

The Society of Jesus
Malaysia-Singapore Region



Professional Standards Protocol

*Guidelines for Caring and Serving
to Promote a Consistent Culture of Protection*

Contents

Introduction	3
Safeguarding Commitment	4
Part One: Scope of the Protocol	4
Part Two: Principles in Dealing with Complaints of Sexual Abuse or Misconduct	6
Nature of Complaint	6
The Response of the Church	6
Part Three: Procedures in Handling Such Complaints	7
Preliminary Investigation and Report	7
Special Steps for Handling Cases of Child Abuse	8
Conclusion	10
Appendix 1: Definitions	11
Appendix 2: Complaint Form Pursuant to the Professional Standards Protocol:	14
Incident Report / Complaint Form	14

Introduction

In any institution, there is always a need to ensure that measures are in place to protect the lives of those for whom the church and religious orders have special care and responsibility. Hence, the *Professional Standards Protocol (PSP)* is drawn up to provide for ourselves a guideline that complements the *MAS Code of Conduct* for all those involved in the caring and serving ministries of the Society in the church, ministries and communities.

Fr. General Arturo Sosa, SJ wrote a letter to the whole Society of Jesus on 13th May 2021 *one the implementation minimum standards of safeguarding in the Society of Jesus during the Ignatian Year (2021)*. In the letter, Fr. General expresses the commitment “*to help eliminate abuses inside and outside the Church*” and “*effectively promote a culture that safeguards all vulnerable persons, especially minors*” which are closely related to the second Universal Apostolic Preferences of GC36. In line with this commitment, the MAS Safeguarding Office (MSO) has updated the *MAS Professional Boundaries* (5 November 2012) to the *MAS Professional Standards Protocol: Guidelines for Caring and Serving to Promote Consistent Culture of Protection*.

Precisely because of the trust and confidence placed in us by the faithful in the church and religious orders, it is incumbent upon us that we maintain our professionalism and practice with full dedication, diligence and competence as Christ would expect of us. In other words, we must cultivate a strong personal maturity and psycho-spiritual-sexual integration; observe professional boundaries and be persons of integrity, honour and responsibility. Above all, we must be the persons of prayer, deeply connected in our spirituality based on a personal love of Jesus as the one Master and Lord whom we follow, serve and obey with gratitude and fidelity. In other words, the vows of Poverty, Obedience and Chastity must ground us in our relationship with others so that others can trust us and that we can be a source of edification and bring glory and honour to God.

Where we fall short of the demands made on us because of psychological, emotional, social and personal weaknesses and neglect, we must with all humility seek help where it is available, such as: in profession counselling and therapy; on-going spiritual direction; community support, personal reception of the sacrament of reconciliation and on-going formation for personal and professional growth. All these means are needed and must be a part of the formation process to ensure that those called to the religious life are able to become fully mature human persons with the capacity for interior freedom, healthy relationships without anxieties and stress in dealing with both men and women in their daily ministries.

We entrust all that we are and do to the mercy and love of God so that as pilgrims on earth, we can practice full accountability and transparency in our personal and professional lives. Indeed, we must be seen as responsible stewards who can say that we are only humble servants doing our duties with the utmost love and devotion for Christ our Lord so that his Kingdom may reign among us. May the Blessed Virgin Mary, the Mother of the Society of Jesus and Our Lady of the Way guide our life-mission for the greater glory of her Son, Jesus Christ, our Lord and life-companion.

Safeguarding Commitment

The Jesuits and Partners-in-Mission of the Society of Jesus in the Malaysia-Singapore (MAS) Region are committed to promote and support the consistent culture of protection and well-being of vulnerable persons, including children and young persons.

The MAS Region is fully committed to promote, prevent, and strengthen a safe environment and culture within the Jesuit communities and apostolate works/ministries by living out the **MAS Code of Conduct** and the **Professional Standards** protocol and practices to protect minors and vulnerable persons.

Any concerns or violations of the **Professional Standards** and the **MAS Code of Conduct**, especially abuse towards minor and vulnerable persons, should be reported to the MAS Safeguarding Office (MSO): mas-safeguarding@Jesuits.net.¹

Part One: Scope of the Protocol

1. This professional standards protocol outlines the procedures to be undertaken in dealing with complaints, involving allegations of:

- a. (Sexual) abuse by any Jesuits or other persons who are employed or who are volunteers involved in Jesuit-related ministries; or
- b. Any conduct of a sexual nature that amounts to a criminal offence, in accordance with local laws.

