

Supervisor's Report

The Focolare Movement has entrusted me with the task of being the "supervisor", also known as the "independent monitor", of the Independent Inquiry it has asked GCPS Consulting to carry out into the sexual abuse of minors by a former consecrated member of the Movement. The objectives and principles of this inquiry and mission are described in "Terms of Reference" in Annexes I and II of the GCPS Inquiry report.

In particular, the Supervisor is required (point 5 of the Terms of Reference): "At the end of the process, review the results and provide suggestions on important issues, such as those relating to the results achieved, and ensure that the terms of the mandate letter have been respected." I present the findings of my review and suggestions in this report.

1. The GCPS Inquiry and its results

a) The scope of the Inquiry and the methodology used

According to its terms of reference, "The task of GCPS Consulting will be to listen to the victims and take further testimony, and to investigate whether there have been any omissions, cover-ups or silences on the part of Movement officials. At the end of the Inquiry, the independent body will make its final report public."

The first of the five general objectives set for GCPS is to "1. to carry out an investigation into the sexual abuses committed by JMM, reviewing the details of known offences, the context in which they occurred, and highlighting *others that may come to light*".

The phrase "others that might come to light" raised a problem of interpretation. The phrase "that might come to light" was easily understood: GCPS did not have to investigate, on its own initiative, to find the perpetrators of other sexual abuses but could, by hearing from victims or witnesses, discover other abuses. The mandate further states: "If, in the course of their work, the Inquiry team receives information about new allegations of sexual abuse or other issues of misconduct, these will be referred to the Central Commission for the Promotion of the Welfare and Protection of Minors of the Focolare Movement (CO.BE.TU.) or to the Co-President of the Focolare Movement, who will initiate the due procedure to ensure the allegation is investigated by the appropriate authorities.

On the other hand, there is some uncertainty about the meaning of "other abuses". Is it sexual abuse by other perpetrators or other non-sexual abuse by JMM or by other perpetrators? GCPS has retained both situations. The chapter on "Other abuse situations within the Movement (not related to JMM)" deals first with allegations of sexual abuse by perpetrators other than JMM and then with "Allegations of spiritual, emotional, and financial abuse and abuse of power". Even if one considers that the second category is not strictly within the mandate received, it must be admitted that, as long as victims of sexual abuse or witnesses mentioned to the investigators these spiritual, emotional and financial abuses and abuses of power, which, by the climate they revealed, could have facilitated the

commission of sexual abuse, GCPS could mention them, especially since its mandate required that the Inquiry be "victim-centred".

An important point is that the sexual abuse of JMM, on the one hand, and the other abuse, of both categories, were not examined by GCPS in the same way. The former were dealt with in a rigorous and comprehensive manner (standards of evidence and triangulation). The latter were not investigated exhaustively, although some triangulation were possible. The mandate to carry out a detailed investigation was limited to the abuses by JMM.

b) The methodology of investigating sexual abuses committed by JMM

This is described in detail in the chapter on the investigation process. After consulting numerous documents (official, media, books and private), GCPS heard from around 100 witnesses and victims. Having integrated the obligations of principle, victim-centredness, respect for the presumption of innocence and confidentiality, it precisely defined and implemented 'standards of proof' (the 'balance of probabilities' method) and standards of behaviour, against which deviations could be assessed (the climate of sexual permissiveness prevailing in France during some of the periods concerned could not be considered as determining the conduct of a consecrated lay person who had taken a vow of chastity in particular).

It should be noted that before describing the investigation process, GCPS, at the beginning of the chapter on the "voices of the victims", took care to define the notion of victim for its investigation, i.e. to specify the criteria for qualifying a person as a "victim": not only the legal definition - that of the penal code assessed by the courts in each case - but, more generally: "a person is recognised as a victim as soon as the normative rule applicable to the situation is breached and when religious and moral boundaries and commitments have been crossed by the perpetrator, even in cases where the person themselves do not identify as a victim or do not wish to be associated with this status".

"Applicable norms" means public or private, legal or moral norms that are binding on the perpetrator.

This definition and these standards do not give rise to criticism by the supervisor.

c) Respect for the principles of confidentiality and victim-centredness

According to the Terms of Reference: "GCPS Consulting will strive to make the investigation process as victim-centred as possible." Listening to all victims and including their testimonies in the report reflects the victim-centredness of the work.

The Terms of Reference emphasise the obligation of confidentiality: 'The final report will be drafted in the respect of the privacy and confidentiality of each person who shared their story and at no point will any details of the persons involved in the Inquiry be divulged to the Focolare or anyone else without their express permission or unless it is necessary to do so (for example, for child protection purposes or being required to do so by a court of law).

All information will be subject to strict confidentiality, privacy and data protection requirements (...)'.

