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INDEPENDENT INQUIRY INTO CHILD SEXUAL ABUSE IN GERMANY

CONTENTS

INTRODUCTION 3

1. THE INDEPENDENT INQUIRY 5
1.1 Background 5
1.2 Members of the Independent Inquiry 5
1.3 Inquiry observers 6
1.4 Office of the Independent Inquiry 6
1.5 Remit of the Independent Inquiry 6
1.6 Objectives of the Independent Inquiry 7
1.7 How the Independent Inquiry is funded 7
1.8 Format for hearings and investigations 7
1.9 Academic research 9
1.10 Helpline 9
1.11 Data protection 10
1.12 Guidelines for responding to acute risk to children 10
1.13 Short biographies of the Inquiry members 10

2. DOCUMENTING THE PRIVATE SESSIONS AND WRITTEN REPORTS 13
2.1 Who came forward 13
2.2 What was reported 14
2.3 Selected aspects of the written reports 14
2.3.1 How and why victims and survivors share their experiences in writing 15
2.3.2 What victims and survivors felt was important to put in writing 16

3. FORMAT OF THE PUBLIC HEARINGS 20

4. RESEARCH 22
4.1 Inquiry research projects 22
4.2 Case studies 22
4.3 External projects 23

5. MEDIA WORK AND PUBLIC OUTREACH 24
5.1 Media work 24
5.2 Public outreach and communications 25

6. NETWORKING AND ENGAGEMENT 26
6.1 Engagement with victims and survivors 26
6.2 Networking and study visits with inquiries in other countries 27
6.3 Contact with political representatives 27
6.4 External events 28

7. CONCLUSIONS AND RECOMMENDATIONS 29
7.1. General conclusions 29
7.2. Conclusions relating to the areas of focus in the Inquiry's first term 30
7.3. Recommendations for those in positions of responsibility in government, politics and civil society 32

INTRODUCTION

Children, both girls and boys, suffer greatly as a result of sexual abuse. The experience of this kind of abuse perpetrated by a father, mother, sports coach, teacher, member of the clergy or by a stranger has consequences both in childhood and in later life. The extent of sexual abuse committed against children continues to be substantial: studies show that more than ten per cent of all children experience sexual violence before they reach adulthood.

In recent years Germany has made some progress in the area of prevention. Many organisations have developed child protection plans, although comprehensive coverage has not yet been achieved. As yet there has been limited experience in Germany of investigating wrongdoing against children. With the establishment of the Independent Inquiry into Child Sexual Abuse *(Unabhängige Kommission zur Aufarbeitung sexuellen Kindesmissbrauchs)* at the end of January 2016, political decision-makers indicated their readiness to assume responsibility for the failures of the past. The Inquiry is tasked with investigating the scale, nature, causes and consequences of sexual abuse perpetrated in institutions and within the family in the Federal Republic of Germany (FRG) and the German Democratic Republic (GDR) from 1949 to the present day. In particular, the Inquiry seeks to provide a space where the voices of victims, survivors and contemporary witnesses can be heard and thereby also enable the reporting of time-barred offences.

The Independent Inquiry hopes that its findings will contribute to the further development of protection for children and to ensuring support for, and protecting the rights of, adult victims and survivors of childhood sexual abuse. The Inquiry's work to date confirms the assessment that child sexual abuse in German society has for far too long been ignored, treated as a taboo and trivialised. Children – and also adults – affected by abuse were frequently not believed or those around them looked the other way, despite the fact that the abuse was suspected or known about. As a result, victims and survivors often received no support and were even ostracised when they reported the abuse, while there were no consequences for the perpetrators. Many victims and survivors experience the same thing again in adulthood, when authorities and institutions react insensitively. This includes failures in victim compensation processes or criminal proceedings, or when victims and survivors confront the institutions where they were abused as children.

The knowledge gathered by the Independent Inquiry in the course of its investigations forms the essential foundations for prevention work, public awareness-raising and for the acknowledgment of injustice and suffering. Victims and survivors are affected in many ways by the experience of abuse, by the fact it was not acknowledged or was ignored and by frequent experiences of discrimination. The remit of the Independent Inquiry is to reveal this and make recommendations for improvements in child protection and support for adult victims and survivors, as well as to change the discourse about child sexual abuse in our society. In this respect the Inquiry seeks to speak on behalf of victims and survivors. Political decision-makers and civil society are asked to engage actively with these issues and to accept responsibility.

Inquiries in other countries have so far primarily addressed child sexual abuse in institutional settings. However, a large number of victims and survivors have experienced sexual abuse perpetrated by family members. The Inquiry in Germany is therefore also investigating child sexual abuse within the family. Over the last three years, it has thus not only drawn upon the earlier experiences of the women's and self-help movements, but has, as a public body, also broken new ground. As a society, Germany has no previous experience of addressing abuse in the family context. The fact that a significant majority of the people who have contacted the Inquiry have been sexually abused within the family is an indication of the importance of extending its scope to this area.

1. THE INDEPENDENT INQUIRY

1.1 BACKGROUND

The establishment of an independent inquiry into child sexual abuse had been a central demand of victims and survivors for many years. Based on the commitment made in the 2013 Coalition Agreement that there should be an independent inquiry, the Independent Commissioner for Child Sexual Abuse Issues (*Unabhängiger Beauftragter für Fragen des sexuellen Kindesmissbrauchs*), Johannes-Wilhelm Rörig, together with victims and survivors and other academic experts and practitioners, succeeded in raising awareness of the issue among policy-makers. With its resolution of 2 July 2015, the German Parliament welcomed the intention of the Independent Commissioner to establish an independent inquiry for the duration of his term of office, until 21 March 2019. On the basis of this resolution by the German Parliament, the Independent Commissioner appointed the members of the Independent Inquiry into Child Sexual Abuse on 26 January 2016.

The cabinet decision of 12 December 2018 extended the post of Independent Commissioner for Child Sexual Abuse Issues for an unlimited period and the work of the Independent Inquiry into Child Sexual Abuse for another five years to the end of 2023.

1.2 Members of the Independent Inquiry

The members of the Independent Inquiry are drawn from various professional fields. All of them have been advocating for better protection for children for many years and have long been deeply committed to the process of society investigating and addressing sexual abuse. The members work on a voluntary basis.

- **Professor Sabine Andresen**,
  Educational scientist and Chair of the Inquiry
- **Dr Christine Bergmann**,
  Former Federal Minister for Family Affairs, Senior Citizens, Women and Youth
- **Professor Peer Briken**,
  Sexologist and psychotherapist
- **Professor Barbara Kavemann**,
  Social scientist
- **Matthias Katsch**,
  Management trainer, consultant and philosopher
- **Professor Heiner Keupp**,
  Social psychologist
- **Brigitte Tilmann**,
  Former President of Frankfurt am Main Higher Regional Court
- **Professor Jens Brachmann,**
  Educational historian (member of the Inquiry panel until September 2017)

The Inquiry works independently and is guided by its Terms of Reference. The priorities for its work are agreed in consultation with the permanent observers. The Inquiry is not subject to any external direction or oversight.

1.3 INQUIRY OBSERVERS

The Council of Victims and Survivors of the Independent Commissioner delegates members as observers to meetings of the Inquiry. The observers from the Council of Victims and Survivors regularly take part in meetings of the Inquiry and public hearings. They contribute their knowledge and experience as victims and survivors. They also provide the Inquiry with ideas for its work and support information sharing between the Inquiry and the Council of Victims and Survivors. They do not take part in the private sessions and do not see the documentation from these sessions or the written reports by victims, survivors and witnesses. These documents are only read by Inquiry members and staff in the Inquiry Office. Other observers are the Independent Commissioner and the Head of the Task Force of the Independent Commissioner.

1.4 OFFICE OF THE INDEPENDENT INQUIRY

The Independent Inquiry is supported by the Office, which is located for organisational purposes within the Independent Commissioner's Office. The Inquiry Office comprises nine members of staff and the Head of the Inquiry Office.

1.5 REMIT OF THE INDEPENDENT INQUIRY

The Inquiry investigates all forms of sexual abuse against children in the Federal Republic of Germany and the German Democratic Republic. People who experienced sexual abuse before 1949 have also contacted the Inquiry and they have also been invited to contribute. The German Independent Inquiry is the first inquiry worldwide to focus on abuse both in institutional settings and within the family. The Inquiry's remit includes:

- revealing the scale, nature, causes and consequences of the sexual abuse of children;
- identifying structures which facilitate the sexual abuse of children;
- discovering what prevented the issue from being addressed in the past;
- identifying ways to acknowledge injustices;
- initiating a wide-ranging political and public debate;
- identifying areas where research is needed;
- developing and recommending the fundamental building blocks for investigating and addressing the sexual abuse of children.

