



# **Responsible Ministry and Safe Environment Policy**

## **Part II**

# **Sexual Abuse Allegation Protocol**

**Revised March 2021**



**ROMAN CATHOLIC  
DIOCESE OF VICTORIA**

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# Reporting Sexual Abuse

The decision to come forward and report sexual abuse by clergy, religious, employees, or volunteers may be difficult and often requires considerable courage. To assist with this process, the Diocese of Victoria provides an Independent Reporting Agency service managed by a team of psychologists, counsellors and social workers.

When a call is made to this Agency, the person can share his/her experience and explore counselling options. This service can also assist in reporting abuse to the appropriate authorities and ensuring that the person is updated on developments as they occur.

Following a report of sexual abuse to this Agency a report will be made to the Diocese of Victoria through the Diocesan Responsible Ministry Coordinator (DRMC). The alleged perpetrator will be immediately suspended from employment/ministry pending an investigation. Any conviction for sexual abuse will result in immediate termination of employment and/or ministry.

To report sexual abuse in the Diocese of Victoria, please call the following toll-free number anytime:

**1-800-968-3146**

# Reporting Child Sexual Abuse

[\*The Child, Family, and Community Services Act of British Columbia\*](#) imposes a legal obligation on all residents of the Province with respect to reporting child sexual abuse. The Act defines a “child” as a person under the age of nineteen.

The Diocese recognizes that under *The Child, Family, and Community Services Act*, all persons have a duty and an obligation to report real, potential or suspected child sexual abuse to the Ministry of Children and Family Development (MCFD). Subject to the advice of a MCFD social worker, the person reporting suspected child sexual abuse may also report this information to the Independent Reporting Agency.

Everyone has a “duty to report” and this applies whether or not the information obtained is “confidential or privileged.” Please refer to the Government of British Columbia website <https://www2.gov.bc.ca/gov/content/safety/public-safety/protecting-children/reporting-child-abuse> or the Child Abuse Prevention Handbook titled, [\*Responding To Child Welfare Concern: Your Role In Knowing When and What to Report\*](#)

Failure to report promptly on such complaints risks exposing the young person to harm, and exposes the individual who fails to report to prosecution.

## TO REPORT ABUSE

<b>Ministry of Children &amp; Family Development BC</b>	<b>1-800-663-9122</b>
<b>Adults who are Vulnerable: Victim Link BC</b>	<b>1-800-563-0808</b>
<b>If you are a child: Helpline for Children</b>	<b>310-1234</b>
<b>If there is immediate danger, call the police</b>	<b>911</b>
<b>Independent Reporting Agency</b>	<b>1-800-968-3146</b>

### Online:

<https://www2.gov.bc.ca/gov/content/safety/public-safety/protecting-children/reporting-child-abuse>

# Historical Incidents of Child Sexual Abuse

Sexual abuse by clergy, religious, employees, or volunteers in the Diocese of Victoria is reported directly to the Independent Reporting Agency. This Agency will assist the victim-survivor in determining whether to report historical abuse to the authorities and will assist in developing a healing strategy. This strategy may involve professional counselling, support services and/or coordination with the Church.

If the alleged perpetrator is deceased, a report of historical sexual abuse involving a person who is now an adult need not be reported to the police, or the Ministry of Children and Family Development of British Columbia.

If the alleged perpetrator is living, the first priority will be the protection of children, and the prevention of possible sexual abuse now and in the future. In this case, a report must be immediately filed with the Ministry of Child & Family Development and the Diocese of Victoria.

Sexual abuse can be perpetrated by anyone, but it is especially damaging when committed by a member of the clergy, religious, diocesan employee, or lay leader. It can be extremely difficult and painful to disclose such abuse. A person can find that the memory of sexual abuse can trigger intense emotions, unexpected behaviours and anger towards the Church, which may lead to a loss of faith.

If a person decides to involve the Diocese in their healing plan, the Church will welcome and respond to the person with trust, charity, and compassion. The process for a pastoral encounter includes compassionate listening, acknowledgment of the person's courage in coming forward, affirmation and recognition of the hurt caused, reassurance that it is never the victim/survivor's fault, expression of deep remorse and sorrow on our part, and ultimately, empowerment. The Diocese will, at the victim/survivor's direction, provide pastoral support, and healing resources for that person and their family.