The GCPs report devotes an elaboration on confidentiality, in the section on investigation methodology: "Identifying details are not shared outside of the independent inquiry and most of the names remain with the investigator to avoid any risk of disclosure of identities." No breaches of confidentiality were reported to the supervisor. The names of the victims and witnesses are not mentioned (if first names were given, they were changed and the quotations from their statements do not allow them to be recognised, except by very close relatives."

d) The results of the inquiry

The results of the GCPs inquiry are in the section "Results and Conclusions".

The investigation was to "examine the details of the known offences" and "the context in which they were committed". More specifically, it was to gather 'all available information on JMM's background (...) how he entered the Movement, the period he lived in the Focolare's internal communities, his activities, responsibilities and contacts, the circumstances in which he acted and was in contact with minors, his collaborators and relatives, the reports of abuse received against him and any other relevant details about him'.

GCPs carried out these examinations by distinguishing period by period, between 1958 and 2000.

The victims by period and the circumstances of the sexual assaults are mentioned, while respecting anonymity. The investigation team states that it received direct oral or written testimonies from 26 victims and 'reliable information mentioning at least 11 other victims of JMM'. The report also recalls the actions taken before the courts, a criminal complaint, which ended with the case being dismissed because of the statute of limitations, and a civil complaint, which resulted in JMM being ordered to pay compensation. The chapter on "the voices of the victims" reproduced part of the direct testimonies of victims.

Between 2000 and 2017, three 'incidents' of manipulation but no sexual abuse were reported. It was also in 2017 that the victim who had filed a criminal complaint and obtained civil compensation referred other cases reported to him to the prosecutor at the court in Nantes, a report that was closed without follow-up (1994-1997).

In accordance with the terms of reference, the details of the known offences - subject to the preservation of anonymity and the justified refusal of any 'voyeurism' - and the context in which they were committed were examined and described in the report.

The investigation was also to determine "whether there were any omissions, cover-ups or silences on the part of the Movement's officials" and point 2 of the terms of reference states: "2. To establish, as far as possible, the degree of knowledge of these events by the persons responsible at the time and subsequently, and assess how they were dealt with by the persons responsible, in the light of the historical periods concerned".

This assessment of the degree of knowledge of those responsible and the appropriateness of their reactions at different times was a delicate issue for GCPS, decades after the events and when several of the responsible persons concerned are deceased.

This issue is mainly addressed in 'Allegation B Focolare Movement's handling of reported events'.

Testimonies from leaders, various triangulations, allow GCPS to conclude that: "The independent investigation finds systemic failures in the handling of the JMM case and establishes that a chain of leaders in charge over many years, both in France and in Rome, failed to act on the situation of JMM in a way that would have protected the victims and prevented further incidents of abuse or attempted abuse."

There was therefore "omission, concealment and silence". Alerts and reports were ignored or minimised. Available information was disseminated sparingly. Above all, the dismissal of the criminal case due to the statute of limitations was, intentionally or not, wrongly interpreted as exonerating JMM of the charges against him. The conviction by the civil court and the assistance given to JMM to pay the damages to which he was condemned, no longer leave any doubt as to the information provided to certain officials. While the identification of individual responsibility is not always easy, GCPS found it possible in some cases with a high probability, and collective responsibility for the failure to act is convincingly demonstrated.

The investigation therefore met the second objective of the mandate.

2. The GCPS recommendations

In point 3 of the Terms of Reference, GCPS was asked to: '3. provide recommendations on current child protection arrangements - for the Focolare in France and more generally for the Focolare Movement as a whole - including reporting and response systems and, in particular, case management'.

The last part of the GCPS report is devoted to recommendations of a general nature and then goes on to detail the measures recommended.

After recalling the evolution of the protection of vulnerable persons in the Movement, which has improved over the past decade as a result of a series of measures described as "significant", the report develops the progress that still needs to be made and the new measures that could enable the movement to move resolutely in the right direction.

GCPS basically recommends "a change in organisational culture". "It will be important for the Movement as a whole to engage in a period of reflection as a healing process will be required as a result of this enquiry. Leaders need to create safe spaces for members to discuss the findings of this report, (...) to openly discuss the uncomfortable issues of power, hierarchy, obedience, submission, loyalty and how some of these laudable demands of

membership can also produce unintended negative consequences, such as not feeling able to challenge or report misbehaviour and abuse."

Indeed, some form of internal freedom of speech is needed to end a culture of secrecy and unchallenged hierarchical obedience that has led to concealments that have allowed abuse to continue.

The report also recommends "providing training and support to leaders at all levels on protection and their specific responsibilities to create safe environments and a culture of well-being".

Based on the findings of the report, the development of an action plan on strengthening the protection of minors and other vulnerable people is recommended, in a transparent manner within the Movement.

GCPS also makes recommendations regarding the CO.BE.TU, a body of the Movement that should continue to play a key role on these safeguarding issues. It is proposed that its membership be expanded to include members from outside the Movement and that its resources be strengthened.

Finally, the report addresses the Reparation/Compensation System.

"It is recommended that the Focolare Movement develops a clear position on this issue and establishes a fund and a victim-centred and user-friendly mechanism that means those victims abused or affected by JMM and other perpetrators, should they wish, can apply for redress, including financial compensation, in addition to help with any support needs they may have."

