

Guidelines for the Protection of Children, People with Disabilities and Frail Old People, from Sexual Abuse and Other Forms of Abuse

Preamble

1. The Community of Sant'Egidio is a lay public association of international pontifical right whose first aim is evangelization, «essential mission of the Church» (Ev Nunt, 14), to be fulfilled without limitations or boundaries (art.2 of the By-laws), reaching out to people of every nation, age or condition, each individual being created in the image and likeness of God and called to live fully their membership in the human family.

2. Another particular aim of the Community of Sant'Egidio is the service to the poor (art.3 of the Bylaws), to be carried out, without any form of compensation, through the exercise of charity and concern for the integral development of each individual and especially of minors. God is their first defender and support (Ps 10:35) and therefore asks the Church to imitate him with intelligence, taking every possible care to protect them from all evil.

3. The schooling of minors was the first service that was provided by the Community of Sant'Egidio and, to this day, education, education for peace and friendship - in particular involving minors from minorities in the most dire circumstances and from the most fragile families - are an essential part of the service towards the integral development of the person carried out by the Community in the world, especially in societies where the precious presence of children is ignored or diminished, together with the joy of their inhabitants.

4. Children are essential for the humanity of the world, therefore, they must be given a place in society, respecting their history and age, in the awareness that the culture of life and peace is built stronger, for the benefit of all generations, especially during childhood, provided that responsible adults know how to love, protect and encourage their youngest fellow citizens.

5. The unity of purpose among all people of good will in protecting children and promoting their integral development must find appropriate instruments of action in the laws, as well as in international law. A valuable milestone in this regard was reached with the adoption of the 1989 United Nations Convention on the Rights of the Child, to which the Holy See acceded.

The Community of Sant'Egidio promotes its implementation in the different levels of society and environments in which it is present, with particular regard to Articles 3 and 19, working to ensure that «the best interests of the child always receive pre-eminent consideration» and that minors are effectively protected against «any form of violence,

insult or physical or mental brutality, neglect or negligence, abuse or exploitation, including sexual violence», also facilitating their access to justice.

6. Similar safeguards must also be ensured to everybody, particularly to people with disabilities and to frail old people, especially in countries where legislation to protect and publicly support people who are mentally ill or disadvantaged is less effective.

7. Expressing in this way a particular and constant attitude of the Church, the Community of Sant'Egidio undertakes to build safety nets wherever it is present - also offering safe and welcoming communities - for minors, people with disabilities and frail old people, providing loving environments where oversight is exercised, that is informed about the dangers of abuse. The Community espouses Pope Francis' invitation - as expressed in the Letter to the People of God - that «every one of the baptized should feel involved in the ecclesial and social change that we so greatly need. This change calls for a personal and communal conversion that makes us see things as the Lord does».

To this end, in particular, the rules and procedures that are enshrined in these guidelines are laid down, aimed at all “operators”, i.e. all those (members of the Community, volunteers, employees) who continuously participate in the activities and services of the Community of Sant'Egidio involving minors and vulnerable adults or elderly people

I. Supervisors and Operators of Activities and Services for minors, people with disabilities and frail old people. Identification and Responsibilities

1. In promoting and carrying out services dedicated to minors, people with disabilities and frail old people, it is necessary to identify service supervisors, based on their aptitudes and specific skills, who must actively participate in the services and continuously report to local community leaders under Article 43 of the By-laws.

Service supervisors specifically watch over the activities carried out by members of the Community and by volunteers and collaborators, taking prompt action if their conduct does not comply with the provisions laid down in these guidelines.

2. Service supervisors must contribute to the continuing training of operators both during their participation in workshops - pointing out in advance particular training needs that have emerged in the course of the service - and through the accompaniment of individual operators in the performance of their activities.

3. If the conduct or attitude displayed by operators gives rise to concerns regarding their suitability to carry out their activities, or in any case if they have unjustifiably and repeatedly engaged in behavior which does not comply with the provisions laid down in these guidelines, service supervisors are required to bar them from such activities, after consultation with the local community leader referred to in Article 43 of the By-laws.

4. In any case, persons who have been convicted or sentenced for crimes against persons, public morality and morals, moral freedom, family morals, as well as for having violated regulations on the use or sale of drugs, are not allowed to participate in activities and services involving minors, people with disabilities and frail old people. Any other pending charge or conviction, other than the ones that were mentioned previously, shall in any case be evaluated with caution, in agreement with the leader of the local community as per Article 43 of the By-laws.

5. In order to ensure compliance with the provisions laid down in paragraph 4, service supervisors shall require self-certification statements from adult operators who are continuously included in the activities they coordinate, and entail direct contact with minors, people with disabilities and frail old people. By signing such self-certification statements, individual volunteers also undertake to share the rules, method and purpose of the service in which they are involved.

