Victims of Sexual Abuse by Catholic Clerics and Their Needs for Compensation

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Crime victims hold several expectations regarding the compensation of the harm done to them. In this regard, it is important to distinguish between material (e.g. financial) and immaterial (e.g. emotional support) needs and forms of compensation. To explore the matching between desired and actually awarded compensation, data of a survey with N=104 victims of sexual abuse by Catholic clerics were analysed. Data analyses revealed that the respondents most often required an apology and reparation by the Catholic Church followed by wishes for financial redress. Those were in turn the needs most frequently met. The majority of the victims also desired an apology and reparation by the offender, legal punishment for the offender, and therapeutic help for themselves. However, these forms of compensation were only scarcely provided. Taking into account further victimological research, findings are discussed against the background of restorative justice.

Keywords: victims, sexual abuse, Catholic clerics, compensation needs, restorative justice.

Introduction

According to the German law, victims of violent crimes may be eligible to receive compensation by the state under certain conditions. However, research has indicated that there exists a considerable lack of appropriate information on the eligibility of compensation via the victim compensation act

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(Opferentschädigungsgesetz; e.g. Heinz, 2008; Villmow, Savinsky, 2013). For example, in a sample of victims of sexual abuse by Catholic clerics, this lack of information led to an especially low application rate and only a minority of the applications was approved (Hellmann, Bartsch, 2014). Furthermore, victims were overall dissatisfied with the compensation process itself. Among other things, the victim compensation act has been criticised for not matching victims’ actual compensation needs (Gal, 2011: 65; Villmow, Savinsky, 2013; Bartsch et al., 2014). The aim of this paper is to analyse the matching between victims’ compensation needs and the compensation measures they actually received in a sample of victims of sexual abuse by Catholic clerics regardless of compensation applied for or received via the victim compensation act.

Compensation needs

According to Malsch and Carrière (1999: 239), crime victims hold several expectations regarding the criminal justice system. Such expectations concern procedural justice as well as distributive justice. However, procedural justice has been found to be more central for the victims than distributive justice (Erez, Bienkowska, 1993). In other words, crime victims do not only wish for a fair outcome, but even more for a fair process. Tyler and Folger (1980), for example, found that participants were overall satisfied with an unfavourable outcome, if it was the consequence of a fair procedure. According to Van Camp and Wemmers (2013: 117), “appreciation of a restorative approach is related to it being perceived as procedurally just”. Since crime victims consider procedural justice as particularly important, they might especially value restorative measures following victimisation.

Malsch and Carrière (1999: 240) concluded that generally “victims appear to value a considerate and friendly treatment, which expresses respect and a recognition of their dignity”. Other authors refer to this need as a wish for interpersonal justice or interactional justice (Bies, Moag, 1986; Laxminarayan, Henrichs, Pemberton, 2012). Importantly, crime victims do not necessarily request especially hard punishment for the offender (Erez, 1994), but often esteem restorative compensation like restitution and reparation (Zedner, 1994). Wemmers and Cyr (2006), for example, showed that it is most important for victims to be heard and considered. Victims’ high need for participation, for example, is said to be best served in restorative justice procedures
(e.g. victim-offender mediation), because they may take over a more active role and can ensure to be heard (Malsch, Carrière, 1999: 246).

Strang and Sherman (2003) summarised five central needs of crime victims: 1) Information on the development of their cases (also referred to as informational justice by other authors, see Laxminarayan et al., 2012); 2) Participation in the processing of their cases (e.g. “voice”, Folger, 1977); 3) Emotional restoration and apology (i.e. emotional consequences of the victimisation that need to be compensated); 4) Material reparation; 5) Fairness and respect (see also Achilles, Zehr, 2001; Zehr, 2002). Importantly, meeting the crime victims’ needs is associated with higher victim satisfaction (Shapland, Willmore, Duff, 1985; Wemmers, Van der Leeden, Steensma, 1995), which in turn is positively related to emotional well-being (Kunst, 2012).

The importance to distinguish between material (e.g., financial redress) and immaterial (e.g. emotional support) forms of and needs for compensation becomes especially clear regarding victims’ overcoming and coping with the (consequences of the) victimisation. Herman (2003), for example, emphasised a strong relation between victims’ participation (“victim inclusion, choice, and empowerment”, Herman, 2003: 163) and their mental health. Furthermore, financial loss can be more easily determined than immaterial harm (Malsch, Carrière, 1999: 244). It is indeed challenging to objectively and coherently appoint compensation for emotional distress (Shapland, Hall, 2007: 205).

