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**NORMS APPLICABLE  
IN THE CONGREGATION  
OF THE AUGUSTINIANS of the  
ASSUMPTION  
IN CASES OF SEXUAL ABUSE**

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# **1** PREAMBLE

## **The aim of this document**

1. This document has as its aims:
  - to establish norms and put in place procedures in cases of sexual abuse of minors and vulnerable adults applicable to the entire Congregation of the Augustinians of the Assumption, also known as “the Assumptionists”, and, in some places “Religious of the Assumption”;
  - to propose ways of accompanying persons who have been affected by such abuse;
  - to offer guidelines for preventing such abuse.

## **The commitment of the Congregation**

2. The General Government of the Congregation, as well as all of the Major Superiors, is committed to assure the implementation of the canonical legislation of the Catholic Church in this matter and to take into account provisions of civil law.

The implementation of the norms decreed in the present document is the responsibility of all the religious of the Congregation and, most especially, of those who have been entrusted with authority at the different levels of its community organization (General, provincial, regional, or territorial government; local communities).<sup>1</sup>

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<sup>1</sup> See in the annex a glossary of the terminology used in religious life.



# 2 PRINCIPLES AND NORMS OF ETHICS AND INTEGRITY IN MINISTRY

## Principles

3. *"This is the kind of love that we must have for the young.... the love of an apostle, the love of God communicated by us and through us, because we have become God's ambassadors to them"* (Emmanuel d'Alzon, February 8, 1846, to the teachers of the College of Nîmes).
4. Relationships among people are the foundation of Christian ministry and are central to Church life. Fostering relationships that are healthy, mature and fraternal within the Church community is a part of our vocation and our mission. Our pastoral ministry has at its primary aim the spiritual good and human fulfillment of individuals.
5. Our relationships, always carried out transparently and in Christian charity, must bear witness to the love and mercy of God for all, in particular for minors and vulnerable adults.
6. For Assumptionists, community life, fraternal relations lived in frankness, warmth, simplicity, and a family spirit marked by mutual esteem and respect, are constitutive elements of our own charism.<sup>2</sup>
7. All the religious and novices of the Congregation are asked to adhere to the following norms:

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<sup>2</sup> *Rule of Life of the Augustinians of the Assumption*, #3, 9, 20.

## **Norms**

8. They will strive to exhibit the highest Christian ethical standards and personal integrity, in accordance with the teachings of the Catholic Church and the demands of religious life.
9. They are responsible for developing resources to promote their own spiritual, emotional, and physical well-being in order to ensure effectiveness in ministry.
10. Responsible for recognizing and respecting the power of the ministerial role, they will avoid taking unfair advantage of any professional or pastoral relationship for their own benefit, particularly with minors and vulnerable adults.
11. They shall provide a professional and pastoral work environment that is free from all forms of physical or psychological intimidation or harassment, whether that be written, verbal, or through social media
12. They will not physically, sexually or emotionally abuse anyone and will abstain from any action that might be harmful to others.
13. They will accept their personal responsibility to protect minors or vulnerable adults from all forms of abuse.
14. They will report to the local superior or the Major Superior concerns about suspicious or inappropriate behavior regarding minors and vulnerable adults. *Nevertheless, it must always be observed that any danger of violating the sacramental seal be altogether avoided.*<sup>3</sup>

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<sup>3</sup> Congregation for the Doctrine of the Faith (hereafter CDF), *Normae de gravioribus delictis*, art. 24 §3.

15. They will respect the integrity and the dignity of all individuals and protect the confidentiality and privacy of personal information to which they have access.





# **3 PROCEDURES TO BE FOLLOWED in the case of SEXUAL ABUSE of MINORS or VULNERABLE ADULTS**

## **Definitions**

16. A “*minor*” is defined as anyone under the age determined by the law of the country for a person to be considered an adult. In Church law, a minor is defined as anyone who has not reached 18 years of age.<sup>4</sup>
17. “*Sexual abuse of minors*” refers to “*the delict against the sixth commandment of the Decalogue committed by a cleric with a minor below the age of eighteen years*”.<sup>5</sup>
18. A “*vulnerable adult*” is defined as any person equivalent to a minor “*who habitually lacks the use of reason*”.<sup>6</sup>
19. Also considered “*more grave delicts*” are “*the acquisition, possession, or distribution by a cleric of pornographic images of minors under the age of fourteen, for purposes of sexual gratification, by whatever means or using whatever technology*”.<sup>7</sup>
20. “*Neglect or failure to provide care*” occurs when minors or vulnerable adults in our care are not assured those conditions that would protect them and prevent sexual abuse.