2. The MAS region, regardless of their role or level of responsibility, is committed to safeguard minors and vulnerable persons and promote a consistent culture of protection by:

- Upholding the *United Nations Convention on the Rights of the Child*;
- Adopting the practices and behaviour we have set as our standard when carrying out their roles (e.g. the *MAS Code of Conduct*, the PCCP best practices);
- Keeping in mind of the “*Tripod of Relational Safety Model*”² that *safeguarding* assumes a ‘*safe self*’ lived out in a ‘*safe community*’ towards a ‘*safe ministry*’ in the service of the people of God;
- The *Victim-First Approach* by listening, supporting and accompanying the victims in the best possible ways;
- The MAS Safeguarding Office and the Investigation Committee have a strict obligation to observe confidentiality and data protection of all reports and matters that they handle. Actual breaches of confidentiality will be subject to investigation and disciplinary procedure.
- Cooperating with the mandatory reporting as required by both civil and ecclesiastical laws of the countries to promote and safeguard a culture of protection in the works of the Society.

¹ See: <https://mas-jesuits.org/about-us/consistent-culture-of-protection/>

² As promoted by *The Catholic Safeguarding Institute* of Emmaus Center (https://twitter.com/uig_superiors/status/1333772068131721220).

- The MAS Delegate for Safeguarding working closely with the Major Superior will review this policy after a period of three (3) years unless there are major changes in the civil or ecclesiastical laws in which case the review may be done earlier.

3. The updated Norms *Vos Estis Lux Mundi* (2023) apply to reports regarding *clerics or members of Institutes of Consecrated Life or Societies of Apostolic Life & Moderators of international associations of the faithful recognised or erected by the Apostolic See* [VELM23, 3]. This includes reports regarding:

- Delicts against the sixth commandment of the Decalogue committed through violence or threat or through abuse of authority, or by forcing someone to perform or submit to sexual acts.
- Delicts against the sixth commandment of the Decalogue committed with a minor or with a person who habitually has imperfect use of reason or with a vulnerable adult.
- The immoral acquisition, possession, exhibition or distribution of pornographic images of minors or persons with impaired reasoning.
- The recruitment or inducement of a minor, person with impaired reasoning, or vulnerable adult to participate in pornographic acts.
- Conduct intended to interfere with or avoid civil or canonical investigations relation to the above [VELM23, 4].

Note: the updated VELM23 expands on the previous version by providing greater clarity on the scope of application, reporting procedures, definitions, and the handling of investigations, particularly for Bishops and their equivalents, as well as the rights and obligations of all persons involved [1, 3, 5, 6, 13, 17, 22]. The aim is to ensure a more effective and just process in addressing these matters within the Church [30].

Part Two: Principles in Dealing with Complaints of Sexual Abuse or Misconduct

Nature of Complaint

3. Clergy, religious and leaders are in a special position of trust and authority in relation to those who are in their pastoral care. Any attempt to sexualize a pastoral relationship is a breach of trust, an abuse of authority and professional misconduct. To sexualize a pastoral relationship may take the form not only of sexual relations, but also harassment, molestation, and any other conduct of abuse which is inconsistent with the integrity of a pastoral relationship. Compliance by the other person does not necessarily imply meaningful consent. Even when the other person concerned is the one who seeks to sexualize the relationship; it is the professional responsibility of the Jesuit and leaders in power/authority to safeguard the boundary against sexual contact and abuse.

4. Sexual abuse by the clergy or religious in their pastoral care may be subject to the provisions of civil or criminal law. This kind of abuse also constitutes *the delict* that includes 'every external offence against the sixth commandment of the Decalogue committed by a cleric with a minor.'³ However, even when there are no grounds for legal action, serious harm can be caused, including damage to a person faith and trust in God.