**Victims of sexual abuse**

Victims of sexual abuse are a prime exemplar for the category of vulnerable victims. Victims of sexual abuse might be particularly vulnerable because of their age, the specific crime they have experienced, or their relationship to the offender/s, for example (Laxminarayan, 2013: 147). The immense physical, emotional, and social long-term consequences of experienced sexual abuse (Whitelock, Lamb, Rentfrow, 2013; Lueger-Schuster et al., 2014) are beyond dispute. However, vulnerable victims appear to have specific (compensation) needs that must be taken into account. Unquestionably, every crime victim needs to be treated respectfully in terms of interactional justice in order to protect them from secondary victimisation by the justice system. However, this may particularly pertain to especially vulnerable victims. To some extent, vulnerable victims’ specific needs are already considered in legislation targeting the treatment of victims (Groenhuijsen, Pemberton, 2009).
With respect to differences in crime victims’ needs depending on the type of crime, Ten Boom and Kuijpers (2012) systematically reviewed 33 empirical studies and came to the conclusion that particularly victims of domestic and/or sexual violence expressed a desire to repair their relationship with the offender. Additionally, these authors identified typical outcomes for these victims: “whereas most victims wanted, for instance, arrest and punishment by the authorities (…), these victims thought it was important that the community condemned the offence (…) and that the perpetrator’s enablers and accomplices made an apology” (Ten Boom, Kuijpers, 2012: 161). Similarly, Laxminarayan (2013) found lower perceptions of interactional justice in victims of sexual abuse in comparison to non-vulnerable victims.

The particular vulnerability of victims of sexual abuse by Catholic clerics – and thus their particular compensation needs – can be explained through the specific status of the offender as well as the specific relationship with the offender. As Gavrielides (2012: 624) remarked, sexual abuse by Catholic clerics differs from other child sexual abuse because it does not only contain existential but also spiritual trauma to the victim. This form of sexual abuse “relates to the violation first of an individual’s faith and basic human right to dignity, and second to the sacramental culture of Catholicism” (Gavrielides, 2012: 622). Consequently, sexual abuse by Catholic clerics might have specific consequences that go beyond the known impact of sexual abuse by other types of offenders (Farrell et al., 2010) and thus pertains to specific compensation needs.

**Compensation needs vs. compensation practice**

Scientific research points towards diverse gaps between crime victims’ compensation needs and the compensation measures they actually receive. Choi, Green and Kapp (2010), for example, identified a strong need for a genuine apology by the offender in victims of different crimes (see also Dignan, 1992). The authors emphasised that this need was not met in their sample that consisted of cases of victim-offender mediation. Similarly, Herman (2005) obtained in her qualitative interview study with victims of sexual abuse, sexual assault, and domestic violence a strong need for a genuine apology from the offender: “Some [victims] expressed a fervent wish for a sincere apology and believed that this would be the most meaningful restitution the
offender could give” (Herman, 2005: 586). However, only a small minority of the interviewees had actually received such an apology from the offender.

Shapland and colleagues (1985) found in their longitudinal study with victims of violent crimes that victims’ compensation needs and expectations (e.g., participation, information, and proper treatment) were largely unmet. In a related vein, Laxminarayan (2013) reported rather low levels of victim satisfaction regarding informational justice implying that crime victims’ needs for information and participation are not met. Likewise, Brickman (2003) found such a mismatch with respect to victims’ need for information.

These lacks of matching between crime victims’ compensation needs and actual compensation measures are important to address, since they may elicit dissatisfaction and may be perceived as some form of secondary victimisation by the victims (see e.g., Landau, 2000). Similarly, Mummert (2014: 17) argues that the criminal justice system should not only acknowledge crime victims’ suffering, but more importantly it should address their specific needs in order to prevent re-victimisation. Taking that as a departure point, the following research questions were explored and addressed in the study presented in this paper:

1) What are the compensation needs of victims of sexual abuse by Catholic clerics?
2) Do victim characteristics (e.g., gender, abuse context) influence their compensation needs?
3) Were victims’ compensation needs met?

