



The Catholic Church in New Hampshire

Charter for the Protection of Children & Young People

Implementation
in the
Catholic Church in New Hampshire

December 2003

Introduction

The Charter for the Protection of Children and Young People,¹ adopted by the U.S. bishops in November 2002, is the latest and most comprehensive framework for addressing the painful reality of the sexual abuse of minors in the Church.² In the preamble, the bishops pledge to respond to the demands of the Charter in a way that manifests their accountability to the Lord, to the people of God, and to one another.

This Update provides the Christian faithful in New Hampshire with a review of the implementation of the Charter in the Diocese of Manchester. We work to promote healing and reconciliation for everyone, and seek to provide safety and protection for children and young people in our Church. It is also designed to acquaint Catholics with the Charter by summarizing its four main sections.

Promote Healing & Reconciliation with Survivors of Child Sexual Abuse (Charter, Articles 1-3)

Dioceses will

- ✦ reach out to victim/survivors and their families and demonstrate a sincere commitment to their spiritual and emotional well-being
- ✦ respond promptly to any allegation where there is reason to believe that sexual abuse of a minor has occurred
- ✦ establish a review board that serves as a confidential consultative body to the bishop, a majority of whose members to be laity not in the employ of the Church

Responding to Requests for Pastoral Assistance and Meeting with Adult Survivors

Bishop McCormack has made a personal response to adult survivors of child sexual abuse a pastoral priority in New Hampshire. He and others have invited survivors and their families to meet with him. Over the last two years, he has met with 30 survivors and/or family members individually and with hundreds of others in group meetings.

Some requests for pastoral assistance from the Diocese have included a financial settlement. Since July 2001, the Diocese has responded to 207 requests for financial settlement to assist survivors.³

Support for Adult Survivors and their Families

In January 2002, Bishop McCormack appointed Joseph P. Naff, LISCW to serve as an advocate for persons who made reports of sexual abuse as a minor to the Diocese. Mr. Naff now directs the *Office for Healing and Pastoral Care* which provides timely pastoral outreach and assistance and support to adult survivors and their families. The support includes referrals to counseling, spiritual direction, parish consultation, and retreats. The professional assistance offered includes referrals and funding for counseling with licensed mental health professionals through a provider of the person's choice. The Office sponsors retreat opportunities for adult survivors

and has also established *Bethany*,⁴ a mutual support group that meets regularly in regionally-based locations.

The Diocesan Review Board

In January 2002, Bishop McCormack appointed a Diocesan Review Board that meets regularly. The Review Board advises the Bishop in the assessment of reports of sexual abuse, makes recommendations on policy, and conducts audits into compliance with diocesan policy. The Review Board is composed of eight individuals (6 lay persons, 1 minister, 1 priest) and includes survivors of clergy sexual abuse. The expertise of members include psychiatry, law enforcement, parenting and ministry.⁵

Guarantee an Effective Response to Allegations of Sexual Abuse of Minors (Charter, Articles 4-7)

Dioceses will

- ✦ report to the civil authorities allegations of sexual abuse of a person who is a minor and cooperate in their investigations
- ✦ permanently remove from ministry a priest or deacon if sexual abuse of a minor is admitted or established after a canonical process and restore the cleric's good name if the accusation has proved to be unfounded
- ✦ establish a code of ministerial conduct and develop a communications policy that is transparent and open

Promise to Protect, Pledge to Heal

The Protection of Children and Young People: Policy and Procedures⁶

In December 2003, the Diocese published its revised policy and procedures. The revised policy was developed by a Task Force that was composed of ten lay persons, a religious sister and a priest. The draft policy was reviewed by survivors of clergy sexual abuse, civil authorities, experts in civil and church law and other disciplines. Bishop McCormack approved the policy after consulting with the diocesan Pastoral Council, the Council of Priests and the Diocesan Review Board. *Promise to Protect, Pledge to Heal* includes provisions for the prevention of child sexual abuse, a pastoral response to persons who make reports of sexual abuse, and a process for reporting to and cooperating with civil authorities.

The Essential Norms and the Process for Church Investigations

Allegations of sexual abuse of a minor by a deacon or priest are handled by the Diocese of Manchester in accordance with the Essential Norms for Diocesan and Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons.⁷ Priests accused of the sexual abuse of a minor are on administrative leave (pending the conclusion of the canonical process contemplated in the Essential Norms), and cannot function in any ministry anywhere. A priest or

¹ The Charter is available at <http://www.usccb.org/ocyp/charter.htm>.

