

*Address of Cardinal Sean O'Malley OFM. Cap., at the Opening of the Plenary Assembly of the Pontifical Commission for the Protection of Minors, Palazzo Maffei Marescotti, May 4<sup>th</sup>, 2023.*

Dear Colleagues: We have gathered to continue the work we began in our first meeting last October, shortly after the new membership was announced, builds on the work of the Commission since its founding in 2013. Now, as then, we begin by remembering the impact of the evil of sexual abuse—indeed of all kinds of abuse—on so many countless people both inside and outside of our Church. This is our special and irreplaceable focus. This has always been our primary motivation: to accompany those whose lives have been so harmed by abuse and to work diligently to bring about a culture of prevention and care so that such abuse has no place in our Church. We meet in our new offices, assigned to us by the Holy Father, and recently hosted a group of survivors seeking justice for themselves and to inform how the church should protect all those at risk in its care.

# **1. HISTORY AND CONTEXT OF PCPM**

Let me begin by offering a very brief historical note to the Pontifical Commission. In 2013, during our first meetings of the C9, one of the group's first major recommendations was the establishment of a body to advise the Holy Father on how to address the emerging problems related to the sexual abuse of minors in the Church. The Holy Father established the Commission in 2013 and we have been meeting twice a year since then. In September 2022, a third Commission was established with 20 members, 10 men and 10 women; 10 new members and 10 former members.

Over the life of the Commission, we have always had a very engaged group of mostly lay people who've felt free to express their strong views on the subject as well as being committed to the well-being of children, some of them survivors of sexual

abuse. Organized in different ways—first into 17 sub-groups in the first Commission and then 3 working groups in the second Commission— the members have been very committed to the goal of preventing abuse within the Church and of accompanying victims in various ways.

After 10 years and with the benefit of hindsight, I can say that we identified what might be considered two fundamental difficulties in structure that the Commission has wrestled with, either because of the expectations placed on it by the Holy See or by the members themselves. First, they were given a very vague mandate “to advise the Holy Father” on how to find a way out of this crisis. Second, it appeared to many that they were given, perhaps without being aware of it, a near impossible task: to fix all the problems related to sexual abuse in the Church. These twin flaws have not helped in trying to work through an issue in the Church that provokes such justifiable passions and even outrage, on all sides. In short, it should surprise no-one that the Commission has been like few other entities in the Church and has been a lightning rod for so many. And as I said earlier, the Commission has been the subject of intense criticism both internally and externally. Without forestalling further reflection, I think it is fair to say that we should have expected nothing less.

## **2. RESULTS AND CHALLENGES 2013-2022**

Putting recent difficulties aside, the Commission has also been a place of important insight and development. As a perennial voice for victims, the Commission has opened an irreversible path of cultural change in the Church’s handling of sexual abuse. This fact should not be underestimated. Key initiatives found their origin in the Commission such as the February 2019 meeting of all the Presidents of Bishops Conferences, the abolition of the pontifical secret in abuse cases, and hundreds of presentations and leadership training all across the Church. Books and seminars on implanting a culture of healing in the different church contexts or of the rights of

victims in penal processes have disseminated the Commission's advice through practitioners in the Church.

*Vos Estis Lux Mundi* found its first precursor in the Commission's contribution to *Come Una Madre Amorevole*. The updating of the laws of Vatican City were also closely followed by Commission staff.

However, time and again the Commission returned to the question of its unclear **mandate**, its **standing** in the Curia and its proper **authority** to bring about change within the Church. In 2021, as the Commission's mandate was prorogued for one year, I initiated a period of evaluation of its strengths and weaknesses, with a view to the new beginning offered by the Apostolic Constitution *Praedicate Evangelium*. This was a time to correct some of the earlier design flaws and respond to some of these earlier frustrations while building a more incisive plan moving forward.

Commission members and other key stakeholders underwent a period of review and debate on how any future Commission should organize itself. From June 2021 to June 2022, briefing papers were drafted and discussed by many of the people in this room with former members, and a clearer sense of what was needed slowly came into view. While maintaining an overall role of advising the Holy Father, the Commission was afforded some clear core competencies that, when considered together, offer a cogent theory of change.

### **3. NEW COMMISSION 2022**

At the heart of the current Commission's mandate, expressed in Article 78 of *Praedicate Evangelium*, is its responsibility to assist Church entities in adopting and adhering to sound policies and procedures, known as **Guidelines**. The competence of the Congregation for the Doctrine of the Faith since 2011 and briefly under the auspices of the Secretariate of State, the place and function of *Guidelines* was assigned fully to the Commission and has formed the core of its regular activity over the past 6 months.

