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# Policy and Procedure for Clergy Sexual Misconduct and/or Abuse



ROMAN CATHOLIC DIOCESE OF PETERBOROUGH

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## PREAMBLE

The Roman Catholic Diocese of Peterborough is committed to the protection of all who are within its spiritual and physical care, especially minors and vulnerable people. Abuse of another person is contrary to the teachings of the Catholic Church and is always wrong. The Church considers such an act a sin. It is therefore particularly abhorrent if the abuser is a member of the clergy, a sister, brother, employee or a volunteer of the Diocese.

This 2021 redraft of the current policy (Promulgated on November 28, 2011 and revised in April of 2015) reflects the recommendations from the Canadian Conference of Catholic Bishops [CCCB] document, *Protecting Minors from Sexual Abuse: A Call to the Catholic Faithful in Canada for Healing, Reconciliation, and Transformation* (2018), the Apostolic Letter, *Vos Estis Lux Mundi* (2019) as well as legislative changes to the Ontario *Children's Aid Society Act* (1990) which was revoked on April 30, 2018 and has been replaced by the *Child, Youth and Family Services Act* (2018).

The CCCB document, *Protecting Minors from Sexual Abuse: A Call to the Catholic Faithful in Canada for Healing, Reconciliation, and Transformation* (2018), aims to help Church leaders and all involved in Church ministry in Canada to become better informed about the sexual abuse of minors; to share in the responsibility of protecting minors and safeguarding pastoral environments; to identify how parishes and institutions can be more accountable and transparent in dealing with instances of sexual abuse of minors; and to understand better the tragic consequences of such abuse so as to ensure the adequacy of pastoral and administrative responses toward survivors and victims. Accordingly, this redraft shares those intentions and has integrated changes which implement actions to attain that aim.

Aligning with the recommendation from *Protecting Minors against Sexual Abuse*, CCCB, 2018, this Policy and Procedure expresses the commitment of the Diocese to the United Nations' Convention on the Rights of the Child, Articles 3 and 19 and integrates the procedural goals for accountability and review outlined above. The United Nations' Convention on the Rights of the Child, Articles 3 and 19 can be found in Appendix B of this document.

The Apostolic Letter, *Vos Estis Lux Mundi*, details the requirements to receive and address allegation of sexual misconduct or negligence against bishops. This revised Policy and Procedure includes information about the Canadian Reporting System for Sexual Abuse or Cover-Up by a Catholic Bishop. Once the allegation is reported to the Canadian Reporting System for Sexual Abuse or Cover-Up by a Catholic Bishop, the process is distinct from and therefore not covered by this Diocesan Policy.

The policy and procedure set out in this document provide for the just and timely resolution of the complaints of abuse and/or misconduct. The aim is to provide meaningful assistance to those who have suffered as a result of abuse and/or misconduct, and to uphold the sacred values to which the Diocese is so strongly committed.

Effective prevention and intervention will stop acts of abuse and/or misconduct by clergy, employee or volunteers. Those who come forward with allegations of abuse and/or misconduct will be treated with respect and compassion.

All allegations of abuse or misconduct within the Diocese will be investigated. The Bishop of Peterborough exercises his canonical governance authority in such investigations (canons 1717 ff), and these are subject to the Code of Canon Law in all respects, including the presumption of innocence and the inviolability of the sacramental seal (canons 983-4).

The allegation of abuse may involve a matter which is criminal in nature according to the civil law. Any victim of a crime is encouraged to go to the police to report illegal activity. When the law requires it, for example when the abuse involves a person who is currently under the age of eighteen years, the allegation will be reported immediately to the appropriate Children's Aid Society and the local law enforcement.

Adult complainants with allegations of historical abuse may choose to preserve their privacy and not report the abuse to civil authorities. The Diocese respects their privacy (canon 220). The decision to approach police or civil authorities must be the choice of the adult complainant. Complainants will be advised of their right to approach the police or other civil authorities and where helpful, the Diocese will facilitate contact. Optimally, allegations involving adults who were minors when the incident occurred should be reported to the Children's Aid Society and Police. The Diocese recognizes that consistent and thorough reporting supports the integrity of a related process – Police Records Checks and Vulnerable Sector Checks.

When civil authorities investigate complaints, the Diocese will provide full and complete cooperation which includes the cessation of the Diocesan investigation pending the completion of the civil investigation.

In certain cases of abuse and/or misconduct, the Bishop is required to send the results of the investigation to the Congregation for the Doctrine of the Faith in Rome for direction on the next canonical and pastoral steps to be taken, and he will fulfil this obligation.

This Policy reconciles the obligations of individuals and the Diocese under the laws of the Province of Ontario and of Canada with the requirements of the Code of Canon Law and the pastoral responsibilities of the Diocese of Peterborough.

This Procedure is an important part of the Safe Environment Policy of the Diocese of Peterborough (see [www.peterboroughdiocese.org](http://www.peterboroughdiocese.org)).

## APPLICATION

This Procedure applies to clergy, religious sisters, religious brothers, employees, and volunteers in the Diocese of Peterborough.

This Procedure does not apply to corporate bodies that have a Catholic identity such as schools and school boards, social welfare agencies and hospitals. These entities are subject to their own policies and applicable legislation.

If any provision of the Policy and Procedure contravenes the Code of Canon Law or provincial/federal legislation at its promulgation or thereafter, the provision of the Code of Canon Law or provincial/federal legislation shall override this Policy and Procedure.