Based on this remit, the Inquiry has chosen issues it sees as being particularly important for its current term. The Terms of Reference set out the wide-ranging tasks of the Inquiry and the period to be covered.

1.6 OBJECTIVES OF THE INDEPENDENT INQUIRY

People who were sexually abused as children should have the opportunity, even many years later, to speak about the injustice they experienced and to have their suffering acknowledged. The offences are often time-barred but, in the lives of victims and survivors, they are frequently still very present, even many years later. The opportunity to speak out is therefore very important. Working with the Inquiry, victims and survivors contribute to the wider public debate. If there is societal understanding of the structures, dynamics and consequences of sexual abuse, children can be given better protection.

1.7 HOW THE INDEPENDENT INQUIRY IS FUNDED

The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (*Bundesministerium für Familie, Senioren, Frauen und Jugend* – BMFSFJ) provides the Inquiry with around EUR 1.2 million annually from its budget. Further financial support for 2017 of EUR 45,000 was also received from the BMFSFJ retrospectively. For 2018 the Inquiry's budget was increased to EUR 2.6 million. In addition, during the Inquiry's first term the Federal Ministry of Justice and Consumer Protection (*Bundesministerium der Justiz und für Verbraucherschutz* – BMJV) funded the positions of two legal advisors at the Inquiry Office. The members of the Independent Inquiry panel work on a voluntary basis.

1.8 FORMAT FOR HEARINGS AND INVESTIGATIONS

The Inquiry decided to structure its work as follows:

- Private sessions
- Written reports
- Workshop sessions
- Public hearings

Private sessions

At the heart of the work of the Independent Inquiry are the private sessions. These are confidential hearings in which victims and survivors of childhood sexual abuse, family members and witnesses can share their experiences. Following an intensive preparatory phase, the first private sessions took place in late September 2016. Most sessions are held in Berlin by members of the Inquiry but sessions also take place in towns and cities throughout Germany, led by local teams. The members of these teams are largely lawyers, as well as other individuals selected for their knowledge and experience of working with victims and survivors. Bound by professional confidentiality, they have the right to refuse to give evidence (Section 53, Code of Criminal Procedure (*§ 53 Strafprozessordnung – StPO*)). This entitles them, as witnesses in court or before other public bodies, to refuse to share information which was confided in them or was made known to them when they were acting in their professional capacity.

The Inquiry looked at approaches taken round the world and during the preliminary stages agreed the following points:

- private sessions are the main method for acquiring knowledge about child sexual abuse;
- hearings should also provide an opportunity for victims and survivors to have their experiences acknowledged;
- hearings are an open format enabling victims and survivors to share their experiences in their own way;
- hearings focus on specific thematic areas, enabling reconstruction of the structures and dimensions of sexual violence against children and facilitating the provision of information to the public.

The private sessions are led by a team of two. The victim or survivor may bring a family member or friend for support if they wish. Each session lasts for around two hours. The victims and survivors decide what they want to share with the Inquiry and they determine the content and pace of the sessions.

Written accounts

In addition to the private sessions, victims, survivors and witnesses may also communicate their experiences to the Inquiry in the form of a written report. To help with this, a series of questions has been compiled for guidance and is available on the Inquiry's website. Victims and survivors can decide whether they want to use these questions and which questions they feel are important and want to answer.

Workshop sessions

Within the work of investigating and addressing child sexual abuse, some issues must be considered from a number of different perspectives. For this, it is important to consider the lived experiences of victims and survivors and of other experts, including those who are involved in projects that address child sexual abuse issues. Since the content of these conversations is extremely sensitive, the sessions take place within a confidential framework. The results are incorporated into the Inquiry's reports. They form the basis for more in-depth investigation of certain topic areas through further research, recommendations for research projects and in public hearings.

The seven workshop sessions which have taken place to date covered the following topics:

- the inquiry's public hearings (including a focus on the issue of sexual abuse in the GDR);
- records and research (including a focus on the issue of sexual abuse in social and political movements);
- analysis and documentation (focusing on churches);
- child sexual abuse in ritual and organised abusive structures;

- responsibility of institutions (including a focus on engagement with inquiries in Austria and Switzerland and the responsibility of churches to address the issue of child sexual abuse);
- people with disabilities;
- child sexual abuse in sport.

Workshop sessions on other topics such as school settings and Jehovah's Witnesses are planned.

Public hearings

The private sessions bring to light issues about which there is little public awareness. For this reason the Inquiry decided it would hold public hearings on certain topics. They offer victims, survivors and witnesses who wish to speak publicly a space in which to be heard. The Inquiry invites victims and survivors, guests from the political sphere, people in positions of responsibility in institutions, representatives of the media and anyone with an interest in the particular topic to be covered in the hearing. Three public hearings have been held so far, with around 200 people taking part in each one. The themes of these hearings were topics covered during the Inquiry's first term: child sexual abuse within the family, in the GDR, and in the German Catholic Church and the Evangelical Church in Germany. (The Evangelical Church in Germany (*Evangelische Kirche in Deutschland – EKD*) is a federation of 20 Lutheran, Reformed and United Protestant churches in Germany, representing the majority of the country's Protestant Churches.)

1.9 ACADEMIC RESEARCH

The Inquiry's remit includes identifying topics which require in-depth academic study. Researchers from universities and institutes are encouraged to study the sexual abuse of children and to make their findings public. Some Inquiry members have taken responsibility for analysis of specific areas and are contributing to the research. In addition, a number of case studies have been commissioned. Case studies are a tool which can be used to undertake systematic and academically substantiated analysis of the private sessions and written accounts by victims and survivors of sexual abuse in specific contexts.

1.10 HELPLINE

The Inquiry set up a helpline. Victims and survivors and witnesses can call the free phoneline on 0800 40 300 40 and ask questions anonymously about the Inquiry and the hearings. The helpline staff have been trained in psychology and pedagogical skills and have many years of professional experience in dealing with child sexual abuse. They can help callers complete the registration form for the private sessions, as this can be quite onerous. The helpline also assists people with finding the support they need locally. The operational management of the helpline is provided by, N.I.N.A. e.V., a national advice and support organisation.

1.11 DATA PROTECTION

The Inquiry is required to protect personal data. It only collects, stores and uses data with the prior consent of the individuals to which it pertains and informs them about what information is collected and how it will be used. In addition, there is the option of contacting and speaking to the Inquiry anonymously, without providing names or other personal data. When victims and survivors are quoted, this only happens with their explicit consent.

1.12 GUIDELINES FOR RESPONDING TO ACUTE RISK TO CHILDREN

It is possible that the Inquiry may become aware in the course of its work of a situation of acute risk to a child's welfare – where a child is currently exposed to sexual abuse or is at risk of actual harm. It could also happen that the Inquiry acquires knowledge of planned offences.

Prior to conducting its first sessions, the Inquiry developed guidelines for action in such cases. These provide guidance, but each individual situation must be carefully assessed. This means that in cases which are not clear-cut the Inquiry faces the challenge of weighing up two competing principles – data protection and the best interests of the child – and making a decision. The four-step plan developed by the Inquiry is based on the principles contained in Section 4 of the Act on Information and Cooperation in Child Protection (*Gesetz zur Information und Kooperation im Kinderschutz*).

However, if the Inquiry becomes aware of offences which took place in the past, it does not inform the prosecuting authorities. In this case protecting the confidentiality of the victims and survivors prevails over the public interest in prosecution.

1.13 SHORT BIOGRAPHIES OF THE INQUIRY MEMBERS

Professor Sabine Andresen (Chair) is Professor of Social Pedagogy and Family Research at the Goethe University Frankfurt am Main. A researcher with a special focus on children and families, she regularly publishes on the topics of sexual abuse within institutions and the family, child poverty and children's wellbeing. As a member of the Independent Commissioner's Advisory Board and spokesperson for the Inquiry concept working group, from 2012 she advocated for a systematic inquiry into child abuse at national level. Sabine Andresen is a member of the Scientific Advisory Council for Family Issues (*Wissenschaftlicher Beirat für Familienfragen*) at the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, Vice President of the German Child Protection Association (*Deutscher Kinderschutzbund Bundesverband e. V.*) and a member of the National Council on Combatting Sexual Violence against Children and Young People (*Nationaler Rat gegen sexuelle Gewalt an Kindern und Jugendlichen*).