# Sexual Abuse of Adults who are Vulnerable

An adult who is vulnerable is any person 19 years of age or older who is in need of protection by reason of disability, age, or illness and is unable to protect themselves against significant harm or exploitation. Vulnerabilities may include: physical disability, hearing or speech impairment, diminished mental capacity including dementia, developmental disability, brain injury, or severe mental illness including bipolar disorder, major depressive disorder, substance abuse disorder, or psychosis.

Sexual abuse is any sexual act, that endangers the health, psychology, and/or well-being of the person who is vulnerable. Such action or inaction is especially harmful when it occurs within a relationship where there is an expectation of trust.

The perceived or actual power differential between an individual and a priest/person in authority can play a significant role in sexual abuse between adults. The power differential between adults can be subtle: emotional vulnerability due to a faith crisis, marital problems, and grief/loss. The adult-to-adult power differential can also be more obvious: cognitive deficit, illness, and physical disability.

The Diocese recognizes that all persons have a duty and an obligation to immediately report to the local Police Department all information of any real, potential, or suspected sexual abuse of adults who are vulnerable (nineteen years or older).

# Supportive Resources

The Diocese will offer appropriate care for those reporting sexual abuse under this policy.

The Independent Reporting Agency will provide access to professional counselling services for persons reporting sexual abuse in the following manner:

Access to a professional counsellor employed by the Agency or;

Provision of a list of qualified professional counsellors to enable the victim/survivor to choose their own counsellor or;

If a victim/survivor is already seeing a counsellor the Agency will work the Diocese to approve that counsellor for service under this program;

Counselling services will also be offered to the victim/survivor's family where requested.

The Diocese is strongly committed to keeping all identifying information reported by the Independent Reporting Agency private and confidential.

# Pastoral Care for our Communities

The Diocese may provide pastoral care for the community where sexual abuse is alleged. The Diocese will maintain the confidentiality of the complainant, the alleged perpetrator, and their families to the fullest extent possible.

# Flowchart: Reporting Suspected Sexual Abuse of a Child

**Follow these steps if there is an incident report of child sexual abuse**

## STEP 1

- Any person receiving information about the sexual abuse of a child immediately reports the incident to the Ministry of Children and Family Development of B.C. (MCFD) 1-800-663-9122.
- Encourage the complainant with first-hand knowledge of the sexual abuse to report the incident directly to MCFD.

## STEP 2

- Report incidents of sexual abuse to the Independent Reporting Agency at 1-800-968-3146.
- The Independent Reporting Agency provides a report to the Diocese.

## STEP 3

- Parish/School Responsible Ministry Coordinator (RMC) immediately forwards an Incident Report to the Diocesan Responsible Ministry Coordinator (DRMC).

## STEP 4

- DRMC ensures that the appropriate civil authorities have been informed and offers full cooperation.
- DRMC informs the Bishop and Chancellor.
- DRMC commences an internal investigation with the approval of the statutory authorities.
- Bishop immediately suspends all ministry activity of the alleged perpetrator pending completion of investigations.

## STEP 5

- If the alleged perpetrator is exonerated, the Diocese will make every effort to restore the individual's reputation. If the alleged perpetrator is convicted, they will be permanently removed from all ministry work and employment will be terminated if convicted.



# Flowchart: Reporting Suspected Sexual Abuse of an Adult who is Vulnerable

<p><b>Follow these steps in handling sexual abuse against an adult who is vulnerable</b></p>	<p><b>STEP 1</b></p> <ul style="list-style-type: none"> <li>Any person receiving information that an adult who is vulnerable is being sexually abused, report immediately to the local police and/or VictimLink BC (1-800-563-0808).</li> </ul>
	<p><b>STEP 2</b></p> <ul style="list-style-type: none"> <li>Report incidents of sexual abuse to the Independent Reporting Agency at 1-800-968-3146.</li> <li>The Independent Reporting Agency provides a report to the Diocese.</li> </ul>
	<p><b>STEP 3</b></p> <ul style="list-style-type: none"> <li>DRMC ensures that a report has been made to the appropriate civil authorities.</li> <li>DRMC informs the Bishop and Chancellor.</li> <li>DRMC ensures cooperation with any external investigations.</li> <li>DRMC refrains from conducting an internal investigation until all investigations are complete.</li> <li>In the event that a criminal investigation is not launched, the DRMC conducts an internal investigation and provides a report to the Bishop and/or his delegate.</li> <li>DRMC arranges for supportive resources as required</li> <li>Bishop immediately suspends all ministry/employment activity of the alleged perpetrator pending completion of investigations.</li> </ul>
	<p><b>STEP 4</b></p> <ul style="list-style-type: none"> <li>If the alleged perpetrator is exonerated, a plan may be created to reintegrate the person back into ministry and/or employment. The alleged perpetrator will be permanently removed from all ministry work and employment will be terminated if convicted.</li> </ul>

