

## **VII. Abuse Policies**

### **Introduction**

*The Archdiocese has a moral, spiritual and legal obligation to safeguard, in all respects, all of those to whom we minister (Matthew 18.6). It is committed to exemplifying integrity and accountability and acting with justice and mercy. It expects its clergy, employees and volunteers to be outstanding individuals of high moral and ethical standards. The Archdiocese opposes all forms of abuse, and pledges to offer an environment free from abuse for all of its spiritual and pastoral activities.*

*This policy encompasses an approach that focuses on prevention and education, intervention and healing. It aims to protect the innocent, reduce the risk of abuse, and offer protection from false accusations. It offers clear procedures and protocols to prevent and respond to abuse.*

### **Prevention**

*Prevention will incorporate screening, education and training in abuse prevention.*

*Psychological and other screening processes are utilized by the seminary for candidates for the priesthood, and also by the Archdiocese for candidates for the Permanent Diaconate and for admission and incardination of clergy from outside the Archdiocese. In addition to mandatory employment interviews and reference checks of Archdiocesan personnel, all clergy, Archdiocesan employees and those volunteers who work directly with children and vulnerable persons will be required to obtain a police information check and vulnerable persons check.*

*An abuse prevention program will be employed for education and training. Successful completion of this program will be required by all clergy, Archdiocesan employees and those volunteers who work directly with children and vulnerable persons.*

### **Intervention**

*The Archdiocese will respond swiftly and compassionately to investigate an allegation of abuse, provide assistance to those in need of healing and reconciliation and take any and all means to prevent a future occurrence of abuse. Adhering to civil and canon law, working together with the Abuse Protection Advisory Committee, psychological counselors, the Human Resources Office of the Archdiocese, and the Archdiocesan insurer and legal counsel, the Archdiocese will provide a thorough and comprehensive response to resolve any allegations of abuse.*

*These policies and procedures reflect the existing law of the Province of Alberta, the laws of Canada and current canonical norms. They apply to all clergy, employees and volunteers of the Archdiocese.*

*This policy will be reviewed every four years.*

*In addition, the following Human Resource Policies are also applicable:*

[Police Information Check \(PIC\) Policy No. 302](#)

[Conflict Management and Complaints Policy No. 341](#)

[Non-Discrimination Policy No. 345](#)

[Progressive Discipline Policy No. 347](#)

[Termination of Employment \(Culpable\) Policy No. 349](#)

[Workplace Violence Policy No. 353](#)



## Abuse

## Policy No. 354

**Policy Statement:** The Archdiocese will not tolerate any form of abuse by its clergy, employees, or volunteers.

**Intent of Policy:** To protect society, especially the members of the Church, from the harm that comes from abuse.

**Definitions:** Abuse includes:

- Physical – any intentional unwanted contact that may cause bodily injury, pain, or impairment. It does not have to leave a mark or a bruise.
- Verbal – the use of language to manipulate, control, ridicule, insult, humiliate, belittle, vilify, and show disrespect and disdain to another. It may or may not use expletives. It may also be in written form, which includes the electronic media. Such abuse consists of: [bullying](#), [ridicule](#), [trivializing](#), [harassing](#), interrogating, accusing, [blaming](#), denial, [insulting](#), [taunting](#), putting down, discounting, threatening, [name-calling](#), [yelling](#) and [raging](#).
- Sexual – any intentional unwanted or non-consensual sexual contact. It may include: touching, harassment, incest, molestation, intercourse, rape, sodomy, exhibitionism, and other acts of sexual exploitation that may involve the Internet. It may also include any sexual contact which is apparently consensual, but breaches professional and/or ministerial boundaries.

**Also refer to Policies:**

[No. 345 Non-Discrimination](#)

[No. 360 Allegation Assessment Protocol](#)

## Abuse Prevention

## Policy No. 355

***Policy Statement:*** The Archdiocese will do all that is possible to prevent abuse through screening, education and training in abuse prevention and safe environment initiatives.

***Intent of Policy:*** To establish an environment that is free from abuse throughout the Archdiocese.

***Procedure:***

- a) All clergy, employees and volunteers of the Archdiocese will be given a copy of the Archdiocesan policies regarding abuse.
- b) All clergy, employees and volunteers of the Archdiocese will participate in the abuse prevention education and training programs offered by the Archdiocese as appropriate to their ministry.
- c) Clergy, employees and volunteers are obliged to have a criminal record and vulnerable persons check every three years as per [Policy No. 302 – Police Information Check \(PIC\)](#). A copy of this record is to be kept in the Parish or the Office of Human Resources of the Archdiocese.