² An historical overview of the pastoral response of the U.S. bishops to the sexual abuse of minors since the 1980s is available at <http://www.usccb.org/comm/kit2.htm>.

³ The 2003 *Stewardship and Financial Report* provides details of these settlements and is available at http://www.catholicchurchnh.org/empower/images/DIO_Steward5.pdf.

⁴ Details about *Bethany* are available at <http://www.bethanysupportgroup.org>.

⁵ The role of the DRB is available at <http://www.catholicchurchnh.org/empower/images/Role%20of%20Admin-Child%20Safety.pdf>.

⁶ *Promise to Protect, Pledge to Heal* is available at http://www.catholicchurchnh.org/empower/images/Promise_to_Protect%20-%202012.03.pdf.

⁷ The *Essential Norms* are available at <http://www.usccb.org/ocyp/norms.htm>.

deacon who either has admitted to or is found to have abused a child is permanently restricted from any ministry anywhere.

Serving Christ, Serving Others: A Code of Ministerial Conduct

In December 2003, the Diocese published *Serving Christ, Serving Others: A Code of Ministerial Conduct*.⁸ At the direction of Bishop McCormack, the Code was developed by a work group, consisting of lay people and clergy, and was then revised by the Task Force on Sexual Misconduct Policy. The Code includes standards of ethical behavior and personal integrity for all church personnel.

Ensure the Accountability of Our Procedures (Charter, Articles 8-11)

- ✦ *An Office for Child and Youth Protection was established to assist dioceses in implementing "safe environment" programs and to produce an annual public report on the progress made in implementing the Charter standards*
- ✦ *A National Review Board was established to assist and monitor the Office and commission studies to help understand child sexual abuse by clergy more fully*

Compliance Audit – USCCB Charter⁹

The Diocese of Manchester was audited from September 1-5, 2003 and was found in complete compliance with the Charter and received two commendations for exceptional implementation of it. Two former FBI investigators from the Gavin Group conducted the independent audit here. The national results for all 195 dioceses/eparchies in the United States will be published on January 6, 2004.

Compliance Audit - State of New Hampshire¹⁰

On December 10, 2002, the Diocese entered into an Agreement with the State of New Hampshire to ensure that a system of accountability, oversight, transparency, and training is achieved that expresses cooperation with civil authorities. All of this is envisioned in the Charter. The Diocese agreed to submit to an annual compliance audit, to be performed by the Office of the Attorney General, for a period of five years. The audit will measure compliance by the Diocese with the terms of the Agreement and diocesan policies. Details regarding the 2003 compliance audit are being finalized now.

National Review Board Study¹¹

The U.S. bishops authorized the National Review Board to conduct an independent study about the nature and scope child sexual abuse within the Catholic Church in the United States, using national data on perpetrators and survivors from 1950-2002.¹² The John Jay College of Criminal Justice was retained to conduct the Study which is scheduled to be published in late February 2004. The Diocese participated in

⁸ *Serving Christ, Serving Others* is available at http://www.catholicchurchnh.org/empower/images/Serving_Christ_Serving_Others%20-%2012.03.pdf.

⁹ Details about the *Charter Compliance Audit* are available at <http://www.usccb.org/ocyp/webaudit.htm>.

¹⁰ An overview of the Agreement between the Diocese and the State is available at http://www.catholicchurchnh.org/ministries_services_content.cfm?doc_id=736.

¹¹ Details about the *National Review Board Study* is available at <http://www.usccb.org/ocyp/webstudy.htm>.

¹² The Diocese published its data on December 10, 2002. The *Fact Sheet* is available at http://www.catholicchurchnh.org/ministries_services_content.cfm?doc_id=738.

the Study and will use its results as a guide for prevention in New Hampshire.

Protect the Faithful in the Future (Charter, Articles 12-17)

Dioceses will

- ✦ *establish "safe environment" programs to provide education and training for youth and adults in ways to ensure a safe environment for children*
- ✦ *conduct background screening on all church personnel with regular contact with minors*
- ✦ *not transfer for assignment in another diocese a priest or deacon who has committed an act of sexual abuse of a minor, and before a priest or deacon changes residence to another diocese, provide information about any act of sexual abuse of a minor or other information that the cleric may be a danger to children or young people to the bishop where he resides*

Protecting God's Children - Safe Environment Program¹³

Since 2001, the Diocese has required that all church personnel (including regular volunteers who work with minors) attend the *Protecting God's Children Program*.¹⁴ The program focuses on awareness training, making reports to civil authorities in accordance with NH law, and compliance with diocesan policy. To date, the bishops, all the priests and deacons of the Diocese and over 7,000 employees and volunteers have participated. The Diocese has also developed and distributed material for adults on how to talk with children about abuse prevention and other resources designed to assist parents in doing so.