Dr Christine Bergmann was Federal Minister for Family Affairs, Senior Citizens, Women and Youth from 1998 to 2002. A pharmacist by training, she was elected president of the city council of East Berlin in May 1990. From 1991 to 1998 she was junior mayor of Berlin and senator for labour, vocational training and women. In 2010 Christine Bergmann was appointed Independent Commissioner for the Investigation of Child Sexual Abuse by the German Federal Government. She established the first national contact point for victims and survivors of sexual abuse and in 2011 she produced a comprehensive report with recommendations for policy-makers.

Professor Peer Briken is Director of the Institute for Sex Research and Forensic Psychiatry (*Institut für Sexualforschung und Forensische Psychiatrie*) and a member of the board of directors of the Institute for Psychotherapy at the University Medical Centre Hamburg-Eppendorf (*Institut für Psychotherapie am Universitätsklinikum Hamburg-Eppendorf*). His research focuses in particular on studies exploring the origins, processes and prevention of sexual delinquency and violence. A consultant in psychiatry and psychotherapy and a forensic psychiatrist and sexologist, from 2010 to 2016 Peer Briken was the first Chair of the German Society for Sex Research (*Deutsche Gesellschaft für Sexualforschung*) and from 2012 to 2016 he was Vice President of the International Association for the Treatment of Sexual Offenders. Peer Briken is editor of the sexual research journal, *Zeitschrift für Sexualforschung*, and a number of books.

Professor Barbara Kavemann works at the Social Sciences Research Institute on Gender Issues (*Sozialwissenschaftliches Forschungsinstitut zu Geschlechterfragen/FIVE Freiburg*) and is an honorary professor at the Catholic University of Applied Social Sciences Berlin (*Katholische Hochschule für Sozialwesen Berlin*). Barbara Kavemann is a sociologist who, since the early 1980s, has been researching sexual violence in childhood and youth and the prevention of sexual abuse and violence in gender relations. Through her research she has highlighted the need for further development of specialist sexual abuse advice services and expansion of the support system. As a member of the Advisory Board and spokesperson for the *Inquiry* concept working group of the Independent Commissioner, since 2012 she has advocated for the topic of sexual violence in childhood and youth to be integrated into research and teaching.

Matthias Katsch is a co-founder of the Eckiger Tisch e.V. initiative which has been campaigning since 2010 on behalf of victims and survivors of sexual abuse in institutions run by the Jesuit Order and the Catholic Church. A management trainer and consultant, Matthias Katsch is already part of the Federal Government's Round Table on Sexual Abuse (*Runder Tisch Sexueller Missbrauch*) and has been a member of the Advisory Board of the Independent Commissioner since 2011. As spokesperson of the Advisory Board's *Inquiry* concept working group, philosopher and political scientist Matthias Katsch played an important role in shaping the political course to the establishment of the Independent Inquiry in July 2015. Since 2015 he has been a member of the Council of Victims and Survivors of the Independent Commissioner. Through the organisation Ending Clergy Abuse he is involved in a global networking initiative of victims and survivors of the Catholic Church. Matthias Katsch was appointed to the Independent Inquiry in 2019.

Professor Heiner Keupp was Professor of Social Psychology and Community Psychology at the Ludwig Maximilian University of Munich until 2008. Since 2001 he has been visiting professor at the Free University of Bozen-Bolzano. From 2007 to 2010 Heiner Keupp was Chair of the commission of experts for the Federal Government's *13th report on children and young people* (*13. Kinder- und Jugendbericht*). Between 2011 and 2015 he headed two investigations into abuse at Ettal Abbey and Kremsmünster Abbey for the Institute for Practical Research and Project Consultation (*Institut für Praxisforschung und Projektberatung*) in Munich, commissioned by the Benedictine Order. The research primarily investigated the institutional and social background that led to the offences and why they were concealed. Heiner Keupp also led a component of the interdisciplinary study of sexual abuse at the Odenwald School.

Brigitte Tilmann was President of the Higher Regional Court of Frankfurt am Main from 1998 to 2006. Prior to this she had worked for many years as a criminal judge. Between 2010 and 2012, together with lawyer Claudia Burgsmüller, she produced the first reports on sexual abuse at the Odenwald School. Brigitte Tilmann and Claudia Burgsmüller were also jointly commissioned by the Hesse Ministry of Culture to conduct a comprehensive investigation into sexual abuse at the Elly Heuss Knapp School in Darmstadt.

2. DOCUMENTING THE PRIVATE SESSIONS AND WRITTEN REPORTS

2.1 WHO CAME FORWARD

From the beginning, the level of interest from victims and survivors in taking part in one of the Independent Inquiry's private sessions was high. The large numbers who have contacted the Inquiry clearly indicated that there was a need for people to be able to report their experience of abuse to an official body. Despite the fact that initially limited financial resources meant that it was unable to carry out extensive publicity campaigns, in the first year so many people contacted the Inquiry that, from the middle of 2017, it was unable to accept any further applications and instead set up a waiting list. Analysis of the private sessions and written accounts provides information about the people who have already contacted the Inquiry and what target groups the Inquiry should therefore approach in future in order to reach them. In addition, it also became clear what issues the Inquiry should place greater focus on in future due to the large numbers of reports pertaining to them.

By June 2020 a total of 1,880 people had applied to take part in a private session. To date, 1,200 people have done so, 155 through the Independent Inquiry and 1,045 through the body's hearings teams. In addition, the Inquiry has received 420 written accounts. Altogether, 2,300 people have contacted the Inquiry to report their experiences through a private session or in writing. The Inquiry also received several hundred requests for help, support or information which were not evaluated for the report published at the end of its first term.

Apart from victims and survivors, the Inquiry has also been contacted by close family members, such as mothers and grandparents, witnesses, therapists and staff from advice services. Their accounts help to identify ways in which improvements can be made to provide better support for children and for victims and survivors who are now adults. Two thirds of the victims and survivors who contacted the Inquiry were women and a third were men.

Most people were in the 51-60-year-old age group, closely followed by those aged between 41 and 50. The data show that efforts should be made in future to reach more male victims and survivors and those under 30. The Inquiry hopes that the increasing public visibility of the subject and the continuation of the Inquiry's work will help these groups to feel more inclined and more able to come forward. The same applies to other target groups which it has not yet been possible to reach adequately, such as people with a migration background, people from different religious backgrounds, people living in poverty and people with disabilities. In these areas the Inquiry seeks to provide information, establish specific and targeted access and gain trust.

2.2 WHAT WAS REPORTED

The majority of the victims and survivors who have contacted the Inquiry have experienced abuse within the family. This confirms national and international research findings that the sexual abuse of children most frequently takes place within the family. The figures highlight how great the need is for investigation and acknowledgement in this area by society as a whole. Nevertheless, the Inquiry's remit is to look at all contexts for abuse. The Inquiry started doing this during its first term and will continue to do so during the second term. A quarter of victims and survivors report experiencing sexual abuse perpetrated by multiple offenders – both in different contexts and within the same context.

For example, victims and survivors may report being sexually abused in early childhood by their grandfather and in later childhood by their father. Alternatively, victims and survivors may have experienced abuse within the family and then later in a residential home, at school or from strangers. Furthermore, many victims and survivors report that, as well as experiencing sexual violence, they were also subjected to other forms of emotional and physical abuse. For example, slightly over a third of victims and survivors reported that they had experienced forms of abuse or neglect in the parental home.

A breakdown of the different types of institutions in which victims and survivors have experienced abuse indicates that it is incumbent on many institutions to undertake extensive work to address these issues. Apart from schools, this applies in particular to churches, sports clubs, hospitals and clinics, medical practices and residential homes.

Almost half of the victims and survivors reported that they were under six years old when the abuse started. Staff working in education, healthcare, child and youth welfare services and the justice system should be more aware of this particularly vulnerable group and receive appropriate training in this regard. More prevention work to strengthen protection for children should also be aimed at this age group. Almost three quarters of the victims and survivors who spoke to the Inquiry experienced sexual abuse between the 1960s and 1990s, with 20% of the reported sexual abuse taking place after 1990. Today, too, it must be assumed that every school class will have between one and two children who may have experienced sexual abuse.