The Response of the Church

5. *The Victim First Approach* will ensure the hearing of the complaints and discussion with the MAS Regional Superior. In dealing with the abovementioned complaints, the MAS Safeguarding Office and the Jesuit community makes a firm commitment to strive for the following in particular: truth, humility, healing for the victims, assistance to other persons affected (secondary victims), a just and fair response to those who are accused.

The basic update from [the Vatican](#) amid the Clerical Sexual Abuse can be found on the following documents:

- a. Apostolic Letter (*Motu Proprio*) *Vos Estis Lux Mundi* (25 March 2023) – [VELM23]
- b. *Vademecum* on certain points of procedure in treating cases of sexual abuse of minors committed by clerics (5 June 2022) Ver. 2.0
- c. Norms on delicts reserved to the Congregation for the Doctrine of the Faith (11 October 2021) [particularly art.6].
- d. Apostolic Letter (*Motu Proprio*) *Vos Estis Lux Mundi* (7 May 2019)
- e. Apostolic Letter (*Motu Proprio*) *As a Loving Mother* (4 June 2016)
- f. The norms of the *Motu Proprio Sacramentorum sanctitatis tutela* (2001; with the first revision 21 May 2010 on the norms on *delicta graviora*).

³ Cf. canon 1398 §1, 1° CIC; art. 6, 1°SST.

Part Three: Procedures in Handling Such Complaints

Preliminary Investigation and Report

1. When the MAS Safeguarding Office (MSO) receives complaints regarding sexual misconduct (whether the offense was committed against a vulnerable adult or against a minor) involving a member of the Region or a Partner-on-Mission, the Delegate of MSO should inform the Regional Superior. **The Regional Superior** then decides on the formation of **an Investigating Committee (IC)** to oversee the complaint.

2. Complaints received from **an anonymous source** (namely, from unidentified or unidentifiable persons) should not be automatically considered false, especially when it is accompanied by documentation that attests the complains. But, great caution should be exercised in considering this type of complaints and anonymous reports certainly should not be encouraged. The Regional Superior and/or the Delegate with the help of the local superior will check on the complaints and identify the source of the anonymous reports.

3. If the complaints come from sources whose credibility might appear at first doubtful (lack of details such as name, date and time), it is not advisable to dismiss the matter *a priori*.⁴ Even if vague and unclear, the complaints should be appropriately assessed and, if reasonably possible, given all due attention.

4. It is important that the feelings of the victim(s) must be respected, who often feel insecure, so they have to keep their identity secret.⁵ On the other hand, hasty actions which can be detrimental to the reported party must be avoided.

5. **Listening and Responding to the complainant:**

Practicing good will and the principle of presumption of innocence, the IC will listen to the complainant and will receive the information submitted. The IC should strive to meet with the possible victims of sexual misconduct.

6. Provision of information from the complainant:

The IC should strive to ensure that the complainant is able to freely provide information. The IC also needs to ascertain that the information provided by the complainant is properly understood as intended by the complainant. The IC also should explain the referral procedure and offer support should the complainant need it with the consultation and approval from the Regional Superior.

7. Ensure that there is **a written report:**

If it has not been done, the IC should request the complainant to put the complaint in writing. If the complainant is unable or unwilling to provide the complaint in writing, the IC or another person appointed by the IC can assist the complainant in formulating the complaint in writing. The written complaint requires approval (signature) from the complainant that the complaint is in accordance with what was intended by the complainant. (See Appendix 2 for the sample complaint form)

The complaint must be detailed enough to contain factual matters (place and time of the violation, form of violation, witnesses if any) so that the accused can understand. The

⁴ *Vademecum*. On Certain Points of Procedure in Treating Cases of Sexual Abuse of Minors Committed by Cleric, 5 June 2022, ## 10, 11, 12, 13.

⁵ This is in line with the *Victim First Approach* for confidentiality with protection towards the victim(s).

complaint needs to include also clear contact information, although it remains confidential. The IC can seek additional information from other relevant party if the complaint is deemed insufficient.

