

## NORMS

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san policy for nearly a decade now. "We have always kept the healing of victims as our top priority and will continue to do so," the bishop said.

Bishop Gregory made public a two-page letter from Cardinal Giovanni Battista Re, head of the Vatican's Congregation for Bishops. The letter voiced strong support for the bishops' efforts to respond to the sex-abuse crisis, but said the Vatican saw possible areas of confusion and questions of interpretation in the norms.

At a meeting in Dallas last June, the bishops overwhelmingly approved the "essential norms" outlining strict penalties against priests who sexually abuse minors, as well as the "Charter for the Protection of Children and Young People." Vatican approval, or "recognitio," would make the norms binding in all U.S. dioceses.

Cardinal Re's carefully worded letter was the result of weeks of internal discussion among five Vatican departments. It reflected the unease voiced privately by some officials that certain provisions of the norms may violate the due-process rights of accused priests.

But rather than simply reject the norms, the Vatican asked the bishops to work with them to resolve the remaining difficulties.

Cardinal Re described three problem areas in general terms; Bishop Gregory gave more specific examples in his statement:

- Cardinal Re said the norms and the charter contain provisions that "in some aspects are difficult to reconcile with the universal law of the

church."

Bishop Gregory said an example was the proper role of review boards, which are to be established in every diocese. Although these were envisioned as consultative bodies, Vatican officials are concerned that bishops might be held accountable to these boards; they say that would be an unacceptable infringement on the bishop's authority.

- Cardinal Re said the terminology of the norms and the charter was "at times vague or imprecise and therefore difficult to interpret."

Bishop Gregory said an example was the term "sexual abuse." The U.S. bishops' charter said sex abuse "need not be a complete act of intercourse" and cited a definition saying sexual abuse of children need not involve physical or genital contact. Vatican officials fear that this is too ambiguous and relies too much on subjective feelings of a victim to define the crime.

- Cardinal Re said that "questions also remain concerning the concrete manner in which the procedures outlined in the norms and charter are to be applied in conjunction with the requirements of the Code of Canon Law and with Pope John Paul II's 2001 apostolic letter, *Sacramentorum sanctitatis tutela*," which gave to the Vatican's doctrinal congregation oversight on cases of clerical sex abuse against minors.

Bishop Gregory said an example of the Vatican's concern in this area would be the procedures for dealing with a priest who is known to have abused a minor. The U.S. bishops' plan says that a priest who has committed any act of sexual abuse against a minor — past, present or future — is to be permanently removed from the active ministry. It

also sets dismissal from the priesthood as a standard penalty, even against a priest's will, but allows for some exceptions.

Those provisions are more strict and less flexible than those of canon law or the pope's 2001 letter. However, the U.S. bishops' plan said explicitly that the procedures of church law would be respected. Now, Bishop Gregory said, the Vatican wants "further specification" on how that will be done.

Father Kevin McKenna, pastor of St. Cecilia Parish in Irondequoit, N.Y., said he wasn't at all surprised by the Vatican's reaction to the bishops' plan.

"I would have been more surprised if the Holy See had endorsed it as proposed. There were too many difficulties with the norms and the charter," said Father McKenna, whose term as president of the Canon Law Society of America ended earlier this month.

Father McKenna said there are "very few times I'm aware of that norms are submitted to the Holy See where there is not some modification." Additionally, he added that the charter may have been rushed into place last spring, saying, "The bishops were under tremendous pressure to get something out to the media and the victims' families."

Bishop Gregory said he was in the process of appointing the four U.S. bishops to the mixed commission. The Vatican members will come from the Pontifical Council for Legislative Texts and the congregations for Bishops, Clergy and the Doctrine of the Faith.

Contributing to this story were John Norton at the Vatican and Mike Latona in Rochester.

# Diocese to add procedures on sexual abuse

Mike Latona/Catholic Courier

While the Vatican and U.S. bishops work toward final resolution of sexual-abuse policies, the Diocese of Rochester has taken several steps to address such concerns at the local level.

Bishop Matthew H. Clark announced Oct. 18 that he and the advisory panel that reviews allegations of sexual abuse by clergy and makes recommendations to him are adding three procedures:

- Development of policies related to screening of candidates for the diaconate and priesthood, as well as for ministerial positions that involve regular contact with children. Among such positions would be the jobs of youth ministers, religious-education coordinators and Catholic Youth Organization coaches.

Father Daniel Condon, diocesan chancellor and a member of the advisory panel, said the changes "would involve perhaps a more extensive background check and criminal reference" on applicants.

Father Condon noted that the diocesan policy is being updated in the spirit of Article 13 in the U.S. bishops' "Charter for the Protection of Children and Young People," which states: "Dioceses/eparchies will evaluate the background of all diocesan/eparchial and parish personnel who have regular contact with minors. Specifically, they will utilize the resources of law enforcement and other community agencies. In addition, they will employ adequate screening and evaluative techniques in deciding the fitness of candidates for ordination."

- Investigation of abuse allega-

tions by independent, qualified investigators. Up until this point, the investigations have been conducted by two diocesan victims' advocates: Father Robert Ring, pastor of Our Lady of the Lakes Catholic Community in the Finger Lakes; and Barbara Pedeville, diocesan director of management and staff relations.

Michael Tedesco, diocesan director of communications, explained that the responsibilities placed on Father Ring and Pedeville have involved "a large amount of work on their part; it's been a tremendous drain on their day-to-day responsibilities. That's not to say they've not done a capable job — they've done a tremendous job." Tedesco added that using an independent investigator would remove any perception of conflict of interest on the part of

the diocese.

- Formation of a support group for victims of sexual abuse by priests. The group will be coordinated by a certified counselor. Any victim interested in joining the group can contact Pedeville at 585/328-3210, ext. 215, or Father Ring at 315/730-0882.

"We want to make sure we can get a handle on who's out there and who needs help," Tedesco said.

Tedesco stated that care and healing of the victims "continues to be put above all else," and emphasized that the confidentiality of victims will be upheld in all aspects of the process.

These announcements are among the newest of changes made in recent months to diocesan policy on sexual abuse. The policy had last been revised in 1993.

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