

# Safeguarding Policy

adopted by  
the Church in Malta and Gozo

Maltese Episcopal Conference  
Conference of Major Religious Superiors



CONFERENTIA  
EPISCOPALIS  
MELITENSIS

**KSMR**  
KONFERENZA SUPERJURI  
MAGĠURI TAR-RELIGJUZI



**SAFEGUARDING  
COMMISSION**



**SAFEGUARDING  
COMMISSION  
GOZO**



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**2024** | This document shall be reviewed by no later than  
two years following its adoption.

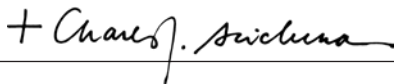


# Statement of Commitment

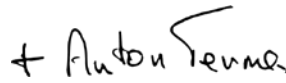
The Maltese Episcopal Conference and the Conference of Major Religious Superiors affirm that every individual has the right to live, develop, and flourish without being subjected to abuse or exploitation. The Catholic Church in Malta and Gozo is dedicated to safeguarding minors and vulnerable adults, establishing a safe space and atmosphere for everyone, and addressing any safeguarding concerns promptly and professionally.

As Ordinaries, we commit ourselves to this Safeguarding Policy, which provides a unified approach to safeguarding within the Church in Malta and Gozo. This policy reflects the responsibility, accountability, transparency, and integrity required when working with minors and vulnerable adults. It binds all Church personnel engaged in such work in Malta and Gozo, whether they are employed or volunteers.

If you have any concerns about the wellbeing of a minor or vulnerable adult, we strongly encourage you to report it to the Police or the Child Protection Directorate within the Foundation for Social Welfare Services. If the concern involves any Church entity or Church personnel, you are also requested to contact the Church's Safeguarding Commission.



+ Charles J. Scicluna  
Archbishop of Malta  
President of the Maltese  
Episcopal Conference



+ Anton Teuma  
Bishop of Gozo



**Rev. Colin Charles Sammut, O.F.M. Conv.**  
President of the Conference of Major  
Religious Superiors, endorsed by on  
behalf of members of KSMR

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# Introduction

The Catholic Church in Malta and Gozo is fully committed to its safeguarding responsibilities. This commitment is rooted in natural justice and the life of Christ, whose attitude and approach to children and the most vulnerable is clearly demonstrated in the Gospels. Therefore, any maltreatment, abuse, or exploitation of minors and vulnerable adults is inherently contrary to the dignity of the human person, and the mission, teachings, and laws of the Church.



The Maltese Ecclesiastical Province issued its initial Safeguarding Policy in 1999 and established the Church Response Team to investigate safeguarding concerns against Church personnel, referred to as 'pastoral functionaries' in the original document. The policy was revised in November 2014, which resulted in the formation of the Safeguarding Commission in January 2015.

Since publishing its first Safeguarding Policy, the Church in Malta and Gozo has aimed to develop, implement, and manage strategies that promote the wellbeing of minors and vulnerable adults. The Safeguarding Commission advises the Maltese Episcopal Conference and the Conference of Major Religious Superiors on the development of policies, best practice, prevention programmes, victim care, investigations, and assessments related to safeguarding minors and vulnerable adults.

After consulting with numerous stakeholders, professionals, and abuse victims, this revised Safeguarding Policy presents five sections:

- Values, Principles, and Definitions
- Safeguarding Standards
- Safeguarding Code of Conduct
- Safeguarding Procedures and Guidelines
- Safeguarding Commission: Structures and Personnel

The purpose of Safeguarding Policies is to create a safe Church in Malta and Gozo, where the wellbeing of minors and vulnerable adults is of the utmost importance. The Church in Malta and Gozo is committed to promote a culture of safeguarding, with minors and vulnerable adults at the forefront of its considerations when developing its policies, practices, and procedures.

*Disclaimer:* Throughout this document, reference to several laws is made. Such reference includes those laws as enacted and enforced at the time of writing, but also includes the same laws as they may eventually be amended from time to time.



# Values, Principles and Definitions

## Guiding Values and Principles

This Safeguarding Policy is rooted in the following values:

**Responsibility** – The Church is committed to taking the necessary preventive action to minimise the possibility of abuse and poor practice. Responsibility also involves following up on all complaints by conducting a preliminary investigation and/or risk assessment and providing pastoral and therapeutic support to those affected by abuse and poor practice, including victims and secondary victims on a case-by-case basis.

**Accountability** – The Church is committed to continuously assessing its organizational practices to determine the effectiveness of the pastoral care provided to minors and vulnerable adults. Ordinaries are accountable to the beneficiaries of the Church's services and to the faithful through the implementation, monitoring, evaluation, and improvement of all its services.

**Transparency** – The Church is committed to being open about its processes and procedures with regards to safeguarding matters. The Safeguarding Commission publishes an annual report describing its work and remains committed to respond to public concerns.

**Integrity** – The Church is committed to cultivating strong and authentic leadership that is necessary to implement an effective safeguarding culture based on moral and ethical principles and practices.

This Safeguarding Policy is guided by the following principles:

**A victim-centred approach** – The Church is committed to ensure a victim-centred approach where the safety and wellbeing of the victim take priority in all matters and procedures whilst ensuring impartiality throughout the preliminary investigation or risk assessment process. All Church entities and Church personnel commit themselves to the promotion of the rights and needs of victims and to fostering a compassionate and sensitive environment where all stakeholders are treated with dignity and respect.

**Mandatory reporting** – The Church is committed to comply with national legislation on mandatory reporting under the Minor Protection (Alternative Care) Act (Chapter 602 of the Laws of Malta). All Church personnel must report safeguarding concerns related to minors, to the Police and the Child Protection Directorate, and to additionally report any safeguarding concerns involving Church personnel to the Safeguarding Commission, the Designated Safeguarding Officer, or the relevant Ordinary. Any verbal report must be immediately followed up by a written report. Church personnel who fail to report a safeguarding concern or who attempt to avoid or obstruct investigations may be subject to disciplinary action according to canonical legislation, the policies of the particular Church entity, and, where applicable, the Laws of Malta.

**Protection of the complainant** – The Church is committed to ensure that no complainant is dismissed or subjected to intimidation, retaliation, prejudice, or discrimination for reporting a safeguarding concern. An obligation to keep silent should not be imposed on complainants, victims, or any other witnesses who act in good faith. That said, maliciously fabricating false information about someone is not only ethically and morally wrong, but in certain cases may also have legal consequences.

**Ensuring the wellbeing of the subject of complaint** – The Church is committed to ensure that the holistic wellbeing of the subject of complaint is maintained in all matters and procedures whilst ensuring impartiality throughout the preliminary investigation or risk assessment process. The wellbeing office of the Ordinary follows the subject of complaint during the safeguarding processes and ensure that he or she is treated with dignity and respect. This is done in collaboration with the Head of Safeguarding.

## Definitions

**Church Entity** Any organisation, association, foundation, entity, commission, voluntary organisation, group, society, congregation, order, formation entity, fraternity, community, educational entity, fellowship, forum, residential home, institute, parish, delegation, network, movement, office, secretariate, tribunal or chapter that officially forms part of the Catholic Church in Malta and Gozo.

**Church Entity Leader** An individual with a headship position within a Church entity.

**Church Personnel** Any member or members of the clergy (bishops, priests, deacons), of consecrated life or of an equivalent status, of societies of apostolic life, of the faithful who enjoy a dignity or perform an office or function within the Church, including lay people duly appointed or commissioned to work in the areas of administration, pastoral ministry and care, employees and volunteers engaged in all the various activities within Church entities, staff members engaged with a Church entity through another entity, or seminarians and religious students in formation.

**Complainant** An individual who reports a safeguarding concern to the Safeguarding Commission, the Designated Safeguarding Officer, or the relevant Ordinary.

**Conference of Major Religious Superiors** The official conference of male and female religious superiors of religious congregations in Malta and Gozo, commonly known as Konferenza Superjuri Maġġuri Reliġjużi (KSMR).

**Designated Safeguarding Officer** The individual assigned by the Church entity to act as the focal point for safeguarding within that entity and as the point of contact between the entity and the Safeguarding Commission.

**Exculpatory Evidence**

Evidence that shows, or tends to show, that the subject of complaint is not involved in the safeguarding concern.

**Head of Safeguarding**

The individual within the Safeguarding Commission who oversees and facilitates the work of the commission within the established parameters of this Safeguarding Policy.

**Inculpatory Evidence**

Evidence that shows, or tends to show, that the subject of complaint is involved in the safeguarding concern.

**Maltese Episcopal Conference**

The official assembly of Catholic bishops in the Maltese Ecclesiastical Province, which includes the Archdiocese of Malta and the Diocese of Gozo.

**Minor**

An individual under the age of eighteen. Equivalent to a minor is an individual who habitually has imperfect use of reason.

**Ordinary**

A diocesan bishop, and any other individual who, even if temporarily, is placed over the local church, a vicar general, and for their own members, major religious superior or their regional delegates.

**Position of Trust (or Position of Authority)**

A position of responsibility or care, given to an individual by the Church, whether paid or not, in a setting where the said individual has contact with minors or vulnerable adults, and such position creates an imbalance of power.

**Preliminary Investigation**

An internal administrative investigation in terms of canons 1717-1719 of the Code of Canon Law to determine whether there is a semblance of truth in the complaint or allegation about a canonical crime. The preliminary investigation gives the Ordinary an initial sense of probability of whether abuse did or did not occur.

<b>Risk Assessment</b>	An internal process as outlined in the safeguarding policy which looks into the complaint and assesses whether minors or vulnerable adults are at risk of a safeguarding concern. The risk assessment aims to inform the Ordinary whether based on balance of probability, a risk exists or not.
<b>Risk of Harm</b>	When a minor or vulnerable adult is placed in danger or is at risk of getting hurt or harmed by any Church personnel.
<b>Safeguarding</b>	The proactive action an entity takes to protect the minors and vulnerable adults it engages with. This includes proactive measures to ensure that minors and vulnerable adults do not come to any harm as a result of contact with the entity or its personnel.
<b>Safeguarding Advisory Board</b>	The board within the Safeguarding Commission consisting of professionals, who meet regularly to discuss and advise the Head of Safeguarding on Church safeguarding policies, prevention and training, victim care and advocacy, preliminary investigations and risk assessments, and the wellbeing of subjects of complaint. The board is responsible to approve or otherwise the conclusions and recommendations of the report which is to be presented to the Ordinary by the Head of Safeguarding following a preliminary investigation or risk assessment.
<b>Safeguarding Commission</b>	The entity founded by the Maltese Episcopal Conference and the Conference of Major Religious Superiors responsible for promoting safe environments in the Church, mainly through preventive practices and training, victim care and advocacy, handling of complaints, preliminary investigations and risk assessments, and follow up on the wellbeing of the subjects of complaint.