The figures on the historical context show that child sexual abuse took place in both parts of divided Germany. The aftermath of the Second World War played a role in the experiences of the victims and survivors both in the Federal Republic of Germany and in the German Democratic Republic. Significant elements in this were parents who were traumatised and inadequate structures for the protection of children in institutions.

2.3 SELECTED ASPECTS OF THE WRITTEN REPORTS

In addition to the private sessions, another option for victims and survivors, family members and other witnesses to share their experiences with the Independent Inquiry is through written reports. Since the authors of the written reports do not generally

have any personal contact with the Independent Inquiry, it is felt to be of particular importance to acknowledge in this report the chosen format of the written statement. The Inquiry and the Inquiry Office are very aware that the victims and survivors and witnesses who submit written reports are demonstrating a particularly high degree of trust in them. Sending a personally written account means giving up a certain amount of control. The victims and survivors cannot see who holds their report in their hands and whether they read it with empathy and understand the writer in the way they intended to be understood. The Independent Inquiry and Inquiry Office have read every submission and given a voice to the key messages from them in the Inquiry report. In addition, the anonymised written reports feed into the analysis undertaken and publications produced in the framework of the research projects.

2.3.1 How and why victims and survivors share their experiences in writing

How victims and survivors write

By June 2020 the option of submitting a written report had been chosen by 420 people. Written accounts have been received regularly throughout the duration of the Inquiry to date. When the Inquiry was initially unable to accept any more applications for private sessions from May 2017, many people sent in written accounts instead. The majority contacted the Inquiry by email, but reports were also received by post. Some victims and survivors wrote about their experiences by hand. The length of the submissions varied from a few lines to around 50 pages.

Many victims and survivors described their experiences in their own words, while others used the questions published on the Inquiry website for guidance. The majority of participants provided the Inquiry with messages and requests aimed at policy-makers and the public. In addition to the written accounts, the Inquiry also received official communications, court judgements, expert opinions and other official documents. Some victims and survivors expressed their experiences through poems, short stories or novels or in the form of drawings or other images. Others shared their experiences by sending in email correspondence or letters between themselves and family members or representatives of institutions.

In some cases victims and survivors spent many weeks or even months working on their account, while others wrote their reports very quickly and sent them off straight away. Some of them wrote in a covering letter or a note at the end of their report that they would find it difficult to have any further discussion about what they had written. Other victims and survivors sent us their life story, already written in the course of therapy, during a writing workshop or for their descendants.

The diversity of the written submissions shows that this option offered the victims and survivors a degree of freedom in respect of the content and format of their account, and they made full use of this opportunity. The victims and survivors could choose the focus of their account themselves and were not influenced by any direct interaction with members of the Inquiry or its local teams.

The written reports often reveal how much it cost the author to write about their experiences. What is more, the victims and survivors sent in written accounts in which their experiences are described with such intensity that they are extremely moving and create a deep impression on the reader. Their childhood, the abuse they experienced and its consequences, the behaviour of other people and their life today are described clearly and vividly. The reader is inescapably transposed into the midst of the events described, which makes reading the reports an emotional experience.

Members of the Inquiry and the Secretariat have often felt the urge as they read to pay tribute to the writers, to provide words of courage and comfort, to show understanding and empathy and to point them in the direction of help and support services.

Why victims and survivors write

An important starting point is a description of the motivation for writing. Victims and survivors write about how they made their decision: some talk about sleepless nights due to feelings of guilt and shame; others disclose that they are opening up for the first time without feeling anxious and ashamed. Many stress that they want their report to help protect children in the future and to support the work of the Inquiry.

Some victims and survivors explain that they are unable to speak directly about the sexual abuse and suffering they have experienced and for that reason have chosen the option of a written submission. They also report negative experiences which mean they no longer feel able to confide their experiences through a conversation. For these people writing is the right way, perhaps the only way, for them to break their silence. Some victims and survivors have attempted to speak in a face-to-face session but then decided to write instead.

Some victims and survivors want to draw attention to issues which are insufficiently or never addressed by society, such as abuse by their mother or siblings. The Inquiry has also received reports in which victims and survivors describe being motivated to undertake further steps to process and deal with their experiences. Motivation may also include the act of making visible and documenting what happened.

Emotions during the writing process

Another important aspect for people producing written submissions are the emotions triggered within them by the process of writing. Things which have been suppressed are stirred up again and this is painful. The authors described tears, pain, nausea, stress and depression, but also relief and a sense of release.

Many victims and survivors find the option of writing a submission helpful because the abuse and violence or neglect they experienced in childhood is very much still with them in their lived reality today.

2.3.2 What victims and survivors felt was important to put in writing

Reading and analysing the written reports, it is noticeable that two aspects are approached with particular precision and clarity. First, the victims and survivors put themselves in the place of the child they once were and describe how they felt at the time. Secondly, the victims and survivors describe very vividly their current situation, the place from which they are writing.

How victims and survivors describe their childhood

For almost all the victims and survivors the central issue is what they experienced as children and how they felt.

Almost every report describes the family and individual family members, everyday life, fears, experiences at school or with the youth welfare services, and also the frequent isolation – a sense of distance from other children. Other victims and survivors write vividly about their childhood in care and the sometimes severe abuse they suffered there. Their descriptions convey a tangible sense of the child's experience of being in a desperate situation with no way out.

Many victims and survivors describe how their experience of abuse began. It is apparent that there is often a need to be able to identify the beginning. Some people divide their report and their childhood into the time before the sexual abuse and the time after.

There is enormous variation in how detailed and specific a description of the sexual abuse is given. Some people also stress that they don't want to write about it in detail. However, all the accounts attempt to put into words the experiences of the child they once were. They write about how they didn't understand what was happening to them at first and describe above all the way the perpetrator appeared to become a complete stranger in the abuse situation. If the experience of abuse happened more than once, the reports usually include descriptions of the dynamics, intensity and frequency with which the sexual abuse punctuated the individual's childhood and everyday life.

The reports provide extensive information about timescales and the specific consequences for children from the first experience of abuse. Many of them lost trust in those around them immediately after their first experience of abuse and, for example, felt they no longer had the strength to be involved in activities with their classmates as they had done previously. Many reports recount how they became outsiders in relation to their peer group and for some this had continued to be their experience throughout their adult life.

Victims and survivors provide very clear descriptions of their own feelings, predominantly shame and disgust, and physical reactions such as nausea. Many of them also seek to put into words the great physical pain they suffered.

A frequently described experience is the fear of dying felt by children when they were orally raped; they describe their fear of suffocating – and there are reports of near-death

experiences. Overall, the written reports bring to life the child's specific experiences of disgust and severe physical pain.

Regardless of their age, many victims and survivors write about their experiences of not feeling loved by the key adults in their lives: mothers, fathers, nursery teachers or grandparents. Lack of care, indifference and absence of affection and security characterise the emotional background against which the abuse took place. The absence of love is a notable feature in the accounts written by victims and survivors.

Many victims and survivors also describe multiple experiences of violence. In addition to verbal humiliation, they report other abuse, such as withholding of food, neglect and being hit, punched and struck with belts and other objects. If they sustained injuries from the violence, these were seldom treated. In particular, children with physical or cognitive impairments suffered humiliation and disregard from early childhood.

Some reports describe how the child longed for a comforting, caring gesture, above all from their mother. One survivor, who had stopped expecting to receive any care from their unloving mother, sought comfort in an unwashed shirt belonging to her.

Victims and survivors who lacked everyday experiences of care in childhood and whose dignity was violated by sexual abuse, described deriving great comfort from unexpected caring gestures. One individual wrote about how, following a traffic accident, she was looked after on a bus by a group of women she didn't know and how receiving this attention made her feel.

The humiliations and above all the sexual violence experienced by children leave them with feelings of vulnerability and powerlessness. This is described very personally in the written accounts and when we read them it is brought vividly home to us how a child gradually comes to understand that what is happening to them is wrong.

The reports describe people struggling to find a way out and a means of ending the abuse. The 'strategies' employed depend on their cognitive processes, their specific scope for action and how isolated they were. Some people describe how they tried to resist by repeatedly running away, hoarding food and building dens or shelters for themselves as places of refuge and somewhere to escape to.

Some people also describe what might be termed a second turning point in a childhood characterised by sexual abuse – the moment they physically fought back against the perpetrator. Another turning point was making the decision to seek help from someone. The preparations for such a step which were considered necessary from the child's perspective are very revealing, such as making sure they knew where they were going and how to get there, taking money and preparing younger siblings.