## **REVIEW OF THE POLICY AND PROCEDURE**

This Policy and Procedure shall be reviewed annually by the Diocesan staff and the Advisory Committee. Every four years, this Policy and Procedure will be reviewed by third-party auditors as determined by the advice of the Advisory Committee and the decision of the Bishop. The auditors' review every four years will include this policy, its procedure and protocols. The review process may also include feedback from complainants.

## POLICY

It is the policy of the Diocese of Peterborough to enforce procedures which prohibit and strive to prevent all acts of abuse or misconduct in the Diocese at any time. Acts of misconduct and/or abuse have a profoundly harmful impact upon the victims, families, and communities, and they thwart the apostolic mission entrusted to the Church.

All allegations of misconduct and/or abuse will be investigated. The investigative processes of this Policy and Procedure are based on the presumption of innocence, due process, and fairness. Outside of a court or judicial process, guilt is determined on the balance of probabilities and not beyond a reasonable doubt. Where the guilt of a respondent has been determined as a result of this process, appropriate canonical disciplinary measures will be taken.

The Diocese of Peterborough will cooperate with police, child protection authorities, and civil investigators. An admission of guilt/culpability or a determination of guilt in the civil/judicial sphere may result in criminal penalties imposed by a court and/or may be used in the ecclesiastical process to follow.

# ECCLESIAL CONTEXT

## CREATING AND SUSTAINING AN ENVIRONMENT OF AWARENESS AND PREVENTION

The Diocese is committed to preventing misconduct by all possible means including:

- Regularly providing ongoing formation for all deacons and priests on issues of friendship, intimacy, psychosexual development, and religious chastity and celibacy as well as issues related to addiction and sobriety;
- Informing seminarians, candidates for the diaconate, deacons, priests, lay employees and volunteers about this diocesan Policy and Procedure governing all aspects of misconduct and/or abuse;
- Ensuring that all seminarians, candidates for the diaconate, deacons, priests, lay employees and volunteers understand that they must respect and obey canonical, diocesan, civil and other appropriate standards of conduct; and
- Regularly reviewing the procedures to deal effectively with complaints in a timely fashion, and with the consequences of incidents of misconduct/abuse.

## CODE OF CONDUCT

The Roman Catholic Diocese of Peterborough has a Clergy Code of Conduct specific to the Protection of Children and Vulnerable Adults to ensure that its clergy behave responsibly themselves and are guided to supervise staff, and volunteers so that they, in turn, behave responsibly and uphold a standard of behavior which reflects the teachings of the Gospel. This Code of Conduct is found in Appendix C of this Policy and Procedure, and it pertains specifically to behaviours that are intended to safeguard against the possibility of sexual abuse.

## OFFICE OF THE BISHOP

A newly appointed Bishop shall be informed by the Bishop's Delegate of all allegations of sexual misconduct allegedly or actually perpetrated in the Diocese by any member of Church personnel, including clergy, employees or volunteers.

Before accepting a priest for ministry in the diocese, the Bishop will require from the relevant superior or Bishop a Letter of Good Standing. A checklist will be followed to ensure that appropriate documentation is on file for each priest who is incardinated elsewhere or religious priest.

The Bishop will ensure that the Major Superiors and members of institutes of consecrated life, apostolic societies and new ecclesial movements that are present in the Diocese are aware of the "Guidelines issued by the Canadian Conference of Catholic Bishops to assist Dioceses and Religious Ordinaries in updating protocols" as well as this policy and its procedures. In addition,

he will inquire about the existence of their own respective policy for the protection of minors and vulnerable persons and protocol for intervention, which provides for the efficient management and adequate response in the event of an allegation of sexual abuse of a minor committed in the Diocese by members, staff or volunteers of these ecclesial entities.

## BISHOP'S DELEGATE AND DEPUTY DELEGATE

The Bishop will appoint the Bishop's Delegate and a Deputy Delegate for the administration of this Policy and Procedure. The Bishop's Delegate may be a priest, a deacon or any other suitable person, male or female. Optimally, the Bishop will be able to appoint one cleric and one layperson as the Bishop's Delegate and a Deputy Delegate with a gender balance which provides contact options for those who are making an allegation.

The Bishop's Delegate and the Deputy Delegate shall:

- Report to the Bishop and the Advisory Committee
- Provide a detailed report for the Advisory Committee about allegations received, the investigation, and some proposed outcomes
- Arrange for and work with the legal counsel for the Diocese regarding legal implications
- Ensure that the Diocese complies with its policies and procedures related to a safe environment
- Respond to any allegation of misconduct against members of the clergy or lay ecclesial ministers or volunteers from the time the complaint is received until it is resolved
- Ensure that the Diocese is in compliance with child protection laws and the Criminal Code, and cooperates with police and judicial authorities conducting a separate investigation
- Not interfere with the Children's Aid Society or the police services investigation.
- Encourage a complainant who is 18 years or older to report the misconduct to the police. The complainant, if she or he requests, shall be provided with pastoral support to assist them to report the incident.
- Undertake appropriate and available training for the requirements of this role
- Work with designated individuals who have competencies in the area of investigations, communications, and therapeutic treatment
- Maintain the confidentiality in all aspects of the process with due regard for appropriate disclosure as required by legislation and the privacy of individuals
- The Bishop's Delegate or the Deputy Delegate shall inform the following persons that a report has been made to the Police and/or Children's Aid Society:
  - The Bishop;
  - The Superior, if the respondent is a cleric or religious belonging to a Religious Institute;
  - The Insurer for the Diocese;
  - The Lawyer for the Diocese.

