

Archdiocese of Halifax  
Diocese of Yarmouth

Responsible Ministry  
and  
Safe Environment  
Protocol



# ARCHDIOCESE OF HALIFAX

P.O. BOX 1527 HALIFAX N.S. B3J 2Y3

February 15, 2010

To: Priests, Deacons, Religious and Lay Faithful of the Archdiocese of Halifax  
and the Diocese of Yarmouth

During the past six months, the Churches of Halifax and Yarmouth have been living through difficult times. We are continuing to deal with the effects of the allegations of sexual abuse and the consequences of the situation which arose in the Diocese of Antigonish. The emotional and spiritual suffering experienced by so many of the faithful in the aftermath of all these matters has been the occasion for much soul searching and reflection.

Since last November, I have consulted with the clergy, religious and laity of our church for their reactions, insights and recommendations. Consistently, the messages I have received have been a call for a more transparent, open and accountable church. To assist me to develop an adequate response to all of these concerns, I engaged the services of a professional human resources firm.

The concrete outcome of all these factors is the present protocol on Responsible Ministry and Safe Environment which goes into effect immediately. No doubt time will be necessary for all of us to become familiar with this protocol and we will take the time required to apply it well. With this step, I want to assure all our Catholic faithful and, indeed, the whole community of our intention to improve and maintain a safe environment for a more responsible ministry as well as develop a more effective process of accountability respectful of the needs of all.

Sincerely in Christ,

Anthony Mancini, Archbishop of Halifax

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## **Introduction**

### **Responsible Ministry and Safe Environment Protocol**

### **Guiding Principles**

This Protocol on Responsible Ministry and Safe Environment (RMSEP) is directed at enhancing the well being and safety of all who participate in the Church's programs and services, demonstrating care for the faith community and the society in which we live. The Church of Halifax and the Church of Yarmouth value all who serve in Ministry and commit to providing an environment where everyone is treated with respect and dignity. This protocol asserts the Church's commitment to conduct responsible faith ministry, in a spirit of openness, transparency and accountability.

It establishes a code of conduct for all engaged in Ministry. It speaks to the responsibility of the Church to address issues of misconduct. It includes policies related to appropriate conduct by all who serve and addresses the specific issues of preventing abuse of children, youth, vulnerable adults as well as other inappropriate behaviour. It provides a credible fact finding and decision making process for dealing with the allegations and accusations, and prescribes prevention programs including education and screening.

It is our collective responsibility to ensure that all our environments are free from inappropriate behaviours and it is our commitment to ensure zero tolerance for any behaviour, which puts individuals, families or the faith community at risk. All are expected to help meet this obligation and to help maintain a healthy and caring environment consistent with the spirit of the Gospel of Jesus Christ. We are, therefore, identifying standards of responsible ministry and pastoral care which we believe will enhance the respect and dignity of all.

This Protocol applies to all engaged in the Ministry of the Church within the jurisdiction of the Arch/Diocese of Halifax/Yarmouth. It is also the reference for all instances of misconduct whether current, recent or in the distant past. (See Section 2.2 for Definition of Misconduct) Anyone who is subjected to misconduct has the full support of the Church to put an end to it.

This Protocol intends to demonstrate compassion for persons bringing a complaint and for persons about whom an allegation is made, the respondent. All that is contained within this document is to conform to the teachings and discipline of the Roman Catholic Church.

It complies with the existing laws of the Province of Nova Scotia, and of Canada in particular the Child Abuse Reporting and Adult Protection Reporting Laws. This Protocol is subject in all respects to the *Code of Canon Law*, including the inviolability of the sacramental seal (See Appendix II for Canon Law References).

Although the Church may be required to postpone its investigation of complaints where a police or insurance investigation is or may be involved, the Church is not precluded from making its own inquiry and arriving at its own findings with respect to the future employment or assignment of a respondent (See Appendix I for definition of Respondent).

Nothing in this protocol and its policies and procedures or their application is intended to discourage or prevent anyone from seeking legal or ecclesiastical remedies.

This protocol and its policies and procedures will be reviewed at least every two years by the Diocesan Responsible Ministry Coordinator (DRMC) in consultation with the Advisory Committee on Responsible Ministry and Safe Environment (ACRM) and the Parish Responsible Ministry Coordinators (PRMCs).

In addition it is part of a broader framework which is being developed and which will contain an educational component to assist staff and volunteers\* to fulfill their obligations to each other and to the entire faith community in the enhancement of a safe environment and respectful culture of service to others. (See Appendices XII, XIII and XIV for helpful information on Police Criminal Records Check, Understanding Child/Youth/Vulnerable Adult Abuse, and on Dealing with Reports of Abuse).

**\*Staff and Volunteers** include all clergy, religious and lay persons whether paid or unpaid acting on behalf of the Diocese of Yarmouth or Archdiocese of Halifax, a parish or a program or service of the Arch/Diocese of Halifax/Yarmouth.

## **1. Administrative Structure**

The Archbishop for the Arch/Diocese of Halifax/Yarmouth will identify a person responsible for the overall design, implementation and management of the Responsible Ministry Protocol (RMP). He/She will be called the Diocesan Responsible Ministry (DRM) Coordinator. The designated Pastor for each parish will identify a person responsible for the

implementation and management of the Responsible Ministry (RMP) in their respective parish. This person will be referred to as the Parish Responsible Ministry (PRM) Coordinator. An Advisory Committee for the Responsible Ministry and Safe Environment Protocol will advise the DRM Coordinator on the overall design, implementation and management of the Protocol. The DRM Coordinator will appoint members of this committee.

## **1.1 Archbishop's Delegate/Associate Delegate, Diocesan Responsible Ministry (DRM) Coordinator**

### **Selection and Role**

The Archbishop shall appoint two people, the Archbishop's delegate and the Archbishop's Associate delegate who represent him in receiving complaints of misconduct and conducting investigations of alleged misconduct (abuse). The Archbishop's delegate, the DRM Coordinator will be responsible for the administration and implementation of this Protocol and its policies and procedures. The Archbishop's Associate delegate (the ADRM Coordinator) will have the same duties and functions as the DRM Coordinator (Archbishop's delegate) in the latter's absence, incapacity, or where allegations involve the DRM Coordinator or Associate; or where the DRM Coordinator or Associate have heard the sacramental confession of the Respondent. One of these positions may be assigned the responsibility of managing the communication plan on a misconduct case.

Neither the DRM Coordinator, nor the ADRM Coordinator shall be the Judicial Vicar. This safeguard is intended to ensure that if a process of canonical adjudication is initiated, the Judicial Vicar will not have been directly involved in the preliminary procedures.

### **Responsibilities**

The DRM Coordinator shall be the Church's contact person in all matters relating to an allegation of misconduct made against a priest, religious, cleric, lay employee, or volunteer ('a Respondent') of the Church.

The DRM Coordinator shall manage the Diocesan response to a complaint of misconduct from the time a complaint is received until it is resolved.

The DRM Coordinator shall ensure any applicable child and vulnerable adult laws are complied with and will cooperate with the police and judicial authorities conducting their separate investigations.

The DRM Coordinator will designate persons to do the internal investigation of the complaint. These persons will be provided with the necessary resources.

The DRM Coordinator will notify the appropriate insurance carriers concerning a potential claim.

The DRM Coordinator may, at any time, make use of such consultants as may be considered necessary, including medical doctors, psychologists, mental health professionals, canonists, and legal counsel to the Archdiocese of Halifax and Diocese of Yarmouth.

The DRM Coordinator will be responsible for the record keeping. In the area of misconduct particularly, it is important that the Diocese maintain full and complete records to ensure the knowledge is not lost over time. Records of this sort will be kept indefinitely in a safe secure area at the Diocese Central Office.

## **1.2 Advisory Committee for the Responsible Ministry and Safe Environment Protocol**

The Advisory Committee is appointed by the Archbishop and chaired by the Diocesan Responsible Ministry Coordinator for the Archdiocese of Halifax.

The purpose of this committee:

- to provide the DRM Coordinator with strategic advice and direction for the Responsible Ministry and Safe Environment Protocol
- to oversee the implementation of the Protocol at the Dioceses and Parish level including monitoring and evaluation
- to provide sign off on any annual and final reports
- to advise and/or provide communication regarding the Protocol and its implementation
- to support the parish coordinators in meeting the protocol goals and objectives, timelines and reporting requirements

The Committee meets at least three times a year and its membership is comprised of nine people including the chair. Members represent a Diocese, parish coordinators, youth ministry, or have a background in



areas such as policing, the helping professions and/or the insurance industry. (See Appendix III for Terms of Reference for this Committee).

### **1.3 Parish Responsible Ministry Coordinator**

Pastors in each parish will appoint a Parish Responsible Ministry Coordinator who is accountable and responsible for the day-to-day administration of the Responsible Ministry and Safe Environment Protocol within the parish. He/she works closely with the DRM Coordinator.

The Parish Responsible Ministry (PRM) Coordinator's general areas of responsibility include:

- providing orientation and education on the Responsible Ministry Protocol to parishioners
- management of processing documents for screening staff and volunteers within their parish, and sending documents to the DRM Coordinator. (See Appendix V for detailed step by step Procedure List for Parish Coordinators)
- assisting in the complaint process and maintaining a record of processing complaints within their parish
- assisting in problem solving and evaluation of the Responsible Ministry Protocol
- ongoing training

See Appendix IV for a Position Description for the Parish Coordinator

## **2. Standards of Behaviour**

### **2.1 Covenant of Care**

The Covenant of Care makes clear the expectations of behaviour for staff and volunteers. The Arch/Diocese of Halifax/Yarmouth are each responsible to provide a safe and secure environment for ministry. In providing religious support services, the staff and volunteers are placed in situations where they may have access to highly sensitive and confidential information. The specialized nature of Church work in many cases can place providers and recipients of pastoral services in a vulnerable situation as individuals are dependent upon the honesty and integrity of all staff and volunteers associated with the Church. This calls for responsibility and places the burden of adhering to the Covenant of Care on each staff and volunteer.