8. Notification to (and Interview with) the Accused:

After the information in the complaint is deemed sufficient, the IC must immediately notify the accused that a complaint has been filed against the accused. The IC will listen to the response from the accused regarding the complaint. If the accused rejects all or part of the facts alleged in complaint, the IC must continue the investigation to obtain the objectivity of the report. The report will then be submitted to the Regional Superior. If deemed necessary, the Regional Superior may request assistance from external parties (e.g. assessors with appropriate professional backgrounds) to meet with the complainant (and the victim) and the accused, either separately or bringing together the two parties if deemed necessary and appropriate. If the alleged facts are denied by the accused and there is no way to meet the victim, the process can be temporarily suspended until new information or data is available.

9. Ensuring the truth of the case:

The IC must consult with related or competent parties to ensure the truth of the case before reporting it to the related parties. If necessary, the IC after consultation with the Major Superior is required to provide information to the Local Superiors and to the Superior of Work while maintaining confidentiality.

10. Temporary measures:

Considering the gravity of the alleged case, the condition of the complainant or the alleged victim, and the public scrutiny, the Regional Superior can temporarily release the accused from his duties. This action does not automatically mean an admission that the Jesuit or the leader is guilty.

11. Maintain confidentiality and respect anonymity: The IC will ensure to all parties that the information that has been obtained will be kept confidential to protect everyone involved. The data obtained can only be used wisely for proper investigations and to comply with applicable laws

12. Providing assistance to complainants (victims) and accused: The IC should offer assistance according to the situation, for example physical and psychological health checks and spiritual assistance during the examination process.

13. Preparation of reports:

The IC must prepare a report to be submitted to the Regional Superior with due observance of objectivity, thoroughness, fairness and respect for all parties involved.

14. Completion of investigation:

After completing the investigation and preparing their considerations, the IC shall submit a complete written report containing data, analysis, opinions and recommendations to the Regional Superior. Furthermore, the Regional Superior will determine definitive steps regarding the case, including following the procedures regulated by Canon Law and Law of the Society.

Special Steps for Handling Cases of Child Abuse

1. More attention needs to be paid when a child (minor) conveys that he or she is a victim of a sexual violation.
2. Guidance in responding to children who reveal cases of violations.
 - a. If a child comes and directly mentions their transgression, allow the child to speak and be listened to attentively. The same thing applies if the alleged victim is a vulnerable adult.
 - b. In general, it is very difficult to uncover cases of violations. Therefore, the individual who receives the information must be aware that the victim may feel afraid and needs to be convinced and supported that he is doing the right thing by disclosing the violation case.
 - c. It is good practice to provide information to parents/guardians except when doing so would place the child at greater risk. The IC with the help of MSO can consult with competent parties in counselling or psychology to provide information to the child's parents/guardians.
 - d. It is necessary to explain to the child and parents/guardians that information about the violation will be reported to civil and Church authorities (as per mandatory reporting according to the laws).
 - e. All offers for further support or assistance to the child must be made to the parent/guardian.
3. In the event where there is admission from the accused of the abuse, it is necessary to convey to the accused that this information cannot be kept confidential. If receiving such acknowledgment, even though the incident occurred far in the past, the IC needs to refer the matter to the Regional Superior as soon as possible.
4. In the event that there is a complaint of abuse which includes a criminal act, the IC should notify the accused that the Society of Jesus wants such cases to be reported to the police in accordance with the civil law because basically violations against children are criminal offenses.
 - a. If the complainant decides to make a police report, the IC can wait until the civil law process has been completed. However, in principle, the IC must inform the Regional Superior who must follow up on all the implications of the case to the Society of Jesus, including providing legal assistance to the accused.
 - b. In the event that the complainant decides not to report to the police, the IC should consult the Regional Superior and MSO to ask for assistance from child protection agencies or other competent parties to follow up on their case, especially handling and providing assistance to victims. (Note: to be mindful to the local laws on the mandatory reporting and protection for the victim)
5. If the complaint is not received from a family member or guardian, the IC will inform the child's family or guardian about the case. The IC can offer support and work together, especially if the family/guardian (the secondary victim) requires assistance from child protection agencies or other related institutions.
6. The Regional Superior (with the assistance of the IC, consults and other advisers) will decide whether during the hearing, for the safe environment and protection of the children, the accused Jesuit should be immediately removed from his duties and from any unsupervised contact with children. In principle, the greater the risk that is expected to arise from the presence of the accused in his work environment, the more urgent it is that the accused is temporarily withdrawn from his duties. If he is temporarily withdrawn, it must be ensured that his status is "temporary leave", and does not mean that he is presumed guilty.

