

Diocese of Prince George

6500 Southridge Avenue
Prince George, BC Canada
V2N 5P9



REPORTING OF SEXUAL ABUSE BRIEF PROTOCOL

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**PLEASE READ THE PROTOCOLS
ON THE PROCEEDING PAGES
CAREFULLY
BEFORE MAKING A REPORT**

SECTION A: PROTOCOL OF THE DIOCESE OF PRINCE GEORGE

The Diocese of Prince George (the "Diocese") recognizes that *sexual abuse* by anyone representing the Church constitutes a serious breach of trust in human relationships and that it can have incalculable effects for the victim and his or her family, for the Church, and for the community at large.

The Diocese recognizes that it has a moral, spiritual and legal obligation to safeguard, in all respects, all of those to whom it ministers (Matthew 18:6). It is committed to exemplifying integrity and accountability and acting with justice and mercy. It expects its various diocesan representatives (i.e., diocesan priests and deacons, religious priests, deacons, brothers, and sisters, lay employees or lay volunteers) to be outstanding individuals of high moral and ethical standards. The Diocese opposes all forms of abuse and pledges to offer an environment free from abuse. This protocol deals specifically with sexual abuse and reflects the existing laws of the Province of British Columbia, the federal laws of Canada (i.e., Criminal Code), and current canonical norms, including the inviolability of the sacramental seal of Confession.

The diocesan leadership will respond swiftly and compassionately when investigating a report of sexual abuse. It will assist those in need of healing and reconciliation, and take any and all means to prevent future occurrences of abuse. It will adhere to civil and canon law, and consult with the members of its *Abuse Prevention Advisory Committee* (see Appendix B) to regulate the safety of our ecclesial communities, prevent abuse, and provide a thorough, just, and compassionate response to any report of sexual abuse made against a diocesan representative.

The Diocese of Prince George recognizes that the decision to come forward and to report a complaint of sexual abuse against a diocesan representative may be difficult and often requires considerable courage. To assist you with this process, the Diocese provides the toll-free number listed below which is linked to an independent reporting agency (the "Agency"), Denis Boyd & Associates, Vancouver, B.C. This reporting Agency is managed by a team of psychologists, counsellors, and social workers.

*To report an allegation/complaint of sexual abuse
by clergy, religious, lay employee or volunteer
of the Diocese of Prince George, call*
1-800-968-3146
(TOLL FREE NUMBER)
to speak with a Report Receiver.

When a report has been communicated to the Report Receiver at the Agency, the Receiver shall complete a *Report of Sexual Abuse Form*. The Receiver, in turn, will submit an emailed copy of the report to the Bishop's Delegate (the "Delegate") of the Diocese of Prince George. If the Delegate is unavailable, the report will be forwarded to the Alternate Delegate (*see Appendix A: Glossary* for a definition of these roles). If the allegation is against a member of a religious community, the Delegate will forward a copy of the report to the Religious Superior so that the religious community can proceed with its respective protocols.

The Report Receiver will also send an emailed copy of the report to the External Investigator (*see Appendix A: Glossary* for a definition of this role). The External Investigator will review the report within 48 hours to determine whether an investigation should proceed. The External Investigator will inform the Delegate of her determination and the Delegate will inform the Reporting Person of the same.

If the Reporting Person is seeking counselling services, the Receiver will relay this request to the Delegate. If the External Investigator has determined that an investigation should proceed, the Delegate will communicate directly with the Reporting Person (or through the Agency contact) to discuss counselling options.

NB. The confessional seal is inviolable (c. 983). Hence, any reports of sexual abuse made during the Sacrament of Penance (Confession) cannot be acted upon. In all cases, therefore, a penitent should be strongly encouraged to make disclosure outside of the context of the Sacrament of Penance so that a report of sexual abuse can be investigated by the Diocese and legal authorities.

NB. In cases where a report of sexual abuse has been referred to law enforcement authorities, the External Investigator shall consult with law enforcement prior to commencing an investigation in order to ensure that his/her investigation does not interfere with a law enforcement investigation. The External Investigator will comply with any request by law enforcement to delay his/her investigation until the law enforcement authority has completed its investigation.

This protocol will be reviewed, at a minimum, every five years.