6. With regard to the attitudes, qualities and requirements that are expected of community members and other collaborators who take part in activities involving minors or vulnerable adults or elderly people, community leaders at all levels shall ensure that, in addition to due compliance with the requirements of civil law, indications from Bishops' Conferences are also observed.

II. Training Activities

1. The identification of circumstances in associative life that require particular supervision and modesty should be focused on in the preparation and development of training, highlighting behaviors and attitudes that are not compatible with prudence, with particular regard to activities and interactions with minors, people with disabilities and frail old people.

2. The general aim of training for members of the Community and operators is to provide them with a sound pedagogical, psychological and value framework, to ensure competence and transparency in their interaction with minors, people with disabilities and frail old people.

Among the topics to be addressed during training events, specific attention must be paid to sexual abuse. Specific attention must also be given to appropriate rules of conduct in relations with and between persons receiving pastoral care and support from the Community.

3. In any case, training objectives will take into account, the indications, concerns and proposals developed by the Bishops' Conference of the country of reference.

4. Training of operators is provided both in a decentralized way, using ways and means that are adequately proportional to the frequency of the group's activities, and through opportunities for reflection that involve a broader participation.

At least once a year, there shall also be a review and training event involving, respectively, all services for minors, people with disabilities and frail old people that are present in a given local area. Event size will be determined based on the number and location of existing activities.

The content of training may also vary due to the degree of responsibility and the nature, duration and intensity of operators' interactions with minors, people with disabilities and frail old people.

III. Supervisors, Volunteers and Other Collaborators Working in Residential Communities for minors, people with disabilities and frail old people

1. When, under any legal form, a residential community or a continuously operating day-care center (kindergarten, school, family home, etc.) is established, the identification of volunteers and other operators admitted to the structure on a non-routine basis, in order to carry out direct personal care activities, must observe the necessary precautions, which must apply also based on in-depth interviews carried out by the facility supervisor.

2. With regard to paid employees, supervisors shall require appropriate documentation to verify the existence of any criminal record or disqualifying pending charges, and ask for appropriate references they must personally verify.

IV. Conduct Rules for the Orderly Performance of Services and Activities while Respecting the Personality of minors, people with disabilities and frail old people

1. The Community of Sant'Egidio, in its activities of evangelization, education and service in situations of human and social fragility, is committed to ensuring that everyone has a safe environment of personal growth, characterized by peace of mind and joy of living.

In order to safeguard the integral development of each person, local community leaders are required to be vigilant, so that in the exercise of pastoral animation and apostolate work - with special though not exclusive regard to minors, people with disabilities and frail old people - any form of abuse in the performance of offices involving the exercise of responsibility in education or training, animation, coordination or assistance to other persons, is prevented and avoided, so as to safeguard the dignity and conscious self-determination capacity of each person entrusted to or assisted by the community, also through adequate training of members and employees.

People holding all levels of responsibility in the Community are committed to always seeking the true well-being of the persons entrusted to their care and to protecting them

from any danger to their physical and moral integrity, including all kinds of sexual violence. The following rules of conduct are therefore laid down. Leaders of local communities, under Article 43 of the By-laws and supervisors of individual services must ensure compliance with said rules by volunteers and individuals who, in any capacity, collaborate with the Community.

2. Structure of closeness-distance relationship:

- (a) interviews with minors, people with disabilities and frail old people shall be conducted with prudent regard to circumstances and places, and avoiding attitudes that could be misunderstood;
- (b) meetings and activities shall normally take place in designated premises that are fit for the intended purpose. If possible, the "two-person principle" should apply, i.e. at least one other person should be present or within sight when dealing with minors, people with disabilities and frail old people;
- (c) individual sensitivities with regard to personal boundaries shall be taken into account by operators, respecting them as far as possible and avoiding making negative comments about them;
- d) regardless of any possible criminal conduct, romantic and/or sexual relationships between reference persons (supervisors, volunteers and other collaborators) and minors, people with disabilities and frail old people are not allowed;
- (e) secrets that go against ethical and moral criteria under these guidelines cannot be shared with minors, people with disabilities and frail old people;
- (f) games, methods, exercises and actions must be examined and critically analyzed, before being implemented, in relation to their objectives and to the participants who are involved, both individually and as a group. They are also designed in such a way as not to give rise to prejudicial fears and not to establish inappropriate relational arrangements;
- g) gifts that are given and received must be handled with caution and in a transparent and appropriate manner. They must not be used to obtain advantages or generate conditions of psychological dependence;
- (h) supervisors and operators must not in any way engage in relationships that take advantage of the fragile situation of minors, people with disabilities and frail old people to humiliate their capacity for self-determination and/or derive a personal benefit from it.