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<sup>4</sup> Code of Canon Law of 1983 (hereafter CCL), can. 97 §1.

<sup>5</sup> CDF, *Normae de gravioribus delictis*, art. 6 §1. 1.

<sup>6</sup> CDF, *Normae de gravioribus delictis*, art. 6 §1. 1.

<sup>7</sup> CDF, *Normae de gravioribus delictis*, art. 6 §1. 2.

## **Canonical procedure to be followed in the case of an allegation of sexual abuse**

21. Allegations of sexual abuse may come from a variety of sources, including alleged victims or their family members, diocesan offices, religious of the community, a colleague in the workplace, or from an alleged perpetrator. Because each case is distinct, the process is to be modified according to the nature of the allegation, the needs of the alleged victim and the circumstances of the accused member.

### ***A. Receiving allegations and the initial response***

22. The Major Superior or his delegate shall receive allegations of sexual abuse by a religious or a novice. The Major Superior may appoint a delegate to act on his behalf.
23. When an allegation of abuse is first received, the Major Superior or his delegate is responsible for launching *a preliminary investigation*<sup>8</sup> without delay and for gathering sufficient information to complete a preliminary report, specifically:
- a) identity of the alleged victim (name, age, house address);
  - b) identity of the alleged perpetrator (name, age, roles and responsibilities);
  - c) alleged facts and circumstances (date, place, etc.);
  - d) any additional relevant details.
24. Upon receipt of an allegation, the Major Superior will notify the accused religious of the allegation and its details.

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<sup>8</sup> CDF, *Normae de gravioribus delictis*, art. 16.

He will also inform the accused religious of his right to defend himself and to seek canonical and civil counsel before any further conversation into the matter.<sup>9</sup>

He will take steps to ensure that the accused religious receives the support and assistance he needs while the allegation is being investigated. This support may take the form of assigning a spiritual and/or psychological mentor for the accused religious.

He will also see to it that the good reputation and the privacy of the accused religious is respected.<sup>10</sup>

The accused religious is presumed innocent until the contrary is proven.<sup>11</sup>

25. At any stage during the preliminary investigation and during any process conducted by civil authorities or by the Congregation for the Doctrine of the Faith, the Major Superior or his delegate can exclude the accused from sacred ministry or from some office and ecclesiastical function; he may also impose other prevention measures such as residence in some place or territory. Once the cause ceases, all these measures must be revoked; they also end by the law itself when the penal process ceases.<sup>12</sup>
26. When the preliminary investigation is launched, the Major Superior will appoint a Notary (he must be a priest and is bound by secrecy), who will record all statements, compile the dossier, and guarantee the authenticity of each item of the dossier by obtaining signatures.
27. Once the preliminary investigation has been completed, the Major Superior shall, ex officio, transmit the dossier to the Congregation

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<sup>9</sup> CCL, can. 1720 §1.

<sup>10</sup> CCL, cann. 220 and 1717 § 2.

<sup>11</sup> CDF, Circular Letter to Assist Episcopal Conferences in Developing Guidelines for Dealing with Cases of Sexual Abuse of Minors Perpetrated by Clerics, I, d, 3.

<sup>12</sup> CCL, can. 1722.

for the Doctrine of the Faith, together with “*all the acts of the case*” that were able to be gathered and “*as soon as possible*”.<sup>13</sup>

28. The delict of sexual abuse committed with a minor below the age of eighteen or with a person who habitually lacks the use of reason and is to be considered equivalent to a minor is reserved to the judgment of the Congregation for the Doctrine of the Faith.<sup>14</sup>
29. Once the case is studied, the Congregation for the Doctrine of Faith will indicate to the Major Superior the following steps to be taken and will offer guidelines so as to assure that appropriate measures are taken.<sup>15</sup>
30. The Major Superior or his delegate shall be the only spokesperson vis-à-vis third parties. He shall coordinate all eventual communication with the media. If necessary, he may entrust this work to a specialist (a canon or civil lawyer, for example).
31. In the case that an allegation is shown to be unfounded, the Congregation will restore the religious to his functions and take all necessary measures to repair damage to his reputation.
32. The acts of the investigation and the decrees compiled by the Congregation belong to it and are subject to secrecy, if they are not necessary for the penal process.<sup>16</sup>

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<sup>13</sup> CDF, *Normae de gravioribus delictis*, art. 26 §1.