<b>Safeguarding Concerns</b>	Concerns related to abuse of power, breach of boundaries, bullying, cyberbullying, emotional or psychological abuse, exploitation, grooming, harassment, harm, neglect, online abuse, physical abuse, poor practice, sexting, sexual abuse, sexual exploitation, or spiritual abuse, involving a minor and/or vulnerable adult.
<b>Safeguarding Office</b>	The office within the Safeguarding Commission, consisting of professionals employed by the Church to offer day-to-day service within the Safeguarding Teams responsible for Prevention and Training, Victim Care and Advocacy, and Investigation and Assessment.
<b>Safeguarding Review Board</b>	The board within the Safeguarding Commission consisting of professionals who upon a request of an Ordinary, reviews the procedures, conclusions or recommendations of a preliminary investigation or a risk assessment.
<b>Secondary Victim</b>	An individual affected by a safeguarding concern committed by any Church personnel, albeit not being the direct victim, e.g., a complainant, a relative, friend or peer of a victim, or a relative, friend or peer of a subject of complaint.
<b>Subject of Complaint</b>	An individual against whom a safeguarding concern has been raised.

<b>Statutory Agency</b>	A national entity with statutory powers dictated by the Laws of Malta, e.g. the Malta Police Force, the Directorate for Child Protection Services, the Directorate for Alternative Care (Children and Youth), the Commissioner for Children, the Commissioner for Mental Health, the Social Care Standards Authority, etc.
<b>The Church</b>	The Catholic Church in Malta and Gozo.
<b>Victim</b>	An individual directly affected by a safeguarding concern committed by any Church personnel.
<b>Vulnerable Adult</b>	An individual in a state of infirmity, physical or mental deficiency, or in a state of deprivation of personal liberty which, in fact, even if occasionally, limits their ability to understand or to want or otherwise resist the offence.
<b>Witness</b>	An individual who provides additional inculpatory or exculpatory evidence to a preliminary investigation or risk assessment.

## Types of Safeguarding Concerns

- Abuse of Power** When Church personnel uses one's position of trust to cover up abuse, avoid or interfere with justice, or to bully, coerce, undermine, intimidate, manipulate, or abuse a minor and/or vulnerable adult who view that Church personnel as someone to be trusted.
- Breach of Boundaries** When Church personnel crosses an emotional or physical line that must be maintained in order to ensure order, safety, transparency, and predictability within the Church.
- Bullying** When Church personnel repeatedly threatens or undermines a minor and/or vulnerable adult through various forms of verbal or physical behaviour, including but not limited to, spreading rumours, name calling, purposeful exclusion, making threats, and physical or verbal attacks.
- Cyberbullying** When Church personnel engages in any form of bullying that occurs through and within the digital realm.
- Emotional or Psychological Abuse** When Church personnel emotionally or psychologically mistreats a minor and/or vulnerable adult through deliberate acts of humiliation, scare tactics, threats, ignoring, isolating, or other similar actions.
- Exploitation** When Church personnel takes advantage of an imbalance of power to control, coerce, manipulate, deceive, or simply take advantage of a minor and/or vulnerable adult.
- Grooming** When Church personnel forms a connection, builds trust, and establishes an emotional bond with a minor and/or vulnerable adult with the intention of manipulating, exploiting, or abusing them, even if that abuse, in whatever form intended, does not actually take place.

<b>Harassment</b>	When Church personnel engages in a course of conduct which can be reasonably be deemed as unwelcoming behaviour, which makes a minor and/or vulnerable adult feel offended, humiliated, degraded, or intimidated.
<b>Neglect</b>	When Church personnel repeatedly fails to meet the physical and emotional needs of a minor and/or a vulnerable adult under one's care and responsibility.
<b>Online Abuse</b>	When Church personnel engages in any type of abuse that happens through and within the digital realm, including cyberbullying, emotional abuse, grooming, sexting, sexual conversations, sexual abuse, or sexual exploitation. Such abuse can occur anywhere within the digital realm, including but not limited to, social media platforms, text messaging and messaging apps, emails, online chats, online gaming, live-stream sites, etc.
<b>Physical Abuse</b>	When Church personnel physically maltreats in any way a minor and/or vulnerable adult.
<b>Poor Practice</b>	When Church personnel does not meet the expected behaviour set out in this Safeguarding Policy and/or the particular policies of Church entities.
<b>Sexting</b>	When Church personnel sends sexual messages, engages in virtual sexual conversations, or shares sexual content with a minor and/or vulnerable adult.

**Sexual Abuse**

When Church personnel leads, persuades, coerces or intimidates a minor and/or a vulnerable adult into engaging in a sexual activity that involves non-physical, physical non-penetrative and/or physical penetrative contact.

Non-physical contact includes but is not limited to: sexual conversations; inducing or forcing a minor and/or vulnerable adult to act out sexually; the immoral acquisition, possession, exhibition, or distribution, in any way or by any means, of pornographic images of minors and/or vulnerable adults; or the recruitment or inducement of a minor and/or vulnerable adult to pose in a pornographic manner or to participate in real or simulated pornographic exhibitions.

Physical non-penetrative contact includes but is not limited to over-clothing touching, rubbing, kissing, or masturbation.

Physical penetrative contact refers to sexual penetration of any part of the body, with or without force, by a sex organ, by any other part of the body, or by a foreign object.

**Sexual Exploitation**

When Church personnel leads, persuades, coerces or intimidates a minor and/or vulnerable adult into engaging in a sexual activity, in exchange for affection, status, rewards, favours, or other purposes, such as gifts, drugs, or money.

**Spiritual Abuse**

When Church personnel engages in a systematic pattern of coercive, harmful, or controlling behaviour in a spiritual or religious context. This may include but is not limited to manipulation and exploitation, superiority or elitism, , coercion to conform, control through the use of sacred texts or teachings, isolation as a means of punishment, or the requirement of obedience to or by that Church personnel, suggesting that the Church personnel has some kind of 'divine' authority.





# Safeguarding Standards

The Church in Malta and Gozo is committed to the following safeguarding standards:

- Standard 1: Creating a safer Church
- Standard 2: Caring for victims
- Standard 3: Handling complaints effectively
- Standard 4: Leading with integrity
- Standard 5: Assuring quality of standards

## Standard 1: Creating a safer Church

### Areas of Focus

### Indicators

#### Effective policies and procedures

The Safeguarding Policy of the Church in Malta and Gozo is consistent with national legislation, canonical norms and established professional best practice.

Every Church entity follows this Safeguarding Policy and other guidelines as issued by the Safeguarding Commission from time to time.

All Church personnel sign the Church Personnel Self-Declaration and Commitment Declaration (see Appendix 1).

#### Safe Recruitment

Every Church entity implements safe recruitment procedures and guidelines issued by the Safeguarding Commission.

Every Church entity applies for a Safeguarding Clearance Certificate A (see Appendix 2) for all Church personnel working with minors and/or vulnerable adults. This should also be applied for by the members of the clergy or religious visiting Malta or Gozo for a period longer than three (3) months.

Every Church entity applies for a Safeguarding Clearance Certificate B (see Appendix 3) for clerics or religious visiting Malta or Gozo for a maximum period of three (3) months.

Every Church entity maintains an accurate record of staff and volunteers.

**Areas of Focus**

**Indicators**

**Formation and training**

As part of the induction process, all new Church personnel become familiar with this Safeguarding Policy.

All Church personnel receive adequate safeguarding training during their induction, and every three years following such induction to integrate safeguarding principles in their day-to-day practice, and to share research and best practices in this field.

Any safeguarding training is to be provided by the Safeguarding Commission or by an entity or person delegated or approved by the Safeguarding Commission.

Every Church entity leader ensures that minors and/or vulnerable adults are aware of their rights related to safeguarding.

**Safe communication**

All Church personnel use safe and ethical methods of communication with minors and/or vulnerable adults.

All Church personnel use technology safely.

All Church personnel adopt the highest standards of communication in the use of personal emails and social media accounts, particularly with regard to language, images and graphics, and with respect to confidentiality and data protection.

**Areas of Focus**

**Indicators**

**Safeguarding structures within Church entities**

Every Church entity assigns any one Church personnel as a Designated Safeguarding Officer who will receive the necessary safeguarding training to fulfil this role.

Every Church entity promotes the identity and contact details of their Designated Safeguarding Officer to those who attend or make use of their services.

Every Church entity follows national legislation and established professional best practice with regards to mandatory reporting and collaboration with statutory agencies.

Every Church entity ensures that their activities and environment promote the safety and wellbeing of minors and/or vulnerable adults.



## Standard 2: Caring for victims

Areas of Focus	Indicators
<b>Culture of listening</b>	<p>Every Church entity adopts a victim-centred approach.</p> <p>Every Church entity facilitates ways for Church personnel or members of the public to express their views and raise safeguarding concerns.</p> <p>Every Church entity seeks regular participation and feedback from all stakeholders, including minors and/or vulnerable adults, to evaluate and strengthen its safeguarding commitment.</p>
<b>Welcoming environment</b>	<p>Every Church entity ensures that complainants, victims, and secondary victims are welcomed, listened to, supported, and treated with dignity and respect.</p>
<b>Therapeutic care</b>	<p>The relevant Ordinary funds therapeutic assistance including psychiatric and/or psychological care to victims and secondary victims on a case-by-case basis.</p>
<b>Spiritual care</b>	<p>The relevant Ordinary offers pastoral and spiritual care to victims and secondary victims.</p>
<b>Data protection</b>	<p>Every Church entity ensures that the good name and privacy of the complainants, victims, and secondary victims are protected.</p>

## Standard 3: Handling complaints effectively

### Areas of Focus

### Indicators

#### Handling of Complaints

Every Church entity ensures that complainants are empowered to report any safeguarding concern to the Safeguarding Commission, the Designated Safeguarding Officer or the relevant Ordinary.

The relevant Ordinary ensures that a preliminary investigation and/or risk assessment is conducted upon receipt of a safeguarding complaint.

When the Ordinary appoints an individual to carry out the preliminary investigation and/or risk assessment on their behalf, that individual is to be either the Head of Safeguarding, or another suitable and qualified person.

When the Head of Safeguarding or another suitable and qualified person is appointed, the preliminary investigation and/or the risk assessment is carried out autonomously from the Ordinary.

When the Head of Safeguarding is appointed, the Safeguarding Advisory Board assesses the report of the preliminary investigation and/or risk assessment and approves or otherwise its conclusions and recommendations. This maintains a high level of responsibility, accountability, transparency, and integrity.

Preliminary investigations and/or risk assessments are conducted in a timely manner.

#### Handling of complaints against Ordinaries

Safeguarding concerns against an Ordinary are investigated according to the norms of the apostolic letter *Vos Estis Lux Mundi*, and where applicable, the Laws of Malta.

## Areas of Focus

## Indicators

### **Handling of historical cases, and anonymous or doubtful complaints**

Complaints dealing with historical cases, and anonymous or doubtful complaints, are not dismissed *a priori*. The Church shall complete a preliminary investigation and/or a risk assessment upon the receipt of the decree from the Ordinary.

### **Retaliation, failure to comply, and cover-ups**

Every Church entity and all Church personnel shall comply with any preliminary investigation and/or risk assessment initiated by the Church or any other related investigation carried out by a statutory agency.

Every Church entity ensures that no prejudice, retaliation, discrimination, or punitive action are taken against a complainant or victim who acts in good faith.

Any Church personnel who fail to report a safeguarding concern, do not comply with investigations and/or risk assessments, attempt to cover up abuse, silence a complainant or a victim, or retaliate or discriminate against a complainant or a victim, may be subject to disciplinary action according to canonical legislation, the policies of the particular Church entity, and where applicable, the Laws of Malta.

