



A POLICY FOR THE SAFEGUARDING AND PROTECTION OF MINORS AND VULNERABLE ADULTS

Procedural Overview



This handbook is the result of work
by the international team of the Eucharistic Youth Movement (Popes Worldwide Prayer Network)
prepared between April 2019 and July 2020.

The entire text may be copied and distributed freely,
on condition that a reference to its origins is included.
The digital version may be downloaded from <https://www.popesprayer.va>

Version 1.0
31 July 2020, Saint Ignatius of Loyola



Procedural Overview

CONTENTS

1. Legal Section.....	7
2. Canon Law Section	8
3. Procedural Section	9
3.1 The Designated Liaison Person (DLP).....	9
3.1.1. Selection of the Designated Liaison Person.....	9
3.1.2. Characteristics of the Designated Liaison Person	9
3.1.3. Responsibilities of the Designated Liaison Person	9
3.2. Guidelines for reported cases.....	10
3.2.1 Deadlines to be respected.....	15
4. Managing cases of abuse committed by a Jesuit.....	15
Appendixes.....	16
Appendix 1	16
Appendix 2.....	20

Bibliography

This handbook has been prepared on the basis of the contribution of the EYM international team and other manuals developed by working groups linked to the Society of Jesus. Reference to these texts has been fundamental in the developing of our Policy.

Below are the bibliographical references for the above mentioned manuals:

MANUAL SPC: Sistema de Proteção e cuidado de menores e adultos vulneráveis (Provincia Portuguesa da Companhia de Jesus, 2018);

Guia Básica de Prevención del Abuso Sexual Infantil (Corporación ONG Paicabí Gobierno Regional Quinta Región Servicio Nacional de Menores Quinta Región, 2002);

Policy for Safeguarding Children and Vulnerable Adults (Australian Province of the Society of Jesus, 2015);

Jesuit Procedures for Safeguarding Children (Irish Province of the Society of Jesus, 2017);

JRS Child Safeguarding Policy (Jesuit Refugee Service, 2017).

1. Legal Section

The Eucharistic Youth Movement Policy for the protection and safeguarding of Minors and Vulnerable Adults will be applied in accordance with the national laws of each country they work in. The legal basis of this prevention policy refers to the following international agreements which provide guidelines for different countries and regions.

International treaties and guidelines:

- UN Convention on the Rights of the Child (1989)
- Geneva Conventions (1949) and Protocols I and II (1989)
- Minimum Age Convention (1973)
- Convention on the Worst Forms of Child Labour (1999)
- Universal Declaration of Human Rights (1948)
- Global Protection Cluster Minimum Standards for Child Protection in Humanitarian Action (2012)

Regional treaties and guidelines:

- African Charter on the Rights and Welfare of the Child (1999)
- American Convention on Human Rights (1978) [OAS]
- Convention for the Protection of Human Rights and Fundamental Freedoms (1950 / as amended by Protocol No. 11 - 1998) [Council of Europe]
- Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (2007) [Council of Europe]
- Arab Charter on Human Rights (2004) [League of Arab States]
- ASEAN Human Rights Declaration (2012) [Association of Southeast Asian Nations]

2. Canon Law Section

On 16 July 2020 the Congregation for the Doctrine of the Faith published an official “*Vademecum on certain points of procedure in treating cases of sexual abuse of minors committed by clerics*”¹ in Italian, French, English, Spanish, Portuguese and Polish.

This document is “*intended primarily for Ordinaries and other personnel needing to apply the canonical norms governing cases of the sexual abuse of minors by clerics*”.

Despite the fact that the addressees of the *Vademecum* do not correspond exactly to the addressees of this EYM policy, we invite you to read this *Vademecum* carefully, in order to develop greater awareness and competence in the context of abuse of Minors and Vulnerable Adults. In fact the aim of the *Vademecum* written by the Congregation of the Doctrine of the Faith is to provide «*a sort of “handbook”, to assist and lead step-by-step [...] those charged with ascertaining the truth in such criminal abuse cases*».

