



# Code of Conduct *for clergy*



Archidiocèse de  
**Saint-Boniface**  
Archdiocese



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# I. Preamble

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**C**lergy in our parishes, religious communities/institutes/chaplaincies and organizations, acting within or outside our Diocese, must respect and uphold Christian values expressed in Catholic canonical standards of holy conduct, defined in promises made at ordination and renewed annually by priests at the Chrism Mass. This Code of Conduct provides guidance for the conduct of all clergy as well as all other persons carrying out all ministries and activities on behalf of the Archdiocese, its parishes, offices, ministries, programs, and any related organizations.

*Codes of conduct in any profession are constantly evolving. What is presented below is that which is judged to be the most appropriate for our times. We as the clergy of the Archdiocese of St. Boniface have agreed to this moral code of conduct and therefore we will all respect and abide by it.*

*When in doubt, please seek advice in advance from the Archdiocese. To do so, clergy should approach the Vicar General or the Diocesan Financial Administrator.*

# 1 Conduct for Clergy as *Pastoral Counsellors and Spiritual Directors*

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***Pastoral Counsellors and Spiritual Directors must respect the rights and advance the welfare of every person.***

- 1.1 Clergy must not step beyond their competence in situations where they counsel or spiritually direct, and must refer clients to other professionals when necessary and beneficial.
- 1.2 Clergy must carefully consider the personal and social consequences of their relationships in order to ensure professional and personal boundaries are maintained.
- 1.3 Pastoral Counsellors and Spiritual Directors must not make audio or video recordings of sessions, but may make notes as an aid to the services being provided.
- 1.4 As models of chastity and perfect continence, celibate clergy must not engage in sexual intimacies with another in word or action, and even if consensual. As models of chastity and fidelity, married clergy must not engage in sexual intimacies outside of their marriages, in word or action, and even if consensual. No one shall engage in any non-consensual conduct, any forced physical contact or inappropriate sexual comments or actions.
- 1.5 Pastoral Counsellors and Spiritual Directors assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all relationships of counselling or spiritual direction.

## Conduct for Clergy as *Pastoral Counsellors and Spiritual Directors*

- 1.6 Physical contact of any kind (e.g. touching, hugging, holding) between clergy and the persons they counsel or spiritually direct must be wisely considered, clearly non-sexual in nature and perceived as non-sexual by all.
- 1.7 Sessions must be conducted in appropriate settings at appropriate times. For example, sessions should normally be conducted in locations with transparency through glass windows or doors, and/or within public view, and within normal working or meeting hours. Sessions should normally not be conducted in private living quarters, at places or times that would tend to cause confusion about the nature of the relationship or late at night.
- 1.8 Clergy must seek counsel and prayer from a confessor/director if a relationship in ministry becomes a source of temptation in relation to their calling or vows, or if there is otherwise a conflict. If the temptation or conflict continues, then the clergy must withdraw from the relationship of counselling or spiritual direction.

## 2 Confidentiality

***Information disclosed to Pastoral Counsellors or Spiritual Directors during the course of counselling or spiritual direction must be held in the strictest confidence possible.***

- 2.1 Information obtained in the course of sessions shall be confidential, except for compelling professional reasons or as required by law.
- 2.2 If there is clear and imminent danger to the person or to others, the Pastoral Counsellor or Spiritual Director must make disclosure but only to the extent necessary to protect the parties affected, to prevent harm or to comply with law.
- 2.3 Before any disclosure is made, if feasible the Pastoral Counsellor or Spiritual Director must inform the person being counselled or receiving spiritual direction about the disclosure and the potential consequences.
- 2.4 Pastoral Counsellors and Spiritual Directors must discuss the nature of confidentiality and its limitations with each person in counselling or receiving spiritual direction, and where feasible obtain a signed disclosure authorization from that person.



# Confidentiality

- 2.5 Knowledge that arises from professional contact may be used in teaching, writing, homilies or other public presentations, but only when effective measures are taken to safeguard absolutely both the individual's identity and the confidentiality of the information.
- 2.6 While counselling or spiritually advising a Minor/Vulnerable Person, a Pastoral Counsellor or Spiritual Director may discover that there is a serious threat to the health and well-being of the person and that disclosure to a parent, legal guardian or otherwise is lawfully required or essential to protecting that person's health and well-being. If so, the Counsellor or Spiritual Director must make a serious attempt to secure consent from the person for the specific disclosure. Whether or not such consent is forthcoming, the Counsellor or Spiritual Director must promptly make the disclosure, but only to the extent necessary to protect the person.
- 2.7 These obligations are independent of the confidentiality of the confessional. Under no circumstances whatsoever can there be any disclosure – even indirect disclosure – of information received through the confessional.