## Standard 4: Leading with integrity

### Areas of Focus

### Indicators

#### **Top-level commitment to safeguarding**

Every Church entity leader leads by example and models a positive attitude by fully adhering to this Safeguarding Policy.

Every Church entity leader proactively implements this Safeguarding Policy and assumes responsibility for the entity's safeguarding arrangements.

Every Church entity leader takes immediate and appropriate action when this Safeguarding Policy is breached.

Every Church entity leader ensures that the entity endorses the Church Entity Commitment Statement (see Appendix 4) and ensures that the statement is openly displayed and publicly available.

Every Church entity leader ensures that all Church personnel engaged or involved within the entity sign the Church Personnel Self-Declaration and Commitment Declaration form (see Appendix 1) and that the signed declarations are kept in the archives of the Church entity and a copy is given to the Safeguarding Commission.

#### **Care for complainants, victims, secondary victims, and subjects of complaint**

The Safeguarding Commission, where applicable in collaboration with the relevant Church entity leader, offers support to the complainants, victims, and secondary victims.

The relevant Ordinary, where applicable in collaboration with the Head of Safeguarding, offers support to the subjects of complaint.

## Areas of Focus

## Indicators

### **Publication of annual reports on safeguarding operations**

The Head of Safeguarding, with the necessary support of every Ordinary and Church entity leader, compiles and publishes an annual report on the safeguarding operations of the relevant diocese. The report includes, amongst others, statistics relating to safeguarding complaints, conclusions of preliminary investigations and/or risk assessments, recommendations given to Ordinaries, actions taken to safeguard minors and/or vulnerable adults, and any other recommendations concerning any matter related to safeguarding standards, policies, or procedures.

This report is also presented to the Maltese Episcopal Conference and the Conference of Major Religious Superiors.



## Standard 5: Ensuring quality of standards

Areas of Focus	Indicators
<b>Audit of the Safeguarding Commission</b>	<p>The Head of Safeguarding ensures that the operations of the Safeguarding Commission are subject to scrutiny of an independent auditor every three years.</p> <p>The audit investigates the level of compliance of the Safeguarding Commission with this Safeguarding Policy. The Head of Safeguarding presents a copy of the audit report to the Maltese Episcopal Conference and the Conference of Major Religious Superiors.</p>
<b>Audit of Church entities</b>	<p>Every Church entity leader ensures that their entity regularly completes an audit concerning its adherence to this Safeguarding Policy. The Safeguarding Commission provides support on how to conduct the audit.</p> <p>The Church entity leader presents a copy of the audit to the Safeguarding Commission and to the relevant Ordinary.</p>
<b>Publication of best practice guidelines</b>	<p>When necessary, the Safeguarding Commission publishes best practice guidelines, as informed by past complaints, research, and audits, in order to promote research-based learning within the Church.</p>
<b>Review of this Safeguarding Policy</b>	<p>The Maltese Episcopal Conference and the Conference of Major Religious Superiors, in collaboration with the Head of Safeguarding, review this Safeguarding Policy by no later than two years following its adoption.</p>





# Safeguarding Code of Conduct

## **Preamble**

The Safeguarding Code of Conduct sets out expectations of behaviour for all Church personnel dealing with minors and/or vulnerable adults and aims to foster a culture of the highest professional and ethical standards to ensure a safe environment for all.

This Safeguarding Code of Conduct does not provide an exhaustive list of what is, or is not, appropriate behaviour for Church personnel. However, it does highlight behaviour that is illegal, inappropriate, and/or inadvisable, particularly in relation to minors and vulnerable adults.

Every Church personnel, in accordance with their specific role and responsibilities, is required to prioritise the welfare of minors, vulnerable adults, and other members of the Church's community as a central focus of their work. Good practice requires that all Church personnel engage in self-reflection on their work to ensure compliance with this Safeguarding Code of Conduct while also maintaining professional boundaries.

All Church personnel must recognise that both personal and professional misconduct have the potential to hurt and damage the people one works with, as well as other secondary victims, create scandal in the Church and society, and tarnish the mission and credibility of the Catholic Church.

Every Church entity leader is responsible for ensuring model appropriate behaviour and ensuring that all Church personnel under their leadership are aware of, and adhere to, this Safeguarding Code of Conduct.

Adherence to this Safeguarding Code of Conduct is obligatory in all situations. Breaches of this Code of Conduct may result in disciplinary action, termination of contracts and, where applicable, referral to other statutory agencies.

## Good Practice Guidelines

All Church personnel shall at all times:

- Treat minors and vulnerable adults with dignity and respect.
- Safeguard minors and vulnerable adults.
- Understand and acknowledge that minors and vulnerable adults come from diverse cultural and social backgrounds, each with their own values, customs, and communication styles.
- Support the right of participation of minors and vulnerable adults regardless of their gender, race, nationality, faith, sexual orientation, or ability.
- Listen to what minors and vulnerable adults are saying and respond appropriately.
- Use age-appropriate language and avoid language that can be offensive or insensitive.
- Develop the skills of minors or vulnerable adults through constructive and respectful forms of discipline and communication.
- Operate in accordance with appropriate staffing ratios according to national standards or the Church entity's policies, as applicable.
- Endeavour to create and sustain a safe environment, free from all types of abuse.
- Ensure that the premises and equipment used for professional or pastoral activities are in line with safeguarding standards.
- Obtain the written consent of parents or guardians before engaging in professional or pastoral activities that involve minors or vulnerable adults.
- Obtain the written consent of parents or guardians before taking photos or videos of minors or vulnerable adults.
- Ensure that only vetted and assigned persons are allowed to accompany minors or vulnerable adults, particularly in spaces such as bathrooms, changing rooms, etc. In such spaces, photos and videos are strictly prohibited.

- Ensure that they and other Church personnel are not under the effect of alcohol, drugs, or other substances when engaging with minors or vulnerable adults.
- Promote and emphasise within their spheres that any type of abuse of minors and vulnerable adults is prohibited and constitute acts of gross misconduct and a violation of national and internationally recognised laws, norms, and standards.
- Keep abreast of safeguarding training.

## Maintaining Boundaries

All Church personnel shall at all times:

- Recognise the power they hold over minors and vulnerable adults when a Church entity entrusts them with a position of trust.
- Treat with the highest responsibility the trust placed in them by minors and vulnerable adults, as well as their parents or guardians as applicable.
- Maintain a professional relationship with minors and vulnerable adults.
- Operate exclusively within the role and responsibilities that they are assigned with. Relationships with minors and vulnerable adults outside the remit of their allocated role and responsibilities are not permissible, save for very limited exceptions, e.g. when working with a minor or vulnerable adult who is a relative, or when one occupies more than one role in the life of a minor or vulnerable adult within the Church.
- Seek advice from the Church entity leader or the Safeguarding Commission to ensure that boundaries are being maintained appropriately when occupying more than one role in the life of a minor or vulnerable adult.

## Social Contact and Social Networking

All Church personnel shall at all times:

- Ensure that communication with minors or vulnerable adults, by whatever means, takes place within clear and explicit professional boundaries and is open to scrutiny.
- Refrain from sharing personal information with minors or vulnerable adults.
- Refrain from requesting or responding to any personal information from minors or vulnerable adults, other than that which might be appropriate as part of their professional role.
- Exercise their professional judgment and seek advice from their Church entity leader or the Safeguarding Commission if a minor or vulnerable adult seeks to establish social contact, even if this occurs coincidentally.
- Refrain from behaviours that embarrass, humiliate, degrade and/or physically harm minors or vulnerable adults.





## Online Behaviour

All Church personnel shall at all times:

- Hold themselves to the highest standard of behaviour online, particularly when engaging directly or indirectly with minors and vulnerable adults through the use of any form of technology, such as mobile phones, text messaging, emails, online posts, digital cameras, videos, webcams, websites, blogs, etc.
- Be mindful of their online behaviour and consider the potential impact of their online behaviour on persons who place trust in them, particularly minors and vulnerable adults
- Show kindness in their online interaction with others, particularly with minors and vulnerable adults
- Report to the relevant authorities any safeguarding concerns encountered online, and to the Safeguarding Commission, Designated Safeguarding Officer or the relevant Ordinary when Church personnel are involved
- Remember that to a certain extent, in their online interactions they represent the Church because of the trust that the Church entity leader placed in them

## One-to-one situations

All Church personnel shall at all times:

- Recognise that one-to-one situations have the potential to make minors and vulnerable adults more susceptible to harm by those who seek to exploit their position of trust.
- Not seek to spend time alone with a minor or vulnerable adult.
- Refrain from inviting a minor or vulnerable adult with whom they have a purely pastoral relationship, into their private home, convent, friary, or any other property or space which has restricted access to the public.
- Avoid offering lifts to a minor or vulnerable adult, unless the role truly requires it. Even in such case, if possible, such lifts are to be always accompanied by another trusted adult. There may be instances of urgency where not offering transportation to the minor or vulnerable adult may pose a risk to the minor or vulnerable adult concerned. In such circumstances, Church personnel must always report to the Church entity leader or the Designated Safeguarding Officer and to the parents, guardians, or carers of the minor or vulnerable adult at the earliest opportunity.
- Seek to lodge and sleep in different quarters from minors and vulnerable adults when participating in activities involving overnight stays, such as camps, retreats etc, unless the circumstances do not permit it and even in such cases, this shall be permitted only in exceptional situations. Sleeping in a room alone with a minor or vulnerable adult is not permitted.
- Offer any necessary medical assistance that they are qualified to provide, such as first aid, and be careful to handle the situation professionally and respectfully.
- Be mindful that when working in a one-to-one setting, they may also be more at risk of unjust or unfounded allegations being made against them. Church personnel must recognise this possibility and do their utmost to prevent such risks.

## Physical Contact

All Church personnel shall at all times:

- Refrain from initiating or engaging in physical contact with minors or vulnerable adults unless the professional role requires it. In such cases, Church personnel must always follow the official guidance and policies of their Church entity. There may be occasions when a distressed individual requires comfort and reassurance. Such situations may involve culturally and age-appropriate physical contact while maintaining professional boundaries.
- Understand that physical contact could be misinterpreted or could cause fear or discomfort. In such cases, Church personnel shall always remain self-aware to ensure their contact is not threatening, intrusive, or could be subject to misinterpretation.
- Understand that physical contact should never be secretive for the unwarranted gratification of another person or represent a misuse of authority.

## Sexual Conduct

All Church personnel shall at all times:

- Understand that a relationship between an adult and a minor or vulnerable adult is never a relationship between equals. Any form of sexual behaviour by Church personnel with or towards a minor or vulnerable adult is strictly forbidden, notwithstanding the legal age of sexual consent.
- Never engage in any form of sexual behaviour of any kind with a minor or vulnerable adult, be it non-physical, physical non-penetrative, or physical and penetrative.
- Never make sexual remarks about a minor or vulnerable adult.
- Never discuss their own sexual relationships with or in the presence of a minor or vulnerable adult.
- Understand that a sexual activity of any sort with a minor or vulnerable adult may constitute a criminal offence and will be a matter for disciplinary action according to the Church entity's policy and canonical norms, and where applicable, the Laws of Malta.