The Diocese of Prince George is committed to assisting you in filing a report so that a proper investigation can be undertaken and an appropriate response be put in place. The report can be regarding past conduct or ongoing conduct. It can be in relation to a person who is still alive or who is deceased.

OTHER RESOURCES

*If you are in immediate danger or in need of support,
one of the following resources may be contacted:*

911

Children or Youth:

Child Welfare Worker (MCFD): 1-800-663-9122.

Help Line for Children or Youth: 310-1234.

Adults and Vulnerable Adults:

Victim Link BC 1-800-563-0808

HealthLinkBC at 8-1-1

(or 7-1-1- for the deaf and hard of hearing)

Seniors Abuse and Information Line: 604-437-1940

(or toll free at 1-866-437-1940)

Indigenous Help Line:

Hope for Wellness Help Line: toll free at 1-855-242-3310

Suicide Prevention Help Lines:

Canada Suicide Prevention Service: toll free at 1-833-456-4566

BC Crisis Centre: toll free at 1-800-784-2433

SECTION B: PROTOCOL FOR THE REPORTING OF SEXUAL ABUSE

I. MINORS (CHILDREN OR YOUTH)

Definition: in British Columbia, designates a person 18 years of age and under. Within this protocol, the term, minor, may be interchanged with ‘child’ or ‘youth’.

Protocol:

1. The *Child, Family and Community Service Act* provides lawful and special protection for minors and imposes a legal obligation to report on every person who has “reason to believe” (i.e., reasonable grounds) that a minor is in need of protection. Failure to report constitutes an offence under subsection (3) of Section 14 of the Act.
2. Reports related to minors in need of protection should be directed to a Child Welfare Worker (with the Ministry of Children and Family Development) at: 1-800-663-9122. Children or youth who are themselves in need of assistance can call: 310-1234. (NB. Also, see the link: [Reporting Child Abuse in BC.](#))
3. To be **legally** reportable to MCFD, the incident of abuse must relate to a person who is presently a minor and not to an incident involving an adult (i.e., age 19 and older) who was abused as a minor (see section “III. ADULTS” of this document for information pertaining to adults).
4. If an offense has been committed, or if a minor is in immediate danger, the Reporting Person should contact the police directly by dialing 911.
5. The Reporting Person is also asked to make a report to the Report Receiver using the 1-800 number listed on page 2.
6. If the Reporting Person contacts the Receiver, the Receiver shall complete a *Report of Sexual Abuse Form*.
7. The Receiver, in turn, shall immediately inform the Ministry of Children and Family Development (MCFD) and the police of the report given by the Reporting Person.
8. The Receiver will submit a copy of the report to both the Bishop’s Delegate and the External Investigator (see *Appendix A: Glossary* for a definition of this person’s role); the Delegate will ensure that the Receiver has the External Investigator’s contact information. If the allegation is against a member of a religious community, the Delegate will forward a copy of the report to the Religious Superior so that the religious community can proceed with its respective protocols.

9. The Delegate will contact the members of the *Abuse Prevention Advisory Committee (APAC)* by phone or by email to inform the membership: (a) that a report has been sent to the External Investigator (i.e., and, when applicable, the Religious Superior) for a preliminary review of the report's information; and (b) of the basic details of the report (i.e., no identifying information is shared).
10. If the External Investigator's preliminary review of the report information determines that a follow-up investigation should proceed to ascertain the credibility of the complaint, the External Investigator will inform the Delegate of such. The Delegate, in turn, will inform the following persons of the preceding determinations: (a) entire membership of the *APAC*; (b) Reporting Person; and (c) Respondent. The External Investigator will also contact the Reporting Person, the Respondent, and any other necessary persons to conduct a follow-up investigation.
11. While an investigation is being conducted, the Respondent (i.e., the accused diocesan representative) will be immediately suspended from all duties and/or ministries in the Diocese.
12. If updates are given by the External Investigator to the Delegate during the investigation, the Delegate will forward those updates to the appropriate persons as necessary.
13. The concluding report of the External Investigator will be sent to the Delegate and the Delegate shall call a meeting of the *APAC* to share the report.
14. After the *APAC* has reviewed the External Investigator's report and developed its advisement, the Delegate shall call a meeting of the entire *APAC* so that it can provide the bishop its advisement.

