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Pope Francis leads the opening session of the meeting on the protection of minors in the church at the Vatican Feb. 21. (CNS/Vatican Media)



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Pope Francis issued sweeping new laws for the Catholic Church on the investigation of clergy sexual abuse May 9, mandating for the first time that all priests and members of religious orders worldwide are obligated to report any suspicions of abuse or its cover-up.

The pontiff has also established a new global system for the evaluation of reports of abuse or cover-up by bishops, which foresees the empowering of archbishops to conduct investigations of prelates in their local regions with the help of Vatican authorities.

The new norms, contained in a brief apostolic letter titled *Vos estis lux mundi* ("You are the light of the world"), are exhaustive in scope, applying in some way to every ordained or vowed member of the 1.3 billion-person church. They also encourage lay people to make reports of abuse, and provide for involvement of lay experts in investigations.

In his introduction to the document, which goes into effect June 1, Francis says he has created the new laws so the church will "continue to learn from the bitter lessons of the past, looking with hope towards the future."

"The crimes of sexual abuse offend Our Lord, cause physical, psychological and spiritual damage to the victims and harm the community of the faithful," the pope states. "In order that these phenomena, in all their forms, never happen again, a continuous and profound conversion of hearts is needed, attested by concrete and effective actions that involve everyone in the Church."

The norms are the second set of laws Francis has issued on abuse in the three months since he held a global summit on the issue with the presidents of bishops' conferences in February. They follow release of a new child-protection policy for Vatican City and for the church's global ambassadors.

The new investigatory process could be a significant achievement for the pope, who has struggled for four years to implement an effective and transparent procedure of accountability for bishops who abuse or cover-up.

The apostolic letter, which contains 19 articles, has two parts.

The first part deals generally with reporting of abuse or cover-up, mandating that any priest or member of a religious order who "has notice of, or well-founded motives" to believe that either has occurred is obliged to report it to their bishop or superior.

That part also mandates that every Catholic diocese in the world create procedures for such reporting by June 1, 2020, and calls for protection from "prejudice, retaliation or discrimination" for persons making reports.

The norms also make clear that "any person" can make a report regarding sexual abuse or its cover-up, either by communicating with their bishop "or by any other appropriate means," including direct communication with the Vatican.

Matters mandated to be reported include sexual abuse of a minor or vulnerable person, production, possession or distribution of child pornography, and "forcing someone, by violence or threat or through abuse of authority, to perform or submit to sexual acts."

Cardinal Marc Ouellet, the prefect of the Vatican's Congregation for Bishops, made clear in an interview with *L'Osservatore Romano* that the last category includes abuse of adult seminarians, novices, and women religious.

The second part of the document outlines the new process for accountability for bishops who abuse or cover-up abuse.

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The process follows the lines of a proposal first made by Chicago Cardinal Blase Cupich at the U.S. bishops' meeting last November to empower metropolitan archbishops to examine accusations made against bishops in their regions.

In the Catholic Church, metropolitan archbishops are those who are tasked with both leading an archdiocese and presiding over the bishops in their wider ecclesiastical province. Cupich, as the metropolitan archbishop of Chicago, for example, presides over a province that includes the Illinois dioceses of Belleville, Joliet, Peoria, Rockford and Springfield.

The new procedure essentially contains five steps:

1. A person alleging abuse or cover-up by a prelate makes a report to their bishop, the Vatican, or the church's ambassador in their country.

2. If that abuse or cover-up involves a prelate, the bishop or superior receiving the report is obligated to forward it to both the Vatican and the metropolitan archbishop of their regional province.

3. Once that report has been filed, the metropolitan archbishop is to ask the Vatican for authority to conduct an investigation.

4. After receiving proper authority, the metropolitan conducts the investigation, sending reports to the Vatican on its status every thirty days. The initial time-frame for investigation is ninety days, but can be extended.

5. Once the investigation is finished, the metropolitan is to communicate its results and his opinion on the matter to the Vatican for a final determination of the outcome for the bishop in question.

Although the norms do not mandate the involvement of lay people in the process, they do envision that bishops' conferences can "establish lists of qualified persons" to assist metropolitans in their investigations.

In the case where the allegation of abuse or cover-up involves the metropolitan archbishop, the report is to be forwarded to the Vatican and the most senior bishop in the province. The Vatican can then determine to have that bishop conduct the investigation, or entrust it to another prelate.

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The new apostolic letter is known to have been the subject of intense debate among Vatican officials in recent months, some of whom were expressing concern about the breadth of its scope in mandating reporting of abuse and cover-up.

The investigatory process appears to represent a significant shift in strategy for Francis. After a 2015 effort to create a new central Vatican tribunal to evaluate bishops accused of mishandling abuse cases stalled under opposition, the pontiff instead empowered four Vatican offices to conduct such investigations in 2016.

That Vatican-centered process had come under criticism for leaving unclear how or whether the offices in Rome were conducting their investigations.

Cupich and Archbishop Charles Scicluna, the Vatican's leading abuse investigator, had raised concerns about that issue, saying in separate February NCR interviews that they were hoping for clarifications on the matter.

While those four Vatican offices still have responsibility, archbishops around the world now do as well.

The letter also widens the definition of a "vulnerable person," in line with the new Vatican City guidelines, as "any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist" an abuse.

The last article of the norms specifies that clerics and bishops must abide by any civil reporting laws in their countries or jurisdictions, but does not mandate reporting to civil authorities where such laws do not exist.

Scicluna, speaking to some reporters at the Vatican shortly after the document's release, said it does not mandate reporting to civil authorities in every country because of the ways different cultures handle sexual abuse issues. He noted that some countries do not even have standards or laws about how to report sexual abuse.

"I think a universal law has to factor in diversity of cultures," said the archbishop, who leads the Catholic Church in Malta and is an adjunct secretary for the Vatican's Congregation for the Doctrine of the Faith.

"It can't be too strict because otherwise it would be inoperative," he said. "It needs something that can be flexible enough to work."

Asked about why the apostolic letter does not mandate the involvement of lay experts in abuse investigations undertaken by metropolitan archbishops, Scicluna noted that metropolitans can ask lay people for help, but said: "We're a Catholic Church, we're not a congregational church."

The archbishop highlighted the importance of the fact priests and religious are now obligated to report abuse or its cover-up.

"The law is important because it gives a clear statement of an obligation," said Scicluna. "I think the obligation has always been there, but experience shows us that either a closed-shop mentality or a misplaced interest in protecting the institution

was hindering disclosure."

"[This] makes disclosure the main policy of the church," said the archbishop. "It's not going to solve every human defect … but it is a very strong message that disclosure is the order of the day, and not silence."

Under the scope of the new laws, such disclosure could be rather wide-ranging, even retroactively. Article six of the apostolic letter makes clear that anyone who is serving or has served as a bishop can be investigated for acts committed during the time of their ministry.

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