- Understand that mistaken belief of age of the minor is not a defence.
- Take immediate action when they are concerned that they may be developing a relationship with a minor or vulnerable adult that could have the potential of constituting an abuse of trust.
- Report to the Designated Safeguarding Officer or the Church entity leader when they are concerned that a minor or vulnerable adult might have developed an infatuation towards them or that there is a developing attachment or dependency. They must ensure that in such cases no encouragement is conveyed to the minor or vulnerable adult. Appropriate actions are encouraged to avoid unnecessary distress, embarrassment, or illicit intimate relationships.
- Report to the Designated Safeguarding Officer or the Church entity leader when they are concerned that actions or words might have been misunderstood or misconstrued by a minor or vulnerable adult such that others might wrongly suspect an abuse of trust.
- Acknowledge that engaging in a consensual sexual relationship with an adult under their pastoral care creates a dual dynamic that mixes pastoral responsibility with intimacy. This dual relationship undermines the effectiveness of the pastoral connection, which relies on the belief that those in such positions of authority will not misuse their knowledge or breach the trust placed in them. Any sexual behaviour, even if consensual, between someone with a position of authority within a Church entity and an adult under their pastoral care, contradicts the established Safeguarding Code of Conduct due to the inherent power imbalance, which may place the adult receiving pastoral care in a vulnerable position. This power imbalance is clearly symbolised in the analogy of the pastoral leader to a shepherd, and the adult receiving pastoral care to a member of the flock. In cases where an intimate relationship, even if consensual, commences between Church personnel and an adult under their pastoral care, the pastoral relationship will have to be terminated.

Without prejudice to the above, this Safeguarding Policy does not in any way limit the potential of individuals within Church entities to form relationships that are not affected by such imbalances of power.

## Reporting Safeguarding Concerns

All Church personnel shall at all times:

- Take any form of safeguarding concern seriously.
- Never minimise or overlook incidents related to abuse of power, breach of boundaries, bullying, cover-up, cyberbullying, emotional or psychological abuse, discrimination, exploitation, grooming, harassment, harm, neglect, online abuse, physical abuse, poor practice, sexting, sexual abuse, sexual exploitation, or spiritual abuse involving a minor and/or vulnerable adult.
- Recognise their moral and legal obligations in reporting safeguarding concerns to the relevant authorities.
- Report to the Safeguarding Commission, to the Designated Safeguarding Officer or to the relevant Ordinary when they become aware that a minor or vulnerable adult is at risk of harm from any Church personnel. When the complaint also falls under national mandatory reporting laws, one must promptly report to the Police or Child Protection Directorate in accordance with the applicable Laws of Malta.
- Follow up with a written report to the Safeguarding Commission when they report directly to the Police or the Child Protection Directorate, so that the Church will also take the necessary steps to safeguard minors and vulnerable adults from any further risk of harm.



# Procedures and Guidelines

## **Safe recruitment of Church personnel**

Church personnel are responsible to ensure that all minors and vulnerable adults entrusted in their care are safeguarded from all types of abuse. For this reason, the Church recognises the importance of choosing the right personnel for its pastoral mission. Through these procedures, the Church is setting the highest recruitment standards for all its personnel.

Every Church entity leader must establish a clear recruitment procedure for roles that involve direct or indirect contact between Church personnel and minors and/or vulnerable adults.

In the case of employees within Church entities, the recruitment procedure must adhere to legal requirements, and must also include an interview that is transparent and focused on the applicant's response to diversity, inclusion, safeguarding of minors and vulnerable adults, and creating safe environments, among other issues.

In the case of volunteers where no formal interviews are held, the applicable legal requirements must be adhered to. When the volunteer is entrusted with greater responsibility, the interview process mentioned above must also be done.

Before engaging an employee or volunteer, the Church entity must apply for the Safeguarding Clearance Certificate A (Appendix 2) of the individual from the Safeguarding Commission.

For the Safeguarding Clearance Certificate A to be issued, the Church entity must:

- Check the name of the individual against the Protection of Minors (Registration) Act (POMA Register), (Chapter 518 of the Laws of Malta). This can be done through the assistance of the Safeguarding Commission.
- Verify with the Safeguarding Commission that the individual has no restrictions in pastoral ministry within the Church
- Request the individual to present a Police Conduct Certificate
- Request the individual to present two (2) letters of reference.
- Request the individual to complete the Church Personnel Self-Declaration and Commitment Declaration form (Appendix 1)
- Inform the individual to attend mandatory safeguarding training within the first year of engagement

The Designated Safeguarding Officer issues the Safeguarding Clearance Certificate A after verifying that the individual satisfies the checklist above.

The Church retains all the information provided by the individual accurately and securely for three years.

The Safeguarding Clearance Certificate A is renewed every three years.

## Designated Safeguarding Officers

Every Church entity that has contact with minors and/or vulnerable adults shall appoint a Designated Safeguarding Officer.

The Designated Safeguarding Officer will be supported by the Church entity leader and will work closely with the Safeguarding Commission.

The Designated Safeguarding Officer is responsible for:

- Ensuring that all Church personnel within the Church entity are in possession of a valid Safeguarding Clearance Certificate A
- Helping Church personnel to apply for the Safeguarding Clearance Certificate A
- Liaising with the Safeguarding Commission on all safeguarding matters
- Attending regular training recognised by the Safeguarding Commission on how to carry out the duties of the Designated Safeguarding Officer and how to train Church personnel
- Delivering training on safeguarding to the Church personnel within the Church entity.



## Vetting of clergy or religious visiting Malta or Gozo

Any member of the clergy or religious visiting Malta or Gozo for a period longer than three (3) months must:

- Apply for the Safeguarding Clearance Certificate A (Appendix 2) from the Safeguarding Commission through the inviting, hosting, or respective Ordinary; and
- Attend mandatory safeguarding training within the first six (6) months of their stay.

Any member of the clergy or religious visiting Malta or Gozo for a period of less than three (3) months must apply for the Safeguarding Clearance Certificate B (Appendix 3) from the Safeguarding Commission, through the inviting, hosting, or respective Ordinary.

For the Safeguarding Clearance Certificate B to be issued, the inviting, hosting, or respective Ordinary must present the following to the Safeguarding Commission:

- A Statement of Suitability (Appendix 5) from the home diocese or religious community of the individual
- A Church Personnel Self-Declaration and Commitment Declaration form signed by the individual (Appendix 1)
- A recent (issued no longer than six (6) months prior) Police Conduct Certificate, or any other equivalent vetting requirement in their home country.

In order to exercise public ministry in Malta or Gozo, the visiting member of the clergy or religious must also apply for a temporary permission for the exercise of public ministry through the respective diocesan curia. The diocesan office will verify with the Safeguarding Commission that the individual has no restrictions in pastoral ministry within the Church.

The Archdiocese of Malta and the Diocese of Gozo will inform each other of the permissions granted.

## Reporting safeguarding concerns

### ***Mandatory reporting guidelines***

Church personnel aware of a minor being at risk of harm are obliged to report the matter to the Police or the Child Protection Directorate in line with the Minors Protection (Alternative Care) Act (Chapter 602 of the Laws of Malta).

Church personnel aware of a vulnerable adult being at risk of harm are strongly encouraged to empower the alleged victim to report the matter to the Police. Failure to report goes against the principles and standards of this policy and may also result in a criminal offence.

Church personnel aware of a safeguarding concern within a Church entity are obliged to report to the Safeguarding Commission, the Designated Safeguarding Officer, or the relevant Ordinary.

If the reported person is Church personnel, the Safeguarding Commission must be informed.

### ***Exemption from reporting a safeguarding concern***

#### ***Sacrament of Confession***

The canonical legislation of the Church makes it clear that a confessor is absolutely forbidden to betray in any way a penitent in words or in any manner and for any reason. The confessor is prohibited completely from using knowledge acquired from the Sacrament of Confession to the detriment of the penitent, even when any danger of revelation is excluded. The sacramental seal is inviolable and is not abrogated on the death of the penitent (see canons 983-984).

In cases where a safeguarding concern is confessed during Confession, the confessor must resolutely inform the penitent that such concerns require external intervention. The confessor must do his best to invite the penitent to contact him outside the sacramental forum to repeat the same information, or to report directly to the Safeguarding Commission, the relevant Ordinary, or any relevant statutory agency. The confessor must make it clear that if the penitent had to repeat to him the same information outside the sacramental forum, the sacramental seal would not apply.

If eventually the penitent contacts the confessor and repeats the information outside the sacramental forum, the priest must report the matter to the Safeguarding Commission, or to the relevant Ordinary, or where applicable, the relevant statutory agency.

### ***Other scenarios***

Church personnel are exempted from reporting safeguarding concerns:

- When they become aware of a safeguarding concern whilst exercising a professional role that is bound by confidentiality (e.g. psychologists, social workers, counsellors etc.); and
- The safeguarding concern does not fall under national mandatory reporting laws

In such cases, the concerned professionals are strongly encouraged to seek the necessary consent of the complainant or alleged victim to report the safeguarding concern at the earliest opportunity. Not reporting a safeguarding concern could place a minor and/or vulnerable adult at risk of further harm or abuse.

### ***Procedure for reporting a safeguarding complaint***

Any person, even if they are not Church personnel, can make a safeguarding complaint about any Church personnel to a Designated Safeguarding Officer, the Safeguarding Commission, or the relevant Ordinary.

The Safeguarding Commission can be contacted via phone, email, social media, or in person. The reporting form can be downloaded. When a complaint is made in person, the complainant may be accompanied by anyone they feel can assist them in making the complaint. Upon receiving a complaint, the Safeguarding Commission shall endeavour to obtain a signed referral from the complainant.

When a complaint is made to a Designated Safeguarding Officer, the latter promptly notifies the Safeguarding Commission or the relevant Ordinary.

Whenever a complaint reaches the Safeguarding Commission, the Head of Safeguarding immediately informs the relevant Ordinary.

## ***Procedure for conducting a preliminary investigation or risk assessment***

### ***Initial steps upon receiving a complaint***

When there is a complaint of abuse committed against a minor, or a minor is at risk of harm, the Police or the Child Protection Directorate must be duly informed, in accordance with the Laws of Malta.

When there is a complaint of abuse committed against a vulnerable adult, the complainant and/or the alleged victim must be empowered to report the allegation to the Police.

As soon as the Ordinary receives a complaint that features an allegation of a canonical crime, the Ordinary shall make sure that a preliminary investigation in terms of canons 1717-1719 of the Code of Canon Law is conducted. In such cases and in any other complaints involving a safeguarding concern, the Ordinary shall also make sure that a risk assessment aimed at identifying any risks posed by the subject of complaint is carried out.

The Ordinary may conduct the preliminary investigation and/or risk assessment either personally or through the Head of Safeguarding, or any other qualified person in terms of Canons 1428 §§ 1-2 of the Code of Canon Law and article 14 of Vos Estis Lux Mundi).

Persons appointed to conduct a preliminary investigation and/or risk assessment must be of good standing and should be qualified with a tertiary education level in the psychosocial field. Persons with at least two years of experience in investigations into child protection or abuse of vulnerable adults are to be given preference. The appointed person will also have to receive appropriate training on how to conduct an investigation and/or assessment.