¹ http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20200716_vademecum-casi-abuso_it.html

3. Procedural Section

3.1 The Designated Liaison Person (DLP)

3.1.1. Selection of the Designated Liaison Person

Each national office linked to the Eucharistic Youth Movement (EYM) will select a **Designated Liaison Person** (DLP) to be responsible for receiving and handling concerns and reports of mistreatment or abuse of any kind. The DLP can be selected from the national office (recommended) or be a referred liaison person for the protection and safeguarding of Minors and Vulnerable Adults from the country's Bishops Conference or from the Society of Jesus, with whom the EYM has an agreement. In any case each national office must have an DLP.

3.1.2. Characteristics of the Designated Liaison Person

The DLP must be chosen carefully after a rigorous selection process and should possess the following skills set:

- Excellent relationship capacities with Minors and Vulnerable Adults;
- Well developed human qualities such as empathy, unconditional charity and the ability to stay calm in crisis situations;
- Previous experience (professional or other) in the context of prevention and management of cases of abuse or mistreatment of minors (recommended);
- Adequate formation in the field of psychology or pedagogy (recommended)

In general it is hoped that the DLP will be selected because s/he is considered capable of the task, characterised by important responsibilities and significant emotional requirements.

3.1.3. Responsibilities of the Designated Liaison Person

The DLP is responsible for receiving reports and responding to any concerns regarding the safeguarding of Minors and Vulnerable Adults. S/he is bound to follow up all claims in an efficient and effective way until the conclusion of the process, in conformity with the present EYM prevention policy, the Catholic Church and national legislation in the country they are operating in.

3.2. Guidelines for reported cases²

In order to manage the allegations reported in the best way possible, the following guidelines should be taken into consideration:

- During the entire process, the **security** and **wellbeing** of the **victim** must be the first and most important consideration;
- Any **allegations** received must be **transmitted directly** to the **DLP**. If it is the DLP who is suspected of abuse, a national office director or external coordinator should be contacted;
- The **confidentiality** of the people involved must be respected throughout every moment of the process. Respondents must understand they cannot request the identity of the person who reported the concern;
- In order to facilitate Minors and Vulnerable Adults or any other person so they can **freely communicate any form of abuse**, the national office will publish on their own website and/or newsletters/journals an email address and/or a whatsapp contact number, by means of which anonymous information and more specific details may be provided directly to the DLP. If anyone should have difficulties contacting the office in their own country, they may contact the International Office by email at help@eym.va;
- If a staff member suspects an abuse, or if a child or an adult makes a declaration of abuse, it is essential to **avoid any hesitation** whatsoever and refer the allegation or concern directly to the DLP.

From then on, the DLP will be responsible for managing the case through three main phases, as described below: **Listening, Recording, Taking action**.

Listening

When a person reports a concern or allegation to a staff member or the DLP it is important to:

- **Stay calm**, take what the person says seriously and thank them for taking the first step and speaking out;

² This paragraph was written using material from the following manual:
MANUAL SPC: Sistema de Proteção e cuidado de menores e adultos vulneráveis (Provincia Portuguesa da Companhia de Jesus, 2018; pp. 57-61)

- **Listen carefully**, allowing the person to talk at their own pace and in their own way. At the same time, it is important to be completely sure that the facts of the case have been fully understood, and if not, further details should be requested;
- Make no promises which are difficult to maintain (for example, “I won’t tell anyone”). The information will be treated **confidentially**, however other persons involved in the process will have access to these details.
- Make no comments regarding the situation with the respondent, or doubt or debate the truth of the story. Simply **accept** what has been said, with attention and affinity.
- In the event of an **accusation of sexual abuse**, ask no intrusive or leading questions, this will be the task of the technical experts to be contacted at the next stage, nor show a “shocked” or “disgusted” reaction, this could cause the person to feel uncomfortable or even decide not to continue her/his story. In the case where it is a minor making the report or signalling an incident, there should be a positive reinforcing of the fact that they asked for help and a strong emphasis that the victim is not at all at fault for what happened..
- **Explain the next steps** to be carried out. When the victim is a minor, it is necessary to contact the parents/caregiver (unless this would place the victim in danger).
- If the person contacted is not the DLP, the person contacted will **communicate the case to the DLP** as soon as possible.
- **No intimidation or coercion** should ever be used by anyone to obtain information relative to the presumed violation or abuse.
- The EYM will take all the necessary measures to guarantee that the entire **process is impartial** and free from coercion or interference and will underline the fact that the staff member/s involved is/are presumed innocent until the entire process is complete.