Method

Materials and Procedure

Several calls for participation in the study were distributed through the German media during January and February 2013. Victims of sexual abuse within the Catholic Church were asked to get in touch with the Criminological Research Institute of Lower Saxony. Participants could either receive a questionnaire via snail mail or download a digital version of the document from the research institute’s website. Additionally, victim organisations were contacted directly and asked to spread the information regarding this research among their members. The data were collected from March to October 2013.
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The questionnaire was designed by an interdisciplinary research team (including academic professionals from psychology, sociology, and law) in cooperation with members of victim organisations. It covered several aspects of the circumstances surrounding the experienced sexual abuse and contained five parts:

A  Respondents’ socio-demographic background,
B  Respondent’s childhood and youth,
C  Characteristics and context of the sexual abuse,
D  Aspects of the immediate time period following the sexual abuse,
E  Respondents’ current condition.

With respect to the aforementioned research questions, particularly respondents’ answers regarding their needs induced by the sexual abuse were of interest. In part D of the questionnaire, participants were asked among others “If you could choose a measure according to your wishes: Which of the following measures would you have wished for in retrospect?” The respondents received a set of nine options (e.g., “apology and reparation by the offender” or “therapy for me”; the complete list of predefined response categories is presented in Table 1). Multiple responses were possible, that is, participants could select all applicable and desired measures. Furthermore, they were free to name an additional compensation measure that was not included in the predefined response categories (“other measure”, see Table 1).

Victims’ actual compensation was assessed if they had reported the sexual abuse to the Catholic Church or to the police. In cases where the abuse had been reported to one of these authorities, respondents were asked to select all consequences following the reporting of the abuse that applied to their case out of predefined response categories (e.g., “the offender has apologized” or “the offender was convicted”). Furthermore, respondents’ current mental health was assessed using a German version of the Posttraumatic Stress Disorder Checklist (PCL-C) (Weathers et al., 1993; Teegen, 1997) among others. With this self-report measure, 17 symptoms of a current Posttraumatic Stress Disorder (PTSD) are assessed based on the criteria of the DSM-IV (American Psychiatric Association, 2000).

1 The nine predefined response options included “nothing”, implying that there was nothing the victim would have wished for following the abuse. Because none of the respondents chose this response category, it will not be mentioned further.
Participants

In the present study, behaviour is defined as “sexual abuse by Catholic clerics” if at least one of 13 specified forms of sexual behaviour between a minor and at least one servant of the Catholic Church occurred at least once. In this regard, the term “servant of the Catholic Church” comprises priests (including chaplains and vicars), deacons, candidates for the priesthood, as well as both female and male members of religious orders.

The sample consisted of 104 respondents aged 34 to 79 years (M=56.14; SD=10.36). In line with other research on sexual abuse by Catholic clerics (John Jay College, 2004; Lueger-Schuster et al., 2014), the majority of victims (74.0%) were male. Since the questionnaire was openly available via the research institute’s homepage, no information regarding the response rate can be provided. Accordingly, the present sample is a self-selective convenience sample and does not allow for unconditional generalisations.

The vast majority of respondents (94.2%) were born in Germany, 4.8% were born in other European countries, and one person was born in Canada. Nearly half of all respondents (45.2%) were employed either full or part-time at the time of the survey, the remaining participants were unemployed (11.6%), homemakers (1.9%), or retired/disabled (41.3%). These indications correspond to the rather high proportion of older adults in this sample (e.g., 46.2% of the respondents were older than 60 years).

As to the education, 36.4% of the respondents held a secondary school certificate or less, 23.2% had a high school diploma (German “Abitur”), and 40.4% had completed university and/or college. 41.3% of the respondents were married at the time of the survey and an additional 8.7% were living with someone as a couple. About a quarter of the sample was divorced or separated (26.9%), 19.2% were single and 3.8% of the respondents were widowed. Most of the respondents were living with their partner or children at the time of the survey (43.3%) or on their own (41.3%) (for more information see Hellmann et al., 2014).

Meeting the aforementioned criteria, all 104 respondents had at least once experienced at least one out of 13 specified sexual behaviours (or mentioned an equivalent behaviour in the free text category) by at least one servant of the Catholic Church before reaching the age of 18. Regarding the characteristics of the experienced victimisation, it can be summarised that the majority of the respondents had been victimised by one offender during one
time period (67.6%), 15.7% of the respondents had been abused by different offenders during the same time period, and 16.7% of the victims had experienced sexual abuse by different offenders at different time periods. In 82 cases, the gender of the offender was reported. 89.0% of these victims indicated that the offender was male, 3.7% of these victims stated that the offender was female, and 7.3% of these victims had been abused by female as well as male offenders. Nearly half of the victimisations (49.0%) happened within an institutional context (i.e., children’s homes, boarding schools). 58.2% of the abuse involved vaginal, anal, digital, or oral penetration.