# Definitions

## Abuse

Any physical, verbal, emotional, or sexual conduct towards any person that causes that person to have concern or fear for his or her physical or emotional safety or well-being. Such activity may or may not be criminal in nature. Child abuse, as defined under the child protection legislation of the Province of British Columbia, also constitutes abuse under this Policy. Abuse is the violation of the physical or psychological integrity or trust of another person. Abuse may consist of one incident or it may happen repeatedly and may include:

- forcing someone, by violence or threat or through abuse of authority, to perform or submit to sexual acts;
- performing sexual acts with a minor or a vulnerable person;
- the production, exhibition, possession or distribution, including by electronic means, of child pornography, as well as by the recruitment or inducement of a minor or a vulnerable person to participate in pornographic exhibitions.

## Abuse of Adults who are Vulnerable

Any act, or failure to act, that endangers the health and/or well-being of the person who is vulnerable. Such action or inaction is especially harmful when it occurs within a relationship where there is an expectation of trust. The abuse referred to would include physical, emotional, financial or sexual abuse.

## Adult who is Vulnerable

An adult who is vulnerable is any person 19 years of age or over who is in need of protection by reason of disability, age, or illness. An adult who is vulnerable is unable to take care of or protect themselves against significant harm or exploitation. Vulnerabilities may include: physical disability, hearing or speech impairment, diminished mental capacity including dementia, developmental disability, brain injury or severe mental illness including bipolar disorder, major depressive disorder, substance abuse disorder, and psychosis.

## Child Abuse

[\*The Child, Family, and Community Services Act of British Columbia\*](#) imposes a legal obligation on all residents of the Province to report child abuse. The Act defines a “child” as a person under the age of nineteen. The abuse referred to would include physical, emotional as well as sexual abuse and neglect.

## Clergy Sexual Abuse

Clergy sexual abuse is sexual abuse perpetrated by anyone that the victim/survivor perceives as being a member of the clergy of the Roman Catholic Church. This may be an ordained priest, deacon, a religious brother, a religious sister, or even an employee or volunteer who either represents themselves as clergy or whom the victim/survivor mistakenly believes to be a member of the clergy.

## **Diocesan Responsible Ministry Coordinator – DRMC**

A delegate, appointed by the Bishop, who represents him in administering this Policy by receiving complaints and conducting investigations of alleged misconduct.

## **Exploitation**

Any abuse of power, betrayal of trust or exploitation of the power imbalance that is inherent in a relationship between a member, employee or volunteer of the Diocese and a person with whom she or he has a ministerial relationship. Because of the imbalance of power, between the person offering ministry and the person to whom ministry is offered, the apparent consent of a possible victim-survivor does not in itself determine whether or not there has been an abuse of power, a breach of trust or an act of exploitation.

## **Faculties**

Faculties in the Roman Catholic Church, as defined by Canon Law, confer ecclesiastical authority, granted by the diocesan bishop or his delegate to exercise ministry and celebrate the Sacraments within the diocese or religious institute.

## **Historical Child Abuse**

Historical child abuse can refer to any type of abuse of children: physical, sexual, or emotional. This term commonly refers to abuse that has occurred in the past when the victim-survivor was a child, and where the victim-survivor is now an adult. Historical child abuse need not be reported to police or child protection authorities unless there is a possibility of current or future abuse. Under Canadian criminal law there is no statute of limitations on this type of abuse. A criminal prosecution can be brought against an alleged perpetrator if they are still living.

## **Independent Reporting Agency**

A private professional agency contracted by the Diocese of Victoria to provide intake, assessment and treatment of persons reporting sexual abuse. This agency is completely independent of the Diocese and provides confidential incident reports to the Diocesan Responsible Ministry Coordinator (DRMC).

