

RECOGNITION & REPARATION COMMISSION

CRR

Following the publication of the CIASE (Independent Commission on Sexual Abuse in the Church) report, the CORREF (Conference of Religious Men and Women of France) decided to create an **independent commission for the recognition and reparation of alleged sexual violence committed by members of religious institutes**. Assuming therefore their full moral and institutional responsibility, the religious institutes wished to embark on the path of restorative justice. This is the mission of the CRR (Recognition and Reparation Commission) created in November 2021.

The mission letter from the president of CORREF, Véronique Margron, to the president of the CRR, Antoine Garapon, gives three main objectives to the Commission :

- *Listening and recognizing victims of abuse*
- *Reparation for the pain suffered by the victims*
- *The search for the causes of failures and blindness that allowed sexual abuse to be perpetrated, in order to establish better prevention of the abuse and offer appropriate support for the victims by religious institutes.*

By the end of October, more than 500 people requested recognition and reparation from the CRR.

The CRR mission

The Commission intends to receive and examine requests from any individual who is a victim of sexual violence (time-barred or not), committed by a religious person belonging to a canonical entity of France, member of the Conference of Religious Men and Women of France (CORREF) or adherent.

➔ *The person must have been a minor or an adult « in a situation of vulnerability » at the time of the events.*

For the Commission, the situation of vulnerability at the time of the events is broadly understood. It takes into account not only the age, illness, physical or mental impairment of the adult person concerned, but also their situation of vulnerability and dependence towards a religious person.

➔ *The Commission has jurisdiction, whatever the nationality of the victim, for all alleged acts committed on national territory or abroad, by these religious men and women coming under an authority which is in France or which includes France in its territory.*

➔ *When the facts do not seem time-barred, or when the person accused is alive, the CRR recommends that the victim be accompanied by the counsel of their choice and, if it is a lawyer, to request if necessary legal aid. In addition, a complaint from the victim or a report to the public prosecutor is always possible.*

Relatives of victims can also contact the commission to report facts, request information and advice.

A Commission inspired by restorative justice

Restorative justice responds to a demand for justice that complements civil and criminal justice, it does not replace them. The CRR is inspired by restorative justice by putting the victim at the center of this approach to justice. The CRR is the « independent third party » between the victim and the religious congregation of the perpetrator.

The independence of the CRR

The CRR exercises its mission in complete independence from the CORREF, the congregations, and also the victims. The Commission is headed by Antoine Garapon, honorary magistrate and former member of the CIASE, who personally oversees its independence.

The team is composed of :

- ➔ *A president, Antoine Garapon.*
- ➔ *A general delegate, Anne de Richecour.*
- ➔ *A coordinating commissioner, Valentine Bück.*
- ➔ *Commissioners, who provide guarantees of independence for CORREF, religious institutions and victims. Once appointed, they undertake to report any risk of conflict of interest, bias or any other difficulty in the exercise of their mission to the president.*

The commissioners of the CRR

The mission of the commissioners is to listen to and accompany the victims in their process of recognition and reparation.

They are chosen by the president for their respective expertise and for their recognized professionalism in their fields of excellence : magistrates, lawyers, psychologists, psychiatrists, psychoanalysts, mediators, positions of responsibility in companies, etc.

The commissioners have a variety of profiles to try to reflect the diversity of French society. They also have proven qualities of listening, caring and support.

What are the possible reparations ?

As soon as the referral is made (step 1) the victim's word is taken into account, and this is the beginning of the recognition of the facts that they denounce.

The commission verifies that the person accused is a member of a religious order whose congregation is a member of the Conference of Religious of France (CORREF) or which is part of a religious institute that belongs to the CORREF **(step 2)**. If this is not the case, it tries to redirect the victim to the right instance.

The commissioners are there to **help, listen to and support victims**. They seek a form of justice and reparation with the victim. The CRR proposes to be the « third party of justice » between the victim and the religious institute in question, to which the abuser belongs or belonged.

The commissioners assess the plausibility of the facts described by the victim. They have no investigative power. They take into consideration the word of the victim, the facts denounced, and their repercussions and impacts. They accompany the victims **through individual interviews (step 3)** to assess the consequences of the violence suffered, and help them formulate their claims for recognition and reparation.