Regarding their current condition, 64.4% of the respondents had a sum score ≥ 44 on the PCL-C. Accordingly, the majority of the victims were screened positive for PTSD at the time of the survey (for more details see Hellmann, Dinkelborg, Fernau, 2014).

Results

What are the compensation needs of victims of sexual abuse by Catholic clerics?

Regarding their explicit compensation needs, respondents most often required an apology and reparation by the Catholic Church followed by wishes for financial redress (see Table 1). Additionally, the majority of the respondents wished for an apology and reparation by the offender, legal punishment for the offender, as well as an offer of therapeutic help for themselves. In sum, most victims desired an apology and reparation by the Catholic Church and/or the offender (91.2%). An offer of counselling for themselves was required by nearly a half of the victims, almost three out of ten victims wished for an offer of counselling or therapy for the offender, and only every sixth victim demanded victim-offender mediation. Victims’ open responses varied from requests of sympathetic apologies and claims to ban the offender from his profession to “everything to ensure that the offender cannot do this again” and castration.

Victims who had been abused by several offenders were asked to base their answers on the subjectively most severe offender and the most upsetting incident.

For details on the characteristics of the victimisations see Hellmann et al., 2014.

Percentages of responses exceed 100% because more than one answer was possible.
Table 1. Victims’ wishes for compensation following the sexual abuse (N = 102)

| “If you could choose a measure according to your wishes: 
Which of the following measures would you have wished for in retrospect?” |
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>Apology and reparation by the Catholic Church</td>
</tr>
<tr>
<td>Financial redress</td>
</tr>
<tr>
<td>&lt; 5,000 €</td>
</tr>
<tr>
<td>5,000 to 10,000 €</td>
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<tr>
<td>10,000 to 30,000 €</td>
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<tr>
<td>30,000 to 50,000 €</td>
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<tr>
<td>50,000 to 100,000 €</td>
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<tr>
<td>&gt; 100,000 €</td>
</tr>
<tr>
<td>Apology and reparation by the offender</td>
</tr>
<tr>
<td>Legal sentence for the offender</td>
</tr>
<tr>
<td>Prison term</td>
</tr>
<tr>
<td>Probation</td>
</tr>
<tr>
<td>Financial penalty</td>
</tr>
<tr>
<td>Therapy for the victim</td>
</tr>
<tr>
<td>Counselling for the victim</td>
</tr>
<tr>
<td>Counselling or therapy for the offender</td>
</tr>
<tr>
<td>Victim-offender mediation (VOM)</td>
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<tr>
<td>Other measure</td>
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</table>

Regarding the amount of desired financial redress, the victims wished for a mean sum of M=157,257.04 € (SD=239,851.99). The majority of those victims who wished for financial redress required more than 50,000 € (Table 1). With respect to the demanded legal sentence for the offender, the vast majority of answers concerned prison term.

Do victim characteristics influence their compensation needs?

Regarding victims’ gender, no differences in their expressed compensation needs emerged. Only descriptively, female (65.4%) vs. male victims (50.7%) more often required a legal sentence for the offender, χ²=1.69, p=.194, ɸ=.128.

Significant differences in victims’ compensation needs were detected regarding the context of the abuse: Victims who were abused within an institutional context, required less often an apology and reparation by the offender, χ²=6.49, p =.011, ɸ=.245, as well as counselling or therapy for the offender, χ²=10.39, p=.001, ɸ=.304, but they desired more often an apology.
and reparation by the Catholic Church, $\chi^2=4.41$, $p=.036$, $\phi=.204$, compared to victims who were not abused within an institutional context (see Table 2).