When appointing the Head of Safeguarding or any other qualified person for such role, a decree is to be given in writing, preferably within a week of receipt of the complaint.

When the Head of Safeguarding or another qualified person is appointed, the preliminary investigation and/or the risk assessment is to be done autonomously from the Ordinary to preserve the integrity of managing complaints. That said, the Ordinary remains responsible for providing all pertinent information required to conduct a comprehensive preliminary investigation and/or risk assessment.

Beside appointing a person to carry out a preliminary investigation and/or risk assessment, the Ordinary shall also appoint another qualified person to act as a Victim Care and Advocacy Officer. This person must be qualified with a tertiary education level in the psychosocial field. Persons with at least two years of experience of accompanying alleged victims are to be given preference. The role of the Victim Care and Advocacy Officer is to implement Article 5 of Vos Estis Lux Mundi and to ensure that the alleged victim is kept suitably informed of the preliminary investigation and/or risk assessment and is receiving the necessary therapeutic, medical, material, and spiritual assistance.

### ***Initiating a Preliminary Investigation and/or Risk Assessment***

The first step of the preliminary investigation and/or risk assessment is to carry out an initial evaluation based on the information available in the complaint to determine whether a minor or vulnerable adult is at risk of harm or abuse, and which statutory agencies should be involved, if any.

When the facts and circumstances warrant it, recommendations are to be provided to the relevant Ordinary regarding the implementation of appropriate precautionary measures related to the subject of complaint. These may include restrictions in pastoral roles, activities, or ministry. Appropriate precautionary measures may also be implemented when the subject of complaint is not investigated by a statutory agency or not found guilty in a court of law. The reasons for this could be varied, including the fact that the standard of proof used by statutory agencies and courts of law differs from the one used in safeguarding (balance of probability). It is not uncommon that a person may not be investigated by a statutory agency or not found guilty in a court of law, yet appropriate precautionary measures would still be necessary and recommended for implementation. This is done with the goal of effectively managing any potential current or future risks to minors and/or vulnerable adults. Such precautionary measures shall not prejudice the outcome of the preliminary investigation or risk assessment.

### ***Ascertaining the facts of the complaint***

In cases that involve statutory agencies, the person carrying out the preliminary investigation and/or risk assessment liaises with the agencies to ensure that the investigation or assessment have no negative impact on the statutory investigation.

The person carrying out the preliminary investigation and/or risk assessment shall do their best to meet with the complainant and the alleged victim individually, in person, to provide them with an explanation of the investigation and/or assessment process. If the complainant and/or the alleged victim are minors, the person carrying out the investigation and/or assessment will interview them only after referring the matter to the Child Protection Directorate and obtaining consent from the parents/legal guardian. If any of the parties involved do not speak English or Maltese, every effort will be made to provide a professional translator to assist in the interview as needed. The complainant and the alleged victim may choose to be accompanied by a person they trust.

The person carrying out the preliminary investigation and/or risk assessment shall collect witness statements and any relevant evidence. This evidence can be collected from various sources, including the complainant, the alleged victim, other witnesses, Church entity leaders, the Church entity where the subject of complaint offers services, the respective Ordinary or immediate superior or employer, statutory entities, and the subject of complaint. If any of these parties do not speak English or Maltese, every effort will be made to provide a professional translator to assist in the interview as needed.

When the person carrying out the preliminary investigation and/or risk assessment interviews the subject of complaint, the latter is entitled to legal representation. The subject of complaint may also choose to be accompanied by another person of trust who would have the specific role of supporting them. The legal representative and any person of trust accompanying the subject of complaint is prohibited from answering questions on behalf of the subject of complaint. The subject of complaint will be directed not to have any contact (written, verbal or otherwise) with the complainant or the alleged victim as well as with their families and friends.

Upon first contact, the complainant, witnesses, and subject of complaint shall be provided with an Information Sheet which adequately explains the procedure which has commenced (see Appendix 6).

The person carrying out the preliminary investigation and/or risk assessment shall at all times throughout the process:

- Abide by the principles of responsibility, accountability, transparency, and integrity
- Comply with the principles of natural justice, canon law, and person-centred practice
- Keep in mind that a preliminary investigation and/or risk assessment delves into an allegation, not the person of the subject of complaint
- Keep all parties informed as deemed suitable
- Not disclose any information to anyone unless there is a most serious and just cause
- Make sure that records, information about actions taken, relevant comments made, and all evidence are kept accurately and securely and are signed where necessary
- Conclude the investigation and/or assessment in a timely manner, keeping in mind that the process is often a challenging and emotionally taxing experience for all involved

### ***Proceeding with a risk assessment***

The person carrying out a risk assessment shall proceed with the assessment even when:

- A complainant withdraws their consent to further investigation, or
- The subject of complaint is no longer occupying a position within the Church.

### ***Conclusion and recommendations***

On completion of the process, the person carrying out the preliminary investigation and/or risk assessment presents to the Ordinary a confidential report that includes clear conclusions and recommendations.

In cases where the Head of Safeguarding is appointed to carry out the investigation and/or assessment, before presenting the report to the Ordinary, the Safeguarding Advisory Board assesses the report and approves or otherwise its conclusions and recommendations. This is to ensure and maintain a high level of responsibility, accountability, transparency, and integrity.

The Ordinary has the right to ask any questions they deem appropriate in relation to the report and may request more information if considered necessary.

Following the presentation of the report, it becomes the responsibility of the Ordinary to:

- Take a decision on the conclusions and recommendations proposed in the report
- Inform the Safeguarding Commission about the decision taken
- Inform the appointed Victim Care and Advisory Officer of the decision so as to inform the alleged victim
- Inform the subject of complaint of the decision
- Supervise the execution of the decision
- Evaluate, in consultation with the Safeguarding Commission, whether any media statements are necessary or prudent.

In cases stipulated by Canon Law, the Ordinary shall refer the case to the Dicastery for the Doctrine of the Faith, or to the competent Dicastery, at the earliest opportunity. Canonical procedures will follow directives of the Holy See.

On conclusion of the risk assessment or preliminary investigation, the records will be kept in the confidential archives of the respective Diocese or Religious Order and of the Safeguarding Commission. All records kept will comply with the applicable data protection legislation. Additionally, a copy of the final report is presented to the President of the Maltese Episcopal Conference. The Maltese Episcopal Conference approves any restriction that is imposed for it to apply throughout the Maltese

Ecclesiastical Province. When a restriction is imposed, the information is also shared with the Safeguarding Commission to ensure that it can fulfil its vetting responsibilities.

### **Extraordinary complaints**

#### **Complaint against an ordinary or a nuncio**

The stipulations of *Vos Estis Lux Mundi* apply whenever an Ordinary or a Nuncio is the subject of a complaint concerning:

- A safeguarding concern; or
- An attempt to cover-up a complaint; or
- An attempt to interfere with an investigation.

Such complaints should be transmitted both to the Holy See and the Metropolitan of the Ecclesiastical Province where the person reported is domiciled.

If the complaint concerns the Metropolitan, or if the Metropolitan See is vacant, it shall be forwarded to the Holy See, as well as to the senior suffragan Bishop.

If the complaint concerns the Nuncio or another Papal legate, it shall be transmitted directly to the Secretariat of State of the Holy See.

#### **Historical or non-recent complaints**

All complaints dealing with historical or non-recent cases will be investigated and/or assessed. In such cases, even though the alleged victim is likely to be an adult and the legal case might be time-barred for a court of law, the Church nonetheless will carry out a preliminary investigation and/or risk assessment on the complaint to ascertain whether there are any minors or vulnerable adults who might presently be at risk of harm. Any legal prescription periods do not apply to safeguarding risk assessments. Even if a case is so time-barred by civil or canon law, the Church will complete a preliminary investigation and/or a risk assessment upon the receipt of the decree from the Ordinary.

#### **Complaints on deceased persons**

When the subject of complaint is deceased, the role of the Church is to listen and accompany alleged victims in their healing process, through the Ordinary and the Victim Care and Advisory Officer.

### **Anonymous complaints**

The Church acknowledges that coming forward to disclose safeguarding concerns can be a difficult step, and it respects the wish of the complainant who prefers to remain anonymous, to the extent permitted by law. The *Vademecum on Certain Points of Procedure in Treating Cases of Sexual Abuse of Minors Committed by Clerics. Version 2*, states that:

'The anonymity of the source should not automatically lead to considering the report as false, especially when it is accompanied by documentation that attests to the likelihood of a delict. Nonetheless, for easily understandable reasons, great caution should be exercised in considering this type of notitia, and anonymous reports certainly should not be encouraged.' (art.11)

Where the complainant, the alleged victim or, in the case of minors, their parent or guardian insist on remaining anonymous, the Ordinary will, in consultation with the Safeguarding Commission, decide on the appropriate course of action, taking into account, among others, the following factors:

- Respect for mandatory reporting laws
- Inviolability of the anonymity of the complainant or alleged victim as far as permitted by law
- Existence of other elements that can corroborate the complaint
- Ethical, moral, and legal obligations to protect minors and/or vulnerable adults from the possibility of future harm.

Without the consent of the alleged victim, their identity shall not be revealed in the report of the preliminary investigation and/or risk assessment or elsewhere.

### **Complaints from doubtful sources**

It is not advisable to automatically dismiss a complaint of a safeguarding concern, even when the credibility of the complainant might at first appear doubtful. This is in line with *Vademecum on Certain Points of Procedure in Treating Cases of Sexual Abuse of Minors Committed by Clerics. Version 2*, which states that:

'Likewise, when a notitia de delicto comes from sources whose credibility might appear at first doubtful, it is not advisable to dismiss the matter a priori.' (art. 12)

### ***Malicious complaints***

When a complaint of a safeguarding concern against Church personnel is found to be malicious:

- No records about the complaint are to be kept by the Safeguarding Commission and the relevant Ordinary, beside a brief note stating that a malicious complaint was made against the said Church personnel; and
- No reference is to be made to the complaint in any request for information or reference.

This is done to preserve the good name of the individual concerned. If during a preliminary investigation and/or risk assessment it emerges that a safeguarding complaint is malicious, the investigation and/or assessment is terminated, and the relevant Ordinary is informed.

The Safeguarding Commission and the relevant Ordinary keep records against a complainant found to have filed a malicious complaint.

Maliciously fabricating false information about someone injures the reputation and good name of that person, harms the common good, and is ethically and morally wrong. Therefore, disciplinary action may be taken against a malicious complainant in accordance with canonical legislation and, where applicable, the Laws of Malta.

If in the meantime, the malicious allegation has become public, appropriate steps will be taken to address and repair damage done to the reputation and good name of the Church personnel involved.

### ***Complaints that fall outside the scope of this policy***

The following complaints are deemed to fall outside the scope of this policy:

- Abuse committed by persons who are not Church personnel. These complaints need to be reported to the Police or the Child Protection Directorate
- Abuse committed by Church personnel not involving minors or vulnerable adults
- Financial misconduct, fraud, or corruption
- Issues between members within Church entities. These complaints are to be tackled by the Church entity leader or the human resources department of the Church entity.