NB. As it is the responsibility of the *APAC* to give advisement to the Bishop on the investigation results, the bishop will not attend extraordinary meetings of the *APAC* that involve preliminary or ongoing discussions related to reports of sexual abuse. The bishop shall only attend the meeting described in bullet point #14.

II. VULNERABLE PERSONS

Definitions: 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 brain injury
- mental health concerns – e.g. anxiety, depression, bipolar disorder, post-traumatic stress disorder, or schizophrenia

Protocol:

1. If a vulnerable person is capable of making a self-report, he/she may do so of his/her own accord. Otherwise, any individual who has reasonable and probable grounds to believe that a vulnerable person is being abused should report it by either calling the local police detachment or 911. If the Reporting Person wishes to speak to someone confidentially, he/she can call HealthLinkBC at 8-1-1 (or 7-1-1- for the deaf and hard of hearing). In addition, the Seniors Abuse and Information Line can be called at 604-437-1940 or toll free at 1-866-437-1940 or VictimLinkBC at 1-800-563-0808.
2. The Reporting Person is also asked to make a report to the Report Receiver using the 1-800 number listed on page 2.
3. If the Reporting Person contacts the Receiver, the Receiver shall complete a *Report of Sexual Abuse Form*.
4. The Receiver will encourage the Reporting Person to make a report to the police (if the Reporting Person has not already done so).
5. The Receiver will submit a copy of the report to both the Bishop's Delegate and the External Investigator (see *Appendix A: Glossary* for a definition of this person's role); the Delegate will ensure that the Receiver has the External Investigator's contact information. If the allegation is against a member of a religious community, the Delegate will forward a copy of the report to the Religious Superior so that the religious community can proceed with its respective protocols.
6. The Delegate will contact the members of the *Abuse Prevention Advisory Committee (APAC)* by phone or by email to inform the membership: (a) that a report has been sent to the External Investigator (i.e., and, when applicable, the Religious Superior) for a preliminary review of the report's information; and (b) of the basic details of the report (i.e., no identifying information is shared).

7. If the External Investigator's preliminary review of the report information determines that a follow-up investigation should proceed to ascertain the credibility of the complaint, the External Investigator will inform the Delegate of such. The Delegate, in turn, will inform the following persons of the preceding determinations: (a) entire membership of the *APAC*; (b) Reporting Person; and (c) Respondent. The External Investigator will also contact the Reporting Person, the Respondent, and any other necessary persons to conduct a follow-up investigation.
8. While an investigation is being conducted, the Respondent (i.e., the accused diocesan representative) will be immediately suspended from all duties and/or ministries in the Diocese.
9. If updates are given by the External Investigator to the Delegate during the investigation, the Delegate will forward those updates to the appropriate persons as necessary.
10. The concluding report of the External Investigator will be sent to the Delegate and the Delegate shall call a meeting of the *APAC* to share the report.
11. After the *APAC* has reviewed the External Investigator's report and developed its advisement, the Delegate shall call a meeting of the entire *APAC* so that it can provide the bishop its advisement.

NB. As it is the responsibility of the *APAC* to give advisement to the bishop on the investigation results, the bishop will not attend extraordinary meetings of the *APAC* that involve preliminary or ongoing discussions related to reports of sexual abuse. The bishop shall only attend the meeting described in bullet point #11.

III. ADULTS

Definition: any person age 19 or older.

Protocol:

1. An adult may report his/her allegation of sexual abuse directly to the local police or ask another person to assist him/her in doing so.
2. The Reporting Person is also asked to make a report to the Report Receiver using the 1-800 number listed on page 2.
3. If the Reporting Person contacts the Receiver, the Receiver shall complete a *Report of Sexual Abuse Form*.
4. The Receiver will encourage the Reporting Person to make a report to the police (if the Reporting Person has not already done so).
5. The Receiver will submit a copy of the report to both the Bishop's Delegate and the External Investigator (see *Appendix A: Glossary* for a definition of this person's role); the Delegate will ensure that the Receiver has the External Investigator's contact information. If the allegation is against a member of a religious community, the Delegate will forward a copy of the report to the Religious Superior so that the religious community can proceed with its respective protocols.
6. The Delegate will contact the members of the *Abuse Prevention Advisory Committee (APAC)* by phone or by email to inform the membership: (a) that a report has been sent to the External Investigator (i.e., and, when applicable, the Religious Superior) for a preliminary review of the report's information; and (b) of the basic details of the report (i.e., no identifying information is shared).
7. If the External Investigator's preliminary review of the report information determines that a follow-up investigation should proceed to ascertain the credibility of the complaint, the External Investigator will inform the Delegate of such. The Delegate, in turn, will inform the following persons of the preceding determinations: (a) entire membership of the *APAC*; (b) Reporting Person; and (c) Respondent. The External Investigator will also contact the Reporting Person, the Respondent, and any other necessary persons to conduct a follow-up investigation.
8. While an investigation is being conducted, the Respondent (i.e., the accused diocesan representative) will be immediately suspended from all duties and/or ministries in the Diocese.

9. If updates are given by the External Investigator to the Delegate during the investigation, the Delegate will forward those updates to the appropriate persons as necessary.
10. The concluding report of the External Investigator will be sent to the Delegate and the Delegate shall call a meeting of the *APAC* to share the report.
11. After the *APAC* has reviewed the External Investigator's report and developed its advisement, the Delegate shall call a meeting of the *entire APAC* so that it can provide the bishop its advisement.

NB. As it is the responsibility of the *APAC* to give advisement to the bishop on the investigation results, the bishop will not attend extraordinary meetings of the *APAC* that involve preliminary or ongoing discussions related to reports of sexual abuse. The bishop shall only attend the meeting described in bullet point #11.

APPENDIX A: GLOSSARY

Abuse: a broad term which may include physical, verbal, emotional, or sexual behaviour: (i) which causes a person to fear for his or her physical, psychological, or emotional safety and well-being; (ii) which the alleged perpetrator knew or ought to have reasonably known would cause that person to have concern or fear for his or her physical, psychological, or emotional safety and well-being. (p.144 *Protecting Minors from Sexual Abuse: A Call to the Catholic Faithful in Canada for Healing, Reconciliation, and Transformation*)

Abuse Prevention Advisory Committee (APAC): a committee of professional women and men from various disciplines that is constituted to advise the diocesan bishop on matters including, but not limited to, allegations of sexual abuse committed by a diocesan representative.

Adult: any person age 19 or older.

Alternate Delegate: the person who completes the responsibilities of the Bishop's Delegate when the Delegate is not available.

Bishop's Delegate ("Delegate"): the person appointed by the bishop who serves as liaison to the External Investigator and the membership of the *Abuse Prevention Advisory Committee*.

Canon Law: refers to the Code of Canon Law which is a codified law governing the Catholic Church.

Canon Lawyer: refers to a person who is a recognized specialist in canon law, often referred to as a canonist.

Clergy (clerics): bishops, priests, and deacons.

- **Incardinated:** a Church legal term which describes clergy who are directly under the jurisdiction of the Bishop of the Diocese of Prince George.
 - Within this policy, **Seminarians** are considered among the incardinated clergy.
- **Non-Incardinated:** refers to clergy who are incardinated into a diocese other than the Diocese of Prince George but, if ministering in this diocese, have faculties from the bishop of this diocese. It should be noted that by Church law all clergy are incardinated into a diocese or a religious order.
- **Religious:** are members of a religious order or congregation, and for the purposes of this policy, include members of secular institutes and associations of the faithful. Religious who are priests need to be granted faculties in order to minister in the Diocese of Prince George.

Complaint (Allegation/Report): an oral or written statement of alleged fact to be relied on in support of a report of sexual abuse.

Congregation for the Doctrine of the Faith: is a branch of the Vatican that deals with doctrinal issues including 'grave delicts' - those crimes against the faith that are considered the most serious, such as abuse of minors and vulnerable adults.

Credible Complaint: describes a complaint or report of abuse that is supported by sufficient evidence establishing reasonable grounds to believe that the abuse occurred.

Diocesan Representative: includes diocesan priests and deacons, religious (priests, deacons, brothers, and sisters), lay employees or lay volunteers of the Diocese of Prince George.