3. Language, choice of words and non-verbal interaction:

- (a) interpersonal communication must be characterized by esteem and be consistent with respective roles, missions, target groups and their needs;
- (b) children and adolescents are referred to by their actual name and, in case of several equivalent names, by their preferred name;
- (c) sexual or vulgar language shall not be tolerated in any form.

4. Appropriateness of physical contact:

- a) relations with minors, people with disabilities and frail old people must be structured in a transparent way with positive attention, acting with a sense of responsibility regarding the closeness-distance relationship. Physical contact must be appropriate to age, physical-psychological condition and context;
- b) physical contact must be pondered with responsibility and confined within the norm of relational expressions and, therefore, such limit can only be exceeded for the purposes of

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necessary assistance (for example in case of individuals with no self-sufficiency or self-control, in order to rescue them or give them comfort and care);

c) affective expressions of greeting, welcome, congratulations, consolation, as well as any other form of contact, must in any case be initiated taking into account how they will be perceived by care recipients, based on their culture of origin.

5. Conduct during daily activities, leisure and travel:

(a) the intimate sphere of minors, people with disabilities and frail old people shall be respected;

(b) no one can be watched, even less photographed or filmed, in intimate situations (while undressing, showering, using toilets, etc.);

(c) accompaniment during day-to-day personal care and grooming activities shall be allowed, when this becomes necessary for assistance purposes, while ensuring full respect of sensitivity and modesty requirements;

(d) in case of trips and travels, the presence of a sufficient number of operators of suitable gender must be ensured.

6. Management and use of media and social networks:

(a) the choice of films, photographs, music, games (including computer games) and other materials must be pedagogically suitable, appropriate to the age or physical and psychological condition of care recipients;

b) the use of films, videos, photos, music, games (including computer games) and printed material with pornographic content is prohibited;

(c) videos or photos of minors, people with disabilities and frail old people shall be made available on the Internet or otherwise made public only with the legitimate consent of the person concerned, and without risk of harm to that person. In any case, additional restrictions and requirements laid down in the applicable national regulations must be observed;

(d) the guidelines on language, choice of words and non-verbal interaction (referred to in point 3) also apply to the use of electronic messaging (e.g. WhatsApp, Facebook, Messenger, Instagram or similar programs) and private chat systems. The "two-person principle" normally also applies to the way conversations are conducted using electronic systems;

(e) reference persons are obliged to take a stand against all forms of discrimination, violent or sexist behavior and bullying, including on the Internet. This also refers to the behavior of children and adolescents among each other.

7. Any behavior that does not comply with the provisions of nos. 3 to 6 must be adequately justified and reported to the service supervisor, who will inform the local community leader accordingly.

V. Conduct Rules Concerning Families of Care Recipients and Local Institutions

1. Parents, guardians or legal representatives of minors, people with disabilities and frail old people subject to legal protection shall provide their authorization in writing for their children to participate in (in proportion to the degree of development of the child's autonomy and maturity) or be represented in the activities of the Community. New activities that are not covered by existing authorizations will have to be subject to further authorization. Authorization must always be sought for activities involving one or more sleepovers.
2. Service supervisors and operators take particular care in maintaining a relationship of acquaintance and collaboration with families, protection figures, service operators and educational institutions, in order to obtain a holistic view of the needs and particular weaknesses of the minors, people with disabilities and frail old people, acquiring a broader knowledge of their life experience.
3. If operators perceive that the minor, person with disabilities and frail old person, they are caring for is running any kind of risk or danger, or have good reason to believe that sexual abuse of a minor has occurred or is happening, they must notify the parents or legal representatives, with prior agreement by the service supervisor who, in case of doubt in understanding the case, may consult *ad horas* with the leader of the local community.
4. If it is suspected that the abuse is perpetrated within the family or by the legal representative, or that such persons are otherwise involved, the abuse will instead be reported, after consultation with the leader of the local community, to the relevant civil authorities or - if such a report is premature, requiring an additional evaluation - the local services or anyway the public authorities that are responsible for the protection of the minor, person with disabilities and frail old person, will be notified of the elements of concern that have been collected.

VI. Procedures to Prevent and Combat Abuse and Ensure the Appropriateness of Operators' Relations with minors, people with disabilities and frail old people

1. The prevention and detection of abuse, as well as the correction of non-compliant behavior and its immediate inhibition, must be carried out effectively using appropriate procedures that reconcile different and potentially contradictory criteria, such as accessibility under confidential conditions, closeness, impartiality and sufficient sharing of responsibilities.
2. Without prejudice to the full validity of civil and criminal obligations as governed by national laws - whose knowledge and respect must be insisted on during training - reports of abuse or fear of possible abuse are subject to internal protection regulations that are included in the following provisions.

