

PROCEDURE TO BE OBSERVED IN THE EVENT OF SEXUAL ABUSE OF CHILDREN AND ADOLESCENTS IN PROJECTS

A joint position paper by Adveniat, Kindermissionswerk, Misereor, Missio Aachen, Missio München, and Renovabis, drawn up in consultation with and acknowledged by Caritas International

Children and young people require special protection. As Church organisations working in the fields of pastoral and development cooperation, it is our task to strengthen their rights, promote their development, and protect them against threats, in particular against exploitation, sexual violence, and abuse. This is only possible within the framework of a trusting collaboration with our partners and legal holders of our projects.

Both we, as agencies, and our project partners must help ensure that children and adolescents are respected as individuals and can live in a safe and beneficial environment. In the projects we support, children and youth are entrusted to the care of our project partners in a variety of ways: project staff members act as their trainers, teachers, or supervisors. These relationships of trust are very precious. All forms of sexual abuse in particular cause immeasurable suffering to the victims, destroy these relationships of trust, and bring the legal holder of the project into disrepute.

As Church agencies, we are not generally the legal holders of the projects we support. This is why we cannot assume any direct responsibility for the personnel working in these projects. Consequently, in the event of abuse, we cannot take direct action. Nevertheless, we bear considerable moral responsibility for the well-being of the children and young people in the care of these project staff members, which obliges us to be particularly vigilant and to act with special sensitivity. For this reason, all reports of minors at risk must be followed up and every suspicion must be investigated.

1. Staff members in our agencies who receive information about sexual abuse committed by project staff members must inform their respective head of department and the board of directors of their organisation immediately.
2. The staff member responsible for the project in question or the board of directors of the relevant agency shall immediately inform the responsible legal holder of the project about the suspicion and shall ask the legal holder for information about the case and about any steps that have already been taken. In those cases where there is good reason to believe that children or young people are at immediate risk, we shall insist that the legal holder release the person(s) in question from their duties and job within the project and prevent him/her/them from making any contact with the putative victim and any other children and youth until such time as the

allegations have been investigated. If necessary, we will react by visiting the partner locally at head office or at the project, or by commissioning an external investigation.

3. In the early stages of the investigation of allegations, the legal holder shall take the greatest possible care and caution. The protection of the putative victim(s) is just as important as the observance of the legal principle that a person must be presumed innocent until such time as he/she has been found guilty by the judicial system. We expect the legal holder to handle allegations in a responsible manner and to make sure that the matter is investigated fully. In this respect, we attach special importance to the legal holder's obligation to respect the relevant legal provisions in the country in question regarding the duty to report offences and crimes to the relevant prosecuting authority.
4. The legal holder shall offer the victim and his/her trusted third party all necessary assistance (e.g. psychological support, material aid). The legal holder shall, on behalf of the organisation (/institution etc.), ask the victim and his/her family for forgiveness in an appropriate manner.
5. We expect the legal holder as our contractual project partner to keep us informed about the progress and the outcome of the implemented measures.
6. If we feel that those responsible for the project have dealt inadequately with the case, we reserve the right to take further steps regarding future project cooperation. Depending on the seriousness of the behaviour or the omissions, the following steps may, among others, be considered:
 - the blocking of the disbursement of funds that have already been approved;
 - the termination of the project contract and all project cooperation;
 - the non-approval of follow-up funding.

In this respect, consideration must be given to the appropriateness of the measures so as not to unnecessarily endanger an entire project or the continuing survival of a supported organisation, which would be to the detriment of numerous other children and young people in the care of that organisation (/institution etc.).

In addition, canonical norms and the guidelines drawn up by the German Bishops' Conference on how to proceed in cases of sexual abuse (revised version dated 31 August 2010) shall apply.