# 3 Conduct with *Minors/Vulnerable Persons*

- 3.1 “Minors/Vulnerable Persons” include anyone under the age of 18, and “Vulnerable Persons”. The term “Vulnerable Persons” includes anyone who by reason of mental, physical, emotional or cultural circumstances, might easily be exploited by another person. Such persons are at a disadvantage, unable to protect themselves and so are at risk of harm. Clergy working with Minors/Vulnerable Persons must maintain an appropriate relationship that is honest, open and trustworthy, and ensure that nothing they do could reasonably be construed as inappropriate.
- 3.2 The preparation of Minors/Vulnerable Persons for the celebration of the sacraments of first reconciliation, first communion and confirmation must be done in a group format with at least two unrelated adults present. One-on-one instruction is not allowed.
- 3.3 The celebration of the sacrament of reconciliation with Minors/Vulnerable Persons must be done in an open space that allows the penitent and the priest to be in full view of others, or in a traditional confessional. If a traditional confessional is used, an adult, parent or guardian must accompany the Minor/Vulnerable Person to the confessional and meet him/her immediately after confession.
- 3.4 Reconciliation rooms must be in a visible area of the church building. Any new construction or renovation of reconciliation rooms must provide for transparency through glass windows or doors, and existing reconciliation rooms should if possible be altered for visibility. A traditional confessional box may be used.



## Conduct with *Minors/Vulnerable Persons*

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- 3.5** Two unrelated adults are to be present for all recreational and catechetical programs with Minors/Vulnerable persons. No adult shall be alone in a washroom with a Minor/Vulnerable Person. In case of special needs, advance agreement shall be made between the parents or guardian and the adult in charge.
- 3.6** One-on-one counselling or spiritual direction with Minors/Vulnerable Persons is to be conducted in a location with transparency through glass windows or doors. An adult, parent or guardian must accompany the Minor/Vulnerable person to the session and meet him/her immediately after the session.
- 3.7** Clergy must never be alone with a Minor/Vulnerable person in living quarters or a motor vehicle.
- 3.8** Clergy must not take a Minor/Vulnerable person on personal trips or vacations alone.
- 3.9** Gifts of more than a nominal value must not be given to or accepted from a Minor/Vulnerable Person.
- 3.10** Signs of affection must be spiritually, culturally and age appropriate, and preferably in view of others.
- 3.11** Clergy must be vigilant as to their own and others' actual and perceived vulnerability, and act accordingly. For transparency, a "team approach" should be used for managing all activities with Minors/Vulnerable Persons.

## Conduct with *Minors/Vulnerable Persons*

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- 3.12** Physical contact with Minors/Vulnerable Persons can be misconstrued. It must never occur in private and must occur only when completely non-sexual and otherwise appropriate.
- 3.13** When working with Minors/Vulnerable Persons, clergy must abstain from alcohol. They must also refrain from the possession or use of drugs other than as medically required.
- 3.14** Clergy must not allow Minors/Vulnerable Persons to stay overnight in the cleric's private accommodations or residence.
- 3.15** Clergy must not provide shared, private, overnight accommodations for Minors/Vulnerable Persons including but not limited to accommodations in any church-owned facility, private residence, hotel room, or another place where there is no other adult supervision present.
- 3.16** Clergy may provide suitable accommodation for Minors/Vulnerable Persons in those rare, emergency situations when no other reasonable alternative is available and accommodation is necessary for the safety of the Minor/Vulnerable Person. In such case clergy must take extraordinary care to protect all parties from actual impropriety or harm, and the appearance of it. Accordingly, a team approach must be used to manage emergency situations.
- 3.17** Clergy, religious staff and all volunteers must review and be current with the contents of the applicable child abuse/protection law and reporting requirements for the Province of Manitoba, and must follow those mandates.

## Conduct with *Minors / Vulnerable Persons*

**3.18** Clergy must review and be current with the Archdiocesan guidelines in regards to reporting in the Diocesan Protocol for the Protection of Children, Youths and Vulnerable Adults: Working Together for a Safe and Respectful Environment, and must follow those mandates.

**3.19** There is various legislation in Manitoba including The Child and Family Services Act, The Protection for Persons in Care Act and The Vulnerable Persons Living with a Mental Disability Act which places mandatory, legal reporting obligations on us in certain circumstances.

By The Child and Family Services Act, where a person has information that leads the person reasonably to believe that a child is or might be in need of protection (where the life, health or emotional well-being of the child is endangered by the act or omission of someone) the person shall forthwith report the information to the appropriate child and welfare agency or to a parent or guardian of the child.