1. Staff and volunteers assume full responsibility for establishing and maintaining clear, appropriate boundaries in all ministry situations involving children, youth and vulnerable adults.
2. All physical contact between staff or volunteers and children, youth or vulnerable adults must be completely non-sexual and based only on the individual's needs. Physical contact when alone with a child or youth will be avoided.
3. Staff and volunteers who learn of information indicating clear and imminent danger to a child, youth or vulnerable adult must act to protect the safety, health or wellbeing of the parties by disclosing the necessary information and must communicate such disclosures to their immediate superior.
4. Staff and volunteers shall not engage in the corporal punishment of children, youth or vulnerable adults in their care. Discipline problems will be handled in coordination with the immediate superior and the parents/care providers.
5. A degree of vulnerability exists when staff and volunteers minister alone with a child, youth or vulnerable adult, therefore a team approach of at least two unrelated adults or persons to managing activities involving them should ordinarily be used. For example there should be two persons present in addition to the communicant when bringing communion to those at home.
6. Staff and volunteers will never be alone with a child, youth or vulnerable adult in a residence, sleeping facility, locker room, rest room, dressing facility, or other closed room or area that is inappropriate to a ministerial relationship. When one to one meetings are necessary they must take place in rooms and locations that are open to public view. Examples of activities include catechism instruction and, youth group gatherings.
7. Staff and volunteers will never take photographs of a child, youth or a vulnerable adult while they are unclothed or dressing.
8. Staff and volunteers will never provide a child, youth or vulnerable adult with alcohol, tobacco, drugs or anything prohibited by law/nor administer medication of any kind without written parental/care giver permission.
9. Staff and volunteers will not allow a single child, youth, or vulnerable adult who is not a legal relative, to stay overnight in their private accommodations or residence. Special precautions such as these are necessary when overnight trips and other special events occur and require the planning and care of leadership.

## **2.2 Definition of Misconduct**

Misconduct could be failure to provide responsible ministry. This includes such serious performance issues such as alcohol abuse, misappropriation or negligent handling of church funds, lack of response to community needs, and other inappropriate behaviours.

All of these terms listed below will be included in the use of the term "misconduct" as referred to in this document.

### **General Harassment**

Harassment is behaviour that a reasonable person would know to be unwelcome by the recipient(s) of the behaviour. It is a form of discrimination and is prohibited by law.

Harassment takes many forms, including any unwanted physical or verbal behaviour that offends, intimidates, or humiliates another person in the course of employment or in the provision of a service. Harassment is discrimination on the basis of personal characteristics such as race, national or ethnic origin, color, religion, age, sex, marital status, family status, disability, irrational fear of contracting an illness or disease, or political belief or activity.

Harassment between clergy, employees and volunteers can occur at or away from the workplace. Harassment between a staff or volunteer and a non-employee can occur within the course of employment, in the provision of goods, services or facilities or at Church functions.

While the following is not an exhaustive list, harassment may include:

- Verbal abuse or threats
- Unwelcome remarks, jokes, innuendos or taunting about a person's body, attire, age, marital status, ethnic or national origin, religion, or gender
- Displaying of pornographic, racist or other offensive or derogatory material
- Practical jokes causing awkwardness or embarrassment
- Intimidation
- Unwelcome invitations or requests, whether indirect or explicit
- Leering or other gestures
- Condescension or paternalism, which undermines self-respect
- Unnecessary physical contact such as touching, patting, pinching, or punching (which may be considered assault in some instances)

- Physical assault
- Demands for sexual favours or sexual assault

For the purpose of this protocol, retaliation against an individual will be considered harassment. Any staff or volunteer found to have engaged in retaliation will be subject to disciplinary measures. Retaliation may occur for having:

- Invoked this protocol (on behalf of him or herself or another individual)
- Participated or cooperated in any investigation arising out of this policy
- Been associated with the person who was involved in this protocol or has participated in these procedures

### **Abuse**

Abuse is the violation of the physical or psychological integrity or trust of another person. Abuse may consist of just one incident or it may happen repeatedly.

### **Child Abuse**

*The Children and Family Services Act of Nova Scotia* imposes a legal obligation on all residents of the Province with respect to reporting child abuse. The Act defines a "child" as a person under the age of sixteen. The abuse referred to would include physical, emotional as well as sexual abuse and neglect.

### **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 Nova Scotia as a person younger than 16 years of age.

### **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 counseling relationship, verbal suggestions of sexual involvement, or demeaning sexual comments. The apparent consent of a possible victim 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 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.

Sexual harassment includes but is not limited to - sexually oriented humour or language, questions or comments or gestures about sexual behaviour or preference, unwelcomed or undesired physical contact, inappropriate comments about clothing or physical appearance, or repeated requests for social engagement in a situation where there is an employment relationship or a collegial relationship.

## **Grooming**

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. 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.

## **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 or is engaged in inappropriate sexual activity; and any written material that advocates or counsels inappropriate sexual activity.

## **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.

## **Vulnerable Adult Abuse**

The Adult Protection Act of Nova Scotia imposes a legal obligation on all residents of the province with respect to reporting vulnerable adult abuse. The Act defines " a vulnerable adult" as a person sixteen years of age or older in the premises where he resides, and (i) is incapable of protecting himself therefrom by reason of physical disability or mental infirmity, and refuses, delays or is unable to make provision for his protection therefrom, or (ii) is not receiving adequate care and attention, is incapable of caring adequately for himself by reason of physical disability or mental infirmity, and refuses, delays or is unable to make provision for his adequate care and attention. Abuse is any act or failure to act that endangers the health and/or well being of the older person. 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 and financial as well as sexual abuse.

## **2.3 Anti-Harassment Policy (General)**

### **Preamble**

The Arch/Diocese of Halifax/Yarmouth value its staff and volunteers and is committed to providing an environment free from harassment where everyone is treated with respect and dignity. Harassment hurts and embarrasses its victims and affects us all. It is hard to endure and painful to bring up again in a formal complaint. In addition, some staff and volunteers mistakenly fear their jobs will be affected if they complain.

The Arch/Diocese of Halifax/Yarmouth have a responsibility to ensure our environment is free from harassment and will not tolerate it in any form. We expect all staff and volunteers to help us meet this obligation and help maintain our healthy and productive environment.

This Policy applies to all staff and volunteers and anyone who is subjected to such behaviour has the full support of the Church to put an end to it.

### **Definition of Harassment**

Harassment is abusive behaviour that a reasonable person would know to be unwelcome by the recipients(s) of the behaviour. It is a form of discrimination and is prohibited by law. This policy on harassment is not meant to inhibit relationships based on mutual consent or normal social contact between employees.

## **Management Responsibility**

Anyone in management or who has staff and volunteers reporting to them has a legal responsibility to respond to a complaint of harassment or known situation.

## **Steps to Handle General Harassment**

If a staff or volunteer believes they or someone else is being harassed, each incident should be documented including a description, date, time, place it occurred, and the names of any witnesses. These observations should be shared with the person being harassed. The staff or volunteer may wish to inform the harasser that he or she is documenting each offensive action.

The complainant may take ANY OR ALL of the following actions:

### **1. Confront the Harasser**

As difficult as this action appears, it is a valuable step to regaining control of the situation. In most cases, the inappropriate behaviour will stop once the person realizes the negative impact the harassment has on the complainant.

The complainant may:

- Confront the harasser in person, informing him or her that they regard the behaviour as harassment and that it must stop. The complainant may want to have another person witness this action.
- Inform the harasser in writing if the complainant is uncomfortable with confronting him or her in person. The complainant should keep a copy of the letter for his/her files.

### **2. Lodge a Formal Complaint**

A formal complaint is a procedure for making a written complaint to the office of the DRM Coordinator or the PRM Coordinator. The office will assist and or provide the guidelines to the complainant so that a formal complaint is prepared. The complainant is strongly encouraged to file a formal complaint if they feel that either:

- The incident(s) is severe.
- The harassment issue was not resolved to their satisfaction through other options.

### **3. Request Mediation**

Mediation is primarily an information gathering process that allows the complainant and the alleged harasser to discuss the complainant's

perceptions of the problem confidentially with an independent professional co-coordinated through the office of the DRM Coordinator. Mediation is a chance to resolve the problem through communication.

If one is accused of harassment, mediation and a formal complaint investigation may be appropriate alternatives to consider, especially if one does not understand why the allegation of harassment has been made or believe it is unfounded.

The Arch/Diocese of Halifax/Yarmouth understands that it is difficult to come forward with a complaint of harassment and recognizes a complainant's interest in keeping the matter confidential.

Once the complaint is filed, the DRM Coordinator will do any or all of the following as applicable:

- arrange and set up an investigation team
- obtain a written statement from the alleged harasser
- interview involved parties, including witnesses
- conduct any other necessary investigations
- hold a meeting with the complainant, alleged harasser, and any other appropriate parties

Confidentiality will be maintained throughout the investigation to protect the interests of the complainant, the alleged harasser, and any others who may report incidents of harassments.

If the complaint is determined to be harassment, the harasser will be appropriately disciplined and the action taken will be documented. Disciplinary measures taken against the offender will be based on the circumstances surrounding the allegation of harassment and will be influenced by a variety of factors such as persistence, severity of behaviour, and the co-operation and willingness to change behaviour.

Details of the process, including any physical evidence, will be documented and kept by the DRM Coordinator.

All records of complaints, including contents of meetings, interviews, results or investigations, and other relevant material will be handled with discretion by the Arch/Diocese of Halifax/Yarmouth, recognizing that in some instances disclosure may be required by a disciplinary or other remedial process.