## Addressing failure to comply or cover-up attempts

Failure to report a safeguarding concern, failure to comply or cooperate with any proceedings relating to a preliminary investigation and/or risk assessment, attempts to cover up a safeguarding concern, and/or attempts to silence a complainant or an alleged victim, either by omission, commission, or negligence, goes against the principles and standards of this policy and will be treated with the utmost gravity. Depending on the severity of the action, these situations may be addressed with the same level of seriousness as perpetrating abuse, as emphasised in *Vos Estis Lux Mundi*.

Any Church personnel who fails to report a safeguarding concern, fails to comply or cooperate with any proceedings relating to a preliminary investigation and/or risk assessment, attempts to cover-up a safeguarding concern and/or attempts to silence a complainant or an alleged victim will themselves become subject of a risk assessment authorised by the Ordinary and may be made subject to disciplinary action according to the relevant policies of the Church entity and the relevant canonical legislation. Any lack of collaboration in this subsequent procedure is also noted in the report of the risk assessment.

Any Church personnel becoming aware of any failure to report a safeguarding concern, failure to comply with an investigation and/or risk assessment, attempt to cover up a safeguarding concern and/or attempt to silence a complainant or an alleged victim, is obliged to report this without delay to the Safeguarding Commission or the relevant Ordinary and the statutory authorities where applicable.

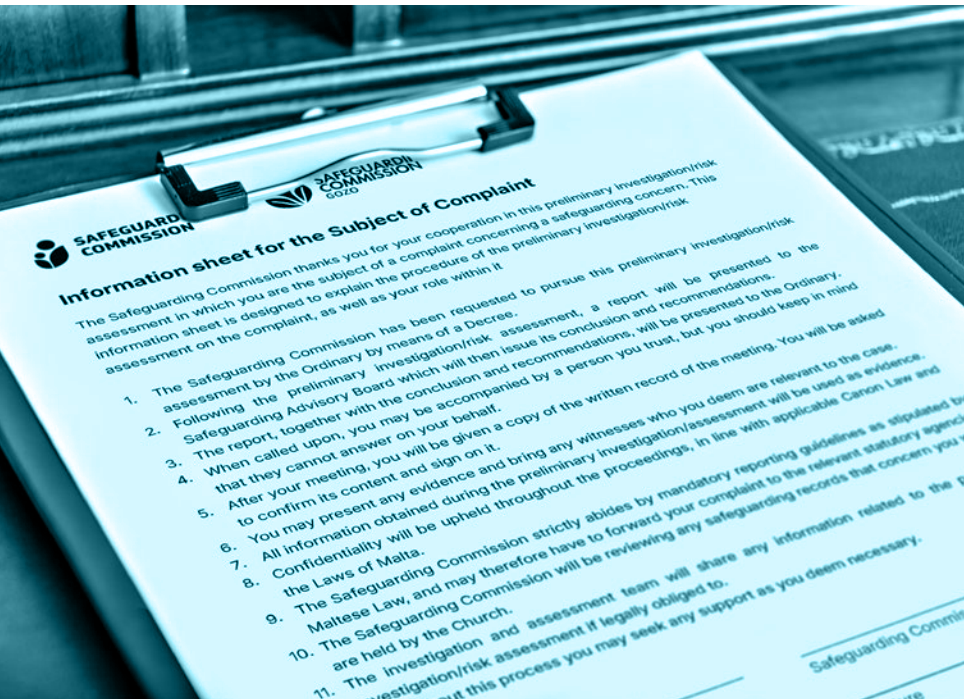
## Addressing retaliation against a complainant or victims

No individual should suffer negative consequences for raising a safeguarding concern in good faith.

Anyone who experiences retaliation or discrimination for raising a genuine safeguarding concern may contact the Safeguarding Commission for support and guidance.

Any Church personnel found to be perpetrating actions that constitute retaliation or discrimination against a complainant or a victim is made subject to disciplinary action according to canonical legislation, and the relevant policies and procedures of the Church entity.

Any Church personnel becoming aware of an attempt of retaliation or discrimination against a complainant or a victim is obliged to report such act to the Safeguarding Commission or the relevant Ordinary and the statutory authorities where applicable.







# The Safeguarding Commission – Structures and Personnel

## The Safeguarding Commission

The Safeguarding Commission is an entity founded by the Maltese Episcopal Conference and the Conference of Major Religious Superiors and is generally responsible for promoting safe environments in the Church.

The Maltese Episcopal Conference and the Conference of Major Religious Superiors allocate a specific fund that finances the running of the Safeguarding Commission.

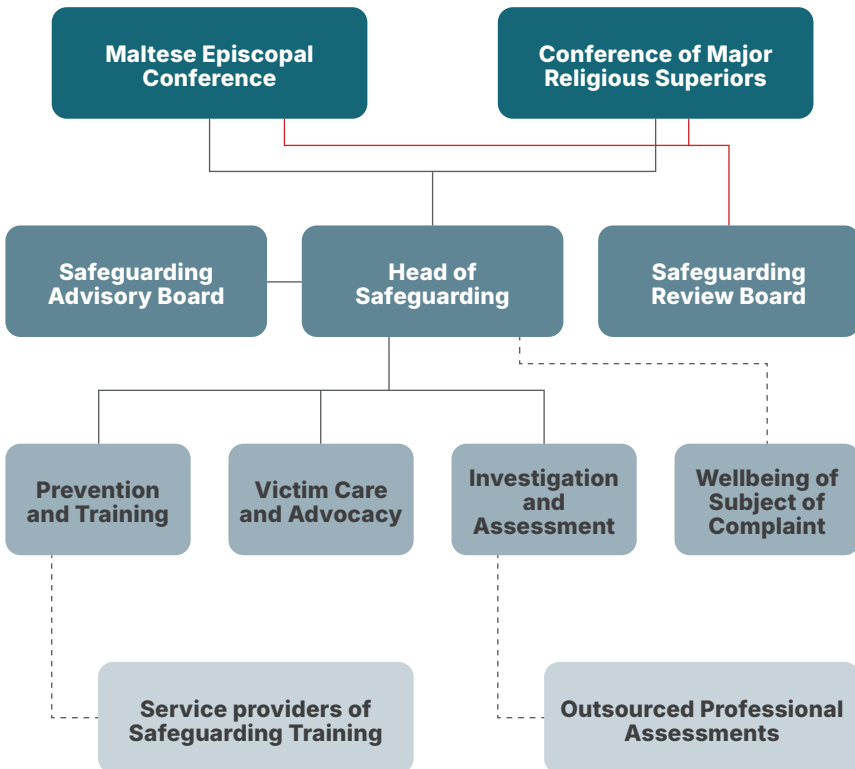
The functions of the Safeguarding Commission are to:

- Advise the Ordinaries on safeguarding matters.
- Develop and review policies and procedures related to safeguarding matters.
- Liaise with Church entity leaders on safeguarding matters
- provide safeguarding prevention training in collaboration with educational entities.
- Conduct research on safeguarding in collaboration with research entities.
- Recommend risk management plans.
- Coordinate audits on Church entities to ensure safeguarding standards.
- Provide oversight and support to Designated Safeguarding Officers.
- Conduct risk assessments and/or preliminary investigations upon request of an Ordinary.
- Review preliminary investigation and/or risk assessment reports upon request of an Ordinary.
- Care and advocate for complainants, victims, and secondary victims.
- Collaborate with the Ordinaries in the care of the wellbeing of subjects of complaint.

- Collaborate with the Police, the Child Protection Directorate, and other statutory agencies.
- Maintain public and media relations with regards to safeguarding matters.

The Safeguarding Commission has three main bodies which operate independently of each other:

- The Safeguarding Advisory Board
- The Head of Safeguarding and the Safeguarding Office
- The Safeguarding Review Board



# The Safeguarding Advisory Board

## **Functions**

The functions of the Safeguarding Advisory Board are to:

- Advise the Head of Safeguarding on matters relating to prevention and training, policy development, victim care and advocacy, and investigation and assessment.
- Advise the Head of Safeguarding on their work and the operations of the Safeguarding Office.
- Discuss the reports of preliminary investigations and risk assessments presented by the Head of Safeguarding, along with the proposed conclusions and recommendations.
- Present to the Head of Safeguarding the final list of conclusions and recommendations that are to be submitted to the Ordinary, along with the supporting rationale. The final conclusions and recommendations must be signed by the members of the Safeguarding Advisory Board.

## **Members**

The Safeguarding Advisory Board is composed of a maximum of seven (7) professionals from different fields, having the appropriate specialised skills, experience, and expertise required to advise the Church on safeguarding minors and vulnerable adults.

The members are appointed to the Safeguarding Advisory Board as follows:

- Two (2) members nominated by the diocesan bishop.
- Two (2) members nominated by the Conference of Major Religious Superiors.
- The remaining members recommended by the Head of Safeguarding and appointed by the diocesan bishop and the Conference of Major Religious Superiors Conference of Major Religious Superiors.

Two thirds of the members must be lay people. When appointing the members, the diocesan bishop and the Conference of Major Religious Superiors will be mindful to have balanced male and female representation.

Every member must have at least eight (8) years of direct work experience with minors or vulnerable adults.

Each member is appointed for a two-year period, which may be renewed. The diocesan bishop and the Conference of Major Religious Superiors shall appoint a lay member of the Board as Chairperson and any other member as Deputy Chairperson. The latter acts when the Chairperson is either absent or is unable to fulfil their duties due to potential conflicts of interest.

Should the need arise, the Board may seek advice from external professionals or specialists regarding any particular situations or cases.

To ensure responsibility, accountability, transparency, and integrity, the Head of Safeguarding, the Safeguarding Officers, and the members of the Safeguarding Review Board cannot be members of the Safeguarding Advisory Board and therefore can neither assume the role of Chairperson or Deputy Chairperson, nor have a vote in the decisions taken by the Safeguarding Advisory Board.

### **Meetings**

The Safeguarding Advisory Board meets on a regular basis, preferably every month and as necessary.

Every meeting requires the following quorum:

- At least 50% of the members of the board + 1 in attendance.
- Attendees include either the Chairperson or the Deputy Chairperson.
- At least 50% of members in attendance are lay members.

The Head of Safeguarding attends all meetings as a non-voting participant. The Head of Safeguarding may choose to be accompanied by any Safeguarding Officer who also attends as a non-voting participant.

A legal advisor of the Safeguarding Commission is invited to every meeting as a non-voting participant.

Whenever a meeting is held, the Chairperson, the Deputy Chairperson, or both, should be present.

Members and other invited participants may attend the meetings virtually via conference call or through other communication equipment approved by the Chairperson.

Members and other invited participants are bound by confidentiality to protect the sensitive nature of the work discussed.

The agenda of every meeting should include:

- General inquiries received by the Safeguarding Commission.
- Preventive work and training.
- Victim care and advocacy interventions.
- Preliminary investigations and risk assessments.
- Collaboration with Ordinaries on the wellbeing of the subjects of complaint.
- Other tasks carried out by the Head of Safeguarding and the Safeguarding Office.

Minutes of every meeting are accurately and securely kept in the archives of the Safeguarding Commission.

When a conclusion and recommendation of a preliminary investigation and/or risk assessment are to be approved, the Safeguarding Advisory Board shall endeavour to obtain the unanimous approval of its members. If this is not possible, a vote will be taken, and a two-thirds ( $\frac{2}{3}$ ) majority will be necessary to confirm the conclusion or recommendation. In this situation, the report should clearly note the dissenting members. In all cases, the Safeguarding Advisory Board's conclusion and recommendation shall be clearly noted, along with the supporting rationale.