At no time shall the Bishop, the Bishop's Delegate or Deputy Delegate if ordained, or any priest involved in the Process and Procedure hear the sacramental confession of the respondent.

NOTE: References in this Policy and Procedure to the Bishop's Delegate include the role of Deputy Delegate.

### ADVISORY COMMITTEE

The Bishop will appoint an Advisory Committee to review matters related to allegations of sexual misconduct and/or abuse.

The Advisory Committee members shall be appointed by the Bishop for a renewable term of three years. The Bishop, the Bishop's Delegate and Deputy Delegate, the Judicial Vicar and the Assistant to the Bishop/Communications are ex officio members of the Advisory Committee.

The Advisory Committee will consist of at least seven persons, and should include some representation of these competencies and experiences:

- A victim
- A spiritual director
- An insurance / risk management professional
- A communications professional
- A psychiatrist or psychologist with appropriate clinical experience
- A social worker
- A mental health professional experienced in counselling victims
- A parent
- A person with experience as a Child Protection Professional
- A person with law enforcement experience
- A priest with extensive pastoral experience
- A canonist
- A lawyer

The Advisory Committee shall meet at least twice per year or whenever circumstances require to review all allegations of sexual misconduct/abuse to advise the Bishop and his Delegate. It shall review current proceedings and monitor compliance with the Policy and Procedure.

The Bishop's Delegate and the Advisory Committee at any time may make use of such consultants as may be considered necessary or appropriate, including medical doctors, psychologists, mental health professionals, canonists, and/or the lawyer for the Diocese and the Advisory Committee.

The Advisory Committee shall be convened by the Bishop's Delegate to make recommendations to the Bishop regarding the employment of lay personnel or the ministry of a cleric or a religious or a volunteer if they have been the subject of an allegation and investigation.

#### *ADVISORY COMMITTEE – CONFLICT OF INTEREST*

A discussion item may raise a conflict of interest for a member of the Advisory Committee. A conflict of interest can happen at any time for anyone.

A conflict of interest may be actual, perceived, or potential. The three types are defined as follows:

**Actual:** when a committee member has a private interest that is sufficiently connected to his or her responsibilities as a committee member that it influences the exercise of his or her duties.

**Perceived:** when informed persons could reasonably believe that a committee member has a conflict of interest, even where, in fact, there is no real conflict of interest.

**Potential:** when a committee member has a private interest that could affect his or her decision about the matter proposed for discussion.

Committee members will review the agenda and clarify the scope of the discussion as necessary to determine if an actual, perceived, or potential conflict of interest may exist. If there is a conflict of interest, the committee member will declare a conflict and may recuse him or herself from the discussions and recommendations.

#### *FILES AND RECORD RETENTION*

A written record shall be kept of all steps taken from the moment the allegation is first received by the Bishop's Delegate. The record is not to be destroyed at any time, even after the death of the respondent. The record may be required to prove that the rights of the respondent were fully respected if he or she has recourse to the Holy See against the action of the Bishop or of other persons involved.

The written record is to be stored in a confidential file accessible to the Bishop, Vicar General, Judicial Vicar, Chancellor of Spiritual Affairs, Bishop's Delegate and the Deputy Delegate.

The written records of all allegations of misconduct made against any member of church personnel, including clergy, religious, paid employees or volunteers are to be maintained in accordance with the privacy and retention of records legislation.

Any documents removed from the clergy personnel file must be recorded in writing by the Chancellor of Spiritual Affairs for the Diocese stating the date and reason for the removal.

## PRIVACY AND CONFIDENTIALITY

This Policy and Procedure addresses sensitive and personal matters which entail the need for privacy and confidentiality. Those involved with the process directly on behalf of the Diocese are expected to uphold the highest standard of privacy and confidentiality.

That said, the Diocese will not permit the use of a confidentiality clause in a settlement document with victims of misconduct and/or sexual abuse.

## PRIVILEGE

The term “privilege” is used in legal contexts and has specific implications. For information about privilege, see Appendix 6 on pages 81 to 84 of the CCCB document, [From Pain to Hope](#). It may also be advisable that a concern about legal privilege be referred to legal counsel.

## LEGAL PROCEEDINGS

A representative of the Diocese will monitor and observe any criminal or civil trial involving a member of the clergy.

## RESPONSE TO PARISH COMMUNITIES

The Bishop will decide how best to assist the Catholic community affected by an allegation of misconduct against a cleric, employee or volunteer, and the Communications Spokesperson may issue a public statement, taking care, however, not to interfere with any civil investigation that is in progress.

## COMMUNICATIONS AND MEDIA RELATIONS

The spokesperson for the Diocese will make public statements to the media when it is necessary and at the direction of the Bishop.

The spokesperson shall follow these guidelines for media relations:

- protect the rights and confidentiality of the complainant;
- protect the right of the accused to a fair trial;
- protect the ability of the Crown to proceed to a fair trial;
- give the media as much general information as possible;
- be available; and
- present the truth.

For further information about media relations, see pages 85 and 86 of the CCCB document, [From Pain to Hope](#).

# OVERVIEW OF THE PROCESS TO ADDRESS ALLEGATIONS



## BRIEF DESCRIPTION OF PROCESS STEPS

### **Incident**

The conduct of a cleric, brother, sister, employee, or volunteer gives rise to an allegation of abuse or misconduct.