The complainant will be advised by the DRM Coordinator of the outcome of the investigation.



If the complainant is not satisfied with the steps taken by the Arch/Diocese of Halifax/Yarmouth, they have the right to file a complaint with the Human Rights.

### **3. Reporting and Complaint Processes for Misconduct**

#### **3.1 Legal Duty to Report: Reporting Obligations & Procedures**

##### **Child Abuse**

The *Children and Family Services Act of Nova Scotia* imposes a legal obligation on all residents of the Province with respect to reporting child abuse. The Act defines a "child" as a person under the age of sixteen.

The Arch/Diocese of Halifax/Yarmouth recognizes that, under the *Children & Family Services Act*, all persons have a duty and an obligation to report to the local child welfare agency all information of any real, potential or suspected physical, sexual, or emotional abuse and neglect of children under the age of sixteen.

Section 24 of the Act deals with duties of "Professionals and Officials" who perform duties with respect to children including members of the clergy and requires such persons to report to a child welfare agency whenever there are reasonable grounds to suspect that a child is or may be suffering or has suffered abuse. The abuse referred to would include physical as well as sexual abuse. The section provides that the duty to report applies whether or not the information obtained is "confidential or privileged". The section goes on to provide that no action will lie against a person by reason of reporting under this section to a child welfare agency.

No clergy, diocesan employee or volunteer can absolve themselves from the duty to report directly to the local child welfare agency by rationalizing they have no "first hand information", that the information is "hearsay" or that someone else will make the report. Failure to report promptly on such complaint risks exposing the young person to harm and exposes the individual who fails to report to prosecution.

A priest, religious, cleric, paid employee, or volunteer of the Church having any information indicating that a child is being abused or neglected shall give such information immediately to the local child welfare agency and the local Police Department for investigation (See Appendix VI for the Responsible Ministry Protocol Complaint Handling Flowchart).

A priest, religious, cleric, paid employee, or volunteer of the Church having any information indicating that a child is being abused or neglected shall complete the Responsible Ministry Protocol General Incident Report Form in Appendix VII and deliver it to the DRM Coordinator or the PRM Coordinator.

### **Past Child Abuse**

A complaint of past child abuse involving a person who is now over 16 years of age need not be reported to the child welfare agency unless the alleged offender is still engaged in activities involving children. The matter should be reported immediately to the DRM Coordinator and a decision made in consultation with legal counsel as to whether the matter should be reported to the police.

The priest, religious, cleric, paid employee, or volunteer of the Church having any information indicating that a child was abused or neglected in the past shall complete the Responsible Ministry Protocol (RMP) General Incident Report Form in Appendix VII and deliver it to the DRM Coordinator or the PRM Coordinator.

Any information concerning misconduct by a priest, religious, cleric, lay employee, or volunteer of the Church must be reported using the Responsible Ministry Protocol (RMP) General Incident Report Form in Appendix VII and send the report to the DRM Coordinator. If no report has been made to the child welfare or police authorities, the DRM Coordinator shall consult Diocesan legal counsel to determine if a legal duty to report exists; if so advised, the information shall be immediately forwarded to the police.

Regardless of the type of complaint, if the allegation involves a religious, the DRM Coordinator shall inform the competent Superior of the Respondent.

The DRM Coordinator shall consult with the Diocesan legal counsel to determine what steps must be taken to comply with applicable liability insurance reporting obligations, and he/she shall ensure that such requirements are met.

If a priest, religious, cleric, lay employee, or volunteer reports suspected child abuse to the child welfare agency or to the police, the DRM Coordinator shall inform them that the services of legal counsel to the Arch/Diocese of Halifax/Yarmouth are available to the reporting person(s) for general advice and counsel.

## **Vulnerable Adult Abuse/Neglect**

The *Adult Protection Act of Nova Scotia* imposes a legal obligation on all residents of the Province with respect to reporting abuse of vulnerable adults. It serves to protect people aged 16 years or older who are abused or neglected and cannot physically or mentally protect or care for themselves. It creates an obligation and legal responsibility for any person to report suspected abuse or neglect.

Specifically the Act defines a vulnerable adult as a person sixteen years of age or older in the premises where he/she resides, and (i) is incapable of protecting themselves therefrom by reason of physical disability or mental infirmity, and refuses, delays or is unable to make provision for his/her protection therefrom, or (ii) is not receiving adequate care and attention, is incapable of caring adequately for themselves by reason of physical disability or mental infirmity, and refuses, delays or is unable to make provision for his/her adequate care and attention.

Abuse is any act or failure to act that endangers the health and/or well being of the older person. 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 and financial as well as sexual abuse. For more information see Appendix XIII.

The purpose of the Adult Protection Act is to provide a means whereby adults who lack the ability to care and fend adequately for themselves can be protected from abuse and neglect by providing them with access to services that will enhance their ability to care and fend for themselves or which will protect them from abuse or neglect.

The Arch/Diocese of Halifax/Yarmouth recognizes that, under the *Adult Protection Act, Section 5*, all persons have a duty and an obligation to report to the Department of Health all information of any real, potential or suspected physical, sexual, financial or emotional abuse and neglect of vulnerable adults sixteen years or older.

Reporting known or suspected cases of abuse against a vulnerable adult is mandatory for all people in Nova Scotia. Therefore, staff and volunteers including members of the clergy are required to report to the Department of Health whenever there are reasonable grounds to suspect that an adult is or may be suffering or has suffered abuse. The section protects the person who reports abuse to the Department of Health unless the information is given maliciously or without reasonable and probable cause.

No clergy, diocesan employee or volunteer can absolve themselves from the duty to report directly to the Nova Scotia Department of Health by rationalizing they have no "first hand information", that the information is "hearsay" or that someone else will make the report. Failure to report promptly on such complaint risks exposing the vulnerable adult to harm and exposes the individual who fails to report to prosecution.

A priest, religious, cleric, paid employee, or volunteer of the Church having any information indicating that a vulnerable adult is being abused or neglected shall give such information immediately to the Department of Health and the local Police Department for investigation. (See Appendix VI for the Responsible Ministry Protocol (RMP) Complaint Handling Flowchart)

A priest, religious, cleric, paid employee, or volunteer of the Church having any information indicating that a vulnerable adult is being abused or neglected shall complete the Responsible Ministry Protocol (RMP) General Incident Report in Appendix VII and deliver it to the DRM Coordinator.

### **3.2 Internal Investigation of Misconduct**

Upon receipt of a complaint of child sexual abuse or vulnerable adult abuse against a priest, religious, cleric, employee, or volunteer and once the police have made initial contact, or where there is no police involvement, DRM Coordinator shall place the Respondent on an immediate leave of absence pending the preliminary report and recommendations to the Archbishop.

In the case of complaint of other forms of misconduct (abuse), the DRM Coordinator may place the Respondent on an immediate leave of absence pending the DRM Coordinator's preliminary report and recommendations to the Archbishop.

The DRM Coordinator shall instruct the Respondent to have no further contact, direct or indirect, with the person or persons alleged to have been abused and if appropriate, the complainant, if the complainant is a person other than a person alleged to have been abused.

At any time being advised by the police that the initial interview with the Respondent has taken place, or where there is no police involvement, the DRM Coordinator may proceed with the initial steps of a canonical preliminary inquiry. However, the DRM Coordinator will confer with the Diocesan legal counsel to ensure that his inquiries or actions do not interfere with the investigations of either the police authorities or the

insurers. This may require that the DRM Coordinator's investigation be postponed until the matter has been dealt with by the police authorities and the insurers. Alternatively, the DRM Coordinator may coordinate his investigation with that of the police authorities or insurers.

The objective of the DRM Coordinator's preliminary inquiry is to obtain information determining whether or not there are reasonable or probable grounds to believe that there has been misconduct.

The DRM Coordinator shall gather facts and information available in accordance with the premise of canonical law that a person is presumed innocent until proven otherwise.

For the purpose of canonical or administrative investigations, the Respondent may have the aid of a canonical advocate.

The Respondent shall be informed that anything said by him or her may be used against him in a secular criminal proceeding or any civil lawsuit.

Prior to any interview with the Respondent, the DRM Coordinator shall inform the Respondent that the Respondent is not bound to admit to alleged misconduct; nor may an oath be administered to the Respondent.

Upon information or an allegation of misconduct (abuse), neither the Archbishop, the Judicial Vicar, the DRM Coordinator, nor any priest involved in the administration of this protocol, and its policies and procedures, shall hear the Sacramental Confession of a Respondent, whether a Respondent is a priest, religious, cleric, lay employee, or volunteer of the Church.

Priests are reminded that while the secrecy of sacramental confession cannot be broken, a penitent should be encouraged to make disclosure outside the confessional. The DRM Coordinator shall keep a written record of all steps taken from the moment the allegations are first received. Care is to be taken to protect the confidentiality of such documentation. It is recommended that such documentation be prefaced "Prepared for the benefit and assistance of Diocesan legal counsel" and stored in a locked metal file cabinet.

Where allegations involve a religious and a member of the Arch/Diocese of Halifax/Yarmouth, the competent Superior shall notify the DRM Coordinator. When the religious institution's procedures for dealing with such matters are invoked, a report of the outcome shall be made to the DRM Coordinator, and the Superior shall answer inquiries that the DRM Coordinator may have.

### **3.3 External Investigation of Misconduct**

If a police investigation is under way, or is likely to take place, neither the DRM Coordinator nor competent Superior shall make any contact with the Respondent until notified by the Police that their initial contact with the Respondent has been made. It is the role of the police to determine the validity of criminal allegations and to decide whether charges will be laid.

A Respondent is encouraged to engage the services of a lawyer who shall not be the Diocesan lawyer. Where the Respondent is a priest, religious or cleric, suitable arrangements regarding legal expenses may be made through the DRM Coordinator.