<sup>14</sup> CDF, *Normae de gravioribus delictis*, art. 6 §1, 1°.

<sup>15</sup> CDF, Circular Letter to Assist Episcopal Conferences in Developing Guidelines for Dealing with Cases of Sexual Abuse of Minors Perpetrated by Clerics, II, par 4.

<sup>16</sup> CCL, can. 1719.

## ***B. Decision-Making***

33. Upon the conclusion of the investigation, the Major Superior will exercise his personal judgment regarding the case and will take appropriate action.  
This action will be recorded in a written statement signed by the Major Superior and communicated to the religious in question.<sup>17</sup>  
This action will be temporary, given that “perpetual expiatory penalties may only be imposed by mandate of the Congregation for the Doctrine of the Faith”.<sup>18</sup>
34. The Major Superior’s response could include any of the following:
- a. psychological and medical assessment and intervention;
  - b. restrictions on community life and personal activities;
  - c. limitations imposed on ministerial activities, including total removal from public ministry;
  - d. expulsion from the Congregation, especially if the abuse victim was under 16 years of age at the time of the abuse.<sup>19</sup>
35. In cases where the allegation has been deemed credible or has been substantiated, the Major Superior will contact the appropriate diocesan offices to communicate the nature of the allegation and to inform the diocese of the procedure followed and the response of the Major Superior to the allegation.
36. The religious always has a right to appeal to a higher authority. In the cases treated here, the Supreme Apostolic Tribunal will be the Congregation for the Doctrine of the Faith.<sup>20</sup>

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<sup>17</sup> CCL, can. 1720.

<sup>18</sup> CDF, *Normae de gravioribus delictis*, art. 21 §2,1.

<sup>19</sup> CCL, cann. 695 and 1395.

<sup>20</sup> CDF, *Normae de gravioribus delictis*, art. 8, 26, and 27.

### ***C. Procedure for reporting to civil authorities***

37. The Congregation will cooperate fully with any investigation by civil authorities.
38. If abuse of a minor is confirmed or seen to be credible after this investigation, the Major Superior shall inform the civil authorities without delay, in conformity with legal requirements in such cases and according to the norms and procedures established by the laws of the country.
39. Cooperation with civil authorities is not limited solely to cases of sexual abuse committed by religious of the Congregation; it is likewise applicable to cases of sexual abuse implicating lay persons who function in our ecclesiastical structures.<sup>21</sup>
40. If further investigation unveils new information indicating that the allegation, about which the civil authorities have been informed, is not credible, this additional information will be provided to them.

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<sup>21</sup> CDF, Circular Letter to Assist Episcopal Conferences in Developing Guidelines for Dealing with Cases of Sexual Abuse of Minors Perpetrated by Clerics, I, e.

# **4** ACCOMPANYING THOSE INVOLVED

## ***A. Accompanying the Victim***

41. The Major Superior will offer to meet with the alleged victim in person if he or she so desires. He will maintain a compassionate and pastoral manner, one of listening and understanding, and, when called for, will ask forgiveness in the name of the Congregation.
42. During the time of the investigation and juridical procedures, the Major Superior will take care to see that the victim and his or her family will receive human, spiritual, and, if necessary, psychological assistance. A counselor or some other reliable person may be assigned by the Major Superior to be close to these persons and to assist with the immediate and ongoing needs.

## ***B. Accompanying the Accused***

43. If a religious admits to his guilt or is found guilty of sexual abuse, the Congregation will take care to provide him with human, spiritual, and psychological help and offer him fraternal support regardless of the canonical or legal punishment imposed on him.
44. In particular, the Major Superior will offer him a community setting and an appropriate activity that will help in his human, spiritual, and religious recovery.
45. The religious may also be asked by the Major Superior to undergo extended psychological treatment. In this case, periodic evaluations shall be submitted to the Major Superior from the religious and the professional who is treating him; confidentiality due to the religious shall be safeguarded.





# 5 PREVENTION OF SEXUAL ABUSE

46. The principal means for preventing the sexual abuse of minors and vulnerable adults fall into three categories.<sup>22</sup>

## ***A. Educational Programs***

47. These programs have as their goal assuring a “safe environment” for children and young people whose education or Christian formation is our responsibility. They aim at assisting parents, educators, and pastoral workers in identifying the signs of sexual abuse and the adoption of effective counter-measures.