Some victims and survivors write about how they tried in vain to make contact with the local child and youth welfare services. Although the Independent Inquiry is unable to explore the perspective of welfare services staff in such cases, and many of these experiences took place years or decades ago, there is credible evidence that children often

did not receive appropriate support. There was a failure to listen with care and professionalism, and the parents whom the child accused were quickly brought in, or the child was sent back to the residential home or to their family without any checks being made. From the child's perspective and with the knowledge they now have as adults, in such cases their right to protection was clearly violated.

How victims and survivors describe their lived reality today

The people who make written submissions have shared with the Independent Inquiry openly and without embellishment how they felt at the time of writing. They have made it clear where things are not going well for them. It often seems that the distance from the reader helps them to overcome the concern or hesitation they might have, so that they are able to articulate things clearly. Loneliness and lack of prospects are expressed very plainly. Suicidal thoughts which persist today are explicitly described. Despair and a sense of fatigue in relation to the daily struggle to cope come through very tangibly in the written accounts.

The Independent Inquiry is aware that these descriptions only partially convey the feelings of the victims and survivors. However, they deserve to be clearly identified, as they are by the victims and survivors themselves. The Inquiry is grateful for this openness and clarity. The written reports repeatedly remind us that there are victims and survivors who feel completely alone and invisible and that there are those who, despite immense efforts, lose the struggle.

Notwithstanding the fact that many victims and survivors are still dealing with the consequences of the abuse they suffered, some of them nevertheless write of optimism, a determination to keep going, thankfulness, a sense of security, dreams and happiness.

3. FORMAT OF THE PUBLIC HEARINGS

The private sessions conducted with victims and survivors nationwide help to guide the Inquiry in its selection of topics for the public hearings. A central role in these hearings is played by reports and messages from victims and survivors, both on the panels and in the audience. Some of the victims and survivors are speaking about their experiences for the first time and for many it is an important step in their personal recovery process: their voice is finally being heard. These highly personal and encouraging moments make the hearings an important public space for speaking out and listening.

What is special about the format is evident when victims and survivors at the hearings come face to face with representatives of the institutions where they experienced the abuse and where those in positions of responsibility often did not want to listen or did not do anything, even though the abuse was reported. The role of those who are now in positions of responsibility in these institutions, such as churches, is above all to listen – in the place of those who perpetrated or covered up sexual violence. They have to hear what the victims and survivors report. Only later do they have the opportunity to respond to what they have heard. This primarily passive role can often prove uncomfortable for the representatives of the institutions but it is an important step in the process of addressing the issue of abuse.

Hearings during the Inquiry's first term

During the Inquiry's first term three public hearings took place:

- Child sexual abuse within the family – This context of abuse had not yet been addressed by any other investigation, including internationally. It was the subject of the first public hearing in January 2017 in Berlin. In addition to victims and survivors, family members also reported their experiences.
- Child sexual abuse in the GDR – When it established the Independent Inquiry, the German Federal Parliament made provision for it to investigate the system of residential homes in the GDR. The Inquiry then extended its work to include familial child abuse in the GDR. The second public hearing in October 2017 in Leipzig addressed the specific approach in the GDR to children affected by abuse, the almost blanket taboo around the issue and the inadequate support for adult victims and survivors.
- Child sexual abuse in the Churches – At its third public hearing in June 2018 in Berlin the Inquiry dealt with the Catholic Church and the Evangelical Church in Germany and their responsibility to address the issue of child sexual abuse. Following the hearing, the Inquiry published a series of opinions, in which it called for improvements in approaches to victims and survivors, structural changes and other measures the Churches should undertake to deal with this issue.

Around 200 people took part in each of the public hearings. These included victims and survivors, representatives of victims' and survivors' organisations, academics, practitioners and policy-makers. The third public hearing was made available as a livestream on the Inquiry's website.

Personal support

The permanent observers from the Council of Victims and Survivors, and on occasion other victims and survivors, are involved in planning the public hearings. During the preparatory meetings decisions are made about whether victims and survivors who have previously only spoken to the Inquiry in private sessions feel able to speak publicly and whether they feel strong enough to cope with the associated stress and pressure. Victims and survivors are supported by counselling services and can bring someone they trust with them to the public hearing. Staff from counselling services are present at the hearing itself and available to talk to and support victims and survivors and family members in attendance.

Resonance

Victims and survivors overwhelmingly experienced the public hearings as a form of acknowledgment of their suffering and injustice. All three Federal Ministers for Family Affairs who were in office during the Independent Inquiry's first term accepted the invitation to give an opening address, a fact which was particularly welcomed and seen as sending an important signal. It would be greatly appreciated if more representatives of the Federal Parliament, the state parliaments and the relevant ministries were to accept invitations to the public hearings, even without an active role. The act of listening to and meeting victims and survivors often provides a first opportunity to understand the challenges they face and what changes are necessary. The public hearings are thus a central element in this issue being addressed by the whole of society. It was very positive that all three public hearings were widely reported by the press, radio and television. For journalists, the public hearings are often a starting point for further research and provide initial opportunities to speak with victims and survivors. The Independent Inquiry hopes that this media interest will be sustained for future public hearings, in order to reach the wider public, responsible institutions and other victims and survivors.

4. RESEARCH

Introduction

There is a lack of knowledge about instances where child sexual abuse has been successfully addressed through an investigative processes. There is also a need for more information about how children can be adequately protected and about how victims and survivors can be better helped in the future. The Independent Inquiry therefore seeks to contribute to addressing this by conducting its own research projects. These projects are used to analyse and evaluate selected private sessions and written submissions.

Some additional data collection is conducted on selected topics, through surveys or interviews, for example. The preliminary findings of the research projects were incorporated into the report on the Inquiry's first term. The results are also published on the websites of the institutes concerned and / or in professional journals and books, as well as being documented on the Inquiry's website.

In addition, the Inquiry commissions case studies and external projects, some of which also draw insights from the private sessions and written reports. They provide the Inquiry with an important basis for particular areas of focus. Depending on the stage the project has reached, the case studies and external projects are also published on the Inquiry's website.

The Inquiry's research projects and case studies and the external projects are funded from the Inquiry's budget.

4.1 INQUIRY RESEARCH PROJECTS

- **Preserving insights from the private sessions for the future**
  – Professor Sabine Andresen
- **What expectations do victims and survivors have of the Independent Inquiry?**
  – Professor Barbara Kavemann
- **Life after experiencing sexual abuse and mistreatment in institutions**
  – Professor Heiner Keupp
- **Professional support for people who have experienced sexual violence and exploitation, especially organised ritual abuse**
  – Professor Peer Briken

4.2 CASE STUDIES

- **Child sexual abuse in the context of the Catholic Church and the Evangelical Church in Germany**
  – Dr Marlene Kowalski
- **Child sexual abuse in institutions and families in the GDR**
  – Professor Beate Mitzscherlich, Professor Cornelia Wustmann

4.3 EXTERNAL PROJECTS

- **Sexual violence in the context of the so-called ‘paedosexual movement’ in Berlin from 1970**
  – Iris Hax, Sven Reiß
- **Investigation processes for effective child protection plans for the present and the future. Evaluating the experiences of victims and survivors of sexualised violence for protection in institutions – guidelines for designing local investigation processes and child protection plans**
  – Professor Sabine Andresen, Professor Barbara Kavemann, Professor Peer Briken, Professor Heiner Keupp, Professor Jens Brachmann
- **Independent investigation of instances of sexualised violence against children and young people**
  – Professor Jens Brachmann
- **Historical, legal and psychological background information on sexual abuse of children and young people in the GDR**
  – Dr Christian Sachse, Stefanie Knorr, Bejamin Baumgart

5. MEDIA WORK AND PUBLIC OUTREACH

5.1 MEDIA WORK

In May 2016 the Independent Inquiry presented the work programme for its first term at the Federal Press Conference, a regular event organised by journalists reporting for the German media. Since then its work has been accompanied by ongoing, intensive media work, to ensure the public receives comprehensive and transparent information.