**Table 2.** Differences in victims’ compensation needs depending on the context of the sexual abuse

<table>
<thead>
<tr>
<th></th>
<th>Institutional context (n = 49)</th>
<th>Non-institutional context (n = 53)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apology and reparation by the Catholic Church</td>
<td>89.8%</td>
<td>73.6%</td>
</tr>
<tr>
<td>Apology and reparation by the offender</td>
<td>42.9%</td>
<td>67.9%</td>
</tr>
<tr>
<td>Counselling or therapy for the offender</td>
<td>14.3%</td>
<td>43.4%</td>
</tr>
</tbody>
</table>

Taking respondents’ current mental health into account, several differences in their compensation needs were revealed: victims with a current PTSD-diagnosis more often required an apology and reparation by the Catholic Church, $\chi^2=5.22$, $p=.022$, $\phi=.221$, as well as financial redress, $\chi^2=6.60$, $p=.010$, $\phi=.247$, in comparison to victims without acute PTSD-diagnosis (see Table 3). Not surprisingly, the former named counselling, $\chi^2=5.40$, $p=.020$, $\phi=.224$, and therapy, $\chi^2=9.49$, $p=.002$, $\phi=.292$, for themselves particularly often as needs following the sexual abuse (see Table 3). The finding that victims with a current PTSD-diagnosis less often wished for counselling or therapy for the offender than victims without current PTSD-diagnosis, was rather unexpected, $\chi^2=6.06$, $p=.014$, $\phi=.237$.

**Table 3.** Differences in victims’ compensation needs depending on their current psychological well-being

<table>
<thead>
<tr>
<th></th>
<th>Current PTSD-diagnosis (n = 66)</th>
<th>No current PTSD-diagnosis (n = 36)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apology and reparation by the Catholic Church</td>
<td>87.9%</td>
<td>69.4%</td>
</tr>
<tr>
<td>Financial redress</td>
<td>81.8%</td>
<td>58.3%</td>
</tr>
<tr>
<td>Therapy for the victim</td>
<td>65.2%</td>
<td>33.3%</td>
</tr>
<tr>
<td>Counselling for the victim</td>
<td>54.5%</td>
<td>30.6%</td>
</tr>
<tr>
<td>Counselling or therapy for the offender</td>
<td>21.2%</td>
<td>44.4%</td>
</tr>
</tbody>
</table>
Were victims’ compensation needs met?

Whether victims’ compensation needs matched the actual compensation outcomes was considered regarding those victims who had reported the abuse to the police (35) and those who had reported the victimisation to the Catholic Church (70). Comparing the compensation needs of these respondents with the actually obtained material and immaterial compensation showed an overall rather low matching.

a) Compensation after reporting the abuse to the police

60.0% of the victims, who had reported the crime to the police, desired an apology and reparation by the offender. However, only one of the victims who had reported the abuse to the police actually received such an apology (2.9%). More than half of these victims wished for a prison term sentence for the offender (51.4%). Yet, only one of these victims (2.9%) indicated that the offender was convicted with prison term after they had reported the victimisation to the police. Whereas none of the victims who reported abuse to the police had stated that s/he required a financial penalty for the offender, this form of punishment was administered in one case (2.9%). One of the victims, who had reported sexual abuse to the police, would have called a probation sentence appropriate. However, this applied in two cases (5.7%). While five victims wished for victim-offender mediation (14.3%), this measure was administered only in one case (2.9%).

b) Compensation after reporting the abuse to the Catholic Church

While 61.4% of the victims who had reported the sexual abuse to the Catholic Church received an apology by the Catholic Church (82.6% of the victims who reported abuse to the Catholic Church had wished for this compensation measure), only 7.1% received an apology by the offender (56.5% of the victims had wished for this compensation measure). The majority of the victims, who had reported victimisation to the Catholic Church, required financial redress (78.3%), and 60.0% of the victims actually received financial redress following the abuse. 59.4% of the victims who reported sexual abuse

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5 Overall, 74 respondents had reported the sexual abuse to at least one of these authorities.
to the Catholic Church desired a therapy for themselves and 21.4% of these victims received a therapy financed by the Catholic Church.

c) Met and unmet compensation needs

In a next step, the matching between the reporting victims’ compensation needs and their compensation outcomes – that is the proportion of victims who explicitly wished for the respective outcome and actually received it – was considered. Therefore, data from those victims, who had reported sexual abuse to the police, to the Catholic Church, or to both authorities (74), were taken into account.\textsuperscript{5}

Table 4. Matching between victims’ compensation needs and the actual compensation outcomes (N ≤ 68)