## **Abuse Protection Advisory Committee**

## **Policy No. 356**

***Policy Statement:*** The Archbishop will establish and maintain an Abuse Protection Advisory Committee for the Archdiocese.

***Intent of Policy:*** To have a committee of professional men and women of outstanding integrity and good judgment with expertise in various disciplines to assess, review and advise the Archbishop on:

- developing an environment free from abuse that includes education, prevention, training, and policies
- allegations of abuse by the clergy, employees or volunteers of the Archdiocese
- the on-going needs of people who have been hurt by abuse

***Definitions:*** The Abuse Protection Advisory Committee shall consist of, but is not limited to:

- The Archbishop
- The Vicar General

- The Chancellor
- A Social/Public Administrator
- A Forensic Psychologist
- A Communications and Public Relations representative
- A Child Advocate
- A Representative from the laity
- A Canon Lawyer
- A Civil Lawyer

***Procedure:***

- a) The committee will meet twice yearly or more often as necessary.
- b) Others may be invited to attend all or part of a committee meeting to address specific agenda items in their area of competence/expertise or area of responsibility.

**Intervention – Adults**

**Policy No. 357**

***Policy Statement:*** The Archdiocese will respond to all allegations of abuse of adults by its clergy, employees or volunteers.

***Intent of Policy:*** To ensure that all allegations of abuse are investigated and properly acted upon and that support and assistance are provided to the people effected.

***Definitions:*** An adult is any person age 18 or older.

Refer to [Policy No. 354](#) for abuse definitions.

***Procedure:***

- a) All allegations of abuse are to be referred to the Chancellor.
- b) Assistance and support will be offered to the effected parties by the Archdiocese, and the complainant will be informed of the option to contact law enforcement.
- c) Any and all steps will be taken to protect the individual and any other individuals from further abuse.

- d) The Chancellor will contact the Archbishop's Delegate or Deputy Delegate, who will follow-up on the allegation. Refer to Allegation Assessment Protocol [Policy No. 360](#).
- e) The Archdiocesan Office of Communications will be responsible for communicating information concerning an allegation of abuse to the media.

## **Intervention – Children**

## **Policy No. 358**

**Policy Statement:** The Archdiocese will respond to all allegations of abuse of children by its clergy, employees or volunteers.

**Intent of Policy:** To ensure that all allegations of abuse are investigated and properly acted upon and that support and assistance are provided to the people effected.

**Definitions:** A child is any person under the age of 18.

Refer to [Policy No. 354](#) for abuse definitions.

**Procedure:**

- a) All allegations of abuse of children are to be referred to the Chancellor. The Chancellor will confirm that a report has been made to the Child and Family Services Authority.

Note:

Whenever someone becomes aware that a child is in need of protective services, the obligation to report arises.

Any person, who has reasonable and probable grounds to believe that a child is in need of intervention, must by law report it to a Child and Family Services Authority under the *Child, Youth and Family Enhancement Act* without delay.

- b) Assistance and support will be offered to the effected parties by the Archdiocese.
- c) Any and all steps will be taken to protect the child and any other children from further abuse.

- d) The Chancellor will contact the Archbishop's Delegate or Deputy Delegate, who will follow-up on the allegation. Refer to Allegation Assessment Protocol [Policy No. 360](#).
- e) The Archdiocesan Office of Communications will be responsible for communicating information concerning an allegation of abuse to the media.

## **Intervention – Vulnerable Persons**

## **Policy No. 359**

***Policy Statement:*** The Archdiocese will respond to all allegations of abuse of vulnerable persons by its clergy, employees or volunteers.

***Intent of Policy:*** To ensure that all allegations of abuse are investigated and properly acted upon and that support and assistance are provided to those affected.

***Definitions:*** A vulnerable person may include someone with:

- Diminished physical ability – e.g. elderly, developmentally disabled, hearing/speech impaired
- Diminished mental ability – e.g. elderly, mentally challenged, persons with Fetal Alcohol Spectrum Disorder, persons who have experienced a severe physical trauma such as a head injury
- Mental health issues – e.g. Bipolar Disorder, Post Traumatic Stress Disorder or Schizophrenia.

Refer to [Policy No. 354](#) for abuse definitions.

