

Pope issues new child protection law, guidelines for Vatican City State

VATICAN CITY — To better protect minors and vulnerable adults from all forms of abuse and exploitation, Pope Francis approved a new law and a set of safeguarding guidelines for Vatican City State and the Roman Curia.

Pope Francis established the new norms and legal, criminal and safeguarding procedures with an apostolic letter given “*motu proprio*” (on his own initiative), published March 29. The law and procedures were to go into effect June 1.

Because the safeguarding of children and vulnerable people is an integral part of the Gospel message, “I wish, therefore, to further strengthen the institutional and normative order to prevent and fight abuses against minors and vulnerable adults,” the pope wrote.

The law and guidelines have been created, he wrote, “so that in the Roman Curia and in Vatican City State” there will be, among other things: respect and awareness of the rights and needs of minors and vulnerable adults; greater vigilance, prevention and corrective action when abuse or mistreatment is suspected or reported; clearer procedures as well as specific offices for making claims; support services and protections for alleged victims, their families and those accused; and adequate formation for and background checks of new personnel, including volunteers.

The new law “On the Protection of Minors and Vulnerable Persons” further enhances a major set of criminal laws for Vatican City State the pope approved in 2013; the earlier laws dealt with child sexual abuse, child pornography and the sale or prostitution of children and specified that any Vatican employee around the world can be tried by the Vatican court for violating those laws.

While the amendments in 2013 brought Vatican law into detailed compliance with

several international treaties the Vatican had signed over the past decades, the new law on child protection was meant to better comply with the U.N. Convention on the Rights of the Child and its optional protocol, which the Vatican ratified in 1990 and 2001, respectively.

While few minors are resident in Vatican City State, there are minors in the Sistine Chapel Choir, and there is a pediatric hospital and a minor seminary under Vatican City State jurisdiction. Since September 2017, Vatican City State officials have been investigating allegations that a future priest abused a younger fellow-student at the St. Pius X pre-seminary.

The new law will now cover all forms of physical and emotional abuse — not just sexual violence through coercion — as well as serious forms of mistreatment, neglect, abandonment and exploitation against minors, who are below the age of 18, and vulnerable adults.

It covers acts, behaviors or conditions: that occur on Vatican City State territory, including the Pontifical Villa of Castel Gandolfo; that harm any minor who is a citizen or resident; or that are allegedly perpetrated by any “public official,” which includes all employees of Vatican City State and Holy See, members of the Roman Curia and related institutions as well as Vatican diplomats and personnel.

As long as they are not breaking the seal of confession, all “public officials” are required to report “without delay” to the promoter of justice at the Vatican City State’s tribunal any abuse the official learns about or is given reason to suspect while operating as a Vatican official or employee.

A failure or “wrongful delay” in reporting can result in a fine of 1,000-5,000 euros for a “public official” or up to six months imprisonment for a police agent or official.

Any individual, even someone completely unconnected with the Vatican or Holy See, can also make a report if they are aware of behavior harming a minor, it added.

The crimes against minors are automatically prosecutable and the prosecutor’s office can proceed automatically, it said, adding that the statute of limitations on the crimes is 20 years after the alleged victim turns 18.

If the suspected perpetrator is a priest or is a member of a religious order, his or her superior will be notified immediately so the procedures prescribed by canon law can begin.

The new law also outlines:

- The legal rights, specific protections and support services available to the alleged victim and family.
- The Vatican tribunal's obligations in protecting the alleged victim from the suspect, from a repeat of the crime and from "intimidation and retaliation."
- How the investigation and trial should be conducted so that it is fair, unbiased, maintains a presumption of innocence for the accused and respects the dignity and psychological state of the alleged victim.
- The creation of a special office within the Vatican's healthcare service that will offer victim assistance, starting with a "listening service" and including psychological, medical and social support.
- The availability of information and programs to educate all Vatican staff, minors and families about abuse, how to identify it, better prevent it and the obligation to report it.
- The obligation to do a background check and exercise more vigilance in the selection and hiring of personnel and volunteers.

The safeguarding guidelines for the Vicariate of Vatican City cover the same material in the new law with the addition of requiring the vicar general to appoint a delegate who will coordinate and verify the city state's safeguarding efforts.

The five-page set of guidelines apply to all areas and all clergy, chaplains, assistants, employees or volunteers of the vicariate, including at St. Peter's Basilica and the St. Pius X pre-seminary. The guidelines also apply to all members of consecrated life or lay associations who reside in Vatican City State.

The guidelines include prohibiting: corporal punishment; photographing, filming or

contacting a minor by phone, online or through social media without written parental consent; being alone or out of sight of others when with a minor or vulnerable adult; and showing favoritism to one child with gifts.

The vicar general's office is also required to alert the Vatican's promoter of justice of any credible accusation and remove the suspected perpetrator from pastoral activity.

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