Safe Environment Council

In 2004 a *Safe Environment Council*, (one lay representative from nine deaneries), will be established to assist in matters associated with *Promise to Protect, Pledge to Heal* and *Serving Christ, Serving Others*. The Council will also help to promote awareness and prevention of child sexual abuse and a culture of safety and accountability. Every parish, school and institution will have a lay *Safe Environment Coordinator* who will work with Diane Murphy Quinlan, Associate Delegate for Ministerial Conduct.

Background Screening of Church Personnel

Since 1997, the diocesan Department of Catholic Schools has had a background screening procedure for all school employees. This procedure includes a detailed application for employment, reference checks, criminal records checks, and FBI fingerprint checks. Under *Promise to Protect, Pledge to Heal*, all church personnel will be required to complete a background screening in 2004. All clerics and diocesan administration personnel will do so on or before March 19, 2004, when the new policy takes effect.¹⁵ Bishop McCormack has notified the bishop of any location where an accused priest from New Hampshire has relocated.

¹³ Details about the *Protecting God's Children* program are available at https://www.virtusonline.org/virtus/preview_pgc.cfm.

¹⁴ A schedule for *Protecting God's Children* in NH is available at http://www.catholicchurchnh.org/ministries_services_content.cfm?doc_id=808.

¹⁵ A summary of the background screening protocol is available at <http://www.catholicchurchnh.org/empower/images/Executive%20Summary%20-%20Screening%20Protocol%20-%202012.26.03.pdf>.

Conclusion

The care and support of survivors, their families and others affected by the trauma of child sexual abuse remains a pastoral priority of Bishop McCormack. The Diocese remains committed to the ongoing work of raising awareness and supporting efforts to prevent child sexual abuse. Building a culture of safety and accountability is the work of the whole Church. There is work for each of us to do in fulfilling the promise to protect and the pledge to heal.

Please continue to pray for adult survivors and their families. Please support men and women who serve in pastoral ministry, especially the priests of the Diocese who have given their lives to the service of the Lord and His people. Please pray for those who harmed others.

Over the last two years, the Christian faithful of New Hampshire have worked together to examine our past, strengthen our present and establish confidence for the future. No program or policy is effective unless we all see the protection of children and young people as our personal responsibility. If you are interested in helping to achieve the goals that the Charter envision, please contact your pastor or school principal. What we have accomplished thus far is not an end, but a beginning.

MANDATORY REPORTING REQUIREMENTS

RESPONSIBILITIES OF ALL ADULTS N.H. Child Protection Act – Reporting Law RSA 169-C:29-32

The New Hampshire Child Protection Act provides, in pertinent part: “Any . . . person having reason to suspect that a child has been abused or neglected shall report the same” to the Division for Children, Youth & Families (“DCYF”). RSA 169-C:29. The law requires that an oral report “be made immediately by telephone or otherwise, and followed within 48 hours by a report in writing, if so requested, to [DCYF].” RSA 169-C:30. A “child” means “any person who has not reached his eighteenth birthday.” RSA 169-C:3.

*Must Personally Report to
The Division for Children, Youth & Families at (800) 894-5533*

ADDITIONAL RESPONSIBILITIES OF CHURCH PERSONNEL

When the above reporting requirement applies, any Church personnel who has reason to suspect that a child has been sexually abused by other Church personnel has additional reporting obligations:

When the Alleged Victim is Still a Minor

- Must Personally Report to*
- (1) The Division for Children, Youth & Families at (800) 894-5533;*
 - and*
 - (2) Local Law Enforcement; and*
 - (3) The Delegate of the Bishop of Manchester at (603) 669-3100.*

When the Alleged Victim is No Longer a Minor

*Must Personally Report to
The Delegate of the Bishop of Manchester at (603) 669-3100.*

RESPONSIBILITIES OF THE OFFICE OF THE DELEGATE

The Office of the Delegate for Sexual Misconduct will always report when it has reason to suspect that a minor has been sexually abused.

When the Alleged Victim is a Minor

To DCYF, Local Law Enforcement, and the N.H. Attorney General’s Office

When the Alleged Victim No Longer is a Minor

To the N.H. Attorney General’s Office