

Guidelines on support and financial reparation in cases of sexual abuse of children and vulnerable adults

Foreword

The Focolare Movement is committed to contributing to pathways towards integral healing for those who have suffered sexual abuse as children or as vulnerable adults at the hands of its members in the course of their work at the service of the Church. During 2022, the Movement drew up guidelines for support and financial reparation for those who have been abused, as a complementary aspect in this process.

The main criterion that guided this process is charity: above all safeguarding and putting the people abused at the centre.

At the end of the process whereby - either through the independent commission set up by the Focolare Movement, or external organisations, - it is declared that abuse has probably taken place, it is possible for a request for financial reparation to be included in a restorative justice process.

In fact, the Focolare Movement recognises that support for people who have been abused must be demonstrated in ways much broader than financial help, and that no amount of reparation can make the harm done by abuse disappear, or compensate for it. Therefore, listening, assistance and accompaniment are intended to contribute to a better healing process and to alleviate, at least in part, the person's painful wounds.

From the beginning of 2023, these guidelines on support and financial reparation for people who have suffered sexual abuse, as children or as vulnerable adults, have been put into practice in various countries and will be progressively developed. As this is a particularly sensitive subject, this will require wisdom and prudence and adaptation to each different situation.

A brief overview of these guidelines can be seen in Figure 1. For each country, there may be different ways of responding to civil law obligations or to involvement of external authorities in the accompaniment process. People responding in the local situation may respond in greater detail to specific concerns raised by those who have been abused.

Through this comprehensive process, while not being able to make the pain of those who have been abused disappear, the Focolare Movement aims to be close to each person, to ease his or her burden and enable healing as far as possible.

a) Procedure for financial support in cases of the abuse of children or vulnerable adults

The Legal Office of the Focolare Movement, in agreement with the councillors for the Communion of Goods, Economy and Work, acts at the request of the person presumed to have

been abused (or his/her parents (if they are a minor) or legal guardians).

If proceedings are still pending before the Independent Central Commission set up by the Focolare Movement¹, specific help will be provided as deemed necessary after discussion with the Independent Commission (e.g. medical care).

When there is an ongoing judicial procedure, the final decision will be awaited.

If, after the Independent Commission set up by the Focolare Movement confirms the plausibility of abuse, the presumed victim, or his/her parents or legal guardians, do not wish to initiate criminal proceedings², it will be necessary to await the final decision on whether the Commission will report the case to the judicial authorities, or on whether the abuser will be dismissed, or any other disciplinary measures, and to assess the possible responsibilities of the Focolare Movement (e.g. for lack of vigilance).

As soon as it has concluded the case, the Commission will send summary information to the Legal Office. The Legal Office, having assessed the degree of responsibility of the Focolare Movement, bearing in mind, among other things, the criteria under c) lett. g), h), i), k), will implement these guidelines, evaluating of the manner and type of support for the person abused, in agreement with the Councillors for the Communion of Goods, Economy, and Work.

Responsibility for payment

If criminal proceedings have begun, only specific help (i.e. for medical treatment, etc.), requested by the presumed person abused, may be granted pending the decision.

If the offender is convicted, financial compensation is usually also awarded against him/her. If the convicted person is unable to pay the amount, the Focolare Movement's liability will be verified according to the criteria listed above. If it is liable, financial support will be provided at the end of the trial. If not, financial support may be provided, according to the criterion of the previous point.

b) Use of the mediation services of independent external organisations

The Focolare Movement may consider registering with mediation and/or accompaniment services offered by independent external organisations (e.g. those of the local Church) that can receive and mediate claims made by people who have been abused.

c) Criteria for the evaluation in determining financial reparation

- a. Develop criteria that allow for just mediation, bearing in mind equal treatment, both nationally and internationally.
- b. Compare the criteria developed in different countries.
- c. The principle of graduality.
- d. The seriousness of the facts.
- e. The age of the person abused at the time of the abuse.
- f. The length of time of the abuse.
- g. The lack of care or preventive or supervisory action by the institution.

¹ The Focolare Movement has set up an International Wellbeing and Safeguarding Commission that is independent of governance bodies (see the letter from Margaret Karram and Jesus Moran dated 30.6.2021 to all members of the Focolare Movement).

² This refers to those countries where criminal proceedings are not mandatory; see guidelines.

- h. The knowledge of the facts on the part of those responsible in the Focolare Movement.
- i. Whether the abuse was reported to the judicial authorities by the Focolare Movement.
- j. The verifiable costs, in medical documentation, of treatment consequent to the abuse.
- k. The probability of what happened bearing in mind the circumstances.

d) Contact address

People who have been abused, who wish to apply for financial reparation for sexual abuse as a child or vulnerable adult, can send their request to the following email address: riparazione.mdf@focolare.org

