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Normae de gravioribus delictis*, May 21, 2010, in AAS 102 (2010), 419-430.
- 4) FRANCIS, *As a loving mother*, Apostolic Letter in the form of m.p., June 4, 2016, in AAS 108 (2016), 715-717.
- 5) FRANCIS, *Vos estis lux mundi*, Apostolic Letter given in the form of m.p., May 7, 2019, in http://www.vatican.va/content/francesco/it/motu_proprio/documents/papa-francesco-motu-proprio-20190507_vos-estis-lux-mundi.html.
- 6) CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Vademecum on some points of procedure in the treatment of cases of sexual abuse of minors committed by clerics*, July 16, 2020, in http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20200716_vademecum-casi-abuso_it.html.