Thus, he is still entitled to a salary and so on and as far as possible is given another temporary assignment that is more appropriate.

7. The Regional Superior shall immediately report a case involving a Jesuit to the local diocese (according to the local PSO in the diocese) and notify the diocese that an investigation is taking place. In so far as a Jesuit working for a diocesan institution is concerned, the Regional Superior is to cooperate with officials in the diocese to relieve the Jesuit concerned from his duties while the hearing is ongoing.

8. The Regional Superior is obliged to report cases of sexual abuse by Jesuit priests against children to the Congregation for the Doctrine of the Faith through the General Curia. (cf. Can. 1395 §2)

Conclusion

The MAS Jesuits stand united in faith, understanding and compassion in adhering to any protocol in any event of sexual misconduct. The vows that we all solemnly profess should be at all times in our hearts and minds as we continue to work for God's greater glory. We continue to encourage and pray for the grace to be supportive of one another in community life and missions. All Jesuits and partners-in-mission in the MAS Region are committed to promote a consistent culture of protection (PCCP) and a safe environment in the works of the Society.

Promulgated on the 5th of November of 2012

Fr Colin Tan, S.J.

Regional Superior

First Revision in 2022

Fr Christopher Soh, S.J.

Regional Superior

Second Revision in 2025

Fr Francis Lim, S.J.

Regional Superior

Appendix 1: Definitions

‘Abuse’ is any act in which a person (an alleged perpetrator) with power or authority over minor⁶ or vulnerable persons. The perpetrator can be an adult, adolescent or older child.

The types of abuse:

- **Physical abuse:** The perpetrator may inflict an injury intentionally, or inadvertently as a result of physical punishment or the aggressive treatment of a minor. Physically abusive behaviour includes (but is not limited to) shoving, hitting, slapping, shaking, throwing, punching, biting, burning and kicking.
- **Emotional/Psychological abuse:** may occur when a caregiver repeatedly rejects or threatens a child (victim). There is often a pattern of this kind of abuse, rather than a single incident. Such abuse may involve humiliating, terrorising, name-calling, belittlement, inappropriate symbolic acts or continual coldness from the caregiver (perpetrator), to an extent that results in significant damage to the victim’s physical, intellectual or emotional wellbeing and development.
- **Sexual abuse:** The range of sexual abuse can be *contact* or *non-contact behaviour*. *Non-contact behaviour* includes: making sexual comments (in person, in letters, or by telephone, text messages or email); voyeurism (including commenting on physical attractiveness); exposing a minor to pornography materials; nudity (exposing part of their body or the child’s body). *Contact behaviour* includes: fondling or kissing; sexual penetration; exploiting a child through prostitution.
- **Neglect:** This kind of abuse happens when a caregiver fails to provide a minor the basic necessities of life. Such neglect includes the failure to provide adequate food, clothing, shelter, medical attention or supervision to the extent that the minor’s health and development is, or is likely, to be significantly harmed.

‘Allegation’ is a claim of abuse that is yet to be investigated.

‘Care for Persons’: Ecclesiastical authorities must ensure those who report harm, and their families, are treated with dignity, respect, and are provided with welcome, spiritual, and medical assistance [VELM23, 11 & 12].

- The legitimate protection of the good name and the privacy of all persons involved, as well as the confidentiality of their personal data, must be ensured [VELM23, 12].

‘Child pornography’ is any representation of a minor involved in explicit sexual activities, or any representation of sexual organs of minors for lewd purposes or profit [VELM23, 5].

‘Complainant’ is a person who has made an allegation of abuse. This could be the child or any other person reporting on their behalf.

⁶ “Minor” as defined by *the UN Convention on the Rights of the Child* covers children below the age of 18 years old. See also the *motu proprio Sacramentorum sanctitatis tutela* (30th April 2001). The first revision of the *motu proprio SST* (21 May 2010) includes a person who habitually has the imperfect use of reason is to be considered equivalent to a minor. The use of the term “vulnerable adult” is describes as “any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally limits their ability to understand or to want or otherwise resist the offence” (cf. art. 1 §2,b VELM).