### **Reporting an Allegation**

An allegation of sexual misconduct and/or abuse on the part of clergy, employees, or volunteers is reported to the Bishop's Delegate. If required under the applicable legislation, it will be reported to the Police Services and/or the Children's Aid Society.

### **Immediate Response**

Legal reporting requirements will be fulfilled immediately.

After being advised of the allegation, a respondent who is a cleric may be placed on an administrative leave (canon 1722). Staff may be suspended from employment or volunteers may be suspended from ministry.

In the case of a cleric, an alternate and appropriate residence may be assigned during the investigation.

In the case of a cleric, his faculties to preach may be removed (canon 764), and if he is a priest, the right to hear confessions may also be removed (canon 974). He may be forbidden the

exercise of any public ministry, including the public celebration of the Eucharist, and he may be instructed to cease wearing clerical garb.

The respondent may be instructed to have no further contact, direct or indirect, with certain individuals, identified by name or in some other way including parish residency.

The Bishop has the discretion to consult with the Advisory Committee at any point in the process.

### **Investigation**

The investigation will be carried out under the direction of the Bishop's Delegate in accordance with this Policy and Procedure.

Where there is an admission of guilt, the care of the person(s) bringing forward the allegation will receive immediate attention which may include the provision of counselling, etc. This may also apply in situations where the allegation is credible in the opinion of the Bishop's Delegate or where the respondent is deceased or too ill to respond.

The care of all those impacted by the allegation will continue to be supported as appropriate.

### **Address and Resolve Complaint**

The decision of the Bishop will determine how the complaint is addressed and resolved. This part of the process will impact and involve those making the allegation, the clergy, religious, or layperson against whom the allegation has been brought, the parish communities impacted by the allegation, and all others impacted by the allegation.

Depending on the outcome of the investigation, the consideration of the Advisory Committee and the decision of the Bishop, the respondent, whether a member of the clergy or a lay person, may or may not be returned to ministry or employment.

Further steps as determined by Canon Law may be part of the ongoing response.

## INCIDENT

Relationships that become abusive and may involve incidents of sexual abuse/misconduct often develop gradually and, at first, the behaviour might be excused or minimized.

There may be one incident or a series of incidents that constitute abuse and/or misconduct.

The incident may be current or historical.

Anyone who experiences an incident that they would describe as abusive or as misconduct is encouraged to report the incident to the Bishop's Delegate.

# REPORTING AN ALLEGATION

## REPORTING ABUSE AND/OR MISCONDUCT

Persons can make a confidential allegation of abuse or misconduct directly to the Bishop's Delegate or Deputy Delegate. Allegations of abuse or of neglect in handling an abuse allegation against a bishop are addressed in the following section.

If an allegation of abuse or misconduct by the clergy (priests and deacons), religious, lay employee and volunteer is made directly to the Diocese through its office address, phone number, or to a member of the clergy, employee or a volunteer of the Diocese, the person who receives the allegation to which this Policy and Procedure applies shall immediately refer the person making the allegation to the Bishop's Delegate.

At the time that an allegation of abuse is made, the primary concern is for the care of the complainant and/or victim if they are not one in the same, and the prevention of further abuse and/or misconduct.

Allegations may be made in confidence subject to the process and procedures for disclosure required to be made as outlined in this Policy and Procedure. It is also recognized that the complainant and the victim may be two different individuals especially in cases where the victim is a vulnerable person.

Click below for the email links to make a report.

[Bishop's Delegate](#)

[Bishop's Deputy Delegate](#)

## REPORTING ABUSE AND/OR MISCONDUCT OF A BISHOP

The reporting system for allegations against bishops, living or deceased, aligns with the Motu Proprio issued by the Vatican on May 7, 2019, *Vos Estis Lux Mundi - You are the Light of the World*, (hereafter referred to as "VELM.")

### *Allegation against a Deceased Bishop*

Allegations of abuse and/or negligence in the investigation of an allegation of sexual abuse against a deceased bishop who served in the Diocese may be made in confidence to the Bishop's Delegate or Deputy Delegate. (VELM, 160.)

Click below for the email links to make a report.

[Bishop's Delegate](#)

## Bishop's Deputy Delegate

### *Allegation against a Living Bishop*

In response to Article 2 of VELM, the Canadian Conference of Catholic Bishops has engaged ClearView Strategic Partners to operate a reporting service for complaints about Bishops in regards to sexual misconduct and/or negligence in the investigation of an allegation of sexual abuse.

The service is called the **Canadian Reporting System for Sexual Abuse or Cover-Up by a Catholic Bishop**. Allegations of abuse or of neglect in handling an abuse allegation against a living bishop serving in, transferred or retired from the Diocese may be made in confidence to the Canadian Reporting System.

The **Canadian Reporting System for Sexual Abuse or Cover-Up by a Catholic Bishop** can be accessed in two ways: a website and a dedicated 24-hour hotline.

- WEBSITE      <https://bishopreportingsystem.ca/>
- HOTLINE      1-866-892-3737

Information about the investigation process and follow-up for allegations against a living bishop can be obtained by clicking - [Vos Estis Lux Mundi - You are the Light of the World](#) and [As a Loving Mother](#).

### ALLEGATIONS REPORTED ANONYMOUSLY

Allegations can be made anonymously. The allegation will be documented and investigated to the extent reasonably possible by the Bishop's Delegate. The investigation will follow the steps provided in this Policy and Procedure subject to the reasonable limitations imposed by the nature of an anonymous allegation.