### ***Procedure:***

- a) All allegations of abuse of a vulnerable person are to be referred to the Chancellor. The Chancellor will confirm that a report has been made to either the law enforcement authorities or the Protection for Persons in Care Authority.

Note:

Any individual, who has reasonable and probable grounds to believe that a vulnerable person is being abused, must report it to either the law enforcement authorities or the Protection for Persons in Care Authority without delay.

Notification of the Protection for Persons in Care Authority only applies to those clergy, staff or volunteers working in hospitals, nursing homes, and social and mental health facilities as defined in the Protection for Persons in Care Act.

- b) Assistance and support will be offered to the effected parties by the Archdiocese.
- c) Any and all steps will be taken to protect the vulnerable person and any other vulnerable persons from further abuse.
- d) The Chancellor will contact the Archbishop's Delegate or Deputy Delegate, who will follow-up on the allegation. See [Allegation Assessment Protocol Policy No. 360](#).
- e) The Archdiocesan Office of Communications will be responsible for communicating information concerning an allegation of abuse to the media.

## **Allegation Assessment Protocol**

## **Policy No. 360**

***Policy Statement:*** This protocol will be followed by the Archdiocese regarding allegations of abuse by its clergy, employees or volunteers.

***Intent of Policy:*** To ensure that all allegations of abuse are thoroughly investigated and appropriately dealt with according to civil and canon law.

***Procedure:***

- a) Refer an allegation of abuse to the Chancellor.
- b) The Chancellor will contact the Archbishop's Delegate or Deputy Delegate.

- c) The Archbishop's Delegate or Deputy Delegate, respecting all Government legislation and regulations, will immediately conduct a preliminary assessment of the allegation by:
- Gathering the facts and circumstances to assess the credibility of the alleged offence
  - Notifying the alleged perpetrator of the allegation
  - Contacting the Chancellor if the Archbishop's Delegate or Deputy Delegate determines that the allegation is credible
- d) If the Chancellor and the Archbishop's Delegate or Deputy Delegate determine that the allegation of abuse can be supported based on a balance of probabilities, the Chancellor will:

### **ADULTS**

- Immediately take any and all steps to prevent further abuse
- Immediately inform the Archbishop, the Abuse Protection Advisory Committee, Archdiocesan legal counsel and the Archdiocesan insurer
- Immediately meet with and notify the alleged perpetrator that:

#### **Employee**

- discipline and/or termination will be assessed

#### **Volunteer**

- he/she is suspended from ministry

#### **Clergy**

- his canonical faculties are suspended, he is relieved of all his duties and any public ministry
- If the adult was abused as a child, there is no obligation to report the matter under the *Child, Youth and Family Enhancement Act*, since the individual is no longer in need of protective services. The complainant will be informed of the option to contact the law enforcement authorities.

### **CHILDREN AND VULNERABLE PERSONS**

- Immediately take any and all steps to prevent further abuse
- Immediately inform the Child and Family Services Authority or the Protection for Persons in Care Office if this has not already been done
- Immediately inform the Archbishop, the Abuse Protection Advisory Committee, Archdiocesan legal counsel and the Archdiocesan insurer
- Immediately meet with and notify the alleged perpetrator that:

**Employee**

- discipline and/or termination will be assessed

**Volunteer**

- he/she is suspended from ministry

**Clergy**

- his canonical faculties are suspended and he is relieved of all his duties and any public ministry
- The case will be referred to the Congregation for the Doctrine of the Faith (SST, 30 April 2001). .

e) If the Chancellor and Archbishop's Delegate or Deputy Delegate determines that the allegation of abuse cannot be supported, the Chancellor will:

- Inform both the alleged victim and alleged perpetrator that the allegation has been investigated and no further steps will be taken

***Exception:***

- a) If an allegation is made against a Religious, the Chancellor will refer it immediately to the competent Superior. The Superior, working with the Archdiocese, will either:
- Initiate the Religious Community's own Allegation Assessment Protocol or

- Utilize the Archdiocesan Allegation Assessment Protocol him or herself and/or with Archdiocesan personnel
- b) The seal of confession is inviolable regarding information received in the confessional (cc. 983; 984) despite the requirements of civil law, including the *Child, Youth and Family Enhancement Act*. The penitent is to be strongly encouraged to make disclosure outside of the confessional.

***Also refer to Policies:***

[No. 345 Non-Discrimination](#)

[No. 347 Progressive Discipline](#)

[No. 349 Termination of Employment \(Culpable\)](#)

[No. 353 Workplace Violence](#)