Persons carrying out responsibilities under this Protocol shall, in consultation with the DRM Coordinator, co-operate with child welfare or police authorities carrying out their statutory responsibilities, subject only to the inviolability of the Seal of Confession.

### **3.4 Findings**

Upon completion of his preliminary inquiry, the DRM Coordinator shall report his findings to the Archbishop. If the allegations involved a religious, the competent Superior shall also be informed.

The DRM Coordinator shall contact the local Police Department or insurer following the criminal investigation or insurance investigation to determine the status or outcome of the investigation(s).

After receiving the outcome of the completed police and/or insurance investigation, the DRM Coordinator shall make recommendations to the Archbishop and Judicial Vicar as to whether further action is warranted, including medical and psychological evaluations and/or an administrative or canonical hearing.

Where the DRM Coordinator determines that the allegation is frivolous or unsubstantiated, he shall terminate the inquiry.

If there are no secular proceedings and if the Respondent admits the truth of the allegations, the DRM Coordinator shall immediately present a report to the Archbishop.

If there are no secular proceedings or the matter has been resolved before the secular courts and the Respondent denies the allegations, the

DRM Coordinator may recommend the next stage in the preliminary canonical inquiry as prescribed by Canon 1717, if applicable. With respect to paid employees and volunteers, the DRM Coordinator shall make recommendations with respect to future employment status or participation as a volunteer within the Church.

If the child welfare agency and the police find no reason to proceed, or where the complainant retracts an allegation, the DRM Coordinator shall recommend to the Archbishop whether or not further action by the Church is necessary or advisable.

The Respondent will be informed of the findings of the DRM Coordinator and will be offered an opportunity to reply to the Archbishop.

### **3.5 False Accusations**

Making a false accusation is a serious offence. Appropriate action will be taken if the allegation of misconduct is malicious and is determined to be intentionally false.

Appropriate action will be taken against anyone who knowingly provides false information in a misconduct investigation or removes or destroys documentary evidence crucial to the investigation.

### **3.6 Disposition of the Complaint**

Upon hearing the report of the DRM Coordinator and any reply of the Respondent, the Archbishop may make a disposition, either interim or permanent, regarding the Respondent's functions in the Arch/Diocese of Halifax/Yarmouth.

The Respondent may be given an immediate leave of absence or assigned duties where there is no contact with the person or persons alleged to have been abused or the complainant pending the outcome of any and all investigations: civil, criminal, administrative, and canonical.

The Respondent may be returned to the ministry or employment where he or she was previously assigned pending the negative outcome of all investigations: civil, criminal, administrative, and canonical.

If the outcome for the Respondent was positive, and contentious, the Respondent would not return to his previous ministry or employment. If

there is unusual situation or a need to be treated differently or as an exception then one would have to substantiate for the deviation.

In the case of a priest, religious, or cleric under the Archbishop's jurisdiction, an appropriate residence may be assigned pending the outcome of the procedure.

In the case of an employee, if it has been determined that the complaint was without merit, the employee will be returned to his or her former position. Otherwise, disciplinary action up to and including dismissal may be initiated.

In the case of a volunteer, if it has been determined that the complaint was without merit, the volunteer, at the Archbishop's discretion, may be returned to his or her former ministry.

If the secular proceedings are taking place, no further canonical inquiry shall be made until the matter has been resolved before the secular court. Upon the recommendations of the DRM Coordinator and if the Respondent is a priest, religious, or cleric under his jurisdiction, the Archbishop may immediately refer the Respondent to a selected treatment centre for medical and psychological evaluation.

Where the evaluation recommends a program of treatment for the Respondent, and:

The Respondent is a priest, religious, or cleric over whom the Archbishop has jurisdiction; the DRM Coordinator shall refer the Respondent to the treatment centre to begin the program of treatment.

The Respondent is a religious or cleric belonging to a religious institute; the DRM Coordinator shall refer the evaluation to the competent Superior for action.

The Respondent is an employee; the DRM Coordinator shall advise the Respondent of the recommendation and may make participation in treatment a condition of future employment or re-employment with the Church.

The Respondent is a volunteer; the DRM Coordinator shall advise the Respondent of the recommendation and may make participation in treatment a condition of future participation in any Church ministry.

Where a program of treatment has been recommended, therapy completed and an assessment is available, the DRM Coordinator may



recommend the return of a priest, religious, or cleric to the ministry, the re-employment of lay personnel, or in the case of a volunteer, reassignment to the person's former ministry. The exception to this situation would be in the situation whereby the Respondent has been convicted of child or vulnerable adult abuse.

The complainant and the person or persons abused or alleged to have been abused will be informed of the findings of the DRM Coordinator.

If the respondent is being transferred to other dioceses/parishes, they must be informed of the findings of the investigation (administrative, canonical and/or legal) by the DRM Coordinator.

### **3.7 Support for Parties to a Complaint of Misconduct (Abuse)**

Every effort will be made by the Church to ensure that the victims of misconduct (abuse) and their families receive pastoral support during such a time of crisis.

The Respondent's ordinary or Superior shall ensure the Respondent has access to pastoral support.

## **4. Staff and Volunteers: Invitation to Service, Assignment, Process & Orientation**

The Arch/Diocese of Halifax/Yarmouth respectively are responsible to provide a safe and secure environment for ministry. Staff and volunteers are screened to ensure this high level of quality in our services, and the record of a cleric; prospective employee or volunteer may be relevant in assessing the suitability of the person for a particular assignment.

### **4.1 Responsibilities**

The Arch/Diocese of Halifax/Yarmouth will identify a person responsible for the overall design, implementation and management of the Responsible Ministry Protocol (RMP) he/she will be called the Diocesan Responsible Ministry (DRM) Coordinator. Each parish will also identify a person responsible for the implementation and management of the Responsible Ministry (RMP) in their respective parish. This person will be referred to as the Parish Responsible Ministry (PRM) Coordinator.

1. The Arch/Diocese of Halifax/Yarmouth will provide an Information Form including a request for two names of persons for references, a consent form to contact these people, and an agreement to comply with the Police Criminal Record Check and Vulnerable Sector Check. An Information form is to be completed by staff and volunteers who have been invited into service. (See Appendix IX for the form) The staff and volunteers will then undergo a Police Criminal Record Check (PCRC), and a Vulnerable Sector Check. The Police Criminal Record Check and the Vulnerable Sector Check are to be renewed for every five years of service.
2. Depending on the location of the assignment, The Parish or Diocesan Responsible Ministry Coordinator will provide general job descriptions for all new and existing staff and volunteers. They will also provide a plan for orientation and training of staff and volunteers on the Responsible Ministry and Safe Environment Protocol, its policies and procedures within thirty days of commencing their assignment(s).
3. The designated Diocesan RMP Coordinator and the Parish Responsible Ministry Coordinator (PRMC) will implement the orientation and training for all their respective Staff and Volunteers. Participation in this training is mandatory for all and attendance records will be documented and filed in a secured place.
4. The Covenant of Care makes clear the expectations of behaviour for Staff and Volunteers. Responsibility for adherence to the Covenant of Care rests with each staff and volunteer. During orientation staff and volunteers will be asked to sign a receipt for Covenant of Care that will be filed in a secure area. (See Appendices VIII & IX for Acknowledgement and Receipt forms). An individual whose actions are not in conformity with the Covenant of Care will be subject to remedial action by their appropriate immediate superior. Corrective action may take various forms from a verbal warning to removal from the ministry, depending on the specific nature and circumstances of the offence and the extent of harm.
5. Staff and Volunteers in the Arch/Diocese of Halifax/Yarmouth must maintain confidentiality in all matters that come to their attention as a result of their activities. They are not to disclose confidential matters either during their church work or after termination unless specifically released from this obligation by the Archbishop of Halifax/Apostolic Administrator of Yarmouth. Disclosure of such information without authorization is cause for dismissal.

Volunteers who violate confidentiality will be ineligible for continuing their assignment.

CF. Canon 220. The Code of Canon Law

“No one may unlawfully harm the good reputation which a person enjoys, or violate the right of every person to protect his or her privacy.”

#### **4.2 Screening: Police Criminal Record Check and Vulnerable Sector Check**

All prospective staff and volunteers offered an assignment after February 15, 2010 will be required to consent to Police Criminal Record Check as a condition of their offer of assignment. As well, those prospective staff and volunteers who are assigned to working with children 16 years and younger will be required to consent to a Vulnerable Sector Check. Results of the checks are to be sent to the Diocesan (DRM) Coordinator. The onus will be on the staff and volunteers to complete this process with follow-up from the respective Diocesan Responsibility Ministry (DRM) Coordinator or Parish Responsibility Ministry (PRM) Coordinator.

#### **4.3 Evaluation of Results**

The Arch/Diocese of Halifax/Yarmouth recognizes that a candidate's record may or may not be relevant to the prospective staff or volunteers proposed assignment. Each record will be evaluated in relation to the prospective assignment. Consideration will be given to:

- The nature of the conviction
- The number of convictions
- The currency (prevalence or commonness) of convictions
- The risk

If the decision is made to contract a staff or volunteer with a criminal record or accept a volunteer with a criminal record for work, the Church will require that the staff or volunteer apply for a pardon and extinguish any record they may have. However, appropriate accommodative measures will be considered on a case-by-case basis where circumstances warrant such measures.

#### **4.4 Management of Files and Confidential Information**

The purpose of collecting personal information is a necessary measure to ensure the Responsible Ministry and Safe Environment Protocol with its policies and procedures are properly administered. Records that are of a personal confidential, nature will be kept in accordance with the Personal Information Protection and Electronic Documents Act (PIPEDA) Legislation and with the Arch/Diocese of Halifax/Yarmouth Policies for employees. The collected information is confidential and will only be used for the purpose for which it was collected, that is implementing and monitoring this Protocol.

