

The New York Times

Pope Francis Abolishes Secrecy Policy in Sexual Abuse Cases

Church officials can now share information with secular law enforcement authorities. Critics said the confidentiality rule led to the concealment of abuse.

By **Elisabetta Povoledo**

Dec. 17, 2019

ROME — The Vatican on Tuesday said it would abolish the high level of secrecy it has applied to sexual-abuse accusations against clerics, ending a policy that critics said had often shielded priests from criminal punishment by the secular authorities.

Removing that cloak of confidentiality, the Roman Catholic Church is changing its stance to make it acceptable — but not required — to turn information about abuse claims over to the police, prosecutors and judges.

In recent years, church officials in the United States and some other countries have shared with civil authorities information about some sexual abuse allegations. But that cooperation, in theory, defied a decree adopted in 2001 that made the information a “pontifical secret” — the church’s most classified knowledge.

Victims and their advocates said the restrictions hampered civil authorities and helped conceal crimes, and they greeted Francis’ new instructions as a step forward.

“Things are decidedly changing,” said Francesco Zanardi, an Italian survivor of clerical abuse and the president of Rete l’Abuso, an Italian anti-abuse group.

Anne Barrett Doyle, co-director of BishopAccountability.org, a group that tracks abuse in the church, said the pope had taken “an overdue and desperately needed step.”

“For decades, pontifical secrecy has been an obstruction to civil justice, spurring bishops worldwide to thwart prosecutions of abusive priests,” Ms. Barrett Doyle said in a statement. She called changing the policy “a first step toward decreasing the anti-victim bias of canon law.”

On Tuesday, the pope also made the canon law against child pornography more stringent, a change that victims’ groups had pushed for. Previously, possession or dissemination of pornographic images of children under 14 was considered a “most grave crime.” That category that will now apply to images of children under 18.

The secrecy change is the latest step in the church's attempts to tackle the sexual abuse crisis that has dogged it for decades. Growing global pressure for greater accountability forced the issue to the front of Pope Francis' agenda.

In response to the demands for change, Francis convened a summit meeting of church leaders in February to address the crisis. It ended with a call "for an all-out battle against the abuse of minors" and insistence that the church needed to protect children "from ravenous wolves."

Weeks after that meeting, the pope issued a new canon law, requiring for the first time that church officials report abuse charges to Vatican prosecutors. Francis then issued a rule requiring that all church officials report to their superiors either abuse allegations or attempts to cover them up.

The rule announced on Tuesday was also a product of the February meeting, the Vatican said.

"This is a sign of openness, transparency and the willingness to collaborate with the civil authorities," Andrea Torielli, the editorial director of the Vatican's communications office, wrote in a commentary.

Under the new norms, "any reporting, testimony and documents" related to sexual abuse "can now be handed over when requested to lawful authorities in their respective countries," Mr. Torielli wrote.

The Rev. Hans Zollner, a member of the Vatican's child protection commission, said, "This is pretty much revolutionary."

Ms. Barrett Doyle was less confident.

"The impact of this change will be determined by how broadly it is applied," she said.

It was not clear, for example, whether the new policy would be applied retroactively, she said.

Ms. Barrett Doyle and other victim advocates, while praising the change, said it did not address many of the other issues they have raised, like the fact that the church has not adopted a policy of defrocking any priest who has abused a child.

"It's a little-known, appalling fact that under universal church law, guilty priests still are allowed to remain in ministry," Ms. Barrett Doyle said.

The Vatican had previously argued that the imposition of pontifical secrecy was necessary to protect both victim and accused. Church officials also said they could not insist that abuse allegations be reported to the civil authorities because in many parts of the world, that would put priests' lives in danger.

But critics said the rules deterred victims from coming forward and helped cover up sexual abuse.

Father Zollner said that confidentiality was never supposed to be a "hiding place for the church, but unfortunately it was used" that way "many times."

The new guidelines, which go into effect on Jan. 1, specify that "confidentiality shall not prevent the fulfillment of the obligations laid down in all places by civil laws, including any reporting obligations, and the execution of enforceable requests of civil judicial authorities."

Archbishop Charles Scicluna of Malta, the Vatican's chief sex crime investigator, called Francis' decree an "epochal decision that removes obstacles and impediments."

The changes do not affect the secrecy of confession.

The instructions also made clear that even if documents and testimony produced in canonical trials are shared with civil law enforcement officials or other interested parties, they may not be made public.

"The right of the victims and the witnesses to confidentiality must always be protected," Mr. Tornielli wrote. "Now, however, the documentation must be placed at the disposal of the civil authority for the purpose of investigating cases for which canonical proceedings have already begun."

On Tuesday, the pope accepted the resignation of Archbishop Luigi Ventura, the Vatican ambassador to France, who has been under investigation in France for sexual assault. In July, the Vatican revoked his diplomatic immunity.