"It is recommended the compensation mechanism is independent of the Focolare Movement, managed in a transparent and effective manner by a third-party organisation or body made up of suitable experienced people who are independent of the Focolare"

It will be the responsibility of the Movement to decide, based on these proposals, on a mechanism to respond to these two priorities: protection of children and other vulnerable people, listening to the victims and reparation.

3. The report

Date of publication

The Terms of Reference foresaw the difficulty of setting a deadline for the completion of the enquiry: "Given the scale and nature of the work, including the potential number of people to be interviewed, it is proposed that an initial deadline of 12 months be set for the Inquiry, to be reviewed as the process unfolds. The key principle is that there will be flexibility to allow victims to come forward and address the independent body and to ensure that the investigation team is able to pursue all relevant lines of inquiry."

In fact, the end of 2021 was exceeded by three months. GCPS explained the reasons for the delay. They correspond to the "flexibility" referred to in the mandate itself.

Content

According to the Terms of Reference, the GCPS investigation report was to address, inter alia, the following issues:

1. An analysis of the information gathered with clear findings and conclusions on the main elements of the investigation; 2. A chronological reconstruction or timeline that describes the history of the JMM in the Focolare Movement in France, key events, contacts and details of the alleged abuses, as well as details of how those in charge and others in a leadership or key role received and dealt with this information, as well as the initiatives taken to respond to it; 3. An analysis of the impact of the abuses committed by the JMM on the lives of the victims, 4. Recommendations on current safeguarding arrangements - for the Focolare Movement in France and the wider Focolare Movement - including reporting and response systems and case management in particular. 5. The report will also include recommendations and conclusions on the following issues: apologies and the obligation to provide reparation.

The report addresses all of these issues.

4. The role of the supervisor

The mandate of the supervisor (or independent oversight function) is defined as follows:

1. Review the mandate letter and, at the beginning of the process, discuss with GCPS any issues arising from the review of the mandate letter and provide guidance and recommendations on how best to proceed, in particular on issues of independence, confidentiality and victim-centredness; 2. Generally, oversee and advise on the integrity of the investigative process to ensure that it is consistent with the stated principles and approach; 3. Provide further assistance, if and when requested, during the course of the investigation, should the independent body require independent advice; 4. To be the point of contact for both the Focolare Movement and the victims, and anyone else who has a legitimate personal interest in the case, in the event of a claim or complaint, for example about the way they have been treated by the commission of inquiry or if they are dissatisfied with the enquiry process; 5. At the end of the process, review the results and provide suggestions on important issues, such as what relates to the results achieved, and ensure that the terms of the mandate letter have been respected.

The exchanges with GCPS foreseen in point 1 took place under very satisfactory conditions. The monitoring requested in point 2 was carried out. As stated above, I consider that the principles to which the investigation was subjected under the terms of reference of GCPS were respected. I have provided advice to GCPS, at the request of the investigation team, including on legal and background issues specific to France.

No complaints or enquiries have been made to me by a victim or other person with a legitimate interest in the case "or who feels aggrieved". Only one person has asked me by email about the scope of the GCPS investigation. I replied to them.

As I indicated earlier, I have carefully reviewed the results and conclude that the terms of the GCPS mandate have been met.

At this stage, I make three suggestions which could be further developed at a later stage if the Movement so wishes.

1. The impatience of victims to receive the report and for the Movement to draw consequences from it is perceptible. Tensions may develop within the Movement. It is therefore important that, as soon as the report is published, a method and timetable for dialogue with the victims and for reflection within the Movement be developed and announced.

2. The Focolare Movement has a solid foundation. Its members form communities linked by a common project. However, as GCPS points out, it is important to set limits to the 'inwardness' that is conducive to all kinds of abuses. The report proposes to introduce members from outside the Movement into the CO.BE.TU. Within the Focolare Movement a supervisory commission of three members has been created, appointed by the Presidency but independent of it. This supervisory commission could be enlarged in its composition and its role.

3. The Movement is not the only body of the Catholic Church concerned with the issue of reparations to victims of sexual abuse. In France, the Church has set up two bodies responsible for listening to victims and proposing reparations, one for secular priests, under the authority of the French Bishops' Conference (CEF), the other for religious, under the authority of the Conference of Religious of France (CORREF). The Movement has already set up a psychological support procedure for victims who request it. The reflections already carried out by these two bodies could usefully enlighten the Movement on the different aspects of the problem of reparation and thus help it to define its own system. CORREF could also agree to handle requests for reparation on behalf of the Movement, according to modalities to be determined.

The Movement's role in the investigation

I would like to emphasise that the Focolare Movement, through its specialised commission CO.BE.TU, participated fully in the investigation by providing all the documentation requested and by answering the questions asked. I feel that the relationship between CO.BE.TU and GCPS was trusting, which allowed for fruitful exchanges for the survey. My thanks go to both CO.BE.TU and GCPS.

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