##### **Files**

The Arch/Diocese of Halifax/Yarmouth maintains a confidential file for each staff and volunteer, under the sole control and care of the Diocesan Responsible Ministry (DRM) Coordinator who ensures that the files are in a secured area. This file contains documents such as:

1. Information Form
2. References
3. Current Police Criminal Record Check and Vulnerable Sector Check
4. Acknowledgement of Receipt of a copy of the Protocol and reading of Archdiocesan Responsible Ministry Protocol, Policies and Procedures (Appendix VIII)
5. Correspondence between the staff or volunteer and the parish and the Arch/Diocese of Halifax/Yarmouth
6. List of items (such as keys) provided to the person during his or her church assignment

The originals of these documents are to be held in a safe secure place by the Diocesan Responsible Ministry (DRM) Coordinator. The Parish Responsible Ministry Parish (PRM) Coordinator may maintain copies of all items with the exception of results of the Police Criminal Record Check and Vulnerable Sector Check. Copies of files held in the parish must also be held in a safe secure place within the parish facility.

##### **Confidentiality Assurance/Access**

The actual records obtained by the Church pursuant to the Police Criminal Record Check will be kept locked, with access only by the Diocesan Responsible Ministry (DRM) Coordinator. The information in the external file (e.g. parish) shall be limited to whether the staff or volunteer was approved, approved with conditions, or declined for consideration for particular assignment.

All files are considered confidential and the property of the Arch/Diocese of Halifax/Yarmouth for the purpose of their own administration.

Records and files will be made available only to those persons authorized by the Archbishop of Halifax or Apostolic Administrator of Yarmouth with the consent of the person involved.

All staff and volunteers have the right to review their own file within the presence of the Diocesan Responsible Ministry (DRM) Coordinator. When a staff or volunteer retires, resigns, or is terminated, the file will be retained in current files for seven years from the individual's departure date, and then held in archived files for a length of time in accordance with legislation.

It is the responsibility of staff and volunteers to advise the Arch/Diocese of Halifax/Yarmouth of any change to his or her address, or other information pertinent to the proper maintenance of records.

### **Consent to Release Information**

Protection of all staff and volunteers' personal information is of primary importance to the Arch/Diocese of Halifax/Yarmouth. Information will never be sold or traded. Short of legal requirements, a staff's or volunteer's personal information will not be released to any third party without the person's expressed written consent of the staff or volunteer.

### **Orientation**

During orientation, staff and volunteers will receive a formal greeting, introduction to colleagues, a tour, and information covering:

1. Norms of behaviour for diocesan and parish staff and volunteers
2. Mission statement, goals, and policies of the Arch/Diocese of Halifax/Yarmouth
3. Job description
4. History and structure of the organization
5. Review and signed acknowledgement of receipt and reading of Responsible Ministry and Safe Environment Protocol, Policies and Procedures and other information specific to the assignment

# Appendix I

## Terminology

**Advisory Committee for Responsible Ministry Protocol (ACRMP):** is appointed by the Archbishop to have the overall responsibility for implementation of the Responsible Ministry and Safe Environment Protocol, policies and procedures, ensuring that parishes and other entities in the diocese know and implement the protocol with integrity and consistency. The committee will meet a minimum of every two years to consider this Protocol and make recommendations as to amendments to the Protocol to meet the needs of the Church and society.

**Clergy:** all persons who are ordained including bishops, priests, deacons.

**Complainant:** the person who makes the initial complaint of misconduct to the church.

**Diocesan Responsible Ministry (DRM) Coordinator:** is a person appointed by the Archbishop as his delegate to be responsible for the overall design, implementation, monitoring and evaluation of this Protocol and its policies and procedures including the education program. He/She chairs the Advisory Committee for Responsible Ministry (ACRM) and is responsible for the files related to the implementation and monitoring of this Protocol including personnel files. Currently the chancellors in Halifax and Yarmouth will be responsible for the implementation of this Protocol in the interim.

**Leader Position:** a leadership role undertaken by church workers or volunteers in which there is expected to be direct interaction with children, youth or vulnerable adults. Examples include: the positions of catechist, youth group leader, altar server coordinator, pastoral care worker, and visitor to shut-ins.

**Parish Responsible Ministry (PRM) Coordinator:** A person appointed by the parish priest (pastor) responsible for ensuring that this policy is properly implemented and monitored within the parish. He/she will provide input on the Protocol to the DRMC and the Advisory Committee for Responsible Ministry (ACRM) on a regular basis.

**Program (ministry):** a structured series of similar activities or events governed and run by the parish which spans a period of weeks or months. Example: weekly catechism classes; pastoral visitation at a hospital or

nursing home, home visitation; weekly youth meetings; operation of a nursery or day care.

**Religious:** is a priest, deacon, brother or sister who is a member of a recognized religious community or order; a person in consecrated life.

**Respondent:** is a staff or volunteer responding to the reported allegation of misconduct.

**Staff and Volunteers:** include all clergy, religious and lay persons whether paid or unpaid acting on behalf of the Diocese of Yarmouth or Archdiocese of Halifax, a parish or a program or service of the Arch/Diocese of Halifax/Yarmouth.

**Volunteer:** is a person who:

- Offers or is invited to undertake a ministry position, service or activity as an assignment whether occasionally, part-time or full-time
- Does the ministry activity in providing service to an individual, or to assist the parish or diocesan community-at-large
- Is not coerced or compelled to do this activity
- Does not receive a salary or wage for this service or ministry activity

**Volunteer Helper:** a person who is involved peripherally in programs with children, youth or vulnerable adults but is not the leader. Some examples include: someone who delivers cookies to a children's program, someone who collects and presents socks to homeless people at a shelter, someone who collects and distributes food bank items to families, or someone who provides or supervises distribution of materials at a religion class, etc.

**Volunteer Leader:** is a person of at least 18 years of age who devotes significant portions of his/her time and energy in service and who has gone through a time of orientation and training, in order to hold a leader position. Examples include: catechism teacher, youth leader, pastoral care visitor, leader of a group for developmentally challenged adults, etc. Note: It is common practice in many organizations to use volunteer helpers who are between the ages of 12 and 18. Youthful leadership is to be encouraged and supported. However, it should be noted that when leaders are mentioned in this policy, we are referring to people of a least 18 years of age. Nevertheless, leaders under the age of 18 are expected to follow the policy when acting as leaders or volunteers helpers.

**Vulnerable Adult (adult in need of protection):** a person who, because of his/her age, a disability or other circumstances, whether temporary or permanent is in a position of dependence on others or is otherwise at a greater risk than the general population of being harmed by a person or persons in positions of authority or trust relative to him/her. Other circumstances may include emotional stress due to extreme crisis or trauma.



## Appendix II

### Canon Law References

**Canon 31.** Within the limits of their competence, those who have executive power can issue general executor decrees, that is, decrees which define more precisely the manner of applying a law, or which urge the observance of law.

**Canon 34.** Instructions, namely, which set out the provisions of a law and develop the manner in which it is to be put into effect are given for the benefit of those whose duty it is to execute the law, and they bind them in executing the law. Those who have executive power may, within limits of their competence, lawfully publish such instructions.

**Canon 383 H.** In exercising his pastoral office, the diocesan Bishop is to be solicitous for all Christ's faithful entrusted to his care, whatever their age, condition or nationality, whether they live in the territory or are visiting there. He is to show an apostolic spirit also to those who, because of their condition of life, are not sufficiently able to benefit from ordinary pastoral care, and to those who have lapsed from religious practice.

**Canon 384.** He is to have a special concern for the priests, to whom he is to listen as his helpers and counselors. He is to defend their rights and ensure that they fulfill the obligations proper to their state.

**Canon 521. 1.** To be validly appointed a parish priest, one must be in the sacred order of priesthood.

**2.** He is also to be outstanding in sound doctrine and uprightness of character, endowed with zeal for souls and other virtues, and possessed of those qualities, which by universal or particular law are required for the care of the parish in question.

**3.** In order that one be appointed to the office of parish priest, his suitability must be clearly established, in a manner determined by the diocesan Bishop, even by examination.

**Canon 1389. 1.** A person who abuses an ecclesiastical power or function is to be punished according to the gravity of the act or omission not

excluding privation from office, unless a law or precept has already established the penalty for the abuse.

**2.** A person who through calculable negligence illegitimately places or omits an act of ecclesiastical power, ministry or function with harm to another is to be punished with a just penalty.

**Canon. 1446. 1.** All Christ's faithful, and especially Bishops, are to strive earnestly, with due regard for justice, to ensure that disputes among the people of God are as far as possible avoided, and are settled promptly and without rancor.

**2.** In the early stages of litigation, and indeed at any other time as often as he discerns any hope of a successful outcome, the judge is not to fail to exhort and assist the parties to seek an equitable solution to their controversy in discussions with one another. He is to indicate to them suitable means to this end and avail himself of serious-minded persons to mediate.

**3.** If the issue is about the private good of the parties, the judge is to discern whether an agreement or a judgment by an arbitrator, in accordance with the norms of Canons 1717-1720, might usefully serve to resolve the controversy.

## **Appendix III**

### **Advisory Group for the Responsible Ministry and Safe Environment Protocol, Terms of Reference**

#### **Purpose:**

- To provide strategic advice and direction for the Responsible Ministry and Safe Environment Protocol including the prevention programs (screening and educational)
- To over see the implementation of the Protocol at the Dioceses and Parish level including monitoring and evaluation.
- To provide sign-off on any annual and final reports
- To advise and/or provide communication regarding the Protocol and implementation
- To support the Parish Coordinators in meeting the protocol goals and objectives, timelines and reporting requirements

#### **Membership:**

Chairperson      Diocesan Coordinator, Chancellor of Halifax, Interim  
Diocesan Coordinator, Chancellor of Yarmouth, Interim  
Lay Member Halifax (Parish Coordinator)  
Lay Member Halifax (Insurance Business)  
Lay Member Yarmouth (Parish Coordinator)  
Lay Member Yarmouth  
Coordinator of Youth Ministry  
Pastoral Member Halifax  
Pastoral Member Yarmouth  
Administrative Support

Other experts may be invited as needed.