Even if the allegation is made anonymously and the substance of the allegation meets the threshold that entails a duty to report, a report must be made to the Police and/or the Children's Aid Society.

An allegation made anonymously that is not verified as true shall not impact the good standing of the alleged perpetrator.

# IMMEDIATE RESPONSE

## DUTY TO REPORT CHILD IN NEED OF PROTECTION

All allegations involving children under the age of 18 years as victims will be reported to Children Protective Services in alignment with requirement to report in the *Child, Youth and Family Services Act*. Appendix D of this Policy and Procedure contains the reference from Ontario provincial legislation detailing what constitutes a Duty to Report.

In instances where the alleged victim is 18 or over at the time of the disclosure or reporting, the Bishop's Delegate would not report a criminal act of sexual misconduct to the police without the alleged victim's consent. However, a complainant shall be encouraged to report the abuse and/or misconduct to the police, and shall be given pastoral support to do so if requested.

## CONFESSIONAL SEAL

Priests are reminded that the confessional seal is inviolable (c. 983,984) in any and all circumstances. What is revealed in confession is subject to the seal and cannot be revealed. What is revealed outside of the confessional is subject to the requirements of civil law including the *Child, Youth and Family Services Act*.

## CONSULTING WITH THE CHILDREN'S AID SOCIETY AND/OR POLICE

It is not necessary to be certain that a child is or may be in need of protection to make a report to a Children's Aid Society or to the Police. "Reasonable grounds" refers to the information that an average person, using normal and honest judgment, would need in order to decide to report. If there is any doubt about "reasonable grounds", the Diocese will contact the Children's Aid Society and/or law enforcement to seek a consultation and/or to make a report.

All persons carrying out responsibilities under this Policy and Procedure, including the Bishop's Delegate and Deputy Delegate, will cooperate with civil authorities carrying out statutory responsibilities, including peace officers, subject to the inviolability of the sacramental seal of confession (canons 983-984).

## ALLEGATIONS INVOLVING VULNERABLE ADULTS

If the complainant is a vulnerable adult, his/her caregiver and/or power of attorney shall be notified immediately unless there is good and sufficient reason not to do so such as risk of harm to the complainant or victim by such disclosure, in which case, the police shall be contacted.

While it is not obligatory under provincial law to report the abuse of vulnerable adults, reporting the abuse to the police will assist with a positive resolution of the abusive situation.

## CARE FOR COMPLAINANTS

It is recognized that bringing forward an allegation may be daunting for the complainant and it surely involves strength and courage.

The Bishop's Delegate/Deputy Delegate will ensure that the process is carried out as compassionately and promptly as possible given the circumstances.

The complainant may be accompanied by a trusted person such as a friend, family member, colleague or professional.

The complainant will be informed of his/her rights and the expected communication points during the process.

The complainant has a right to:

- the protection of his/her reputation and privacy;
- the confidentiality of personal data;
- the adoption of appropriate measures to prevent any direct contact between the complainant and the respondent, without prejudice to mandatory procedural requirements; and
- to be informed that the Church cannot guarantee the confidentiality of the depositions and documentation acquired from the canonical investigation in the event of judicial seizure or a subpoena of the acts of the investigation on the part of civil authorities.

Any necessary assistance may be offered as an immediate response. This may include counselling, spiritual accompaniment, a support group or other social or community service.

The Bishop may immediately put in place any measures and take reasonable steps to:

- ensure the safety and physical integrity of the complainant;
- keep the person reported away from the complainant or others such as minors;
- prevent the recurrence of the alleged misconduct; and
- protect the complainant and his/her family from any intimidation or retaliation.

## ASPECTS OF THE IMMEDIATE RESPONSE

The Bishop's immediate response is not limited by this Policy and Procedure. The Bishop will respond immediately to the report of the allegation as he deems appropriate.

In situations where the allegation is met with the respondent's admission, the Bishop will ensure that the Policy and Procedure contained herein is carried out as quickly as possible in accordance with all civil and canonical requirements.

Where the allegation is credible on the face of it or where the respondent is deceased or too ill to respond, the Bishop may exercise his discretion to expedite the resolution of the complaint and any follow-up that is required ensuring that the rights of all parties are respected.

#### *NATURE OF THE ALLEGATION*

The nature of the allegation may impact the immediate response as follows.

#### *ALLEGATION AGAINST A CLERIC*

As in all potential criminal matters, the cleric shares the presumption of innocence until found guilty by a criminal court or an ecclesiastical tribunal. Accordingly, the diocese will ensure provisions are made for the cleric's residency and remuneration during the investigative and legal determination process. Additionally, the cleric may require legal counsel and these fees will be paid by the Diocese. However, the payment of the legal fees by the Diocese will not include avenues of appeal unless approved by the Bishop.

After being advised of the allegation, the priest may be placed on an administrative leave (cf. canon 1722).

In the case of a cleric, an appropriate residence may be assigned pending the outcome of the investigation.

His faculties to preach may be removed (canon 764), and if he is a priest, the faculty to hear confessions may also be removed (canon 974). He may be forbidden the exercise of any public ministry, including the public celebration of the Eucharist, and he may be instructed to cease wearing clerical garb.

The cleric may be instructed to have no further contact, direct or indirect, with certain individuals, identified by name or in some other way including parish residency.