*Guidelines* in the Church are not a new phenomenon, and the Roman Curia is familiar with the practice of offering a set of core principles that are to be incorporated into particular Church life in a culturally appropriate way. For instance, the *Ratio Fundamentalis* for priestly formation would be an example of such a universal framework to be applied to each particular church.

Since 2011, almost every Bishops Conference has developed a set of *Guidelines*. In December of last year, the Dicastery for the Doctrine of the Faith delivered all their archives on the history of *Guidelines* development that they had accumulated since their initial request in 2011. I sent a circular letter to all the Bishops Conferences in the same month asking for updated *Guidelines* and so far, we have received nearly 40 updated guidelines.

## A. AN EXPANDED MANDATE

1. **Guidelines:** The Commission is currently developing a universal framework for *Guidelines* that updates the one issued by virtue of a circular letter coming from the CDF in 2011. We will discuss an updated universal guidelines framework in these days in the hope of coming to a consensus on a framework which we can then disseminate for comment with bishop's conference, conferences of religious, the Curia and also victims' groups from May to September of this year in a spirit of synodality before issuing an updated framework for *Guidelines* at the end of this year. On the basis of this updated framework, we can develop and finalize an audit tool, also called for by the Holy Father in his audience with us last April, to accompany the Guideline framework and to ensure the adequacy of safeguarding policies and procedures within the particular churches.
2. **Capacity-building:** The second pillar of our mandate flows from the first and is inspired by the Lord's admonition not to lay burdens on people's shoulders without helping them lift them! In his audience to the Commission in April 2022, the Holy Father asked us to pay special attention in helping those parts of the Church with few resources to implement the requirements of *Vos Estis Lux Mundi* article 2. This now-updated document that was made permanent by the Holy Father in March of

this year, requires the presence of “offices or other entities” in local churches that can receive accusations of abuse and of caring for alleged victims and their families. In short, we were asked not only to evaluate the adequacy of policies and procedures in local churches, but to help build capacity where there are gaps because of a lack of expertise or resources. We are tentatively calling this capacity building initiative the *Memorare* Program, in honor of the prayer to the Blessed Mother that states confidently that anyone who comes for assistance, will not remain unaided. We have already identified pilot programs in Kenya, Rwanda and Bolivia.

3. **Annual Report:** Establishing sound policies through *Guidelines* and building capacity to implement them through the *Memorare Program* are the key tools for assisting the Church to improve in this area. However, compliance with good practice and transparency about our activity are key elements of this activity which will find its expression in the Annual Report requested of the Commission by the Holy Father. The *Annual Report on Safeguarding Policies and Procedures* will be produced by the Commission and presented to the Holy Father. It is hoped that the Report will be available for publication. More than simply detailing the activity of the Commission, the Report should itself be a motor for improving practices within the Church by demonstrating that change is possible and that the Church’s efforts are having the desired result. Of course, any remaining gaps or ongoing concerns in the Church prevention and protection measures should be identified so that appropriate steps can be taken.

To summarize, the Commission will focus its *advice-for-action* mandate provided for in *Praedicate Evangelium* principally through the role and function of *Guidelines* throughout the Church. Where there are gaps, the *Memorare Program* will help build capacity, especially in the global south where the needs remain great. And thirdly, an *Annual Report* will provide transparency and accountability showing progress made and challenges that remain. These constitute the three legs of the safeguarding stool.

## **B. INCREASED RESOURCES**

A plan and people are only part of the story of the new Commission. To implement this plan, the past six months has seen much activity and a good deal of novelty to the Commission's work. The first major change in the Commission's life pertains can be found in its structure. Rather than organizing itself thematically into Working Groups as before (care of victims, education, canon law), the members are now organized into four regional groups with the aim of establishing and maintaining contact with particular churches. If members are to accompany and evaluate local churches as they implement safeguarding, it follows that they should come from that region and be aware of the various cultural differences. This development was discussed during the period of review. At that time a proposal was made to establish a Stakeholder Advisory Group alongside the Commission. This Advisory Group was intended to provide an important feedback loop to the Commission to ensure deliberations and recommendations did not take place in a vacuum. Some, including myself, thought this might be confusing and might blur the central role of the Members. However, the principle of maintaining proximity to church entities at the local level was considered vital. To ensure focus and feedback, the Members ordinary work was organized according to Regional Groups, which have been operating over the last six months.

