

**Prevent and Protect**

Safeguarding Concept St. John Berchmans

March 2025

## Foreword

As a church, we are committed to caring for all parishioners. Volunteers are in contact with many people and work with them to bring about a faith community to life. In this way, a thriving community can benefit from the interaction of generations who come from different parts of life, through which the congregation is formed.

Whenever people come together, special attention must be made to create close relationships and ensure personal boundaries are respected that acceptable to everyone involved. This creates a framework in which everyone can experience good and beautiful things. Undesirable developments in this area, which may be irritating to those involved, must be addressed and discussed. The behaviors and the associated contexts can then reflected upon and, if necessary, corrected. In this way, a religious and social community can also become a learning community. Our Safeguarding Concept serves as the basis for trusting cooperation between all those involved within our parish. At the same time, it is intended to be a binding standard for everyone and defines what is appropriate in certain pastoral situations and where the boundaries are defined.

This creates a reliable framework for pastoral action that has been developed in a dynamic process and is regularly updated and transparent to all those involved. In addition, the Safeguarding Concept is intended to be a reference point for everyone's own actions. It clearly defines boundaries and promotes respectful interaction with one another. Of course, mutual trust must remain the basis of all our pastoral actions.

The protection of everyone working in our parish is our top priority. Compliance with the Safeguarding Concept ensures that everyone is protected.

## I. Prevention Approach

The prevention of sexual abuse is based on empathy with those affected in the present and past. The desire to protect everyone is grounded in the search for justice and the fullness of life for all.

### A. Definitions of Terms

#### 1. Sexual Abuse of Children, Adolescents and Vulnerable Persons

Sexual abuse refers to all offenses against sexual self-determination (§§ 174 ff. StGB). The law distinguishes between sexual abuse of children (Section 176 StGB), sexual abuse of juveniles (Section 182 StGB) and sexual abuse of vulnerable adults (Section 174 StGB).

Sexual abuse of children occurs when a person performs sexual acts on persons under the age of 14, has such acts performed on them or by them on third parties, performs such acts in front of a child or persuades a child to perform such acts on themselves or influences a child through pornographic images or depictions.

Sexual abuse of minors occurs when a person performs sexual acts on a person between the ages of 14 and 18 or has sexual acts performed on them, taking advantage of a coercive situation or in return for payment, or this person performs sexual acts on a third party or to have them performed by a third party.

Sexual abuse of young people also when a person over the age of 21 performs sexual acts on a person between the ages of 14 and 16 or has sexual acts performed on them in front of them or persuades them to perform sexual acts on a third party or have them performed on them by a third party.

According to state law, sexual abuse of vulnerable adults refers to sexual acts by a person with dependent persons if there is an educational, training or care relationship between the person and the other person or if it is a natural child. The guidelines of the German Bishops' Conference extends the terms when they are additionally applied "to acts below the threshold of criminal liability that occur in pastoral or educational as well as in caring or nursing contact with children and adolescents and vulnerable adults constitutes a violation of their personal boundaries or any other sexual assault [...] It also includes all practices relating to the preparation, implementation and secrecy of sexualized violence." (Guidelines for dealing with the sexual abuse of minors and adult charges by clerics, members of religious orders and other employees in the area of the German Bishops' Conference [No. 151a], Section A, No. 2).

"Sexual abuse also includes acts that are carried out with the deliberate exploitation of unequal power and authority, even if these acts are carried out on persons of legal age."

#### Boundary Violations

Boundary violations are actions that fall below the threshold of criminal liability. They describe inappropriate behavior in pastoral, educational or supervising dealings with children, young people and adults. The inappropriateness of the behavior depends not only on objective criteria, but above all on the experience of the person concerned.

#### 2. The Concept of Prevention

The term prevention is encountered in many places in everyday life. It can be in the field of addiction, health, or violence prevention. As different as the concepts of prevention are, so too are the scientific definitions.

In the area of prevention of sexualized violence, the concept of prevention is based on the definition of the psychiatrist Gerald Caplan. A distinction is made between three types of prevention: primary,

secondary and tertiary prevention. Primary Prevention can be equated with prevention. This Primary Prevention is generally referred to when the term prevention is used in the context of sexualized violence. The aim of Primary Prevention is to prevent sexualized violence from occurring in the first place. Secondary Prevention comes into play where borderline behavior has already occurred. This can also be described as intervention. The aim here is to stop repeated boundary violations and prevent worse things from happening.