Recording

- The concerns/allegations received must be communicated in writing as soon as possible and the **Report form** (Appendix 1) compiled. If it seems inappropriate to take notes during the meeting itself, the information can be written out later on;
- It is important to remember that the form contains sensitive and confidential data so therefore must be treated with the greatest possible **confidentiality** and **privacy** in accordance with the privacy legislation in place in each country. At a later stage, if necessary, the report will be examined more thoroughly in a specific context (such as disciplinary proceedings, questioning by specialised agencies or police authorities etc);

- Special attention must be paid to **anonymous accusations**. Anonymity can make the entire process more arduous, but on the other hand, more protective towards the victim or the witness. Anxiety and fear can cause some people not to immediately reveal their identity. In such circumstances it can be difficult to take action on the basis of the information provided, unless if at some point, the name of the person raising the concern or making an allegation is disclosed. If it is uncertain whether the information received is sufficient to press charges, it may be necessary to consult the statutory authorities (e.g. child protection services). The person raising the concern should be informed of the fact that anonymity could limit the ability of professionals to intervene to protect the complainant. The greatest openness possible should be encouraged³;
- All the **reports** received by the DLP must be put down in writing and include the date, time and testimony signed by all those involved. The DLP will then be responsible for keeping all the relevant documents in a safe manner;
- In specific cases, it can be useful to give some simple **explanations to staff in the national office** in order to allay rumours and accusations. Such explanations can be limited to a brief and objective description of the situation, without taking any position and without drawing any conclusions, just barely mentioning that the issue is under investigation. Maximum confidentiality will be requested from everyone and it will be explained that only one person (the DLP or another appointed representative) will have the authority to speak outside the organisation with the press and other media;
- Any information received in a confidential manner must be recorded on the basis of the fact that it will be shared with persons competent in the matter: the DLP (if not informed previously) and/or staff specialised in the protection of minors and local authorities. Parents and caregivers can also be informed (unless this would put the victim in danger). In all cases, the **confidentiality** of the matter must be scrupulously respected.

Taking action

One selected person, the **DLP**, will be the **sole contact with the media** and the **reference person** for managing reports, the inquiry process, communications with the authorities and the protection of the Minor or Vulnerable Adult. The DLP can avail of the support of the director or coordinator of the national office.

³Jesuit Procedures for Safeguarding Children (Irish Province of the Society of Jesus, 2017; par. 2.3 Guidance on responding to an anonymous allegation of abuse, p.34)

In this phase different possibilities may unfold according to the type of incident. Below we will indicate the various steps to be carried out in different possible situations. In order to gain a clear and systematic vision of this process, please take a look at the **Procedural Strategy** (Appendix 2).

1. In the case of a concern or allegation, first of all **measures of protection** for the Minor or Vulnerable Adult must be immediately put in place, including the preventive removal of the victim away from the suspected aggressor, while maintaining the principle of presumed innocence of the respondent. At that point the DLP will carry out, together with the director of the national office, and if necessary a work team, a **PRELIMINARY ASSESSMENT** on the basis of the information collected (and initiating, if necessary and with the utmost discretion, further investigations). There can be concerns/allegations, even in this preliminary stage, which do not correspond to reality, leading therefore to a **conclusion of the inquiry process**.
2. If it were necessary or prudent to investigate and take action in a more specific way, at this point an **IN DEPTH INVESTIGATION** will be set up. Below we indicate the questions to be asked in order to proceed with the inquiry:

- **Does the allegation/concern represent a violation of national legislation in this country?**

If it is found that the allegation constitutes a violation of national laws in the country where the EYM is represented, the matter must be immediately reported to the agencies specialised in the safeguarding/protection of minors (or equivalent), the ecclesiastical authorities, the statutory authorities and the police.