After having heard the victim and exchanged with the religious institute in question, the commissioners seek **an agreement on the modalities of the non-financial and financial reparation (step 4)**.

The reparations are always **personalized, global and capped**. After agreement of the parties, they are the subject of a **memorandum of understanding between the victim and the religious institute in question (step 5)**. The CRR is not a signatory of the protocol but controls its implementation.

➔ **Personalized** because reparations are defined on a case-by-case basis : financial compensation, public or private act of recognition, Memorial Day, search for other victims, writing workshops, research...

➔ **Global** because the CRR has opted for global compensation for attacks on the integrity and dignity of the victim, whatever their nature, without evaluating item-by-item compensation for damage, as courts do. It takes into account all the repercussions on the personal, professional, family and social life of the victim.

➔ **It is capped** at 60,000 euros, the highest amount of a compensation scheme already implemented in Western Europe. The impossible task of having to repair irreparable harm will only find a solution if the symbolic prevails over the monetary. Similarly, the CRR has excluded lump sum compensation, which would be arbitrary and contrary to the aim of recognizing the personal suffering of each individual.

The CRR's mission with the victim will end when the procedures for recognition and fair compensation have been carried out (step 6).

Respect for confidentiality by the CRR

The commission undertakes to ensure the confidentiality of the identity of the victims and their stories. It also undertakes to ensure the security of their exchanges and data, in accordance with the French Protection and Freedom of Information Law.

Full information is given to victims and congregations on the conditions of processing of their data and on their rights. For any questions, contact Me Isabelle Delage, DPO (data protection officer) of the CRR, dpo-crr@phygitalaw.com

A journey of recognition and reparation

Step 1 CONSIDERATION OF YOUR WORD

- Referral to the CRR via the website, telephone, email, victim listening center, post or other means.
- Acknowledgment of receipt, first contacts with the commission and beginning of the recognition of the denounced facts.

Step 2 VERIFICATION THAT THE ACCUSED PERSON BELONGS TO A RELIGIOUS INSTITUTE

- Requests for details on the accused person (name; religious institute concerned; place and date of the events, etc.).
- If the CRR is competent, appointment of 2 responsible commissioners, failing which, referral to another body.

Step 3 TALKS WITH THE CRR TO DETERMINE REPARATIONS

- Individual interviews with the commissioners on the facts denounced, the consequences and the desired support (assessment of the impact on the victim's life, methods of recognition and reparation).
- Meeting between the commissioners and the religious institutes concerned to inform them of the requests, collect their active participation in the recognition and to support these institutes in the evolution of their mode of operation.
- The commissioners are then responsible for supporting the victim and the institute in the search for a common ground on the terms of reparation.

Step 4 RECOMMENDATIONS ON NON-FINANCIAL AND FINANCIAL FAIR

- Formulation by the president of the CRR of recommendations, on the basis of the report of two commissioners and the opinion of the advisory group (president, reporting commissioners as well as 3 to 4 other commissioners).
- Informing the victim and the institute of the recommendations of the CRR.

Step 5a MEMORANDUM OF UNDERSTANDING

- Signing of a memorandum of understanding between the victim and the religious institute concerned on fair non-financial and financial reparation.
- Implementation of the memorandum of understanding, under the supervision of the commissioners.
- Payment of the financial compensation by the religious institute or, if the institute no longer exists, by the CORREF endowment fund.

Step 5b DISAGREEMENT BETWEEN THE TWO PARTIES

- If the religious institute and/or the victim do not agree with the recommendations, they inform the commission within a reasonable time and state the reasons.

Step 5c RE-EXAMINATION PROTOCOL

- In the event of disagreement on fair compensation, the parties can jointly decide on the re-examination (adjudication panel).
- The adjudication panel brings the parties together to try to reach an agreement. If no agreement is reached, the adjudication panel will make a decision that will be binding on the parties.

Step 6 END OF THE CRR MISSION

- By acknowledging the execution of the methods of recognition and fair compensation adopted.
- By the possible establishment of support outside the CRR.

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