By The Protection for Persons in Care Act, a person who has a reasonable basis to believe that someone is or is likely to be abused or neglected shall promptly report the belief, and the information on which it is based, to the Minister or the Minister's delegate.

By The Vulnerable Persons Living with a Mental Disability Act, a person who believes on reasonable grounds that a vulnerable person is or is likely to be abused or neglected shall immediately report the belief and the information on which it is based to the Executive Director appointed under that Act.

## Conduct with *Minors / Vulnerable Persons*

**3.19** *cont'd* The intention behind the legislation is that the report should be made to a parent or guardian when the parent or guardian is the appropriate person to receive the information, but if not (such as a circumstance where the parent or guardian is the person who is causing the risk), then there would be an obligation to report to the appropriate child and welfare agency or official. Notwithstanding lesser legal requirements from the Province, the Archdiocese requires that a priest report to the parent or guardian when the parent or guardian is the appropriate person to receive the information and as well report to the appropriate child and welfare agency or official.

It is not possible in this Code to provide the specific names and contact coordinates for the various persons to be contacted in these circumstances. However, there is a duty to report, which must be done promptly. If a situation arises, please immediately seek direction and advice from the Archdiocese.

***At any time, further information may be obtained from:***

- A.** the *Archbishop's Delegate for the Diocesan Protocol for the Protection of Children, Youth and Vulnerable Adults*, which is available on the Archdiocesan website, or upon request to the Chancery Office or the Archdiocesan Administration Office;
- B.** the *Handbook for Reporting of Child Protection and Child Abuse*, produced by the Provincial Advisory Committee on Child Abuse, is also available on the Archdiocesan website, or upon request to the Chancery Office or the Archdiocesan Administration Office; and/or
- C.** the Archdiocesan Financial Administrator.

# 4 Sexual Conduct

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- 4.1 Clergy must not, for personal gain, sexual intimacy or any reason, betray the trust placed in them by the faith community.
- 4.2 Clergy who are ordained to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times. Those who are ordained in the married state (deacons) are required to maintain absolute fidelity to their spouse, even if separated. Any sexual relationship or exploitation of a minor/vulnerable person is prohibited, and may also be a violation of the *Criminal Code of Canada*.
- 4.3 Allegations of sexual misconduct must be taken seriously and promptly reported to the ***Archbishop's Delegate for the Diocesan Protocol for the Protection of Children, Youth and Vulnerable Adults*** and to civil authorities if the situation involves a Minor/Vulnerable Person.

# 5 Harassment and Violence

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- 5.1 Both the applicable provincial human rights and workplace safety and health legislation as well the Criminal Code of Canada address harassment and violence in the workplace. In summary, it is not allowed and we all need to do what we reasonably can to stop it. We all have the right to live and work without being harassed or subjected to violence.
- 5.2 Clergy must not engage in physical, psychological, written or verbal harassment, or acts of violence towards staff, volunteers or parishioners, and must not tolerate such actions by other Church staff or volunteers. We must provide a professional, respectful and safe environment.
- 5.3 Harassment can take place based on a variety of factors including race, creed, religion, family status, colour, sex, sexual orientation, marital status, disability, physical size or weight, age, nationality, ancestry or place of origin.
- 5.4 Sexual harassment includes a series of objectionable and unwelcome sexual solicitations or advances, or a single solicitation or advance made by a person in a position of power over the recipient who knows or ought reasonably to know that it is unwelcome. This can be offensive or humiliating behavior based on a person's sex, behavior of a sexual nature that creates an intimidating, hostile or poisoned work environment, or behavior that could be reasonably thought to put sexual conditions on a person's employment or employment opportunities.



## Harassment and Violence

5.5 Psychological harassment includes bullying or abuse of authority which creates a risk to the health of another person or adversely affects the other person's psychological or physical well-being. This type of harassment can consist of a single instance or repeated instances of objectionable and unwelcome comments or conduct directed at another person, which serves no legitimate purpose and has the effect of interfering with the other person's performance or creating an intimidating, humiliating or hostile environment.

5.6 *Examples of harassment include:*

- Physical or mental abuse
- Racial insults
- Derogatory ethnic slurs
- Unwelcome sexual advances or touching
- Sexual comments or sexual jokes
- Requests for sexual favours involving viewing, accessing, downloading, e-mailing or printing pornographic material from the Internet or otherwise, including any child pornography.

## Harassment and Violence (cont'd)

5.7 Allegations of harassment are taken seriously and must be reported immediately to the appropriate party (Immediate supervisor, Diocesan Consultant for Human Resources, Vicar General, and if necessary, the Archbishop).