At no time shall the Bishop, the Bishop's Delegate or Deputy Delegate if ordained, or any priest involved in the Process and Procedures hear the sacramental confession of the respondent.

#### *ALLEGATION AGAINST A BISHOP IN REGARD TO SEXUAL MISCONDUCT AND/OR NEGLIGENCE IN THE INVESTIGATION OF AN ALLEGATION OF SEXUAL ABUSE*

An allegation confidentially reported to the *Canadian Reporting System for Sexual Abuse or Cover-Up by a Catholic Bishop* will be forwarded to the competent episcopal authority. The immediate response of the episcopal authority who receives the allegation is outlined in the Vatican Motu Proprio, cited herein earlier, [\*Vos Estis Lux Mundi\*](#), VELM.

## ALLEGATIONS OF ABUSE OR MISCONDUCT MADE AGAINST MEMBERS OF RELIGIOUS CONGREGATIONS (Priests, Sisters, or Brothers)

Upon receipt of a complaint from the Bishop's Delegate regarding the conduct of a member of a Religious Congregation, the Bishop will consult the Superior and determine whether

- the Diocese's Policy and Procedure will be followed in the investigation of the matter or
- the Religious Congregation will address the matter in accordance with their Policy and Procedure keeping the Bishop's Delegate fully informed.

If the Diocese conducts the investigation, the Bishop's Delegate will be given immediate access to the files and archives of the Congregation pertaining to the respondent and will report the outcome of the investigation to the Bishop and the Superior. The Bishop's Delegate will answer such inquiries about the progress of the matter as the Superior may make from time to time.

The Religious Congregation will be encouraged to refer all communication inquiries about the matter to the Diocese.

## ALLEGATION AGAINST AN EMPLOYEE

The employee shares a presumption of innocence until found guilty by a criminal court.

After being advised of the allegation, the employee may be suspended from employment/ministry.

The employee may be instructed to have no further contact, direct or indirect, with the complainant and/or certain individuals.

The employee's rights and obligations will be upheld during the investigation.

## ALLEGATION AGAINST A VOLUNTEER

The volunteer shares a presumption of innocence until found guilty by a criminal court.

After being advised of the allegation, the volunteer may be suspended from his/her ministry.

The volunteer may be instructed to have no further contact, direct or indirect, with the complainant.

# INVESTIGATION

## ROLE OF THE BISHOP'S DELEGATE AND DEPUTY DELEGATE

The Bishop's Delegate and the Deputy Delegate will lead and conduct the investigation on behalf of the Bishop. At any time and subject to the requirements for confidentiality, they may rely on experts with experience and acumen that is relevant to the investigation.

The Bishop's Delegate and Deputy Delegate will address the allegation as a matter of priority carefully detailing the facts and the circumstances. Care is to be taken that the investigation does not violate the privacy of the complainant or unnecessarily call into question the good name of the complainant or the respondent. (c. 220)

### *Access to Files, Records, and Archives*

The Bishop's Delegate and the Bishop's Deputy Delegate will have access to all files and to the archives of the Diocese pertaining to the individual who is alleged to have committed the abuse or misconduct.

## INFORMING

### *Priest Incardinated in the Diocese of Peterborough and Working Elsewhere*

If an allegation is made against a priest or deacon of this Diocese who is on loan for ministry outside the Diocese of Peterborough, the Bishop or the Bishop's Delegate will immediately inform the Bishop where the cleric is doing ministry.

### *Priest Incardinated in another Diocese*

When an allegation is made against a priest or deacon who is not incardinated in the Diocese, the Bishop or the Bishop's Delegate will immediately inform the cleric's Bishop.

### *Cleric or Member of a Religious Congregation*

If an allegation is made against a cleric or member belonging to a Religious Congregation, the Bishop or Bishop's Delegate shall ensure that there is direct communication about the investigation with the competent Superior.

## INVESTIGATION

### *Step 1 - Police or Civil Authority Investigation*

If the Children's Aid Society and/or police are conducting an investigation, the Bishop's Delegate will not undertake a parallel investigation. The Diocesan investigation will begin once the civil and/or criminal investigation has been concluded. A civil or police investigation does not remove from the diocese its responsibility to conduct an investigation into the allegation, although the outcome of a police or civil authority's investigation may impact the Diocesan investigation process.

All persons carrying out responsibilities under this Policy and Procedure, including the Bishop's Delegate, the Deputy Delegate, and a Superior of the Religious Congregation, shall co-operate with civil authorities in carrying out statutory responsibilities subject to advice from legal counsel and/or the inviolability of the sacramental seal of confession. (c. 983-984)

#### *Step 2 – Process for the Investigation of the Allegation*

The Bishop's Delegate/Deputy Delegate will review the allegation in detail noting the exact information, to whom it was reported, and when. They will report to the Bishop on a proposed timeline for the investigation.

If the Bishop determines that the allegation against a cleric does have a semblance of truth, he will issue a “*Decree of Preliminary Investigation*” in accordance with the requirements of canon Law.

#### *Step 3 – Meet with the Complainant*

The Bishop's Delegate and Deputy Delegate will meet with the complainant bringing forward the allegation. If possible, a written account of the allegation from the complainant is helpful to the process. The complainant should be offered the chance to review and sign any notes taken during the meeting with him/her.

#### *Step 4 – Meet with the Respondent*

The Bishop's Delegate and Deputy Delegate will meet with the Respondent. The Respondent will be informed of the allegation and provided with the opportunity to detail his/her account. The Respondent may submit a written account or other documents relevant to the allegation.