## **Ministerial Relationship**

This is a relationship involving trust and confidence that is based primarily upon the ministry offered by a member of clergy or another minister to another person. Examples of ministry include counselling, spiritual guidance, and the celebration of the Sacraments.

## **Misconduct**

This is an overarching term that encompasses abuse (physical, sexual or verbal), bullying and harassment, or an exploitation of a ministerial relationship, including financial exploitation. Misconduct could be failure to provide responsible ministry. This includes such serious performance issues such as alcohol and substance abuse, misappropriation of funds, negligent handling of funds, undue influence in obtaining funds or gifts, lack of response to community needs, and other inappropriate behaviours.

## **Parish/School Responsible Ministry Coordinator – RMC**

The Responsible Ministry Coordinator (RMC) is accountable and responsible for the administration of the Responsible Ministry Policy within the parish/school, working closely with the Diocesan Responsible Ministry Coordinator (DRMC).

### **Pornographic Offence**

Pornographic offence is the possession, creation or distribution of any photographic, film, video, or other visual representation that shows a person who is depicted as engaged in inappropriate sexual activity; and any written material that advocates or counsels inappropriate sexual activity.

### **Power Differential/Abuse of Power**

Power differential in the Church context usually refers to the difference in perceived or actual power between a priest, deacon, religious brother or religious sister and the laity. Such a differential can also occur between a lay minister or employee of the Church, and the laity. Abuse of this power occurs when the priest or person in a position of authority uses this power over others for their own purposes. The priesthood and other leadership roles in the Church are a service and not a position of privilege or human power over others.

This power differential is most critical when seen in the context of children and adults who are vulnerable. The difference in power between a child and an adult is fairly obvious: knowledge, experience, authority, cognitive ability, resources, and safety. The power differential between adults can be more subtle: emotional vulnerability due to a faith crisis, marital problems, and grief/loss. This adult-to-adult power differential can also be more obvious: cognitive deficit, illness, and physical disability. Abuse can occur when sacramental power becomes too closely aligned with power in general.

### **Public Misconduct**

Public misconduct is misconduct that becomes public or known. This could include actions that are considered to be crimes, such as indecent exposure or lewd activity. It might also include immoral actions that may not be crimes but which become known.

### **Sexual Abuse**

Sexual abuse is the sexual involvement or attempted sexual involvement with a person identified by the local jurisdiction as a minor, understood in British Columbia as a person younger than 19 years of age.

### **Sexual Abuse Prevention Training**

A comprehensive abuse prevention program for the Diocese of Victoria that every priest, religious, employee, or volunteer in the Diocese must complete. The number and type of course(s) required will vary depending on the nature of the person's position.

### **Sexual Exploitation**

Sexual exploitation is use of one's position of power or trust to have sexual contact or attempted sexual contact with another person. Sexual exploitation includes, but is not limited to, such activity as intercourse, kissing, touching of breasts or genitals, dating during the course of a counselling relationship, verbal suggestions of sexual involvement, or demeaning sexual comments. The apparent consent of a possible victim-survivor does not determine whether there has been sexual

exploitation, because the imbalance of power between the pastoral care giver and the person in a pastoral relationship undermines the validity of an apparent consent.

## **Sexual Grooming**

Sexual grooming is a wide variety of behaviours, such as spending large amounts of time with a particular person, affording special privileges, or providing gifts, trips and other expressions of special attention. These behaviours are often designed to establish a special bond of trust and affectionate understanding between the groomer and the person who is the object of his/her attraction. These behaviours can also 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 the pattern of grooming is made up of observable behaviours, these behaviours need to be challenged or reported. Sexual Grooming, whether intentional or not, is by its very nature seductive behaviour. As well as being a signal of possible future sexual activity, grooming is in itself inappropriate.

## **Sexual Harassment**

Sexual harassment is unwanted sexualized conduct or language with others. This conduct entails unwelcome sexual advances, request for sexual favours, or other verbal or physical conduct of a sexual nature when submission to or rejection of this conduct explicitly or implicitly affects an individual's status such as employment, when it unreasonably interferes with an individual's performance, or when it creates an intimidating, hostile or offensive environment.