Publications by the Inquiry and information for the public

Since May 2016 over 900 reports about the work of the Inquiry have appeared on television and radio and in print and online media throughout Germany and in other countries, including Switzerland, Austria, Spain, Belgium and Luxembourg. To date, the Inquiry has issued 23 press releases and five opinions, held four press conferences and been interviewed three times, including by foreign correspondents, as well as holding a briefing session on ritual and organised abuse. In addition, the Inquiry has published guest contributions in various specialist media, thereby contributing its knowledge about child sexual abuse and the consequences to a multidisciplinary discourse. Through an extensive distribution list the Inquiry was able to reach an expert audience in the fields of educational science, social pedagogy, family, child and youth welfare, psychology, medicine, health and justice, as well as around 3,000 advice services and 150 other influencers, such as charities and other organisations working in the field of child and youth protection. In addition, representatives of both the Federal Government and of the individual political parties with responsibility for child protection were kept regularly informed of the work of the Inquiry.

Victims and survivors become aware of the Independent Inquiry

Through the Inquiry's public relations work and reports in the media, victims and survivors became aware of the Independent Inquiry and were inspired and encouraged to make contact and report the sexual violence they had experienced as children. A positive achievement is the evidence around the events that are open to the media and the press conferences of clear links between the Inquiry's communications work, media coverage and the level of applications from victims and survivors. In the days immediately following the three public hearings and after the Inquiry presented its reports a significant increase was recorded in the numbers of applications to give evidence.

Sensitivity towards victims and survivors and visual imagery in the media

The Inquiry supports media enquiries which explicitly seek contact with the victims and survivors with whom the Inquiry is in touch. In such cases it is of particular concern to the Inquiry that the portrayal of the victims and survivors by the media is respectful and dignified, rather than repeating the stereotypical depiction of the weak, helpless and broken victim. This approach significantly influences how victims and survivors are perceived by the public.

The reason for the stereotyped and stigmatising image of victims and survivors in the media often lies in a failure to adequately raise the awareness of journalists in editorial departments. In its work with the media the Inquiry specifically seeks to remedy this

failing. When providing contacts with victims and survivors for interviews, the Inquiry draws attention to these issues and suggests alternative approaches. It explicitly recommends the use of the term 'victims and survivors' rather than 'victims'. Close consultation between the interviewer and interviewee is also an important requirement in ensuring victims and survivors are treated with sensitivity. Thus the victim or survivor, in consultation with the journalist, can decide for themselves how they wish to be named and portrayed.

The Inquiry is aware that a particular challenge when dealing with the issue of child sexual abuse in the media is how to approach the use of images. This is especially true when the key information is to be accompanied by just one picture. It is frequently the case that highly emotive images are used which can trigger repulsion or fear in the viewer. Examples of such images are silhouettes with oversized adults and children in victim poses or photos of children cowering in a corner with their arms clasped protectively over their heads. Sometimes reconstructed scenes of rape or violence are used. There is a predominance of dark colours and sombre lighting which intensifies the menacing feel of the situation.

These images make it harder for the viewer to connect with the subject, increase the feeling of distance and may well fail to achieve what should be happening – removing the taboo around child sexual abuse. The Inquiry therefore recommends using images which show children in very normal, everyday situations – without infringing the right to privacy – and evoke a different atmosphere through pale tones and cheerful colours.

5.2 PUBLIC OUTREACH AND COMMUNICATIONS

From the start, the aim of the Independent Inquiry's public outreach and communications work was to ensure its work was widely known. The Inquiry sought, in particular, to be seen as a point of contact for victims and survivors and to be perceived as an expert body by professionals in the field and policy-makers.

Information media and campaigns

The website is the Inquiry's key communication tool. In addition, the Twitter account and newsletter have proved to be important resources for people who are interested in the Inquiry's activities. There has been a steady increase in the numbers of Twitter followers and newsletter subscribers.

Inspired by the Inquiry's guiding principle that every experience entrusted to it is important and counts, the Inquiry's communications agency came up with the slogan 'Histories that count' (*Geschichten die zählen*). In conjunction with the map of Germany, this slogan and the Inquiry's logo form the key components of the Inquiry's visual identity. 'Histories that count' was also the title of a campaign that sought to recruit victims and survivors to share their experiences with the Inquiry.

In connection with the investigation into child sexual abuse in sport, in May 2019 there was another appeal for victims and survivors. This was aimed primarily at people who had been sexually abused as children in the context of recreational sporting activities.

6. NETWORKING AND ENGAGEMENT

6.1 ENGAGEMENT WITH VICTIMS AND SURVIVORS

The expertise of victims and survivors is crucial for the work of the Independent Inquiry into Child Sexual Abuse. Thus, in addition to the intensive involvement of the permanent observers from the Council of Victims and Survivors located within the purview of the Independent Commissioner, discussions on specific themes are regularly held with other victims and survivors, including in preparation for the public hearings and in the context of the workshop sessions.

Engagement with the Council of Victims and Survivors

On 16 March 2016 and 3 December 2018 meetings took place with the full Council of Victims and Survivors. The Council suggested themes which it felt the Inquiry should investigate in greater depth. There were also discussions about which of these thematic investigations would benefit from collaboration between the Inquiry and the Council of Victims and Survivors. In addition, the two bodies shared ideas about how to increase the level of participation by victims and survivors in the research projects undertaken by the members of the Inquiry.

Conference

In addition, the Inquiry took part in the *MitSprache!* conferences held by the Council of Victims and Survivors in 2016 and 2018. At each event the Inquiry gave a workshop where it presented its work and answered questions from victims and survivors and professionals in the field, responding to their comments and suggestions. For instance, it was requested that the work of the Inquiry should have a sustainable impact and should lead to an improvement in the situation of victims and survivors, and that the Inquiry should work towards a situation where the institutions in which abuse took place assume responsibility. Participants also called for the Inquiry to have greater public visibility.

Workshop sessions

Discussions with victims and survivors also took place within the context of the internal workshop sessions. Here victims and survivors were invited as experts on particular issues relating to the following settings: family, residential schools, the GDR, residential homes, social and political movements, churches, ritual and organised abuse, sport, and disability.

The Inquiry on tour

An integral aspect of the Inquiry's identity is that it reaches out to make contact with victims and survivors. In September 2016 some Inquiry members took part in the 14th reunion of former residents of children's homes in the GDR. This was held at the memorial site established at the closed juvenile facility in Torgau. During a panel discussion the Inquiry presented its work and explained the particular challenges it faces in investigating child sexual abuse in the GDR. During the course of the Inquiry's visit to Torgau a large number of victims and survivors applied to take part in private sessions. In June 2017 the Inquiry held these sessions at the Torgau juvenile facility itself.

The meetings in Torgau were important milestones in the preparation for the Inquiry's second public hearing in October 2017 in Leipzig, which focused on the issue of child sexual abuse in the GDR. In November 2018 Dr Christine Bergmann and Professor Barbara Kavemann took part in an event to mark the 20th anniversary of the memorial site at the Torgau closed juvenile facility.

6.2 NETWORKING AND STUDY VISITS WITH INQUIRIES IN OTHER COUNTRIES

Within just a few months of the Inquiry beginning its work, a meeting took place in London with the Independent Inquiry into Child Sexual Abuse (IICSA). In June 2016 Inquiry Chair, Professor Sabine Andresen, and Independent Commissioner, Johannes-Wilhelm Rörig, had discussions with IICSA which had commenced its work in March 2015. Its focus is on investigating institutional child sexual abuse in England and Wales.

IICSA, represented by, among others, its President at the time, Dame Lowell Goddard, DNZM, reported on its work and highlighted the value of sharing experiences with other inquiries. It was noted that IICSA has drawn in particular on the experiences of the Australian Royal Commission into Institutional Responses to Child Sexual Abuse. Dame Lowell emphasised the importance of making investigations as transparent and open as possible, to inform the public and policy-makers about the work of the Inquiry and to gain the trust of victims and survivors. The participants also talked about the preparation, conduct and follow-up work for hearings. Another topic was a discussion of public outreach initiatives.

As part of the workshop sessions a meeting was organised in January 2018 with representatives of the Austrian and Swiss inquiries. The central focus was on the responsibility of institutions in the investigation process. The guests were Waltraud Klasnic, Brigitte Dörr and Professor Herwig Hösele from the Independent Victim Protection Advocacy – Initiative to Combat Abuse and Violence (*Unabhängige Opferschutzanwaltschaft – Initiative gegen Missbrauch und Gewalt*) in Austria, Luzius Mader from the Round Table for Victims of Compulsory Social Measures (*Runder Tisch für Opfer von fürsorgerischen Zwangsmaßnahmen*) and Dr Stephanie Schönholzer and Professor Martin Lengwiler from the national research programme Care and Compulsion – Past, Present, Future (*Fürsorge und Zwang – Geschichte, Gegenwart, Zukunft*) from Switzerland.