<table>
<thead>
<tr>
<th>Compensation measure</th>
<th>Matching</th>
</tr>
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<tbody>
<tr>
<td>Financial redress</td>
<td>69.8%</td>
</tr>
<tr>
<td>Apology by the Catholic Church</td>
<td>62.5%</td>
</tr>
<tr>
<td>Therapy for the victim</td>
<td>31.7%</td>
</tr>
<tr>
<td>Apology by the offender</td>
<td>10.3%</td>
</tr>
<tr>
<td>Prison term</td>
<td>0%</td>
</tr>
<tr>
<td>Probation</td>
<td>0%</td>
</tr>
<tr>
<td>Victim-offender mediation</td>
<td>0%</td>
</tr>
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</table>

The highest match was found regarding financial redress (see Table 4): 69.8% of those reporting victims, who had wished for financial redress, actually received financial redress. However, there was a high difference between the desired (M=167,578.57 €; SD=249,720.57) and the actually received amount of financial redress for the reporting victims (M=5,922.86 €; SD=3,096.88), t(34)=3.85, p=.001, \(d=0.93\).

Additionally, a comparatively high match between victims’ compensation needs and outcomes revealed regarding an apology by the Catholic Church (62.5%). In almost one third of the cases, victims’ wishes for a therapy

\textsuperscript{6} No differences in compensation needs between victims who did vs. did not report the sexual abuse to the Church and/or the police emerged, p>.099.
for themselves were met (31.7%). Only 10.3% of those reporting victims, who required an apology and reparation by the offender, had actually received an apology by the offender. Importantly, regarding the ranking of victims’ compensation needs, this measure ranked in third place as it was named relatively frequently. Regarding prison term, probation sentence, and victim-offender mediation, none of the reporting victims’ compensation needs was met by the actual compensation outcome.

Discussion

The study presented in this paper suggests that victims of sexual abuse by Catholic clerics pre-eminently wish for an apology and reparation by the Catholic Church or by the offender. This result is in line with other research showing that victims especially value emotional support compared to financial redress in order to be able to cope with the experienced victimisation in the long run (Umbreit, Coates, Kalanj, 1994; e.g., Sherman et al., 2005; see also Gal, 2011: 82). Other researchers also emphasised the importance of receiving an apology in terms of recognition (e.g. Van Camp, Wemmers, 2013: 135), that is, victims’ wish for the harm done to them being acknowledged. Especially the significance of a sincere apology by the offender her-/himself was pointed out, for example, by Strang et al. (2006; see also Shapland et al., 2007).

The need for an apology and reparation by the Catholic Church was especially high in those victims who experienced the abuse within an institutional context (i.e., children’s homes, boarding schools) and victims with a current self-reported PTSD-diagnosis. At the same time, significantly fewer victims who had been abused within an institutional context required an apology and reparation by the offender.

Regarding the institutional context, these differences might pertain to the victims’ perception of the Catholic Church as bearing the main responsibility – maybe because the authorities (e.g. Head of a Catholic boarding school) knew about the abuse or were even involved. Additionally, one has to consider that victims reported the sexual abuse to the Catholic Church or the authorities of the institution they were living in at the time of the sexual abuse, and that they were not believed or even accused of unjust defamation.

With respect to the relation between victims’ current mental health and their expressed wishes for an apology by the Catholic Church, the same
explanations as aforementioned may pertain. Additionally, researchers have indicated a relation between an apology in terms of recognition and crime victims’ mental health or “healing” (Regehr, Gutheil, 2002: 430; Allan, 2007: 8). According to these approaches, receiving a sincere apology is necessary to unleash the healing process, for example due to empowering the victim and let him/her know that the offender has chosen him/her randomly (as opposed to specific victim characteristics).

The majority of the victims also required financial redress – in a mean amount that lay far above the sum of 5,000 € that the Catholic Church in Germany grants on average in cases of sexual abuse by Catholic clerics. According to Shapland (1984), victims strongly favour financial redress for the experienced crime by the offender over financial redress by the state. In the present study, victims were not explicitly asked about the desired source of their desired financial redress, be it state, Catholic Church, offender, or another organisation. Thus, it is not clear whether the preference identified by Shapland also pertains to the victims in the present sample. Victims’ desires for financial redress may be based on different motivations depending on the respective crime: whereas victims of theft, for example, may wish to receive financial redress for their material loss, victims of violent crimes, such as sexual abuse, may rather wish to receive financial redress for their physical and/or emotional harm. With respect to financial redress as a compensation measure in cases of sexual abuse within the Catholic Church and the concomitant special status of the offender, Gavrielides (2012: 627) points out the danger of abuse cases being settled through financial redress in return for silence.