5.8 In the event the abuse is directed towards the priest, the incident must be reported to either the Diocesan Financial Administrator or the Vicar General. Archdiocesan procedures will be followed to protect the rights of all involved.

## 6 Clergy Well-Being

***Clergy have the duty to be responsible for their own spiritual, physical, mental and emotional health.***

- 6.1 Clergy should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental and/or emotional health.
- 6.2 Clergy should seek help immediately whenever they notice behavioural or emotional warning signs in their own professional and/or personal lives.
- 6.3 Clergy must address their own spiritual needs. Support from a Spiritual Director is highly recommended.
- 6.4 Inappropriate or illegal use of alcohol and/or drugs is prohibited. Support from a spiritual director and/or addiction counsellor is highly recommended when problems of this nature develop.
- 6.5 Intervention by another member of the clergy for pastoral concern should be welcomed as a sign of Christ's compassion, even if requiring fraternal correction.

## 7 Use of Information Technologies (email, internet, computers, devices, etc.) for Parish or Diocesan Business

- 7.1 All personnel must adhere to the policies, practices, and procedures established by the Archdiocese for e-mail, internet and computer use as well as Information Technology (IT) services, computer repair, maintenance, replacement, backup procedures and storage, ensuring virus and internet security, acquiring and servicing software licences, technical support, etc. and any other matters of usage particular to that parish.
- 7.2 These policies apply whether the Archdiocese/Parish has given Internet and/or e-mail access at the office, at the parish, on a laptop or at home, and to all personnel in the Archdiocese.
- 7.3 Computer and related software and equipment provided by the Archdiocese or Parish are Diocesan or Parish property.
- 7.4 The Archdiocese reserves the right to review any material on user accounts and to monitor files, internet use (including any web sites visited) and to reading of e-mail messages (including any attachment). There is to be no expectation of privacy.
- 7.5 The use of computers, the internet, social media and e-mail must be in support of and consistent with the applicable laws and as well the faith and principles of the Roman Catholic Church. It is beyond the scope of this Code to detail precisely what this means in a given circumstance and all should be guided by common sense and the reality that anything done at any time can reflect upon the clergy, the parish or the Archdiocese, and impair the ability to perform the required work.

## Use of Information Technologies *(email, internet, computers, devices, etc.) for Parish or Diocesan Business*

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- 7.6** The viewing and storing of pornography on parish and diocesan computers is strictly forbidden. Furthermore, the viewing and storing of child pornography is an illegal act and will be reported to authorities if found on any parish and diocesan equipment.

## 8 Financial *Issues*

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- 8.1** Communication about financial and temporal goods by the Clergy must be for the furtherance of the mission of the Church and not for personal gain.
- 8.2** All financial solicitation for personal use is strictly forbidden. Personal loans from parishioners must be discussed in advance with the Diocesan Financial Administrator.
- 8.3** Financial solicitation for purposes other than Parish or Diocesan sanctioned initiatives must be approved in advance by the Archdiocese.
- 8.4** Clergy must not knowingly and without having received prior approval from the Diocese, be the recipient of any Last Will bequests. An exception applies in the case of receiving bequests from immediate family members.
- 8.5** Clergy must not act as Executors for members of Parishes.
- 8.6** Clergy must not accept from parishioners a personal gift of cash, an object or real property with a value in excess of \$1,000 per gift, without advance Diocesan approval.
- 8.7** All collections belong to the Parish and must be banked directly and immediately. Monies cannot be removed from the collection and replaced with personal cheques or otherwise repaid.

# Statement of *Commitment*

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I, \_\_\_\_\_ *your name* \_\_\_\_\_, hereby acknowledge and confirm that I have read and understand the *Code of Conduct for Clergy* of the Archdiocese of Saint Boniface, dated August 29<sup>th</sup>, 2016. Pursuant to my promise made at Ordination and renewed annually, to respect and uphold Christian values as expressed in Catholic canonical standards of holy conduct, I hereby re-affirm my commitment to abide by those standards, including this *Code of Conduct for Clergy* of the Archdiocese of Saint Boniface.

I further acknowledge that, notwithstanding anything to the contrary contained herein, my failure to adhere to any part of the aforementioned code of conduct may be subject to disciplinary measures under canon laws up to and including suspension or termination of ministerial responsibilities at the Archbishop's discretion.

*Signed and agreed on this* \_\_\_\_\_<sup>th</sup> *day of* \_\_\_\_\_ *201*\_\_.

*Signature* \_\_\_\_\_

*Print Name and Title* \_\_\_\_\_



# **Code of Conduct for Clergy**

## **Archdiocese of Saint-Boniface**

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