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3. For the protection of minors, persons with disabilities, and the frail elderly, an office of guarantors for minors, persons with disabilities, and frail old people (henceforth, guarantors) is established at the central level, and, at the territorial level, depending on the development of communities, guarantors commissions (henceforth, commissions) are established.

The office of guarantors is composed of professional figures and experts, whom the Presidential Council appoints upon the President's proposal, choosing them from persons of recognized moral authority and with the necessary skills. The office of guarantors consists of a minimum of five members to a maximum of seven.

The commissions shall consist of three members. The President's Council at the proposal of the chairman shall appoint the three members of the various commissions, choosing them from among persons of recognized moral authority and with the necessary competence. The commissions will normally include a lay woman, a lay man and a cleric. The commissions coordinate their activities with the office of guarantors.

Presidential Council shall establish the structure of the local areas that fall within the commissions's jurisdiction based on the Community's needs and development, updating them as necessary.

Guarantors and commissions serve for four-year renewable terms, and shall remain in place until the new guarantors take over.

4. Each operator and anyone who has news or fears related to abuse can report it, alternatively or jointly, to the service supervisor, the leader of the local community or to one of the members of the commission that has jurisdiction over that local area. All operators will receive information on how to contact their local commission. Reporting can also be addressed directly to the guarantors. Ways to contact the guarantors will be made public.

5. If service supervisors and local community leaders receive a report, without prejudice to legal obligations, they are required to promptly inform the guarantors or the local commission, attaching to the report a description of what they know about the facts, if this is possible.

The person who received the report, if it was conveyed orally, usually reports in writing what was conveyed to him or her.

6. Reports made by service supervisors will normally be shared with local community leaders first, except in cases of necessity and urgency or other duly motivated instances.

7. The commissions discreetly examine the reports they receive and immediately inform the Office of Guarantors, which informs the general ecclesiastical assistant. Similarly, the office of guarantors considers reports that come directly to its attention and informs the general ecclesiastical assistant. The guarantors' office, if it deems it appropriate, may involve the commission responsible for the relevant territorial area in the consideration of a report. The guarantors or the commissions also examine reports received from third parties, even if they have no direct relations with the community, provided that they are not anonymous reports, which may in any case be evaluated for the purposes of any direct or indirect checks.

8. The guarantors or the commissions shall promptly conduct all interviews and collect any additional information they deem appropriate, to the extent that is allowed by the willingness of the persons who are invited to cooperate, without evading any legal obligation to report the situation immediately to public authorities. During the entire course of these procedures, the rule of maximum confidentiality is observed, also in order not to jeopardize the discovery of true facts and to protect the moral sphere of all persons involved. Reports received in written form and transcripts of those received verbally, as well as any additional information collected, are handed over to the guarantors' office, which is responsible for their preservation in compliance with data privacy protection criteria.

9. If the guarantors or the commissions, after having performed appropriate checks, believe that the report they received on the perpetration or attempted perpetration of acts of sexual abuse or other acts of criminal relevance to the detriment of minors, people with disabilities and frail old people, is reliable, they shall request the assistance of a trustworthy lawyer in order to inform the relevant public authorities, even if there is no legal obligation to do so. In case one of the commissions reviewed the report, it shall proceed, after sharing the decision with the guarantors. The ecclesiastical assistant is immediately informed by the office of guarantors about reports sent to the relevant public authorities.

10. The office of guarantors shall in any case report to the ecclesiastical assistant on the outcome of the checks carried out on each reported case, so that he can take the necessary measures, in agreement with the President. Following the outcome of the checks carried out by the guarantors and the commissions, the President shall ensure that the operator and operators who are reported to the public authorities, or who have otherwise displayed serious recklessness, misconduct and irresponsibility, are immediately and permanently barred from the possibility of participating in services and activities involving minors, people with disabilities and frail old people.

11. In dealing with each case, and following the decisions made by the ombudsmen, every care must be taken to offer support to victims of abuse, in ways that are legitimate and appropriate.

Where possible and appropriate, pastoral care and support will also be offered to those who are guilty of abuse and other offensive and detrimental behavior to help them along their journey of conversion.

12. In the event that a report of abuse concerns a cleric of the clerical Missionary Fraternity, the office of guarantors, after having been informed, proceeds in consultation with the general head of the Fraternity who informs the relevant ecclesiastical authority.

13. If reports prove to be unfounded and characterized by an obvious defamatory purpose, the office of guarantors adopts the appropriate initiatives to protect the victim of defamation.

It is, however, the responsibility of the ombudsmen to promote and solicit any possible action to rehabilitate the image of those who prove to be innocent of the reported accusations and provide them with moral support.

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14. The guarantors or the members of the commissions will periodically carry out visits to services involving minors, people with disabilities and frail old people - if appropriate, without giving prior notice - in order to ensure compliance with ordinary rules or to facilitate the examination of reports they have received.

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