- **Is the victim in a situation of danger?** If the answer is yes, the national EYM office must assess if it is capable of dealing with the situation:
 - **If the national EYM office is capable of dealing with the situation**, they will inform the Church authorities and set up a plan of action (for example, contacting the family/caregivers, investigating the situation further, keeping contact with the witnesses and so on). The possibility of requesting assistance from external specialised agencies should be kept open, if the situation requires this.
 - **If the national EYM office is not capable of dealing with the situation**, they must communicate this to the Church authorities as well as the national agencies responsible for the protection of minors and/or the statutory authorities as well as the police, in specific accordance with the reporting procedures in each country. In this case the office will seek to be available to accompany and assist in every way necessary.

- **Is this episode external or internal to the EYM?**
 - **INTERNAL EPISODE** (a situation of mistreatment internal to the EYM and/or a violation of the code of conduct by a staff member or volunteer): **if the respondent is a EYM member of staff or a volunteer**, a decision must be made, by the director of the national office, to initiate a dialogue and/or effect a dismissal (in the case of a person receiving a salary from the national office) or remove the person in a temporary or definitive way, in accordance with the possible risk entailed for the minor or vulnerable adult and the seriousness of the incident. **In the case where the respondent is not an EYM staff member or volunteer**, the inquiry process will be concluded.
 - **EXTERNAL EPISODE** (mistreatment outside of the EYM): the possibility of resorting to an external specialised safeguarding agency or statutory authorities and/or the police will be weighed up. Following this the investigative process will be concluded.

In all cases it is important to respect the following **general indications**:

- It is essential that the DLP **keeps all relevant actors informed** (the national director, the national team and the board of directors) regarding the development of the inquiry. The national director will be required to **inform the international office**;
- The **national office** will activate all possible and available means to **support the victim** (medical care, psychological support, spiritual assistance, etc) in accordance with the family/caregivers during the course of the inquiry procedures;
- It is crucial to **cooperate** fully with safeguarding agencies for minors and the statutory authorities throughout the investigations.

Furthermore **after the process is resolved**:

- The **documents** must be compiled and kept by the DLP in complete confidentiality;
- If an **EYM staff member** is **involved in abuse** against minors and vulnerable adults, s/he will be subject to disciplinary action in accordance with EYM policies and national legislation. S/he will not be admissible for any future position or further collaboration with the EYM;
- In the case the **allegations** should prove **false**, the EYM will work with the respondent in order to re-establish their good name and reputation and measures will be taken to promote a positive reintegration;

- In the light of the situation experienced, it is useful to consider **preventive action** to reduce/eliminate the risk of other similar situations causing harm (cf. A Policy for the Safeguarding and Protection of Minors and Vulnerable Adults – Preventive Overview).

3.2.1 Deadlines to be respected

Although each situation is unique, this policy document indicates certain deadlines for dealing with concerns and allegations, as follows:

- If there is the possibility of a crime and/or the victim is in danger, it is necessary to take action and responsibility for the case within **24 hours** and, if possible, that very same day;
- All other cases must be dealt with **within a maximum of three working days**;
- The entire process **should not last more than three weeks**, to avoid it dragging on over time;
- In the case of legal proceedings (disciplinary proceedings against the respondent, etc), the law enforcement terms of each country must be strictly respected.

4. Managing cases of abuse committed by a Jesuit

In the case where a concern or allegation regards a Jesuit, the EYM director or national coordinator will ensure that **the issue is taken in charge by the relevant Jesuit Province**.

The EYM director or national coordinator and the DLP are obliged to **cooperate at all times with agencies specialised in prevention action for children, the statutory authorities and the police**, assisting in the investigation of the facts. Moreover any kind of pressure on the victims or on their families must be absolutely avoided, even when close bonds exist with members of the Society of Jesus.

If the allegation is made against a member of a religious congregation, the issue will also be referred to their Superior or to the congregation leader.

Appendixes

Appendix 1

Report form:

Recording a concern/allegation of abuse of Minors and Vulnerable Adults⁴

Please refer to Appendix 2 (Procedural Strategy) for managing and reporting the concern/allegation.