## Head of Safeguarding

The Head of Safeguarding is appointed by the diocesan bishop in consultation with the Conference of Major Superiors.

The Head of Safeguarding is responsible for:

- Advising the Ordinaries on safeguarding matters.
- Overseeing and facilitating the planning and work of the Safeguarding Commission within the established parameters of this policy, while liaising and consulting with the Safeguarding Advisory Board and liaising with the Safeguarding Review Board.

- Managing the Safeguarding Office.
- Developing and reviewing policies and procedures related to safeguarding matters.
- Presenting reports of preliminary investigations and/or risk assessments to the Safeguarding Advisory Board for approval or otherwise of the conclusions and the recommendations.
- Presenting to the relevant Ordinaries the reports of the preliminary investigations and/or risk assessments following the approval of the conclusions and the recommendations by the Safeguarding Advisory Board.
- Presenting a quarterly report to the diocesan bishop and the Safeguarding Advisory Board about the work carried out by the Head of Safeguarding and by the Safeguarding Office.
- Compiling and publishing an annual report on the safeguarding operations of the diocese and present it to the Maltese Episcopal Conference and the Conference of Major Religious Superiors.
- Serving as the main link between the Safeguarding Commission and all the relevant stakeholders within the Church in issues related to safeguarding matters.
- Presenting the Statement of Commitment of this policy to newly appointed Ordinaries, for their endorsement and signature.
- Serving as the main link between the Safeguarding Commission and other relevant secular stakeholders (e.g. educational and training entities, other safeguarding entities locally and abroad, civil and legal authorities and statutory agencies, professionals and consultants from different fields) in issues related to safeguarding matters.
- Representing the Safeguarding Commission in official and other events.
- Collaborating with the Ordinaries in the care of the wellbeing of subjects of complaint.
- Maintaining public and media relations and responding to any media inquiries on safeguarding matters.

## Safeguarding Office

The Safeguarding Office is managed by the Head of Safeguarding and comprises three Safeguarding Teams, respectively tasked with:

- Prevention and Training
- Victim Care and Advocacy
- Investigations and Assessments

The Safeguarding Teams are composed of employed Safeguarding Officers who have an educational background in the psychosocial field. All Safeguarding Officers attend continuous professional training related to their work and are bound by confidentiality to protect the sensitive nature of their service.

### *Prevention and Training Safeguarding Team*

The Prevention and Training Safeguarding Team is responsible for:

- Organising and running preventive and training programmes.
- Carrying out vetting and compliance processes.
- Carrying out safeguarding audits of Church entities.
- Administering the online media platforms of the Safeguarding Commission.
- General administrative tasks within the Safeguarding Commission.

### *Victim Care and Advocacy Safeguarding Team*

The Victim Care and Advocacy Safeguarding Team is responsible for:

- Offering a welcoming environment to complainants, alleged victims, and secondary victims.
- Accompanying complainants and alleged victims to the relevant authorities and statutory agencies.
- Providing accompaniment and offering psychosocial support to complainants, alleged victims, and secondary victims throughout the process.
- Referring to relevant services, such as medical and psychological assistance, spiritual support, and support to secondary victims, according to the need or request of the persons involved.
- Offering post-process support to victims and secondary victims.

### ***Investigations and Assessments Safeguarding Team***

The Investigations and Assessments Safeguarding Team is responsible for:

- Holding strategy meetings about complaints and cases that need to be investigated and/or assessed.
- Conducting the investigations and/or assessments on behalf of and in consultation with the Head of Safeguarding.
- Liaising with outsourced experts carrying out professional assessments.
- Liaising with statutory agencies.
- Compiling the investigations and/or assessments reports on behalf of the Head of Safeguarding.

### **The Safeguarding Review Board**

The Safeguarding Review Board is set up by the Maltese Episcopal Conference and the Conference of Major Religious Superiors to operate on an ad hoc basis when and if the relevant Ordinary believes that the facts, procedures, conclusions, and recommendations of a preliminary investigation and/or risk assessment deserve reconsideration before a decision is taken. Referral to the Safeguarding Review Board remains at the discretion of the Ordinary.

#### ***Functions***

Upon the request of an Ordinary, the Safeguarding Review Board:

- Reviews the facts of the case of a preliminary investigation and/or risk assessment, the procedures that were adopted during the investigation and/or assessment, and the conclusions and recommendations that were presented to the Ordinary
- Determines whether to confirm the conclusions and recommendations or whether to amend the same
- Determines whether to suggest further investigations and/or assessments

### ***Members and meetings***

The Safeguarding Review Board is composed of three members, one of whom fulfils the role of Chairperson.

All members are nominated by the diocesan bishop and the Conference of Major Religious Superiors for a two-year period which may be renewed.

All members are bound by confidentiality to protect the sensitive nature of the work discussed.

The Safeguarding Review Board adopts its recommendations by a majority vote. Each member of the Board shall have the right to share their minority opinion with the competent Ordinary requesting the review. All expenses incurred by the work of the Safeguarding Review Board will be borne by the Ordinary requesting the Review.

To ensure responsibility, accountability, transparency, and integrity, the Head of Safeguarding and the Safeguarding Officers and the members of the Safeguarding Advisory Board cannot be members of the Safeguarding Review Board, and therefore cannot assume the role of Chairperson and neither have a vote in the decisions taken by the Safeguarding Review Board.





# Acknowledgements

The safeguarding policies of the Maltese Ecclesiastical Province and the Conference of Major Religious Superiors have been published following consultation meetings with relevant stakeholders. Below is a list of stakeholders we would like to acknowledge:

We thank the victims and survivors who showed a lot of strength and courage to speak up about safeguarding concerns. Their feedback, experience and contribution has made this document more relevant to the people the Church is called to serve and protect.

The former and current Ordinaries within the Maltese Ecclesiastical Province and the Conference of Major Religious Superiors.

Former Head of Safeguarding Mr Andrew Azzopardi and current Head of Safeguarding Mr Mark Pellicano of the Safeguarding Commission in Malta.

Members of the Safeguarding Advisory Board of the Safeguarding Commission in Malta (current and former): Dr Natalie Kenely, Dr Roberta Attard, Rev Antoine Farrugia SDB, Dr Mariella Mangion, Dr Joe Cassar, Rev Dr Michael Farrugia O.Carm, Dr Kevin Borg, Rev Joseph Farrugia and Dr Clarissa Sammut Scerri and Dr Nicole Vella who is the legal assistant of the Board.

Safeguarding Office of the Safeguarding Commission in Malta (current and former): Ms Carly Zarb, Mr Brandel Scicluna, Ms Kimberly Rega, Ms Mary Rose Gatt, Mr Andrew Fiorini Lowell, Ms Fiona Cauchi, Rev Bernard Malasi (student) and Rev Mark Scicluna (OFM CAP).

Members of the Safeguarding Review Board of the Safeguarding Commission in Malta: Prof. Nadia Delicata, Prof. Maureen Cole and Rev Dr Kevin Schembri.

Current Head of Safeguarding in Gozo Ms Lorraine Borg

Members of the Safeguarding Advisory Board of the Safeguarding Commission in Gozo: Dr Michael Galea, Ms Pauline Grech, Dr Simon Mifsud, Dr Chantelle Azzopardi, Ms Marie-Claude Xerri and Dr Stanley Portelli who is the legal assistant of the Board.

Safeguarding Office of the Safeguarding Commission in Gozo: Mr Noel Cini Pisani, Ms Francine Farrugia Magrin, Dr Marlene Cauchi, Rev Alexander Refalo and Rev John Vella.

**Statutory entities consulted:** Child Protection Directorate, Social Care Standards Authority, The Office of the Commissioner for Minors, The Office of the Commissioner for Mental Health and Vice Squad, Malta Police Force.

**Church entities consulted:** Malta and Gozo parish priests, the Ecclesiastical Tribunals, Safeguarding Commission Malta, Safeguarding Commission Gozo, Catholic Schools, Caritas Malta, Church Homes for the Elderly, Church Schools Association, Dar Frate Jacoba, Dar Hosea, Dar Merħba Bik, Dar Santa Tereža, Dar Sant'Anna, Dar Tal-Providenza, Fondazzjoni Sebħ, Jeanne Antide Foundation, Paulo Freire Institute Foundation, Salesians of Don Bosco, Secretariat for Catholic Education, Segretarjat Assistenza Soċjali, Youth Fellowship, MUSEUM, Diaconia, Malta Catholic Youth Network, St Joseph Home Santa Venera, St Joseph Home Ħaż-Żabbar, St Patrick's Salesian School, and the Ursuline Sisters.

## Public resources consulted:

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National Society for the Prevention of Cruelty to Children (NSPCC) (2019). NSPCC safeguarding and child protection standards for the voluntary and community sector: Minors, young people and young adults aged 0-18 (UK). London: Author.

Pontifical Commission for the Protection of Minors (2016). Guidelines Template.

Scottish Bishops' Conference. (2022) In God's Image: Instruction on Safeguarding in the Catholic Church in Scotland [PDF document]. Retrieved June 10, 2024, from <https://www.bcos.org.uk/Safeguarding#InGodsImage>

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The Holy See. (2023, March 25). Vos Estis Lux Mundi [Papal motu proprio]. [Website of the Holy See]. [https://www.vatican.va/content/francesco/en/motu\\_proprio/documents/papa-francesco-motu-proprio-20190507\\_vos-estis-lux-mundi.html](https://www.vatican.va/content/francesco/en/motu_proprio/documents/papa-francesco-motu-proprio-20190507_vos-estis-lux-mundi.html) United Nations Secretary-General. (2003). Special measures for PSEA [Bulletin]. [Website of the United Nations]

## **Legislation**

The Code of Canon Law

The Code of Canons of the Eastern Churches

The Laws of Malta





# Appendices

Appendix 1	Church Personnel Self-Declaration and Commitment Declaration
Appendix 2	Safeguarding Clearance Certificate A
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# Appendix 1: Church Personnel Self-Declaration and Commitment Declaration

## Church Personnel Self-Declaration and Commitment Declaration

Name		Surname	
Date of birth		Passport No.	
Citizenship		Mobile No.	
Current Address			

Kindly answer all the questions below

1. Have you ever been known to any government department, social services, the police, or any other organisation as being a risk or potential risk to minors or vulnerable adults? <i>(If yes, please provide further information below)</i>	YES / NO
2. Have you ever been the subject of any disciplinary investigation and/or sanction by any organisation due to concerns about your behaviour towards minors or vulnerable adults? <i>(If yes, please provide further information below)</i>	YES / NO
3. Are you currently subject to any criminal investigations or pending prosecutions by the police in any country which may have a bearing on your suitability for this position? <i>(If yes, please provide further information below)</i>	YES / NO
4. Have you been the subject of any formal action, disciplinary investigation and/or sanction by any organisation due to concerns about your behaviour towards minors or vulnerable adults? <i>(If yes, please provide further information below)</i>	YES / NO
5. Have you ever been dismissed for misconduct from any employment, volunteering, or other position previously held by yourself, in circumstances which may have bearing on your suitability for this position? <i>(If yes, please provide further information below)</i>	YES / NO

**Confirmation of Self-Declaration** *(tick box below)*

- I agree that the information provided here may be processed in connection with recruitment purposes and I understand that an offer of employment or volunteering may be withdrawn, or dismissal may result, if information is not disclosed by myself, and subsequently comes to the organisation's attention.
- I agree to inform the organisation within 24 hours if I am subsequently investigated by any agency or organisation in relation to concerns about my behaviour towards minors, young people, or vulnerable adults.