More than half of the victims in the present study also desired a legal sentence for the offender (mostly in terms of imprisonment). Generally, attitudes on punitivity are comparable between crime victims and the general public (e.g., Malsch, Carrière, 1999: 241). According to Braithwaite and Mugford (1994: 149), victims often prefer restorative measures over a harsh sentence. In line with this research, victims in the present study more frequently indicated a need for restorative interventions in terms of an apology compared to a legal sentence against the offender.

Around half of the victims wished for therapeutic measures for themselves. With respect to the high proportion of victims with a current PTSD-diagnosis, this result is not surprising. Affirming this assumption, the comparison of victims’ compensation needs depending on their mental health showed that victims with a current PTSD-diagnosis more often desired therapy or counse-
lling for themselves as compensation measures following the abuse. Additionally, victims with a current PTSD-diagnosis particularly often required financial redress. This might, for example, be explained by the fact that those victims with particularly bad mental health have already borne high financial costs (e.g., due to not being able to work or having to finance therapeutic measures by themselves; but also see “Limitations”). Kunst (2012: 531) argued that bad mental health in crime victims was associated with low satisfaction with financial redress, implying that “satisfaction scores do not necessarily reflect adequacy in terms of meeting victims’ needs for recognition through monetary reward and may also be interpreted to indicate which victims (still) suffer from psychological distress, either due to or not due to the act of victimization”.

Counselling or therapy for the offender as well as victim-offender mediation, were not among the frequently named compensation needs. Victims with a current PTSD-diagnosis as well as victims, who had been abused within an institutional context, especially seldom wished for counselling or therapy for the offender as compensation measure. Victims with a currently bad mental health wanted their offender to receive therapeutic treatment less frequently. This result may be interpreted by the fact that they would have rather liked to receive such treatment for themselves. This explanation becomes especially likely if one considers that not even three out of ten victims’ wishes for therapeutic treatment were actually met.

Regarding the few expressed needs for victim-offender mediation, victims might have feared meeting their offender face-to-face. Daly (2004), for example, concluded that not all victims are able to participate and thus personally gain something in a restorative intervention.

Another explanation might be that victims did not really understand this restorative intervention or had not heard of it before. Shapland et al. (2007), for example, found that only few victims had heard of restorative interventions before (see also Malsch, Carrière, 1999: 246). Additionally, one has to take into account the severity of the victimisations and their impact on the victims: perhaps, many victims not only feared to meet the offender/s, but simply did not feel capable of meeting the offender, or they were not motivated to meet him/her.

Contrasting the compensation needs and the received compensation in a subgroup of victims who had reported the abuse to the police, to the Catholic Church, or to both, revealed that the two most frequently named compensation needs (apology and reparation by the Catholic Church and financial
redress) were the ones that were also most frequently met. However, victims’ perceptions regarding the amount of financial redress they should receive and the actually awarded amount of financial redress did not match even closely. With respect to the compensation of immaterial damages, Malsch and Carrière (1999: 245) criticised that the relation between the claimed vs. awarded amount of financial redress in sexual crimes is unclear, and that there is a big difference in awarded amounts of financial redress.

Beyond financial redress and an apology by the Catholic Church the matching between compensation needs and compensation outcomes was rather low: only around three out of ten victims’ wishes for therapy were actually met and only one out of ten victims, who desired an apology by the offender, actually received one. The low matching regarding these two compensation needs has to be estimated as particularly significant regarding victims’ current mental health. In this regard, one has to consider the importance of receiving a sincere apology by the offender for coping with the victimisation in the long run and the fact that this was the third frequently expressed compensation need.

Furthermore, no matching at all was found for victims’ compensation needs in terms of prison term or probation sentence for the offender as well as victim-offender mediation. In other words, none of those victims, who had reported the abuse to the authorities and wished for a prison term or probation sentence for the offender or for restorative justice in terms of victim-offender mediation, actually received such form of compensation. While in direct comparison victims more often wished for “traditional” justice measures in terms of sentencing than for victim-offender mediation as a restorative justice intervention, these compensation needs were both not addressed.