Tertiary Prevention is synonymous with rehabilitation. It aims to reduce the long-term consequences for children, young people and adults who have been victims of sexualized violence.

## B. Person Trained in Prevention Issues

The regulations on the prevention of sexualized violence against minors and adult charges (prevention regulations) §9 calls for the appointment of an individual, who can serve as an independent person, trained in prevention issues. This responsibility is carried out in the parish by Pfarrer Dr. Stephan Kappler, Clinical Psychologist and Director of the English-Speaking catholic Mission of the Archdiocese of München and Freising.

## C. Certificates of Good Conduct and Voluntary Commitment

By law and the prevention regulations of the Archdiocese of Munich and Freising, every volunteer who has contact with children, young people or vulnerable adults is required to submit an Extended Certificate of Good Conduct and a Declaration of Commitment. The submission of the documents is supervised and monitored by Rev. Fr. Christof Wolf, S.J.

At regular intervals of five years, volunteers who have reached the age of 16, must submit an Extended Certificate of Good Conduct.

# II. Pastoral Areas with Personal Contact with People

## A. Youth Ministry

### 1. General Information on Youth Ministry

The primary goal of Youth Work is to offer children and young people a place where they feel at home and safe. Furthermore, we want to teach the children the fundamental Christian value of love of neighbor and encourage them to take responsibility for themselves and their friends, and to stand up for each other.

In the Youth Ministry, attention is paid to the responsible use of smartphones, especially social media. The common use of digital media is constantly discussed and binding rules are established. The Youth Protection Act is fully observed.

At all events that are organized by the parish youth, external adults are only permitted for a limited period of time with a clearly defined task and with the consent of the youth group.

## B. Blessing of Children within the Liturgy

If an adult steps forward with a child during the communion procession, the person giving communion can give a blessing if it is desired and that the child's head may therefore be touched. If the child reacts defensively or irritated, this must be respected.

## C. Individual Discussions in the Context of the Administration of the Sacraments

Confessions should take place in a protected setting if possible, but not in a closed room without a window in the door. There should always be sufficient distance between the people involved.

Children and young people should never be alone with the pastor in the chapel. The absolution takes place without physical contact.

#### D. Sacramental and Non-Sacramental Celebrations

If the administration of a sacrament involves touching, this should be discussed in advance with the persons concerned or their legal guardians if possible. In principle, the personal rights of people of all ages should also be respected in pastoral settings.

#### E. Visits

When accompanying sick and dying people, touch is part of the pastoral understanding, as it shows that the sick person is not left alone. The procedure for giving the blessing on death, for example, is analogous to D. The above also applies to simple visits and neighborly help.

#### F. Short-Term Supervision of Children / Very Young Children

In the case of short-term supervision, such as catechism classes, one must remain in visibly accessible rooms and, if possible, ensure that another adult is present.

Physical contact is possible with very young children, if necessary.

#### G. Events with Minors and Sacramental Preparation

If possible, a group leader should not stay in a room with a single child. One must remain in visibly accessible rooms and, if possible, ensure that another adult is present.

### III. Complaints

Complaints should be addressed to the Contact and Advice Center for victims of sexual abuse, see point V.

### IV. Documentation and Intervention

All processes must be carefully documented. The necessary agreements regarding further steps are to be made promptly between the head of the parish as well as the diocesan authorities.

All people in church ministry who become aware of a case or suspected case of sexual abuse or a boundary violation must immediately inform one of the Independent Contact Persons if suspected perpetrators are in pastoral, educational, or nursing care, whether on a professional or voluntary basis. This option is also open to all others.

In the event of reports of current suspected cases, the Independent Contact Persons are responsible for clarifying the suspected case. They are not employed by the Archdiocese of Munich and Freising, but work independently and pass on information to the Archdiocese so that it can take the necessary actions. If there is a suspicion of a criminal offense, the archdiocese always reports it immediately to the Independent Contact Person named by the archdiocese.

### V. Contacts and Offers of Help

The Independent Contact Persons are the main point of contact for suspected cases of sexual abuse. Their task is to receive reports of sexual abuse and boundary violations or other sexual assault incidences against minors or vulnerable adults.

In the case of reports of current suspected cases, the Independent Contact Persons are responsible for clarifying the suspected case. They are not employed by the Archdiocese of Munich and Freising, but work independently. They pass on information and instructions to the Archdiocese so that it can take

the necessary action. If a criminal offense is suspected, the archdiocese always reports the matter immediately.

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