If the person who is alleged to have committed an act of abuse or misconduct is now deceased, the investigation will proceed as far as possible, with all reasonable efforts made to seek confirmation of the facts from sources who reasonably would be expected to have information about the matter.

#### *Step 5 – Meet with the Witnesses*

The Bishop's Delegate and Deputy Delegate will meet with relevant witnesses during the investigation. Subject to their determination, the Bishop's Delegate and Deputy Delegate will schedule these meetings during the investigation.

#### *Step 6 – Convene the Advisory Committee*

The Bishop's Delegate and Deputy Delegate will prepare a report from the Investigation to discuss with the Advisory Committee. The members of the Advisory Committee may raise questions about the investigation, provide expertise from their own competency, and make recommendations for the consideration of the Bishop.

### *Step 7 – Formalizing a Recommendation*

Based on the balance of probabilities, the findings of the investigation together with the deliberations of the Advisory Committee members will serve as the basis for a recommendation to the Bishop. The recommendation to the Bishop will state if the allegation is founded, uncertain, or unfounded.

#### **FOUNDED**

If the allegation is determined to be founded, both the complainant and the respondent will be informed of the next steps for the process. If a criminal process has resulted in a guilty verdict or plea, this will be considered as dispositive in the Diocesan process. This holds true for the respondent's admission of guilt in the Diocesan process.

#### **UNCERTAIN**

Where there may be substance to the allegation, the Bishop's Delegate shall report the information on which it is based to the bishop and, if a cleric or religious, to the bishop or superior. There may be a further investigation to attempt to determine the truth of the matter. Monitoring measures may be prudently put in place to ensure the situation leading to the allegation is not repeated.

#### **UNFOUNDED**

If the allegation is determined to be unfounded, the inquiry will be closed and the complainant and the respondent shall be so advised. In such cases where an allegation is unfounded, the diocese will be attentive to preserving the good name of both parties.

# ADDRESS AND RESOLVE COMPLAINT

## DECISION OF THE BISHOP

After hearing the advice of the Bishop's Delegate/Deputy Delegate and the Advisory Committee, the Bishop will make a decision about the matter concerning the cleric, religious, employee, or volunteer who is the subject of the allegation.

The Bishop's Delegate will communicate this decision to the complainant and the respondent.

## IMPLICATIONS OF THE DECISION

### *ALLEGATION IS FOUNDED*

Once it has been determined that serious misconduct and abuse involving a minor or vulnerable person has occurred, there will be no re-entry into public ministry or employment.

The Diocese's firm commitment to ensuring safe environments is the overriding consideration and no one will be permitted to return to public ministry or employment if such ministry and employment is a potential danger to minors or vulnerable persons or a cause of scandal for the community.

In accordance with the 2001 Apostolic Letter of Pope John Paul II, *Sacramentorum Sanctitatis Tutela*, modified May 21, 2010, by Pope Benedict XVI, certain cases of misconduct as outlined in Appendix 3, including sexual abuse of minors, must be referred to the Congregation for the Doctrine of the Faith (CDF) in Rome for their examination and decision about the next canonical and pastoral steps. The Bishop will send the investigation report and findings along with his *votum* to the CDF.

### *UNCERTAIN*

If doubt remains about whether misconduct or abuse has occurred, re-entry to ministry or employment may be possible bearing in mind the rights and interests of all parties and the safeguarding and the good of the community. The re-entry may involve conditions and restrictions. It is for the Bishop to determine any eventual return to ministry/employment of a cleric, employee or volunteer, after hearing the Bishop's Delegate and the recommendations of the Advisory Committee.

### *UNFOUNDED*

Where the Bishop's Delegate and Advisory Committee determine that the allegation is without substance, the complainant and respondent will be informed that the inquiry of the Diocese will be closed. The complainant shall be reminded of their right to pursue the matter with the police or civil authorities if s/he has not already done so. The respondent shall be informed that the complainant may report the allegation to the civil authorities.

Where it has been established that the allegation lacks any credibility, there is no potential danger to minors or vulnerable persons and no cause of scandal for the community, the respondent, whether a member of the clergy or a lay person, may be returned to ministry or employment.

#### ADDITIONAL STEPS

The Bishop's Delegate and the Advisory Committee may suggest other training or treatment programs before the re-employment of lay personnel or the return of a cleric or religious or volunteer to ministry.

# APPENDIX A

## DEFINITIONS

The intent of this Policy is to ensure the precise and correct use of language to describe behaviours accurately. The definitions provided herein support that goal which is to ensure that the language used to describe a behaviour neither minimizes nor amplifies it. The language needs to be a clear and accurate.

**Abuse** means any act or attempted act of emotional, physical, verbal or sexual contact or approaches, or threats of the same, which are known or ought reasonably to be known as unwelcome, whether or not apparent damage arises from that conduct, and includes grooming (that is, engaging in conduct that is designed to select and prepare potential victims for abuse). Abuse may consist of just one incident, or it may happen repeatedly, and is understood to mean any physical, verbal, emotional, or sexual behaviour by a representative of a Church entity that causes a person to fear for his or her physical, psychological or emotional safety and well-being. Such behaviour may or may not be criminal in nature.

