

Protocol on making inquiries about the antecedents in the matter of sexual abuse by applicants

for a position or apprenticeship whereby the Ecclesiastical Superior is the person who appoints or sends.

The diocesan Bishops and the Military Ordinary, in virtue of their responsibility as specified in canon 381 Code of Canon Law 1983 and the Major Superiors of Religious Institutes and of Societies of Apostolic Life of the Roman Catholic Ecclesiastical Province in The Netherlands, in virtue also of their responsibility as specified in canons 596 and 622 Code of Canon Law 1983, and hereafter referred to as 'Ecclesiastical Superior':

considering

- that the confidence in the integrity of those working in ecclesiastical functions, must be maintained at all costs;
- that it is, therefore, most important that, prior to an appointment, the way applicants performed in previous functions or apprenticeships of a similar nature, be carefully examined;
- that the object of such inquiry should especially concern behaviour which can be regarded as sexual abuse;
- that such behaviour is particularly harmful and may lead to a legal liability of the ecclesiastical superior;
- that, more than anything else, it must be prevented that individuals and the church community as a whole be once again harmed by someone who has been found guilty of sexual abuse before;

draw up the following Protocol:

1. All applicants¹ for a position or apprenticeship, whereby the Ecclesiastical Superior is the person who appoints or sends, who, at that particular moment, are or have been active in such position or apprenticeship, having been nominated or sent by another Ecclesiastical Superior, will be asked for a declaration from this Ecclesiastical Superior wherein explicit mention is made about whether or not there has been a question of sexual abuse in the period that the applicant was active within an Ecclesiastical Body.
2. For that purpose, use will be made of a common form which will be given to the applicant. He will be requested to have this form filled up by the last Ecclesiastical Superior by whom the applicant was employed. The applicant will then hand the form to the Ecclesiastical Superior to whom he has applied.
3. The Bishops and the Major Superiors commit themselves to fill up the form objectively.
4. The applicant has access to the completed form and is given the opportunity to express his views on it to the Ecclesiastical Superior to whom he / she reported as an applicant.
5. An applicant will not be appointed:
 - a. if he / she has not complied with the request outlined under article 2;
 - b. if the Ecclesiastical Superior to whom the applicant has reported, has to qualify

¹ In this Protocol the word 'applicant' includes: priests, deacons, religious, pastoral workers (male/female), trainees, who, under the responsibility of the Bishop or Military Ordinary, prepare themselves for a service or function in pastoral work. Also included are the other professional workers in the Church who, by virtue of the Ecclesiastical Superior, are co-responsible for the realization of purposes the Church has.

him / her as not again eligible on account of the information obtained from the form.

6. An applicant may be appointed 'conditionally' if the information on the form qualifies him / her as 'once more eligible, but 'on condition that ...'. These conditions are put down in writing and relate to an obligatory treatment or supervision of the applicant and / or a restriction to a particular function. The duration of the conditionality is also set as well as the person(s) who may be informed of the conditionality.
7. In the event of 'once again eligible, but on condition that ' the applicant – with a view to an appointment - will have to agree to hand over all relevant information from his personal file. Without that approval, no appointment will follow.
8. This Protocol will be published in the appropriate manner so that all concerned will be acquainted with it.
9. The form mentioned in article 2 is attached to this Protocol as appendix.

Thus laid down on May 15th, 2012 by the diocesan Bishops of The Netherlands,
on their behalf,

+ Willem Jacobus Cardinal Eijk
(Chairman of the Dutch Bishop's Conference)

Drs. V.G.P.J.M. Schoenmakers
(Substitute Secretary General of the Dutch Bishops' Conference)

And on May 30rd, 2012 by the Superiors of the Religious Institutes / Societies of Apostolic Life in
The Netherlands, on their behalf,

Br. Drs. C.J.H.M. van Dam c.s.a.
(Chairman Conference of Religious in The Netherlands)

Prof. Mr. Dr. P.J.E. Chatelion Counet
(Secretary of the Conference of Religious in The Netherlands)