#### **Member Responsibility:**

Members will provide the Chairperson with agenda items ten (10) working days in advance of scheduled meetings.

The Chairperson will provide an agenda and supporting information five (5) working days in advance of scheduled meetings  
Each member is responsible for being prepared for discussions.  
Each member is responsible for sharing information with the appropriate stakeholders within his or her jurisdiction.

**Communication Mechanisms:**

The following practices are important to facilitate communication:

- Each agenda includes a status report on the implementation of the protocol.
- A one page briefing summary highlighting meeting outcomes and actions will be distributed to members within two (2) working days.
- Minutes of the meeting will be shared within a reasonable time frame.

**Reporting Relationships:**

The advisory group is accountable to the Archbishop's delegate currently the Chancellor for Halifax.

**Meeting Frequency / Location:**

The advisory group will meet at least bi monthly initially and more frequently if needed. There will be no less the three meetings per year. The location of the meetings will rotate between Archdioceses of Halifax and Dioceses of Yarmouth. The meeting frequency and location shall be reviewed annually.

Date of issue: 19/04/10

DD/MM/YY

## **Appendix IV**

### **Parish Responsible Ministry Coordinator, Position Description**

#### **NATURE & SCOPE**

The Parish Responsible Ministry Coordinator will be accountable and responsible for the Administration of the Responsible Ministry Protocol within the Parish, working closely with the Diocesan Responsible Ministry Coordinator.

#### **ACCOUNTABILITIES**

The Parish Responsible Ministry Coordinator will:

- Attend the Diocesan Training Program to become fully knowledgeable of the contents of the Responsible Ministry Program and refresher programs that may be held.
- Provide all existing and prospective parish clergy, volunteers and staff with copies of the Protocol.
- Inform all existing and prospective clergy, volunteers, and staff within the Parish of the documentation required by the Diocese under the Responsible Ministry Protocol and assist them in preparing the necessary documentation.
- Ensure that all documentation required under the Protocol be obtained in a timely manner.
- Ensure that the original personal files are forwarded to the Diocese and that copies of all files as designated under the Protocol, exclusive of confidential Police Criminal Record Check and Vulnerable Sector Check be secured and maintained in the Parish office.
- Maintain a record of all complaints that come to their awareness, whether written or verbal, initiated under the Responsible Ministry Protocol, and immediately forward the complaint or information to the Diocesan Responsible Ministry Coordinator who will review and initiate an investigation if appropriate.
- Meet as necessary with other Parish Responsible Ministry Coordinators and the Diocesan Coordinator to identify concerns and issues that arise as the Protocol is implemented.
- Maintain up-to-date knowledge of the contents of the Protocol and any changes that arise through regular communication with the Diocesan Coordinator.

- Advise the Diocesan Coordinator of any difficulties in the administration of the Protocol, including any refusal to obtain the required documentation by clergy, staff, and volunteers or, in the alternative, if documentation requires review and interpretation.
- Respond to all general questions involving the Protocol, and, if necessary seek guidance from the Diocesan Responsible Ministry Coordinator.

Date of Issue 19/03/10  
DD/MM/YY

## Appendix V

### Responsible Ministry and Safe Environment Protocol Parish Coordinator Procedure (To Do) List

#### The Parish Responsible Ministry Coordinator will:

- orient staff member or volunteer to the Responsible Ministry and Safe Environment Protocol.
- provide a copy of the Responsible Ministry and Safe Environment Protocol, including the Covenant of Care and obtain Covenant of Care signature (Appendix VIII).
- provides an outline of the staff/volunteers duties and responsibilities.
- provide a Request for Information Form from Appendix IX to be completed by each potential staff member and each volunteer who works with children, youth 16 – 18, and vulnerable adults.
- provide an explanation of how to obtain the Police Criminal Record Check with the Vulnerable Sector Check through their local police force or RCMP detachment and explain the payment process for these checks. The explanations are as follows:
  - If the staff/volunteer resides within HRM – bring the form (currently on the web) to the police force or detachment where the staff/volunteer resides. That detachment will then complete the request and notify the staff/volunteer that it is complete at which time the staff/volunteer will pick it up & send it to the Diocesan Responsible Ministry (DRM) Coordinator & notify the Parish Responsibility Ministry (PRM) Coordinator that this has been done. The staff/volunteer will not have to make any payment for this process, as HRM will direct bill the Diocese.
  - If the staff/volunteer resides outside of HRM – there is currently no billing system or form that all these other forces/detachments use. Therefore we ask that the staff/volunteer go to the force/detachment where the staff/volunteer resides and request a Police Criminal Records

Check including the Vulnerable Sector Check. There may or may not be a fee associated with this request. If there is a fee, the staff or volunteer is asked to bring the receipt to their Parish Responsible Ministry (PRM) Coordinator for reimbursement.

- Request the staff/volunteer, upon obtaining their completed Police Criminal Record Check with the Vulnerable Sector Check, to forward the original of the results to the Diocesan Responsible Ministry (DRM) Coordinator.
- obtains the names of two references for the Staff/Volunteer Information form (Appendix IX), then sends out the Reference Letter (Appendix X) to each of those references and receives their responses.
- copy the completed Information Form, the two Reference Letters, and the signed Acknowledgement and Receipt of the Responsible Ministry and Safe Environment Protocol form including the Covenant of Care and put those copies in a safe, secure place in the parish office.
- forward the originals of these forms (Information Form, two Reference Letters, and the signed Acknowledgement and Receipt of Responsible Ministry and Safe Environment Protocol form including the Covenant of Care) to the Diocesan Responsible Ministry Office for your Diocese (Halifax or Yarmouth).
- add the new Staff/Volunteer Information to the Responsible Ministry and Safe Environment Protocol (RMP) Staff/Volunteer Data Sheet. The data sheet is available on the [catholichalifax.org](http://catholichalifax.org) website under Responsible Ministry and Safe Environment Protocol forms or from the parish secretary.
- receive notification from the DRM Coordinator that all records are complete before the staff/volunteer commences their duties.

Note: All forms are available on the website [www.catholichalifax.org](http://www.catholichalifax.org) or from the parish secretary



## **Appendix VI**

### **Responsible Ministry Protocol Complaint Process Flow Chart**

**Note: In a separate PDF File**

# Appendix VII

## Responsible Ministry Protocol Incident Report Form

### General Incident Report Form CONFIDENTIAL

Parish or Program Name: \_\_\_\_\_

Geographical Location: \_\_\_\_\_

Report date: \_\_\_\_\_ Time of report: \_\_\_\_\_ AM/PM  
(DD/MM/YR)

Full Name of child/youth/adult: \_\_\_\_\_

Age/Grade: \_\_\_\_\_ (Not necessary for adult)

Date of Birth/Approximate Age \_\_\_\_\_ Gender: M F

Home Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

Mobile Cell Number: \_\_\_\_\_

Name of Parent/Guardian (for child/youth) or caregiver (for adult): \_\_\_\_\_

Notified: Yes No IF yes, date/time of notification: \_\_\_\_\_  
DD/MM/YR  
TIME

Mailing Address: \_\_\_\_\_

(If different from above)  
Date/time and location of incident: \_\_\_\_\_

DD/MM/YR TIME LOCATION

Description of incident(s): (If additional space is required attach additional sheet(s))  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Names/contact information of witnesses:

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NAME	HOME PHONE #	MOBILE/CELL #
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NAME	HOME PHONE #	MOBILE/CELL #
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Description of injuries sustained:

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Description of action taken:

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Additional information you think is relevant:

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Direct quotes from child/youth/adult: (Note: If this is an abuse allegations, do not interview the child/youth but report only the comments they share with you.)

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Signature:

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Name	Position of Person Making the Report
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I hereby confirm that the information provided in this report is accurate to the best of my knowledge.

Name of Person making report (please print): \_\_\_\_\_

Home Phone/Cell Phone: \_\_\_\_\_

Home Mailing Address: \_\_\_\_\_

E mail Address: \_\_\_\_\_

Signature of Person making report: \_\_\_\_\_

Date: \_\_\_\_\_

DD/MM/YR

**NOTE:** The person filing this report must submit the original to the Diocesan Responsible Ministry Coordinator, Halifax within 24 hours during the regular work week (Monday-Friday and exclusive of holidays). The person reporting the incident should keep one copy for their personal records. If this is an allegation of abuse of a person under 16 years of age, it must be reported immediately to a protection agency or police. (See section on reporting procedure.)

## Appendix VIII

### Acknowledgement and Receipt of Responsible Ministry and Safe Environment Protocol Including Covenant of Care for the Arch/Diocese of

\_\_\_\_\_

**or**

\_\_\_\_\_ **Parish** \_\_\_\_\_, **N.S.**

I acknowledge the paramount importance of safeguarding, in all respects, all of those to whom we minister, especially children, youth and vulnerable adults, by:

- Following all the directives in the Responsible Ministry and Safe Environment Protocol, Policies and Procedures for the Arch/Diocese of Halifax/Yarmouth including the Covenant of Care;
- Complying with the information given in my orientation;
- Using appropriate language;
- Within our ecclesiastical mandate show no bias on account of gender, ethnic background, skin colour, intelligence, age, religion, or socio-economic status, or level of education;
- Respecting confidentiality and privacy, unless a child, youth, or vulnerable adult is in danger, then I will report in the case of a child/youth to a child protection agency or the police and in the case of a vulnerable adult then I will report to the Department of Health.