6.3 CONTACT WITH POLITICAL REPRESENTATIVES

Political representatives are important points of contact for the Inquiry and support the investigation of child sexual abuse. During the Inquiry's first term its members regularly briefed them on the Inquiry's work and on its initial findings and recommendations, and pointed out inadequacies in the support available for victims and survivors.

The Inquiry's reports were sent to the Members of the German Parliament with responsibility for this issue and to the Federal Chancellery and the relevant government min-

istries. The reports were combined with a request to integrate the Inquiry's findings and recommendations into their work.

Committee on Family Affairs, German Federal Parliament
In December 2016 the Inquiry Chair, Professor Sabine Andresen, and the permanent observers from the Council of Victims and Survivors at that time, Tamara Luding and Matthias Katsch, accepted an invitation from the members of the German Federal Parliament's Committee on Family Affairs, Senior Citizens, Women and Youth to report on the work of the Inquiry. This meeting was particularly notable, as it was the first time victims and survivors of child sexual abuse had been invited to speak to and with the Committee.

The discussion with the parliamentarians covered what investigating and addressing child sexual abuse means, why it is important and how it can contribute to preventing children from being abused in the future. It was emphasised that investigating and addressing child sexual abuse is a task for society as a whole and that it should be integrated more fully into political and public debate.

Forum on Political Victims of the GDR Dictatorship
In relation to the issue of child sexual abuse in the GDR, a meeting took place in October 2017 as part of the Forum on Political Victims of the GDR Dictatorship (*Dialog-Forum politische Opfer der DDR-Diktatur*) with the Federal Commissioner for the New Federal States, Iris Gleicke MdB.

The Inquiry directed the focus of the discussions towards the investigation of child sexual abuse in the GDR and the associated challenges. In addition, it highlighted a number of research topics and fields which had been identified in conjunction with the experts on abuse in the GDR commissioned by the Inquiry and which it believes require further exploration.

Conversation with Federal President Frank-Walter Steinmeier
In March 2018 the Inquiry met German Federal President Frank-Walter Steinmeier and his wife, Elke Büdenbender, for a conversation at the Bellevue Palace, the President's official residence. The Inquiry's permanent observers, Independent Commissioner Johannes-Wilhelm Rörig and the head of the Commissioner's Task Force were also invited. During the discussion about the Inquiry's work and the importance of the investigation process, particular emphasis was placed on the role of the many victims and survivors who make a decisive contribution to the investigation process.

6.4 EXTERNAL EVENTS

Since the Inquiry commenced its work in January 2016, it has regularly been actively represented at external specialist events, to raise awareness of its investigations into child sexual abuse. Thus the Inquiry has presented its work at many events, describing the challenges, sharing observations and findings from the conversations with victims and survivors, reporting on the different needs of victims and survivors and explaining the importance of investigating child sexual abuse.

7. CONCLUSIONS AND RECOMMENDATIONS

After three years the insights gained by the Inquiry through its public hearings and private sessions were many and far-reaching. At the same time, further questions had emerged and connections made which require investigation. It is very clear that investigation of this type is a time-consuming process. From the private sessions, written reports, public hearings and discussions, the Inquiry drew both general and specific conclusions based on the issues covered during its first term.

7.1 GENERAL CONCLUSIONS

Strengthening the position of victims and survivors in society

The Inquiry's private sessions and hearings were attended by many different people whose accounts strikingly document their different paths through life, their strength and their will to survive, but also their despair and the ongoing difficulties they experience in their lives. The Inquiry seeks to help to strengthen the position of victims and survivors in society, to reinforce their demands for help and support and to address stigmatisation. The efforts and achievements of those who have experienced sexual abuse must be acknowledged without losing sight of the sometimes massive consequences they suffer.

Victims and survivors are often confronted with prejudiced expectations and inaccurate depictions of victims. The Inquiry seeks to counteract these clichéd images in society and the media through research and its own communication and outreach activities.

Societal awareness of the extent and consequences of abuse

The accounts of victims and survivors include experiences of the trivialisation of sexual violence which persist to the present day. The Inquiry sees an important area for work in this respect. Public awareness-raising must be focused on revealing the extent and consequences of abuse and on curbing as far as possible the discourse which downplays these experiences. Most victims and survivors continue to suffer in adulthood from the multiple and sometimes severe psychological and physical consequences of sexual abuse. Many of them also look back on interrupted educational and employment histories. Due to their psychological and physical difficulties their capacity to work is often limited and for many their lives are very precarious. This already has an impact when they are of working age, but it can be aggravated when they receive very limited pensions on retirement.

There has long been a lack of awareness in society of the extent to which child sexual abuse can damage an individual's educational attainment and later employment and the associated socio-economic impacts. Society as a whole must accept responsibility, so that victims and survivors no longer struggle with insurmountable structural and financial hurdles and instead receive rapid and appropriate help and support. It must be made clear that victims and survivors are not merely supplicants – they have a right to help.

The state must take responsibility for the fact that it didn't do enough in the past to ensure the protection of victims and survivors who were children at the time.

Raising awareness about the interaction between different forms of abuse and about different contexts

The private sessions, public hearings and written reports make it clear that, in addition to sexual abuse, a large proportion of victims and survivors have also experienced physical mistreatment, neglect or psychological abuse. Accounts often record abuse in multiple settings and by several perpetrators. For example, an individual might have experienced sexual abuse within the family and also report abuse taking place at the same time or later at a residential home or in school.

A more informed and sensitive approach to victims and survivors by authorities and institutions

Authorities and institutions did not demonstrate sufficient sensitivity in their approach to victims and survivors in the past and this can often still be the case today. One aspect of this relates to investigations of the actions of authorities and institutions in past decades towards children who experienced abuse. Another aspect is that many victims and survivors report still experiencing obstacles today as they seek support and their right to recovery. They still find themselves confronted by insensitive and stigmatising reactions when they disclose what happened to them as children. This is particularly serious when they hope that revealing what happened to them will lead to them receiving assistance or when, during the application process for victim compensation or during court proceedings, they have to repeat all the details of the abuse they experienced, sometimes several times. Many people have to cope with the fact that they are not believed or are made to feel they share the blame for the abuse. Others report their experiences being downplayed, a blind eye being turned or the abuse being covered up.

These renewed experiences of powerlessness and disregard severely affect victims and survivors. In this respect, too, the Inquiry believes that better structures, education and awareness-raising are required.

7.2 CONCLUSIONS RELATING TO THE AREAS OF FOCUS IN THE INQUIRY'S FIRST TERM

In drawing conclusions, attention should be paid to the different contexts of abuse which formed the focus of the Inquiry's investigations during its first term and which it intends to explore further over the next few years. The Inquiry's findings to date and the key conclusions that can be drawn are detailed below.

Child sexual abuse within the family

The findings to date with respect to abuse within the family give rise to further issues for investigation.

Help for children has often come late or not at all, either because they were not believed or because family members may have long been aware of the abuse but did not protect them from it.

There must be an intensive public debate about the potential and the limitations of the family as a protective space. The power imbalance between children and adults must be redressed through the strengthening of a children's rights approach. More attention should also be paid to the extent to which families are embedded into the structures of school and welfare services for children and how this can contribute to abuse continuing or even being enabled.

Child sexual abuse in organised and ritual contexts

Victims and survivors have reported experiencing the worst violence and sexual abuse from very early childhood in ritual and organised contexts. Today these victims and survivors are often coping with the multiple physical and psychological consequences of the sexual abuse they experienced. Their employment situation and personal relationships can be severely damaged. Some victims and survivors report that they continue to receive threats. They need many years of therapy, which often also has a severe impact on the counsellors and therapists who work with them. The Inquiry was able to take some important first steps in this respect, but further research and investigation is needed in order to make improvements in relation both to support for victims and survivors and to prevention.

Child sexual abuse in the GDR

The issue of sexual abuse of children was a taboo subject for longer in the GDR than in West Germany. Sexual abuse was not spoken about either privately or publicly. Moreover there were no advice services addressing abuse and almost no specialist support for victims and survivors.

The impact of this taboo around child sexual abuse is still evident today. Victims and survivors report how difficult it is to obtain acknowledgement of the wrong they suffered. Since they continue to feel stigmatised today, they are often still barely able to talk about their experience of being in residential care. As yet, little research has been undertaken into sexualised violence against children in the GDR.