INFORMATION REGARDING THE REPORTING OF A CONCERN/ALLEGATION	
Date and time of the reporting of the concern/allegation	
In what way was the report received? (e.g. by telephone, email, letter or in person) (Attach any written information)	

DETAILS OF THE PERSON RAISING THE CONCERN/ALLEGATION	
Is the reporting of the concern/allegation anonymous? (if yes, do not compile the following section)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Name	
Address	
Telephone number	
Email (if available)	
Relationship to the victim (Minor or Vulnerable Adult)	

DETAILS OF THE VICTIM (MINOR OR VULNERABLE ADULT)	
Name	
Date of birth	

⁴This is a **CONFIDENTIAL DOCUMENT** and must be compiled by the DLP or an EYM member.

Gender	
Address	
Telephone number	
Presence of disability or special needs	

DETAILS OF THE PARENTS/GUARDIANS (as appropriate)⁵

Name	
Address (if different from that of the victim)	
Telephone number	
Indicate if aware of the concern/allegation	<input type="checkbox"/> Yes <input type="checkbox"/> No

DETAILS OF THE RESPONDENT

Name	
Address at the moment of the concern/allegation	
Telephone number	
Relationship to the victim	
Indicate if an EYM staff member or volunteer	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, indicate the role/position	
Current contacts with the Minor or Vulnerable Adult, if known (e.g. group leader, counsellor)	
Additional information	

⁵ E.g. do not compile this part if the respondent is a parent/guardian

INFORMATION REGARDING THE INCIDENT	
Date and time of the incident	
Place where the incident occurred	
Indicate if the incident occurred outside or inside the EYM	
Indicate the presence of any possible witnesses (Who? How many?)	
Details of the incident	
Is the victim aware that a concern/allegation has been raised?	

ACTION TAKEN	
Has the incident been reported to any others besides the DLP and/or the recipient of the allegation/concern?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, to whom?	<input type="checkbox"/> EYM national director <input type="checkbox"/> Agencies specialised in the protection of Minor or Vulnerable Adult <input type="checkbox"/> Statutory authorities <input type="checkbox"/> Police <input type="checkbox"/> Others (indicate who) _____
If yes, date and place of the communication	
If not, explain why	
To whom has the report been made? (name of the person)	
Address	
Telephone number	
Email (if available)	

FOLLOWING STEPS	
What action was decided upon and by whom when the incident was reported to the competent authorities?	
Are there immediate concerns regarding the protection of the MVA? In the case of an affirmative response, please record the concerns and indicate which actions were taken and by whom.	

DETAILS OF THE PERSON COMPILING THE FORM	
Indicate if it is the DLP compiling the form	<input type="checkbox"/> Yes <input type="checkbox"/> No
Name	
Telephone number	
Address	
Position within the EYM	
Date and time of the compilation of the form	
Signature	

N.B.: A copy of the compiled form must be archived in a secure place. In the case of an in depth investigation (see Appendix 2), another copy must be sent to the specialised agency for the protection of minors, the statutory authorities, the police and Church authorities.

Appendix 2

Procedural strategy

LISTEN

In this initial phase the DLP or anyone else dealing with an allegation or concern, will be guided above all by **respect, empathy, acceptance, active listening, discretion and openness**.

RECORD

Fill in the **Report form** (Appendix 1). All information is highly confidential and will be handled with maximum discretion and confidentiality in accordance with the privacy legislation valid in each country.

If necessary, give **national office staff** a brief and objective description of the situation, without taking any position, or drawing any conclusions, in order to avoid rumours and allegations.

Explain to anyone reporting a concern or allegation that the **information received will be shared** with the statutory authorities and specialised agencies (the DLP, personnel specialised in the protection of minors and local authorities as well as parents or caregivers).

TAKE ACTION

The **DLP** will be responsible for **being the sole contact with the media** and **reference person** for managing reports, the investigation process, communications with the authorities and the protection of the minor or vulnerable adult. The DLP may be substituted by the director or the coordinator of the national Office.