To guide this encounter and dialogue between the Commission and the local church as mandated in *Praedicate Evangelium*, use is made of the *ad limina* process. While not perfect, the *ad limina* process could be a powerful flywheel for improvements in practices at the level of the local church. Soon after the last Plenary, the Commission developed a draft questionnaire focusing specifically on prevention and safeguarding practices in the local church and which would accompany the *ad quinquennium* report that is distributed by the Dicastries for Bishops, Evangelization and Oriental Churches. The bishops' conferences of Mexico, Colombia and Papua New Guinea have already responded to these questions, making for a much more constructive *ad limina* process. Also, I recently met with the new Prefect for the Dicastery for Bishops and shared our hopes for a more incisive role in the *ad limina* process. We also discussed a proposed Memorandum of

Information Exchange, similar to the one signed with the Dicastery for the Evangelization.

1. **Staffing:** Of course, one of the great lacunae in previous Commissions was the lack of adequate staffing. Our entire budget last year was \$350,000 which must be among the smallest in the Curia. The cost for 7 full- and part-time staff amounts to \$200,000. The rest is spent on travel, meeting and other costs related to two the Plenaries and other events such as seminars and the publication of safeguarding materials. According to the numbers made public by the Secretariat for the Economy, I think the Dicastery for the Doctrine of the Faith, where we are located in the Curial structure, has a budget of approximately \$2 million.

In the absence of adequate staffing, Commission members themselves were often required to assist in drafting documents and organizing meetings which, while well-intentioned, led to unevenness in output and unpredictability given the part-time nature of the members and their disparate locations.

Last year, we secured a small increase in our budget from the Secretariat for the Economy to add one person to our full-time Rome office. However, following the practice elsewhere in the Curia, we sought support from the GHR Foundation, based in Minnesota, USA whose goal is to support the Holy Father's reform efforts in the Curia. They have a program that provides specialist expertise in safeguarding available to the Curia. They have provided us with 10 extra staff that will work in the local regions and further our agenda by assisting the Commission. This program will last for three years. None of the payments for these staff pass through our office but are handled directly by the Foundation. We feel this reflects the Holy Father's focus on the particular church maintaining a non-Vatican focus and is perhaps a new model for a more de-centralized bureaucratic structure.

- **Space:** For the longest time, the Commission has been in need of meeting space especially as its role in the *ad limina* process has expanded. Welcoming victims and survivors has been a practice of the Commission since the beginning. The few cramped converted residences that were once used during Conclave provided us

with proximity to the Holy Father's residence but not much accessibility for our main audience. So, the current location was not of great benefit to our core work.

After an extensive search and the intervention of the Holy Father himself, the Commission secured space in the office of the Vicariate of Rome near the Pantheon. With room for staff and with a large meeting room for the *ad limina* visit, the new space in Via della Pigna also has of a small mission chapel attached to it named after San Giovanni that we can use should we host visiting groups as we have done already. Indeed, at our inaugural mass, we were pleased to be joined by a group of victims/survivors from Slovenia with whom we also spent time with here in our new office.

Programming in the new Center is yet to be fully developed but we intend to invite several survivors to provide input and guidance on the activities of this new space. We have also received many journals and other symbolic items (keepsakes, artwork, poetry) from survivors that will find a more adequate home in the new offices. Much remains to be decided, but we are grateful to the Holy Father and those in the Diocese of Rome for their welcome and support.

- **Capacity Building Support:** And lastly, in terms of securing adequate resources for capacity building for local church efforts in prevention, the Commission began asking bishops conference in Europe and North America to consider contributing to a fund that would help provide skills and materials to the Church in the global south. I was surprised to learn that in the United States last year, the Church spent \$40 million just for training and certification of all of its Church personnel. I am sure the numbers in Canada and Europe are also quite high. Scandalously, while I do not have hard numbers, I fear the funds spent on training and certification of church personnel in Africa is barely a percentage of that amount. As you heard earlier, our capacity-building program, tentatively called *Memorare*, is seeking contributions that will be disbursed to bishops' conferences based on a very detailed evaluation of where the needs are coupled with a clear plan of implementation to respond to those gaps. The Commission begins by signing a *Memorandum of Understanding* with the local bishops' conference and conference of religious to ensure a one-church



approach to whatever plan is eventually developed and submitted for funding. Then funds are released to hire a local Memorare Advisor who studies the local situation in view of the Commission's core criteria and diagnoses what needs to be done. A plan is developed with local church leadership and then submitted for funding. Our first MoU will be with the church in Rwanda and which is one of our pilot projects. We were delighted last year when the Italian Bishops Conference committed 1.5 million Euros to this fund and the Spanish Bishops Conference informed us last week that they are contributing close to a further 1 million Euros. The Funds from the Italian Conference are kept in the IOR as required by regulations from the Secretariat for the Economy and are subject to a very specific protocol on their use and reporting which you received earlier this year after it was reviewed and approved by the Executive Council (see attached). The funds from Spain will be transferred directly from the Bishops Conference to the beneficiary church and not pass through the Vatican.