In particular, the role played by state institutions and officials in the establishment and covering up of structures that allowed and condoned abuse must be systematically investigated using the files available in archives on the subject of child sexual abuse in institutions, the family and the social environment. This requires further engagement with researchers on the issue of injustice and wrongdoing in the GDR.

Child sexual abuse in the Catholic Church and the Evangelical Church in Germany

Reports from victims and survivors show that the Catholic Church and the Evangelical Church in Germany must take greater responsibility for addressing and investigating abuse, and that the concerns of victims and survivors must be the central focus of their actions. In the past both Churches frequently only did as much as they had to in response to pressure from victims and survivors and the public. They must now facilitate independent investigations, allow access to files and establish contact points and complaints bodies independent of the Church, with easily accessible processes for the reporting of sexual abuse.

A successful investigation process requires appropriate acknowledgement and compensation measures, unambiguous recognition of guilt and a sustained analysis of the structural conditions which enabled and still enable abuse to take place. Power structures still exist in the Churches today which make it more difficult for victims and survivors to address what happened, enable child sexual abuse to take place and continue to protect perpetrators. This was shown not least by the 2018 study *Sexueller Missbrauch an Minderjährigen durch katholische Priester, Diakone und männliche Ordensangehörige im Bereich der Deutschen Bischofskonferenz (MHG-Studie)* [*Sexual abuse of children by Catholic priests, deacons and male members of religious orders under the German Bishops' Conference (MHG Study)*].

In 2018 both Churches announced important plans to investigate and address the issue of abuse. In 2020 the German Bishops' Conference and the Independent Commissioner for Child Sexual Abuse Issues agreed a joint statement on binding criteria and standards for an independent investigation into sexual abuse in the Catholic Church in Germany. Its implementation and impact require constant monitoring.

7.3 RECOMMENDATIONS FOR THOSE IN POSITIONS OF RESPONSIBILITY IN GOVERNMENT, POLITICS AND CIVIL SOCIETY

The Inquiry operates against a background of four main objectives for investigating and addressing child sexual abuse in Germany. In brief, these comprise:

- revealing the scale, nature, causes and consequences of child sexual abuse;
- identifying structures which facilitate child sexual abuse;
- identifying ways to acknowledge injustices;
- initiating a wide-ranging political and public debate.

The state bears responsibility both for the protection of children in families and institutions and for providing the support needed by victims and survivors suffering from the consequences of abuse. In addition, the state must record and acknowledge the injustice suffered and take responsibility for the failure to provide protection and support in the past.

Investigating and addressing abuse is a task for society as a whole; every individual is called to play a part in it. Thus, in the future, the process will also seek to draw political conclusions. These are primarily aimed at those in positions of responsibility in government, politics and civil society.

The Inquiry recommends acknowledgement of and support for victims and survivors who are now adults

A better framework is needed for dealing with abuse – a framework which supports victims and survivors to lead a good life. To date, victims and survivors often do not receive the help they urgently need and deserve.

- Better sharing and networking opportunities for people who have experienced sexual abuse.
- A well-equipped, comprehensive support network of counselling and therapy.
- The provision of specialist advice and counselling services for adult victims and survivors must be expanded nationwide and made more financially secure. Awareness of these services should also be raised. This applies particularly to rural areas, the new federal states formerly in the GDR, male victims and survivors, those with disabilities and victims and survivors with a migration background.
- For many victims and survivors permanent full-time employment is not possible due to the physical and psychological consequences of the abuse they suffered. Careful rehabilitation measures are needed to successfully integrate them into the world of work. Suitable part-time jobs should be made available which enable them to remain in employment and continue their careers.
- The compensation for victims and survivors provided for in the Victims Compensation Act *(Opferentschädigungsgesetzes (OEG)*) must be made more easily accessible and the processes should be made more sensitive to the needs of the victims and survivors.
- Staff of agencies such as pensions and benefits offices, job centres, health insurance providers and the justice system must be trained in how to work with traumatised people.
- Training in the fields of education, medicine, psychology and law should cover basic knowledge about sexual violence and its consequences.

The Inquiry recommends better protection and support for children

Prevention of and information about sexual abuse, as well as support and advice services for parents, other family members, wider society and children themselves must be further developed and made more visible. There should be continuing public campaigns, tailored to the societal conditions at the time. These should raise awareness of the frequency of sexual abuse of children and its consequences, as well as improving knowledge of and access to support services for children and the adults responsible for them.

- Child protection plans must be introduced and made part of everyday life nationwide and in all facilities and organisations which care for children.
- An environment must be established in which children are protected, encounter adults who are aware of their responsibilities and always feel they have someone they can turn to.

- Tailor-made provision is required for the continuing education of professionals who are responsible for the wellbeing of children. Knowledge about sexual abuse must form a compulsory part of training in the fields of education and psychotherapy. Other groups of professionals, such as family court judges and criminal court judges, should be required to participate regularly in continual professional development and training in addressing and understanding child sexual abuse.
- The situation of children in official proceedings must be improved. The Inquiry recommends, for investigative and criminal proceedings, the establishment of local, objectively focused centres of excellence in child protection proceedings. In addition, legislators and judicial administration services should ensure that child protection proceedings are dealt with as priority matters and steps are taken to avoid delays.
- All educational establishments should provide sex education which reinforces the ability of children to protect themselves and make informed decisions. It is also important to educate children about sexual abuse. Furthermore, professionals need to know how to act if children engage in sexually harmful behaviour.
- As a matter of principle, children must always be able to actively participate in all proceedings and decisions relating to their lives and should be supported by qualified individuals. The primacy of children's rights, which already pertains in international law, must be applied more rigorously in the practice of the courts and public authorities.
- Residential services for children must be strengthened pedagogically and financially, to provide a high-quality alternative recognised by professionals and the public.

The Inquiry recommends that institutions in which abuse took place begin to investigate and address what happened

- Those in leadership positions in institutions should be empowered to examine suspected cases and, if necessary, proactively initiate an independent investigation process.
- Institutions must ensure a respectful, transparent and participative approach to victims and survivors. In particular, those in positions of responsibility must internalise and demonstrate this approach. Victims and survivors must be involved from the beginning and throughout the planning of the investigation process.
- Binding standards are required for compensation payments made in acknowledgement of injustice and suffering.
- Access to records and archives must be guaranteed.

The Inquiry recommends the government, policy-makers and civil society to start the process of investigating and addressing abuse – both in general and in relation to the specific contexts of families and institutions

a) Investigating and addressing abuse in general:

- There is an urgent need for a clearly visible gesture by wider society, policy-makers and the state to identify and acknowledge the injustices suffered. Conscious acknowledgment and acceptance of collective guilt are important to many victims and survivors, sometimes more important than financial compensation.
- Victims and survivors must be heard and spaces must be provided for them to speak out.
- It will be ineffective to investigate and address abuse without structured engagement with people who suffered sexual violence as children. The voices of the people affected are central and victims and survivors must therefore be centrally involved in the process. This requires structural measures and for victims' and survivors' initiatives and organisations to be strengthened.

b) Investigating and addressing abuse in family settings:

- Families are the private spaces of a society and are central to communities. The majority of children live in families. This has meant that children have often not been protected in their families, even though, in the event of a child's welfare being at risk, the state is under an obligation to assume responsibility in the place of the parents for the protection and upbringing of the child. A critical examination of the concept of the family and expectations of it is required. The evaluation has shown how strongly people are attached to the ideal of strong, healthy family relationships, even when there are clear indications of abuse.
- In addition, victims and survivors from families need help and support to address their experiences individually and to reach out to others.

c) Investigating and addressing abuse in institutional settings:

- Particularly with respect to the Churches, the state should develop binding standards for the investigation of child sexual abuse. This is the only way to overcome resistance from within the Church and to reinforce the rights of victims and survivors. The first steps taken in this direction, such as the joint declaration by the German Bishops' Conference and the Independent Commissioner for Child Sexual Abuse Issues, are very much to be welcomed. Similar standards should be applied in the future to other institutions.
- Reflection should be undertaken on what other mechanisms the state can employ to encourage and support institutions to investigate and address abuse.

In 2019 the Inquiry developed a set of *recommendations for investigation processes in institutional settings***. This provided private, public and non-state organisations with binding criteria to be used in investigating past child sexual abuse in their institutions.**

LEGAL NOTICE

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