1. PRELIMINARY ASSESSMENT

ALLEGATION/CONCERN REGARDING ABUSE OF A MINOR OR VULNERABLE ADULT

- Above all, **activate protective measures** for the Minor or Vulnerable Adult, such as the preventive removal of the respondent from the environment of the victim, maintaining meanwhile the principle of presumed innocence of the respondent;
- The **DLP, national office director** and, if necessary, a **task group** will carry out a preliminary assessment on the basis of the information received.

THE ALLEGATION/CONCERN DOES NOT SEEM TO **CORRISPOND** TO **REALITY**

THE ALLEGATION/CONCERN **DOES NOT CORRISPOND** TO **REALITY**

CLOSURE OF THE INVESTIGATION PROCESS

2. IN DEPTH INVESTIGATION

DOES THE ALLEGATION/CONCERN REPRESENT A **VIOLATION OF NATIONAL LEGISLATION**?

YES

The DLP will immediately report the issue to:

- the **relative agencies specialised in the safeguarding/protection of minors** (or equivalent);
- the **statutory authorities** and the **police**;
- the **ecclesiastical authorities**.

NO

IS THE **VICTIM** IN A **SITUATION OF DANGER**?

YES

IS THE **NATIONAL EYM OFFICE** ABLE TO DEAL WITH THE DANGEROUS SITUATION?

YES

- Set up a **plan of action** within the EYM and inform **church authorities**;
- Assess the possibility of referral to **external specialised agencies**.

NO

- Report the situation to **national agencies entrusted with the protection of minors** and/or the **statutory authorities** and the **police** (e.g. if the victim is still in a dangerous environment) **and to church authorities**.
- **Cooperate**.

NO

IS THIS AN **EXTERNAL** OR **INTERNAL INCIDENT FOR THE EYM**?

INTERNAL INCIDENT

(a situation of ill-treatment within the EYM and/or a violation of the code of conduct by a member of EYM staff)

EXTERNAL

(ill-treatment outside the EYM)

Is the respondent a **member of staff**?

YES

- Initiate a **dialogue**;
- **Dismiss or remove the person** temporarily or definitively, according to the risk the Minor or Vulnerable Adult is exposed to and the gravity of the situation.

NO

Assess the possibility of referring to **specialised external agencies**, the **statutory authorities** and/or the **police**.

CLOSURE OF THE INVESTIGATIVE PROCESS

GENERAL INDICATIONS

- It is important that the DLP **keeps all relevant actors** (the national director, the national team and the steering committee) **informed** regarding developments in the investigation. The national director will be responsible for keeping the **international office informed**;
- The **national office** will activate all possible means available to **support the victim** (medical care, psychological support, etc) throughout the course of the investigation, in consultation with the family/caregiver;
- **All staff members** will cooperate with the protection services for minors/statutory authorities during the course of their inquiries,

AFTER THE PROCESS HAS BEEN RESOLVED

- The relevant **forms and reports** must be compiled and kept by the DPL in the utmost confidentiality;
- If an **EYM staff member or volunteer is involved in abuse** of a minor or vulnerable adult, s/he will be subject to disciplinary action in accordance with EYM policies and the national legislation of the relevant country. S/he will no longer be admitted to future employment or cooperation with the EYM;
- If the **allegations** should prove to be **false**, the EYM will fully cooperate with the injured parties to restore their good name and reputation and all possible measures will be taken to facilitate their re-integration;
- In the light of the experience of this incident, reflection will be encouraged regarding what **preventive action** could be undertaken to reduce/eliminate the risk of other similar situations arising or causing harm (cf. A Policy for the Safeguarding and Protection and of Minors and Vulnerable Adults - Preventive Overview).

DEADLINES TO BE RESPECTED

**WITHIN 24
HOURS**

Follow up immediately on the report of abuse (if possible, the very same day) **if there is the possibility of a criminal offence and/or the victim is in danger**,

WITHIN 3 DAYS

Deal with **all other cases**.

**MAXIMUM 3
WEEKS**

The length of the **entire process**.

In the case of legal proceedings, the terms of law in each country will be strictly respected.