It has already been criticised that the matching between compensation needs and outcomes in cases of violent victimisations is rather low. The findings of the present study confirm this criticism in a subsample of crime victims: to conclude, neither the material compensation needs of victims of sexual abuse by Catholic clerics, nor their immaterial compensation needs following the victimisation (i.e. therapeutic measures, apology by the offender, sentencing, victim-offender mediation) were met to a satisfying extent.
Limitations

Notwithstanding the present study’s uniqueness in making quantitative data from victims of sexual abuse by Catholic clerics available in Germany for the first time, there are also some limitations to consider. As mentioned above, for example, the data cannot be considered as representative for the larger population of victims of sexual abuse (by Catholic clerics), since they are based on a self-selective convenience sample. Because no response rate can be calculated due to the fact that the questionnaire was freely available on the internet, the obtained results cannot unconditionally be generalised to a wider population.

Additionally, the reported findings are cross-sectional in nature and only bivariate analyses have been reported. Thus, cause and effect cannot be determined. For example, it remains unclear whether victims with a current PTSD-diagnosis more frequently wished for financial redress (e.g. in order to be able to pay for therapeutic measures) or whether those victims with high financial compensation needs more often developed a PTSD. In this regard, it has to be taken into account that the current PTSD-diagnosis in the present study relied on self-report measures. These measures are certainly less reliable than interview-based assessments of victims’ mental health. Regarding the cross-sectional design of this study, the current PTSD-diagnosis cannot unconditionally be interpreted as direct cause of the sexual abuse. Finally, the sample size of the present study and particularly the subsample of victims, who had reported the abuse, was rather small.

Conclusion

Since a high matching between victims’ compensation needs and awarded compensation measures relates to victim satisfaction and consequently to their mental health (Kunst, 2012), systematic research in this domain is urgently required. To date, few studies have taken these links into account. The study presented in this paper focuses on a small segment of the whole picture. Especially with respect to the high proportion of victims with a current PTSD-diagnosis in the present study, restorative interventions should be made more publicly known. Strang and colleagues (2006), for example, showed that crime victims who took part in restorative interventions, experi-
enced significantly less fear and anger compared to victims who participated in the criminal justice system. Furthermore, other research has shown that participating in restorative interventions is associated with improved mental health (Rugge, Scott, 2009).

In the present study, recognition in terms of an apology was a central need of the victims. However, crime victims are much more likely to receive an apology for the harm done to them within a restorative intervention compared to the criminal justice system (Shapland et al., 2007: 23; Gal, 2011: 108).

Since victims differ remarkably regarding their compensation needs depending on various factors, it is difficult to develop compensation measures that would be positively approved by “all” victims and to define a benchmark of high matching between needs and outcomes on the group level. Thus, it is important to save the flexibility of restorative interventions to apply to individual needs from the “formalized structure of state-controlled justice processes” (Gavrielides, 2012: 638) on an individual level.

References


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Žrtve seksualnog zlostavljanja od strane katoličkih sveštenika i njihove potrebe za nadoknadom štete

Žrtve krivičnih dela imaju nekoliko očekivanja u pogledu naknade štete koja im je naneta. U tom smislu, važno je napraviti razliku između potreba za naknadom materijalne i nematerijalne štete i načina njihove nadoknade – u slučaju materijalne štete to bi bila, na primer, naknada u novcu, a u slučaju nematerijalne štete, na primer, potreba za emocionalnom podrškom. Kako bi se ispitalo podudaranje između očekivane i pružene naknade štete, analizirani su podaci ankete, koja je sprovedena na uzorku od 104 žrtve seksualnog zlostavljanja od strane katoličkih sveštenika. Analizirani podaci su pokazali da su ispitanicima najčešće bili potrebni izvinjenje i obeštećenje od strane katoličke crkve, što je praćeno željom za finansijskom nadoknadom. To su istovremeno i potrebe žrtava koje su najčešće ispoštovane. Većina žrtava je takođe želela izvinjenje i naknadu štete od strane učincioca, kaznu za učincioca, kao i terapeutsku (psihološku) pomoć za sebe. Međutim, ovi oblici naknade su samo delimično obezbeđeni. Imajući u vidu dalja viktimološka istraživanja, rezultati istraživanja se tumače u kontekstu restorativne pravde.

Ključne reči: žrtve, seksualno zlostavljanje, katolički sveštenici, potrebe za naknadom štete, restorativna pravda.