I have included:

my completed and signed Staff/Volunteer Request for Information Form

my completed information on references and signed consent to contact them

my agreement to comply with obtaining the Police Criminal Record Check and a Vulnerable Sector Check

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witnessed by: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix IX

### **Priest Acknowledgement and Receipt of Responsible Ministry and Safe Environment Protocol Including Covenant of Care for the Arch/Diocese of**

\_\_\_\_\_ or  
\_\_\_\_\_ **Parish** \_\_\_\_\_, **N.S.**

I acknowledge the paramount importance of safeguarding, in all respects, all of those to whom we minister, especially children, youth and vulnerable adults, by:

- Following all the directives in the Responsible Ministry and Safe Environment Protocol, Policies and Procedures for the Arch/Diocese of Halifax/Yarmouth including the Covenant of Care;
- Complying with the information given in my orientation;
- Using appropriate language;
- Within our ecclesiastical mandate show no bias on account of gender, ethnic background, skin colour, intelligence, age, religion, or socio-economic status, or level of education;
- Respecting confidentiality and privacy, unless a child, youth, or vulnerable adult is in danger, then I will report in the case of a child/youth to a child protection agency or the police and in the case of a vulnerable adult then I will report to the Department of Health;
- I understand that what I learn under the Seal of Confession in a Sacramental Confession remains absolutely inviolable

I have included:

my completed and signed Staff/Volunteer Request for Information Form

my completed information on references and signed consent to contact them

my agreement to comply with obtaining the Police Criminal Record Check and a Vulnerable Sector Check

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witnessed by: \_\_\_\_\_ Date: \_\_\_\_\_

# Appendix X

## Staff/Volunteer Request for Information Form

Parish Name and Location: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/Town: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Email: \_\_\_\_\_

<p><b>Please provide a Contact in case of an Emergency:</b></p> <p>Name: _____ Phone: _____</p> <p>Relationship: _____ Cell Phone: _____</p>
--

Have you held a staff or volunteer position with another organization/Parish?

Yes  No If Yes describe:

\_\_\_\_\_  
\_\_\_\_\_

How long have you been a member of your parish community?

\_\_\_\_\_  
\_\_\_\_\_

Ministry assignments in which you may like to serve in or are currently involved in:

\_\_\_\_\_  
\_\_\_\_\_

(For those not currently engaged in ministry) If the ministry requested is not available, would you consider a different ministry?

Yes  No

If yes, which other ministry might interest you:

\_\_\_\_\_  
\_\_\_\_\_

I certify that the information provided in this document is true and complete. I understand that this information will remain confidential and is property of the Arch/Diocese of Halifax/ Yarmouth. As well, I understand that my name and contact information will be given to the appropriate Responsible Ministry Coordinator in the Diocese/ Parish so that she/he may contact me.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**References**

Please provide two persons who can describe your suitability for this ministry.  
(E.g. Immediate superior, friends, neighbors, other parishioners, work associates,  
etc.)

**Please remember to notify these persons that they will be contacted.**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/Town: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/Town: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

**Consent**

I, \_\_\_\_\_, authorize the Responsible Ministry Coordinator  
(Name of applicant)

of \_\_\_\_\_ to contact the references that I listed on this  
(Name of diocese/parish and location)

Staff and volunteers Information Form, in order to collect the information that is  
appropriate to the position. I understand that the information obtained will be  
confidential.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parish Name and Location

FOR PARISH USE ONLY



For all Staff and Volunteers

Police Criminal Record Check and Vulnerable Sector Check

I agree to comply with obtaining a Police Criminal Record Check and a Vulnerable Sector Check before I can participate in an assignment. I understand that only the Diocesan Responsible Ministry Coordinator will review this information.

Please return completed form to Diocesan Responsibility Ministry Coordinator.

Please check (☑) that the following have been received and read:

- The assignment description
- The Code of Conduct for staff and volunteers
- The contact information for my immediate superior

*I am aware of the responsibilities and the limits of this assignment and agree to meet them. I understand that I represent this Diocese /Parish as a staff/volunteer only when I am functioning as described in the Diocese/Parish Assignment Description. I agree to keep confidential any information that I may come across regarding the affairs of this parish, its clergy, other volunteers, and parishioners, unless otherwise directed by law or by authorities of the Archdiocese/Diocese: \_\_\_\_\_*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness: \_\_\_\_\_ Date: \_\_\_\_\_

DRMC Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# Appendix XI

## Reference Letter

Throughout the province, volunteer organizations and churches are asking their staff/volunteers to provide references. This is done to assure the safety of children, the elderly, vulnerable adults and the staff and volunteers themselves. The information on this form stays in a confidential file in the Arch/Diocese Halifax/Yarmouth Office and is not shared with any outside organizations or institutions.

\_\_\_\_\_, is interested in engaging in  
(Staff/Volunteer's name)

Ministry work with \_\_\_\_\_ Arch/Diocese of  
Halifax/Yarmouth of \_\_\_\_\_ or \_\_\_\_\_ Parish in  
specific location (e.g. Bridgewater) \_\_\_\_\_, N.S.  
(Parish name)

and thus, has been asked to provide references. This person has supplied us with your name and address.

### Assignment Summary

Title:

Responsibilities:

[Enter specific details regarding the ministry assignment]

We wish to receive current, accurate information about this person; your remarks will be an important factor in our decision-making process. Please base your assessment of this individual on your experience of being with and working with this person. We expect that this will take about 10 to 20 minutes of your time.

Please PRINT your name: \_\_\_\_\_

1) What is your relationship to the person indicated above? How long have you known this person?

---

---

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2) How would you describe her/his skills and suitability for this ministry position?

---

---

3) How would you describe the candidate's personality and temperament?

---

---

4) What would you identify as this person's strengths?

---

---

5) If you have to suggest some areas of improvement, what would they be?

---

---

6) How well does this person work independently?

---

---

7) How well does this person work as part of a team?

---

---

8) On a scale of 1 (very little) to 4 (very much); how much does this person exhibit these traits?

	very little	very much		very little	very much
Dependable:	1.....	2.....3.....4	Tolerant of diversity:	1.....	2.....3.....4
Trustworthy:	1.....	2.....3.....4	Committed:	1.....	2.....3.....4
Honest:	1.....	2.....3.....4	Respects confidentiality:	1.....	2.....3.....4
Deals well with stress:	1.....	2.....3.....4	Respects children/youths:	1.....	2.....3.....4
Good Leader:	1.....	2.....3.....4	Respects the elderly:	1.....	2.....3.....4
Role model for others:	1.....	2.....3.....4	Respects disabilities:	1.....	2.....3.....4
Emotional stability:	1.....	2.....3.....4	Other: _____	1.....	2.....3.....4

9) Would you recommend this person for this ministry assignment? Please Explain.

---

---

Reference's signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Please return this form to the person/address listed below**

Diocesan Responsible Ministry Coordinator:

---

Arch/Diocese Halifax/Yarmouth:

---

Address: \_\_\_\_\_

**We sincerely thank you for your time**

## **Appendix XII**

### **Helpful Information on Police Criminal Records Check**

#### **How is a Police Criminal Records Check carried out?**

To conduct a PCRC, the local police query the Canadian Police Information Centre (CPIC) database. CPIC was an initiative of the RCMP, who maintains the network. Individual policing regions maintain their own information within the system and have access to the entire database. From this database police can determine if a person has outstanding charges or convictions. Information collected in the CPIC database includes individuals who:

- Have a criminal record for any Criminal Code or other Federal Statute offence and/or
- Have been judged not criminally responsible for an offence because of mental disorder and/or
- Have federal and/or provincial charges pending and/or
- Are on probation or subject to a Probation Order.

In addition, police agencies compile information, when warranted, about all complaints they receive. Examples of complaints include:

- Abuse of children.
- Allegations of offences where charges were not laid.

These may or may not be revealed by police in a PCRC. Note that a PCRC cannot be conducted without the individual's written consent. In some cases the PCRC must be obtained in person. Since 2001, as a result of amendments to the Criminal Records Act, Criminal records of pardoned sex offenders can be identified and made available to organizations that work with vulnerable people. A search of the CPIC database for pardoned sexual offences cannot be conducted without the individual's consent.

#### **What if you have a criminal record?**

If the information obtained by the police indicates that you have a criminal record, does that mean you cannot volunteer? Not necessarily. Organizations may look at the following factors when considering your application:

- The nature of the organization and its work.
- The nature of the offence.
- The relevance of the criminal record to the position you are applying for. Sometimes it will be deemed wise to deny the individual a leadership position with children/youth/vulnerable adults. Sometimes it will be deemed wise to urge the person to

accept a position that indirectly supports children/youth/vulnerable adults. Sometimes it will be deemed wise to always have an individual working with another adult.

### **Are there limits to PCRCs?**

There are some limits. PCRCs can be a positive deterrent in discouraging nefarious individuals from applying for leadership or volunteer positions with children, youth and vulnerable adults.

However, the fact still remains that limitations exist of PCRCs:

- They are only good up to the day of checking and based on the information provided.
- A person may use a false name, driver's license, or birth date, so there are no matches found in their record.
- If a conviction occurred when the person was a youth, the information is protected under the Youth Criminal Justice Act; therefore, you will not have access to this information after a certain time period.
- Some sex offenders and abusers have never been charged or convicted of a crime, so there will be no record to review.

## Appendix XIII

### Helpful Information on Understanding Child/Youth/Vulnerable Adult Abuse

This policy has zero tolerance for abuse in any form. This includes abuse that happens to a child/youth/vulnerable adult by a staff member or volunteer. There is also a need for the adult in the place of worship to be sensitive to incidents of abuse that may be happening in the home or social life of a child/youth/vulnerable adult. Any person who has reasonable grounds to suspect that a child/youth is or may be in need of protection must report the suspicion to a protective agency or police. Clergy and other professionals such as physicians, nurses, social workers, psychologists and teachers have a special responsibility to report allegations of abuse. A professional who hears an allegation of abuse should confide this to a designated leader in the organization. A high ranking official in the organization should be identified as the contact for reporting all cases.

