

**Archdiocese of St. Boniface
Protocol
On the
Prevention of Sexual Abuse of Minors by Members of the Clergy
and
The Pastoral Response to Abuse Complaints**

Introduction

Catholics believe that our baptism makes us members of the People of God and members of the faith community we know as the Church. The protection of children and vulnerable persons is part of the very mission of the Church, because it enables all members of the community to practice their faith in a safe environment, confident that all the faithful are committed to their protection and well being.

The sexual abuse of minors is a tragedy that has been brought to light over the past twenty-five years. In Canada, abusers have been found among the clergy, teachers, coaches, parents and others who are in frequent contact with children. Every act of abuse against an innocent victim is an offence against the dignity of the person in body and spirit. Sexual misconduct is a serious violation of justice and charity that can cause lasting harm to its victims. It is never acceptable behaviour. When perpetrated by a member of the clergy, it can do grave spiritual and psychological harm, alienate victims and their families from the message of the Gospel and give grave scandal to the community.

This protocol details the Archdiocese of St. Boniface's efforts at education, prevention, the care for victims, appropriate responses to allegations of sexual misconduct and the guaranteeing of due process with respect to the accused.

In August of 1990, the Archdiocese established a committee to deal with the issue. Much time and history has passed and circumstances changed. In 1997 the protocol was revised. In keeping with this history, the Archdiocese of St. Boniface once again deems it appropriate to make a study and revision of our approach to this matter.

Among its responsibilities, the committee functions as a confidential consultative body to the Archbishop in discharging his office with respect to the care of minors. Members of the committee include professional lay people and clergy who are appointed for a term of five years, renewable.

The Archdiocese of St. Boniface reiterates its determination to prevent the sexual abuse of minors and its commitment to respond pastorally to those who have been abused.

Safe Environments

We recognise that our local church has the responsibility both to educate and to be accountable to society. To assist with this responsibility, the Archdiocese of St. Boniface is committed to creating safe environments for our young people.

The Archdiocese is committed, in a special way, to the formation of newly ordained clergy as they make the transition from Seminary to Parish life.

Service to Persons Harmed by Sexual Misconduct by Clergy

Justice and compassion call us to respond to the harm an individual has experienced. As Church, we want to bring healing and peace and so take seriously any allegations of sexual misconduct made against a member of the clergy. Therefore we respect the report of any sexual misconduct brought to our attention.

Church law also respects the rights of those accused of misconduct. We ask people to understand that our immediate willingness to respond to their complaint and provide them with assistance is neither an admission of guilt nor a conviction or judgment of the accused.

We will respond to every complaint of sexual misconduct. That being said, we cannot investigate any allegations without some disclosure of a complainant's identity.

We recognize that bringing a complaint of sexual misconduct to the Archdiocese can be a frightening experience. It can also be time consuming, since the issues involved can be onerous.

Misconduct by clergy causes deep hurt. This can be addressed through the assistance of skilled and reputable professional counsellors.

The damage caused by misconduct on the part of clergy is usually spiritual as well as psychological. We have learned from those who have been harmed that often their relationship with God and with their faith community has been damaged. The person harmed may want to address this spiritual pain. The Archdiocese is committed to providing persons to act as spiritual directors.

Because of the mobility of today's society, a person may be living in the Archdiocese of St. Boniface who was a victim of sexual abuse in other parts of the country or world. The archdiocese will assist in directing people to the proper religious authorities.

How to Bring Forth a Complaint

A complaint may be brought forward by contacting the Chancellor of the Archdiocese by phone, by letter, or by e-mail.

Phone: 237-9851 – ask to speak with the Chancellor.

Letter : Chancellor's Office
151 Avenue de la Cathédrale
St. Boniface, Manitoba R2H OH6
Please mark the letter "personal and confidential"

e-mail: laubin@archsaintboniface.ca

Archdiocesan Response to Allegations of Sexual Misconduct with a Minor by a member of the Clergy

It is important to state at the outset that the Archdiocese will respond and take immediate action if it receives an allegation of sexual abuse of a minor by a member of the clergy, even if the abuse occurred long ago and the alleged victim is no longer a minor.

In the case of an allegation of sexual abuse involving a person who is presently a minor or if the abuse happened while the complainant was a minor, the Archdiocese will, according to the laws of Manitoba, immediately report the allegation to civil authorities. The report will include the name of the complainant and the name of the alleged offender. The complainant will be informed of this procedure before s/he reveals information that would be required to be reported to civil authorities. The Archdiocese will, in all cases, advise and support a person's right to make a report to civil authorities themselves.

Any member of the clergy, religious, administrator, staff person or volunteer of the archdiocese receiving a complaint or allegation of sexual abuse of a minor must indicate to the person making the complaint that the archdiocese has both a policy and a procedure to be followed in this matter.

In those cases where allegations have been reported to the proper civil authorities, such as the police and child protection agencies, the Archdiocese will cooperate with the civil authorities in their investigation of sexual abuse allegations involving minors.

The Chancellor will be the official spokesperson for the Archdiocese in all cases of allegations of the sexual abuse of a minor by a member of the clergy.

The Investigation

When an allegation of sexual abuse of a minor by a member of the clergy is received, the Chancellor shall within a twenty-four hour period secure as much information about the matter as possible. If the matter warrants action, the Chancellor will take the appropriate action. If the matter does not warrant action, the delegate shall close the case, informing the Archbishop and the accused. The investigation will be conducted promptly and objectively, taking appropriate steps to protect the reputation of the accused. (c. 1717 §2)

Response to Clergy who have been accused of Sexual Abuse of Minors

When even a single act of sexual abuse against a minor by a member of the clergy is admitted or is established after an appropriate process in accord with Canon Law, the offending member of the clergy will be removed permanently from ecclesiastical ministry.

At all times, the Archbishop will use his executive power of governance to ensure that no member of the clergy, who has committed even one act of sexual abuse of a minor, can continue in ministry.

When an accusation has proved to be unfounded, every step possible will be taken to restore the good name of the person falsely accused.

Response in the Current Parish of the Accused

If members of the clergy engage in sexual misconduct with minors, many people are harmed. This is true not only of those directly involved, but also of the members of the parish where the accused is serving.

When a member of the parish clergy is accused, parishioners undergo a process of grieving. When parishioners first hear of the allegations, the reaction is one of disbelief. Over time this unbelief turns to anger against the accused and against the Church. Only with the passage of time and the appropriate action of the Archdiocese can a parish move on to continue accomplishing its mission.

One of the most important elements in parish healing is that the parishioners receive information about what happened in as full and accurate a way as possible.

Information helps to dispel any atmosphere of distrust which is often fuelled by rumour. That being said, limitations on communication may exist. These limitations can include the concerns of the victims and their families for privacy as well as the need to respect the rights of the accused.

We realize that neither Archdiocesan officials nor a new pastor alone can respond to all the concerns and problems that arise in the aftermath of clergy misconduct. As a result people with various expertise will often be needed to help with the parish's healing.

Appendix

Canon 1717 §2: Care is to be taken that this investigation does not call into question anyone's good name.

Canon 1722: At any stage of the process, in order to prevent scandal, protect the freedom of the witnesses and safeguard the course of justice, the Ordinary can, after consulting the promoter of justice and summoning the accused person to appear, prohibit the accused from the exercise of the sacred ministry or of some ecclesiastical office and position, or impose or forbid residence in a certain place or territory, or even prohibit public participation in the blessed Eucharist. If, however, the reason ceases, all these restrictions are to be revoked; they cease by virtue of the law itself as soon as the penal process