External Investigator: a trained professional who is contracted by the Diocese of Prince George to provide a thorough, just, and compassionate investigation of a report of sexual abuse; the individual serves as an external investigator (i.e., not an employee of the diocese) so as to provide an objective investigation.

Grooming: engaging in conduct that is designed to select and prepare potential victims for sexual abuse. It includes a wide variety of behaviours, such as spending large amounts of time with the potential victim, affording special privileges or providing gifts, trips and other expressions of special attention. These behaviours are often designed to establish a bond of trust between the groomer and the person who is the object of his/her attention. They can lead the person to feel indebted to the groomer for all these kindnesses. Once this bond of trust and indebtedness is established, the stage may be set for sexual advances. Because grooming is made up of observable behaviours, these need to be challenged or reported.

Incompetent: a person who has attained at least the age of nineteen (19) years but who, as the result of disease of the mind or as a result of diminished mental capacity, is not legally competent, according to the civil law of the Province of British Columbia.

Minor: in British Columbia, designates a person 18 years of age and under. This term can be interchanged with 'child' or 'youth' within this policy.

Religious Brother: a member of a Christian religious institute or religious order (which may be contemplative, monastic, or apostolic in character) who commits himself to following Christ in the consecrated life of the Church, usually by the vows of poverty, chastity and obedience; Brothers do not belong to the clergy (the ordained ministers of the Church), but live the ministerial charism of their institute or order.

Religious Sister: a woman who has taken public vows in a religious institute or religious order dedicated to apostolic works, as distinguished from a nun who lives a cloistered monastic life dedicated to prayer. Both nuns and sisters use the term "sister" as a form of address.

Religious Superior: leader or head of a religious institute (religious order) in the Roman Catholic Church.

Reporting Person: the person who has lodged a report of sexual abuse. In this policy, the report of sexual abuse refers to an allegation or complaint directed against a *Diocesan Representative* (see the definition for *Diocesan Representative* above). Reporting Person may refer to a third party who makes a report of sexual abuse OR one who identifies himself/herself as the victim/survivor of sexual abuse.

Report Receiver ("Receiver"): the individual who receives a report of sexual abuse in a confidential manner, makes record of the report, and relays a copy of the report to the Bishop's Delegate (or, when necessary, the Alternate Delegate) and the External Investigator.

Respondent: a person who is accused or named in a report as having committed an act of sexual abuse or sexual misconduct.

Safe Parish and Community Coordinator (SPCC): the individual responsible for ensuring that all clergy, religious, employees, and volunteers working or ministering in the Diocese are appropriately screened according to the diocesan policy requirements.

Sexual Abuse: any act or attempted act of emotional, physical or verbal contact or approach of a sexual nature, or threats of the same, which are known or ought to be reasonably known as unwelcome, whether or not apparent damage arises from that conduct. It may include: touching, harassment, grooming, incest, molestation, intercourse, rape, sodomy, exhibitionism, and other acts of sexual exploitation that may involve the internet or pornographic materials. It may also include any sexual contact which is apparently consensual, but breaches professional and/or ministerial boundaries.

Vulnerable Persons: *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 brain injury
- mental health concerns – e.g. anxiety, depression, bipolar disorder, post-traumatic stress disorder, or schizophrenia

APPENDIX B: ABUSE PREVENTION ADVISORY COMMITTEE (APAC)

Policy Statement: The Bishop will establish and maintain an *APAC* for the diocese.

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 Bishop on:

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

Definition: Unless circumstances necessitate a change, the *APAC* membership will include, but is not limited to:

- the Bishop
- the Vicar General
- the Chancellor
- the Bishop's Delegate
- the Safe Parish and Community Coordinator
- a psychologist or counsellor
- a medical doctor
- a communications and public relations representative
- a child advocate (e.g., a survivor of sexual abuse)
- a canon lawyer
- a civil lawyer

Procedure:

- a) The committee will meet annually or more often as necessary.
- b) ** The Bishop will attend ordinary meetings of the *APAC* (e.g., educational, training or policy meetings), but not extraordinary meetings that involve discussion of abuse reports.
- c) The Bishop's Delegate serves as chairperson of the *APAC* meetings.
- d) Guests 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.