‘IC (the Investigating Committee)’: The Major Superior with the help of the Delegate for Safeguarding shall appoint the IC to assess and investigate the complaint. The IC usually consists of four members who are the following: *a legally trained person; a woman; a Jesuit; a mental health professional*. They will meet and look at the case/complaint. At the end of investigation, the report of this case together with the recommendation shall be submitted to the Major Superior, who will make the final decision and file this report in the case management folder.

‘Minor’ is any person under the age of eighteen, as well as a person who habitually has imperfect use of reason [VELM23, 5]

‘Pastoral care’ means: The work involved or the situation which exists when one person has responsibility for the wellbeing of another or for a faith community of which the complainant is, or was, a part. It includes the provision of spiritual advice and support, education, counselling and assistance in times of need

‘PCCP (the Promotion of a Consistent Culture of Protection)’: This project was launched in October 2018 within the Society to promote a culture of protection: from being concerned (awake) to being compliant (aware), to being committed (action) to safeguarding. Since 2015, it is expected that within the Society’s apostolic works and ministries, at least three minimum standards of practice in place: (1) Policy/guidelines for ethical behaviour and safe environments; (2) Protocols for dealing with allegations and case management; (3) Training and formation for Jesuits and lay mission partners.

‘Protection of Persons’: submitting a report does not constitute a violation of office confidentiality [VELM23, 10]

- Prejudice, retaliation, or discrimination due to submitting a report is prohibited.
- Those who claim to have suffered harm or witnesses cannot be silenced regarding their report [VELM23, 11].

‘Reporting Procedures’: The document details the responsibilities of Dioceses and Eparchies to provide easily accessible institutions or offices for submitting reports [VELM23, 6].

- Reports are to be submitted to these institutions, and the information is protected to guarantee safety, integrity, and confidentiality [VELM23, 6 & 7].
- The Ordinary who receives the report is to transmit it to the Ordinary of the place, where the events occurred and the Ordinary of the person reported, with the former typically responsible for proceeding according to the law [VELM23, 7].
- Clergy and members of Institutes of Consecrated Life or Societies of Apostolic Life are obligated to report any acts listed in the document unless information was learned during ministry in the internal forum [VELM23, 8].
- Lay faithful can also submit reports using the specified methods or any appropriate means [VELM23, 9].
- Reports must include details like time, place, persons involved, and any other relevant circumstances to ensure accurate assessment [VELM23, 10].

'Sexual Abuse' includes: Sexual assault, sexual harassment or any conduct of a sexual nature against a child or young person that is inconsistent with the integrity of the relationship between church personnel and those who are in their pastoral care.

'Sexual harassment' includes: The making of unwanted sexual advances or obscene remarks.

'Vulnerable adult' is any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty, limiting their ability to understand, want, or resist an offense [VELM23, 5]

Appendix 2: Complaint Form Pursuant to the Professional Standards Protocol:

Incident Report / Complaint Form



Date of complaint made:	
Name of Complainant:	
<i>Role/Occupation:</i>	
<i>Contact (phone/email):</i> <i>This will remain confidential</i>	
Person(s) concerned:	
Location of the incident:	
<i>Date & time of the incident:</i>	
List of witnesses (if any):	

Nature of the Complaint: (to include details like date, time, nature of the allegation(s))

•

Concerned raised: (form of violations)

•

Recommendations (if any):

•

"I state that the above facts are true to the best of my knowledge and I understand that such information may be forwarded to the relevant authorities (like the police) for further investigations, where necessary."

Complainant's Signature

Recorder's (i.e. the contact person) signature and name, if differ from the complainant:

*Where the complainant is below 18 years old, his/her parent/guardian shall append his signature below to state as follows:

"I, parent of the above complainant, state that the above facts are true to the best of my knowledge and I understand that such information may be forwarded to the relevant authorities (like the police) for further investigations, where necessary."

Complainant's parent/guardian's signature: _____

Complainant's parent/guardian's name: _____

Relationship to complainant: _____

Note: Please include any helpful supporting documents under the “appendix” or attachments below.

Please return this form by hand-in to the local superior/the director of work or to the MAS Safeguarding Office by email: mas-safeguarding@jesuits.net