In order to understand and recognize child abuse, the following definitions and indications of emotional, physical and sexual abuse or neglect are listed. Some of the following also apply to vulnerable adults. A more complete description of abuse of vulnerable adults is found below.

#### What is Child/Youth Abuse?

(Source: Department of Justice Canada;  
<http://canada.justice.gc.ca/en/ps/fm/childafs.html>)

The term "child abuse" refers to the violence, mistreatment or neglect that a child or adolescent may experience while in the care of someone they either trust or depend on, such as a parent, sibling, other relative, caregiver or guardian. Abuse may take place anywhere and may occur, for example, within the child's home or that of someone known to the child.

There are many different forms of abuse and a child may be subjected to more than one form:

- **Physical abuse** may consist of just one incident or it may happen repeatedly. It involves deliberately using force against a child in such a way that the child is either injured or is at risk of being injured. Physical abuse includes beating, hitting, shaking, pushing, choking, biting, burning, kicking or assaulting a child with a weapon. It also includes holding a child under water or any other dangerous or harmful use of force or restraint. Female genital mutilation is another form of physical abuse.
- **Sexual abuse** and exploitation involves using a child for sexual purposes. Examples of child sexual abuse include fondling, inviting a child to touch or be touched sexually, intercourse, rape, incest, sodomy, exhibitionism, or involving a child in prostitution or pornography.
- **Neglect** is often chronic, and it usually involves repeated incidents. It involves failing to provide what a child needs for his or her physical, psychological or emotional development and well being.

For example, neglect includes failing to provide a child with food, clothing, shelter, cleanliness, medical care or protection from harm. Emotional neglect includes failing to provide a child with love, safety, and a sense of worth.

- **Emotional abuse** involves harming a child's sense of self. It includes acts (or omissions) that result in, or place a child at risk or result in the child having serious behaviour, cognitive, emotional, or mental health problems. For example, emotional abuse may include aggressive verbal threats, social isolation, intimidation, exploitation, or routinely making unreasonable demands. It also includes terrorizing a child, or exposing them to family violence.

An abuser may use a number of different tactics to gain access to a child, exert power and control over them, and prevent them from telling anyone about the abuse or seeking support. A child who is being abused is usually in a position of dependence on the person who is abusing them. Abuse is a misuse of power and a violation of trust. The abuse may happen once or it may occur in a repeated and escalating pattern over a period of months or years. The abuse may change form over time.

### **Abuse of Vulnerable Adults**

The most extensive body of literature on abuse of vulnerable adults can be found under "abuse of the elderly". While some factors may not apply to all vulnerable adults (e.g. the developmentally challenged), most characteristics are equally applicable to all vulnerable adults. A thorough explanation of older adult abuse is found at <http://www.justice.gc.ca/en/ps/fm/adultsfs.html>. Although individuals may be abused at virtually any life stage – childhood, adolescence, young adulthood, middle age or old age – the nature and consequences of abuse may differ depending on an individual's situation. Older adults' experiences of abuse, for example, may be related to their living arrangement (they may be living alone, with family members or others, or in an institution). Their experiences may also be linked to their level of reliance on others, including family members or other care providers, for assistance and support in daily living.

Abuse of older adults is sometimes described as a misuse of power and a violation of trust. Abusers may use a number of different tactics to exert power and control over their victims. Abuse may happen once or it may occur in a repeated and escalating pattern over months or years. The abuse may take many different forms, which may change over time.

### **Types of Abuse**

**Psychological abuse** includes attempts to dehumanize or intimidate older adults. Any verbal or non-verbal act that reduces their sense of self-worth or dignity and threatens their psychological and emotional integrity is abuse. This type of abuse may include, for example:

- Threatening to use violence
- Threatening to abandon the person
- Intentionally frightening the person
- Making the person fear that they will not receive the food or care they need
- Lying to the person
- Failing to check the person's or someone else allegations of abuse against them



**Financial abuse** encompasses financial manipulation or exploitation including theft, fraud, forgery, or extortion. It includes using older adult's money or property in a dishonest manner, or failing to use older adult's assets for their welfare. Anytime someone acts without consent in a way that financially or personally benefits one person at the expense of another it is abuse. This type of abuse against an older adult may include, for example:

- Stealing the person's money, pension cheques or other possessions
- Selling the person's homes or other property without their permission
- Wrongfully using a Power of Attorney
- Not allowing the person to move into a long-term care facilities in order to preserve access to their pension income
- Failing to pay back borrowed money when asked

**Physical abuse** includes any act of violence – whether or not it results in physical injury. Intentionally inflicting pain or injury that results in either bodily harm or mental distress is abuse. Physical abuse may include, for example:

- Beating
- Burning or scalding
- Pushing or shoving
- Hitting or slapping
- Rough handling
- Tripping
- Spitting

There may also be sexual abuse.

### **What Are Some Potential Warning Signs of Abuse?**

Some of the signs that may indicate an older adult is being abused include:

- Depression, fear, anxiety, passivity
- Unexplained, physical injuries
- Dehydration, malnutrition or lack of food
- Poor hygiene, rashes, pressure sores
- Over-sedation

## Appendix XIV

### Helpful Information on Dealing with Reports of Abuse

When a child, youth or vulnerable adult is upset or distressed about a situation, he/she may turn to a trusted adult for support and advice. Often, though, they may be hesitant and shy about discussing what has happened. Feelings of guilt or shame are common. The staff/volunteer should help the child/youth/vulnerable adult feel safe and understand that they can talk about what happened. A vulnerable adult, disabled or confined person, may not be able to tell anyone, so staff/volunteers or visitors need to be sensitive and aware of any change in appearance/emotion.

A listening adult should be supportive and pay attention to what is said. Be cautious about asking questions. Asking questions can invalidate future statements to police or child welfare authorities and can cause a case to be dismissed in court. Accept the child/youth/vulnerable adult's story; do not dispute it. Investigating the incident is the responsibility of the protection agency or police. Although it is difficult, be calm, supportive and hopeful.

It is important not to make promises that you cannot keep, such as promising to stop the abuse, punish or remove the offender. Do not promise not to report the incident to the authorities. If you have inadvertently promised to keep confidential what the child/youth/vulnerable adult says tell him/her that it is necessary to call upon someone who can help you both deal with the situation.

#### Reporting to a Protection Agency

**Note: Any person who has reasonable grounds to suspect that a child/youth/vulnerable adult is or may be in need of protection must report the suspicion to a protective agency or police. Clergy and other professionals have special responsibility to report allegations of abuse. A Staff/Volunteer who hears an allegation of abuse should also notify their superior and /or the Diocesan or Parish Responsibility Ministry Coordinator who shall, in turn, notify our insurer.**

Professional persons, such as clergy, and officials have the same duty as any member of the public to report a suspicion that children/youth/vulnerable adults are in need of protection.

### **Information Needed by a Protection Agency**

When one calls a protection agency that person should prepare notes on why he/she is calling.

- Ask for an intake screener.
- Give your name and location, or you may remain anonymous.
- State that you are making a report of a person you believe to be in need of protection.
- Give your relationship to the person and/or family.
- Indicate what you heard from the child/youth/vulnerable adult or what you observed.
- Offer facts such as dates, descriptions of the child/youth/vulnerable adult and identifying facts about people who were involved.
- Share knowledge of other agency or community involvement if known.
- Provide any relevant background information.

### **Procedure if Contacted by a Protection Agency**

1. Any request from a child protection worker (see photo ID or badge to verify identity) should normally be made in person. The worker will want to speak with the person filing the suggested abuse report and, if a different person, to the person to whom the child/youth spoke. If the matter is urgent and those investigating cannot do a personal interview, the investigator may telephone you from his/her office.
2. The child protection agent should identify him/her and give his/her work contact phone number. Record the workers first and last name.
  - Do not give any information at this time. The investigator will explain the process to follow and what information's he/she is seeking.
  - It is your responsibility to verify that this is indeed a child protection agent. Simply say, "I need to move to another phone. May I phone you back in 30 seconds?" Move to a phone where you can ensure confidentiality.
  - When you return the call, provide the necessary information.
  - Ask what is to happen next. This is critical as a court order may be warranted and restraining order put in place. The organization should be aware of this. Details do not need to

be given. Ask when the organization can expect a final report on the case if further information will be required.

- Make clear written notes about what you reported, date, time, phone number and name of investigator. Place in a confidential, locked, metal file cabinet.

### **Pastoral Response to a Report of Abuse**

Disclosure of an incident of alleged abuse is an emotionally charged experience. When an individual discloses that he/she is a victim of alleged abuse, it is important to:

- Assure him/her that he/she will be listened to and be provided with support throughout the process
- Take the allegations seriously
- Keep emotions in check; when disbelief or horror is shown, it may result in the individual becoming withdrawn or unwilling to share the experience with you
- "Listen more, talk less"
- Remind him/her that he/she is in no way at fault for the abuse
- Affirm that it is always appropriate to tell someone that he/she has been abused
- Remind him/her that your first priority is his or her protection
- Ask him/her if it is okay to pray with them
- Reassure him/her that ongoing care will be provided for him/her and his/her family
- Provide pastoral support to him/her; give reassurance that he/she has done the right thing in reporting this incident.

### **Do not:**

- Promise him/her that you will not tell anyone; some secrets should not be kept secret; assure the individual that this information is to be restricted to those who need to be advised.
- Prejudge the situation.
- Defend the alleged perpetrator or make comments like, "I can't believe they did that."

### **Response to the Media**

All contact with the media should be handled through the Communications Office of the Archbishop.