## ***B. Training of Religious and Future Priests***

48. First and foremost, responsibility in this matter occurs at the level of discernment of the vocation of candidates to religious life, as well of their human and spiritual maturity.
49. During the various stages of formation, the Congregation will provide for candidates, novices and religious, those preparing for ordained ministry or not, “a sound human and religious formation that is adapted and proportionate to their abilities”. This training aims at forming “men of faith, brothers living in apostolic community, and apostles for the coming of the Kingdom”.<sup>23</sup>

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<sup>22</sup> CDF, Circular Letter to Assist Episcopal Conferences in Developing Guidelines for Dealing with Cases of Sexual Abuse of Minors Perpetrated by Clerics, I, b, c, d.

<sup>23</sup> *Ratio Institutionis* of the Augustinians of the Assumption, # 3 and 4.

50. In particular, efforts will be made to help candidates, novices and religious in formation develop “an appreciation of chastity and celibacy” and become aware of the responsibility for spiritual fatherhood” in their pastoral ministry.<sup>24</sup>

### ***C. Accompanying Religious and Their Ongoing Formation***

51. A Major Superiors has a duty to accompany the religious entrusted to him in a manner that is both close and fraternal. He will encourage their ongoing formation in order to favor their integration as persons, their daily conversion, and their efforts to address the challenges of the Church and today’s world.<sup>25</sup> He will also remind each one of them of the need to have a spiritual director.
52. In particular, the Major Superior will foresee the organization, on behalf of religious and collaborators in our apostolate, of workshops dealing with the issue of the sexual abuse of minors, in order to inform them of canonical and civil duties, to make them aware of the harm done to victims, to help them recognize the signs of the sexual abuse of minors,<sup>26</sup> and also to help them make their own the norms and guidelines contained in this document of the Congregation.

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<sup>24</sup> CDF, Circular Letter to Assist Episcopal Conferences in Developing Guidelines for Dealing with Cases of Sexual Abuse of Minors Perpetrated by Clerics, I, c.

<sup>25</sup> *Ratio institutionis* of the Augustinians of the Assumption, #176.

<sup>26</sup> CDF, Circular Letter to Assist Episcopal Conferences in Developing Guidelines for Dealing with Cases of Sexual Abuse of Minors Perpetrated by Clerics, I, d, 1.

# 6 APPROVAL AND PUBLICATION

53. This text was approved by the Superior General with the consent of his Council (Plenary General Council) on December 10, 2014. It will take effect as of this day and repeals the former document of 2009 entitled, “*Norms Applicable in the Congregation of the Augustinians of the Assumption in Cases of Sexual Abuse.*” All religious and novices are required to become familiar with this new text and to declare their commitment to its contents by signing the enclosed form.

Very Rev. Benoît Grière, A.A.  
Superior General

Rev. Bernard Le Léanec, A.A.  
Secretary General

Given in Rome, December 10, 2014

# 7 ACKNOWLEDGEMENT

54. I, the undersigned, acknowledge having received, read, and understood the policies contained in this document, “Norms Applicable in the Congregation of the Augustinians of the Assumption in case of Sexual Abuse” of December 10, 2014. I understand the seriousness of this offense and the scope of the established policies herein. I hereby willingly accept them; I am committed to complying with them fully.

Family name

First name

Date

Signature

## **Annex: Glossary of Terms**

### ***A. Congregation***

In the context of the present document, this term refers to the Institute of religious life of pontifical right known as the “Congregation of the Augustinians of the Assumption”, called “Assumptionists” or “Religious of the Assumption” whose constitutions were approved by the Holy See on December 8, 1983. Religious of this Institute are grouped in local communities, and these communities in territorial, regional, or provincial communities; the entire Congregation is governed by a Superior General and his Councils.

### ***B. Major Superior***

In the context of the present document, this term refers to the Provincial Superior, the one responsible for local communities and the religious of a Province.

### ***C. Religious***

In the context of the present document, the term “religious” refers to those people who have finished the canonical novitiate year and have made public profession of vows of religion according to the *Rule of Life* of the Congregation of the Augustinians of the Assumption. It includes those who are temporarily professed during the period of their vows and perpetually professed, whether they are priests or not.

The term “religious” does not refer to those persons whose period of temporary profession has come to an end and who have not renewed their profession, nor perpetually professed religious who have received a canonical dispensation from their vows or who

have abandoned religious life on their own without requesting this dispensation.

#### ***D. Pastoral, Pastoral Ministry, Pastoral Activity***

In the context of the present document, these terms are applied to every kind of relationship that pertains to the specific activity of the religious, ordained and non-ordained, whether these are spiritual activities, educational activities, spiritual direction or other activities, and that they carry out in the name of the Church or of the Congregation.

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