

and Wales have full and undisputed jurisdiction to deal try the allegations in accordance with the Criminal Law of England and Wales.

15. Equally, where civil proceedings are issued in connection with an allegation of child sexual abuse then English Law and the Courts of England and Wales have full and undisputed jurisdiction to deal with such proceedings.
16. Canon Law relies (at least in England and Wales and similarly sound jurisdictions) on the findings of the UK statutory authorities and courts and its investigative function is only supplementary to the findings of the courts.
17. Canon Law's primary function, in replying to allegations of child sex abuse, is to discipline those convicted (usually by laicisation) or to regulate and provide rules by which any member of the clergy must live their lives where, for whatever reason, laicisation is either not possible or undesirable. It also seeks to provide structures which prevent future offending, learning from the wrongdoing of the past.
18. In this regard, a simple analogy might be that of a football player convicted of a criminal offence – he will, in the first instance, be punished by the English Courts but he then might have a further punishment imposed by his club, if he is allowed to return at all.
19. The specific provisions of Canon Law which are relevant to responding to allegations of child sexual abuse are contained in the *Normae de Gravioribus Delictis* which translates roughly as the Norms on Grave Crimes. The relevant provisions are as follows:
 - a) Article 6 makes it an offence in Canon Law for a cleric to commit a sexual act against a minor. A minor is canonically defined as someone under the age of 18 or someone with a mental capacity equivalent to being under the age of 18.
 - b) Article 6 also prohibits the making, acquiring, possessing or distributing of child pornography.
 - c) Article 16 provides that a Religious Superior must pass any allegation with a semblance of truth to the Congregation for the Doctrine of the Faith ("CDF").
 - d) Article 21 provides the CDF with a streamlined process to laicise any cleric convicted of child sex abuse;
20. Additionally, the following provisions of general Canon Law have relevance:
 - a) Canon 1395 and Canon 695 – the former repeats that it is an offence to commit a sexual act against a minor whilst the latter makes the same act an offence for religious as well as clerics (i.e. monks who have not been ordained).
 - b) Canon 601 – is the canonical basis of the authority of a Religious Superior to compel a member of his community to act in a particular way. Should the member fail to act in accordance with the Superior's command then sanctions will follow. This provision acts as the foundation for the preparation of safeguarding plans (formerly known as covenants of care) and disciplinary decrees.