## 4. PCPM WITHIN THE ROMAN CURIA

1. **Dicastery for the Doctrine of the Faith:** In the new Constitution, the Commission was located within the Curia “presso” the Dicastery for the Doctrine of the Faith. This decision was subject to criticism from observers who claimed the Commission would become under the control of the DDF, thereby jeopardizing its independence and its role as a key adviser to the Holy Father, unencumbered by institutional church interests. This fear has been firmly put aside by frequent indications from the Holy Father guaranteeing the independence of the Commission from any oversight of the DDF. In his address to the Commission in April 2022, the Holy Father urged the Commission and the DDF to collaborate to produce a working relationship between our two entities. There has been collaboration on the new *Guidelines* mandate given to the

Commission with the DDF transferring all its archives in this regard, which is undergoing close analysis by our staff.

However, overall efforts at defining this relationship in this regard have been slow. Last year, the Commission drafted a working relationship agreement and submitted it to the DDF following the encouraging words of the Holy Father during his audience to us where he said “Your close collaboration with the Dicastery for the Doctrine of the Faith and with other Dicasteries ought to enrich your work, while your work can enrich in turn that of the Curia and the local Churches. The determination of the most effective ways for this to happen I leave to the Commission and to the Dicastery, to the Dicasteries. Working together, these concretely implement the Church’s duty to protect all those for whom she is responsible.” This Memorandum is modelled after the one recently signed with the Dicastery for Evangelization.

While no formal response to the proposal has been received, Superiors at the DDF had expressed the view that the key definitional document of the relationship will only be found in the Commission Statutes. Draft Statutes for the Commission were submitted to the Secretariat of State late last year reflecting the new mandate. Earlier this year, we received comments on the draft statutes which offered little by way of substantive clarity on the nature of the working relationship between the DDF and the Commission

The Secretariat of State has been clear that the Commission does not enjoy the standing or status or jurisdiction afforded to a Dicastery, and is therefore a *lesser* body in the Curia terms of standing and jurisdiction and rights to share in the governance functions of the Curia. The topic of safeguarding is therefore absent from the meetings of the Roman Pontiff with the Heads of Dicasteries as well as absent from meetings and activities at the inter-dicasterial level. This seems like a serious lacuna and one that was not envisaged by discussions on the new Constitution that took place at the C9. At the same time, the vital link with the DDF seems to be a wise one. Placing the work of prevention alongside the work of discipline is common in many parts of civil society so the co-location could be a very fruitful one. However, the equality of the

two entities must be maintained for several reasons, not least of which the Commission should never be seen to be subject to and therefore involved in the discipline or justice system of the Church.

- **Other Curial Relationships:** In a spirit of collaboration among curial entities, the Commission has undertaken dialogue with several key dicasteries whose competence has significant overlap with the work of safeguarding. As a way of mutually enriching the work of curial departments as well as demonstrating the work of the church in this area, the Commission has proposed a series of *Memoranda of Information Exchanges* with several dicasteries aimed at identifying areas of common interest and mutual dialogue e.g. nominations, formation, care of victims, ad limina process. While conversations are ongoing, the Commission recently signed a cooperation agreement with the First Section of the Dicastery for Evangelization focused on the new churches.

#### Conclusion

As you can see, the new Commission—which has as storied history but is only six months old in its new iteration—is in the early stages of an ambitious agenda, with all the growing pains that such a shift to a more operational presence implies. Yet we have made great strides already. There are 114 bishops' conferences and associated conferences of religious who have *Guidelines* to review and improve. Helping provide training where it is lacking and implementing *Vos Estis* article 2 is also a major commitment but one that has started well and that demonstrates a significant change in attitude towards safeguarding by many in the Church compared to when the Commission was founded 10 years ago. Providing an *Annual Report* that is both credible and that responds to human-centered needs, especially those impacted by abuse or those who may be at risk in our Church, is also a major effort but one that provides visibility and accountability to the Commission's work and that of the whole Church.

I am confident that our first six months has made major progress in this direction and that, despite inevitable growing pains among a disparate group of expert volunteers faced with a large degree of novelty, we are in a good place and are already

demonstrating that our new mandate is addressing some of the frustrations from the past and delivering on the Holy Father's commitment.

ENDS

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