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Name and Surname

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ID Card Number

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Signature

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Date

## Appendix 2: Safeguarding Clearance Certificate A

## Safeguarding Clearance Certificate A

This certificate confirms that the Church entity has:

- checked the name of the individual against the Protection of Minors (Registration) Act (POMA Register), Chapter 518 of the Laws of Malta
- verified with the Safeguarding Commission that the individual has no restrictions in pastoral ministry within the Church
- requested and seen the individual's Police Conduct Certificate
- seen two (2) letters of reference concerning the individual
- collected the individual's Church Personnel Self-Declaration and Commitment Declaration form.
- informed the individual of the requirement to attend mandatory safeguarding training within the first year of engagement

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Name and Surname of the individual  
providing service within the Church entity

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ID Card Number of the individual  
providing service within the Church entity

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Role of the individual providing service  
within the Church entity

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Church Entity where the individual  
is providing service

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Signature of the Designated Safeguarding  
Officer of the Church entity

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Date

## Appendix 3: Safeguarding Clearance Certificate B

## Safeguarding Clearance Certificate B

This certificate confirms that the hosting or respective Ordinary has presented to the Safeguarding Commission the following documents about the clerics or religious visiting Malta or Gozo for a maximum period of three (3) months:

- A Statement of Suitability from the home diocese or religious community of the individual
- A Church Personnel Self-Declaration and Commitment Declaration form signed by the individual
- A recent (issued no longer than six (6) months prior) Police Conduct Certificate of the individual, or any other equivalent vetting requirement in their home country

This certificate **does not** give permission to the cleric or religious to exercise public ministry. To exercise public ministry in Malta or Gozo, the visiting member of the cleric or religious must also apply for a temporary permission for the exercise of public ministry through the respective diocesan curia. The diocesan office will verify with the Safeguarding Commission that the individual has no restrictions in pastoral ministry within the Church.

The Archdiocese of Malta and the Diocese of Gozo will inform each other of the permissions granted.

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Name and Surname of the individual  
providing service within the Church entity

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ID Card Number of the individual  
providing service within the Church entity

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Role of the individual providing service  
within the Church entity

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Church Entity where the individual  
is providing service

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Signature of the Designated Safeguarding  
Officer of the Church entity

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Date

# Appendix 4: Church Entity Commitment Statement

## Church Entity Commitment Statement

This Church entity:

- Commits to the Safeguarding Policy (2024) issued by the Maltese Episcopal Conference and the Conference of Major Religious Superiors
- Affirms that every individual has the right to live, develop, and flourish without being subjected to abuse or exploitation
- Safeguards minors and vulnerable adults, establishes a safe space and atmosphere for everyone, and addresses any safeguarding concerns promptly and professionally
- Reflects the responsibility, accountability, transparency, and integrity required when working with minors and vulnerable adults
- Binds all Church personnel engaged in its work, whether they are employed or volunteers to the Safeguarding Policy (2024)
- Reports all concerns about the wellbeing of minors and/or vulnerable adults to the Police or the Child Protection Directorate within the Foundation for Social Welfare Services as applicable
- Contacts the Church's Safeguarding Commission or the relevant Ordinary if concerns about the wellbeing of minors and/or vulnerable adults involve a Church entity or Church personnel

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Name of Church entity

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Name of the Church entity leader

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Date

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ID Card Number of the individual  
Church entity leader



# Appendix 5: Profile of Religious or Clergy

## Profile of religious or clergy

(to be completed by the visiting religious or clergy)

Name and Surname	
Passport Number	
Date of birth	
Place of birth	
Citizenship	
Date of Ordination	
Diocese or Religious Order	
Current residence	
Present pastoral role	
Mobile number	
Email address	

### In case of emergency who should we contact?

Name and Surname	
Relationship	
Telephone number	
Email	

**Self-Declaration**

(to be completed by the visiting religious or clergy)

Have you ever been known to any government department as being a risk or potential risk to children or vulnerable adults? <i>(if Yes, please provide further information below)</i>	YES / NO
Have you been the subject of any disciplinary investigation and/or sanction by any organisation due to concerns about your behaviour towards minors or vulnerable adults? <i>(if Yes, please provide further information below)</i>	YES / NO

**Confirmation of Declaration**

*(tick box below)*

- I agree that the information provided here may be processed in connection with recruitment purposes and I understand that an offer of employment may be withdrawn or dismissal may result if information is not disclosed by me and subsequently come to the organisation's attention.
- I agree to inform the organisation within 24 hours if I am subsequently investigated by any agency or organisation in relation to concerns about my behaviour towards minors or vulnerable adults.

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Signature

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Date



# Appendix 6: Statement of Suitability

## Statement of Suitability

This is to certify that \_\_\_\_\_, a priest / deacon incardinated in the Arch/Diocese of \_\_\_\_\_, OR a priest / religious belonging to the \_\_\_\_\_ Religious Order is a person in good standing in our Diocese or Religious Order. S/he is of good character and reputation to perform pastoral duties with the people of God.

### To the best of my knowledge:

- S/he has never been restricted from ministry or otherwise canonically disciplined
- S/he does not labour under any canonical impediments
- S/he is not suspected or convicted by any organisation, ecclesial or civil authorities in any State, is not being investigated and has never had criminal charges brought against him on matters related to crime, safeguarding of minors or vulnerable adults, financial diligence, or any offence which might hinder her/his suitability
- Her/His background or past does not render him unsuitable for the public exercise of priestly ministry
- S/he does not have or has not had any concerns of alcohol, substance abuse, or other causes
- S/he has no other mental or physical attributes, conditions and/or past situations which would adversely affect his performance or public ministry
- S/he has not had any allegations of sexual abuse or impropriety made in her/his regard

### Purpose of visit to Malta and Gozo *(Please tick where relevant):*

- To Celebrate / Concelebrate mass
- To give a talk
- To conduct or attend training
- To conduct or attend a Spiritual retreat
- To conduct / attend a seminar / workshop
- To study in Malta
- Student placement

Other (please give details): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Duration of Visit / Appointment: \_\_\_\_\_

Location / Parish of Visit / Appointment: \_\_\_\_\_

\_\_\_\_\_  
Name (Arch/Bishop, Religious Superior or Delegate)

\_\_\_\_\_  
Name (Arch) Diocese or Religious Order

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Official Stamp**

## Appendix 7: Information Sheets

## Information sheet for the Complainant

Thank you for entrusting the Safeguarding Commission with your safeguarding concern. This information sheet is designed to explain the procedure which will carry a preliminary investigation/ risk assessment on your complaint, as well as your rights throughout this process.

1. The Safeguarding Commission will be/has been requested to pursue this preliminary investigation/ risk assessment by the Ordinary by means of a Decree.
2. Following the preliminary investigation/risk assessment, a report will be presented to the Safeguarding Advisory Board which will then issue its conclusion and recommendations.
3. The report, together with the conclusion and recommendations, will be presented to the Ordinary.
4. When called upon, you may be accompanied by a person you trust, but you should keep in mind that they cannot answer on your behalf.
5. After your meeting, you will be given a copy of the written record of the meeting. You will be asked to confirm its content and sign on it.
6. You may present any evidence and bring any witnesses who you deem are relevant to the case.
7. All information obtained during the preliminary investigation/risk assessment will be used as evidence.
8. Confidentiality will be upheld throughout the proceedings, in line with applicable Canon Law and the Laws of Malta.
9. The Safeguarding Commission strictly abides by mandatory reporting guidelines as stipulated by Maltese Law, and may therefore have to forward your complaint to the relevant statutory agencies.
10. The Safeguarding Commission will be reviewing any safeguarding records that concern you which are held by the Church.
11. The investigation and assessment team will share any information related to the preliminary investigation/risk assessment if legally obliged to.
12. Throughout this process you may seek any support as you deem necessary.

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Complainant

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Safeguarding Commission

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Signature

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Signature

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ID Card No.

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Date

## Information sheet for the Witness

The Safeguarding Commission thanks you for your willingness to participate in this preliminary investigation/ risk assessment. This information sheet is designed to explain the procedure of the preliminary investigation/ risk assessment on the complaint, as well as your role within it.

1. The Safeguarding Commission has been requested to pursue this preliminary investigation/risk assessment by the Ordinary by means of a Decree.
2. Following the preliminary investigation/risk assessment, a report will be presented to the Safeguarding Advisory Board which will then issue its conclusion and recommendations.
3. The report, together with the conclusion and recommendations, will be presented to the Ordinary.
4. When called upon, you may be accompanied by a person you trust, but you should keep in mind that they cannot answer on your behalf.
5. After your meeting, you will be given a copy of the written record of the meeting. You will be asked to confirm its content and sign on it.
6. All information obtained during the preliminary investigation/risk assessment will be used as evidence.
7. Confidentiality will be upheld throughout the proceedings, in line with applicable Canon Law and the Laws of Malta.
8. The Safeguarding Commission strictly abides by mandatory reporting guidelines as stipulated by Maltese Law, and may therefore have to forward your complaint to the relevant statutory agencies.
9. The investigation and assessment team will share any information related to the preliminary investigation/risk assessment if legally obliged to.

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Witness

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Safeguarding Commission

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Signature

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Signature

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ID Card No.

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Date

## Information sheet for the Subject of Complaint

The Safeguarding Commission thanks you for your willingness to participate in this preliminary investigation/risk assessment. This information sheet is designed to explain the procedure of the preliminary investigation/risk assessment on the complaint, as well as your role within it.

1. The Safeguarding Commission has been requested to pursue this preliminary investigation/risk assessment by the Ordinary by means of a Decree.
2. Following the preliminary investigation/risk assessment, a report will be presented to the Safeguarding Advisory Board which will then issue its conclusion and recommendations.
3. The report, together with the conclusion and recommendations, will be presented to the Ordinary.
4. When called upon, you may be accompanied by a person you trust, but you should keep in mind that they cannot answer on your behalf.
5. After your meeting, you will be given a copy of the written record of the meeting. You will be asked to confirm its content and sign on it.
6. You may present any evidence and bring any witnesses who you deem are relevant to the case.
7. All information obtained during the preliminary investigation/assessment will be used as evidence.
8. Confidentiality will be upheld throughout the proceedings, in line with applicable Canon Law and the Laws of Malta.
9. The Safeguarding Commission strictly abides by mandatory reporting guidelines as stipulated by Maltese Law, and may therefore have to forward your complaint to the relevant statutory agencies.
10. The Safeguarding Commission will be reviewing any safeguarding records that concern you which are held by the Church.
11. The investigation and assessment team will share any information related to the preliminary investigation/risk assessment if legally obliged to.
12. Throughout this process you may seek any support as you deem necessary.

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Subject of Complaint

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Safeguarding Commission

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Signature

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Signature

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ID Card No.

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Date















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