**Abuse within ministerial relationships** is considered to be any abuse of power, betrayal of trust, or exploitation of the imbalance of power inherent in a ministerial relationship between a representative of a Church entity and the person with whom a ministerial relationship exists. Because of the imbalance of power between the person offering ministry and the person to whom ministry is offered, the apparent consent of a possible victim does not in itself determine whether there has been an abuse of power, breach of trust, or exploitation. Abuse within ministerial relationships would include abuses which transpire between one Church representative and another for whom there is an imbalance of power (for example, between an ecclesiastical superior and subject, between a formator and a candidate for ministry, and so forth).

**Advisory Committee** means a group of qualified persons appointed by the Bishop to assist him in the review of matters related to instances or allegations of abuse and/or misconduct.

**Allegation** is statement or accusation that is yet to be proven.

**Bisexuality** is a sexual attraction, or sexual behavior toward both males and females or a sexual attraction to people of any sex or gender identity; this latter aspect is sometimes alternatively termed **pansexuality**.

**Bishop** means the Roman Catholic Bishop of Peterborough, or, in his absence or incapacity, the lawful administrator of the Diocese according to Roman Catholic Canon Law.

**Bishop's Delegate for Cases of Alleged Misconduct (referred to as Bishop's Delegate)** means the person appointed by the Bishop to fulfil the role as outlined in the policy, and any duly appointed deputy. In places where the Bishop's Delegate is mentioned in this Policy and Procedure, it includes the **Bishop's Deputy Delegate**. (See page 93 of CCCB *Protecting Minors from Sexual Abuse*.)

**Bishop's Deputy Delegate for Cases of Alleged Misconduct (referred to as the Bishop's Deputy Delegate)** means the person appointed by the Bishop as the Deputy Delegate to fulfil the role as outlined in the policy in place of or at the direction of the Bishop or Bishop's Delegate. (See page 93 which is cited above from the CCCB document, *Protecting Minors from Sexual Abuse*.)

**Boundary violation** is a term that applies to a category of complaints that are described as boundary violations within the relationship. Boundary violations are often related to circumstantial details about the nature of the relationship; what happened, how people feel about what happened and how it is measured against standards of acceptable behaviour for the role.

**Celibacy** is the state of voluntarily being sexually abstinent. Roman Catholic men who are ordained to the transitional diaconate for a Diocese make a promise of celibacy.

**Chastity** is a virtue that the Church invites every person to develop. Chastity is living out one's vocation or state in life and refraining from deviant sexual conduct. All people, whatever their state in life, single and/or married, are called to live a life of chastity, and that involves for each person a growth in human integration, holiness, and an inner peace that is made evident in a truly joyful life of generous love for others. The term can be used interchangeably with sexual abstinence, especially in the context of sexual relations outside of the sacrament of marriage. Religious men and women (priests, brothers, sisters) take a vow of chastity.

**Child** refers to a person in Canada who has not yet reached eighteen years of age.

**Clergy** (singular form is Cleric) means ordained deacons, priests and bishops of the Roman Catholic Church.

**Code of Canon Law** means the 1983 compendium of laws for the Western (Latin) Catholic Church, published by Pope John Paul II, and as amended from time to time. Individual laws are referred to as **canons**.

**Complainant** means a person who alleges having suffered as a result of misconduct by a member of the clergy, employee, religious or volunteers in the Diocese.

**Diocese** means the Roman Catholic Diocese of Peterborough.

**Direct Victim of Child Sexual Abuse** refers to the child who has been abused by an adult; or the adult survivor of child abuse.

**Duty to Report** in the province of Ontario is outlined in legislation. This legislated provision can be found in the Ontario Child, Youth and Family Services Act. The legislation is cited on Appendix D of this Policy and Procedure document.

**Ecclesiastical Authority** refers to either the diocesan bishop or the major religious superior, or his/her authorized representative.

**Emotional abuse** is a type of abuse that is part of an abusive relationship. Although it doesn't leave physical scars, it can have a significant, negative impact on confidence and self-esteem. (See **Psychological Abuse**)

**Employee** means persons employed by the Diocese, its parishes, or by a Religious Order in respect of its activities in the Diocese, but does not include independent contractors or others who are not employees of the Diocese, its parishes, or Religious Orders. The Bishop's Delegate may apply the Procedure to others, in all cases with the goal of ensuring that the responsible agency addresses complaints and complainants in the appropriate manner.

**Ephedophilia** is the primary sexual interest in mid-to-late adolescents, generally ages 15 to 19. It is one of a number of sexual preferences across age groups subsumed under the technical term chronophilia. Ephedophilia strictly denotes the preference for mid-to-late adolescent sexual partners, not the mere presence of some level of sexual attraction.

**Extended Pastoral Care** is the informed, understanding and healing support given by the Catholic community to the victims of sexual abuse and the offender, from the disclosure of the abuse and for as long as it is required, possibly throughout a lifetime.

**Faculties** mean the grants by a higher ecclesiastical authority enabling a priest or deacon to act in ways that the recipient would not otherwise be empowered or authorized to act. (e.g. hearing sacramental confessions by priests)

**Genital Sex** is a sexual union involving the genitalia.

**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 or her attraction. These behaviours can also lead the person to feel indebted to the groomer for all these kindnesses.

**Heterosexual Activity** is sexual behavior between persons of the opposite sex or gender.

**Homosexual Activity** is a sexual behaviour among individuals of the same sex.

**Incardination** means the action by which a cleric, at ordination as a deacon, becomes affiliated with a particular Diocese or religious order and subject to the bishop or superior respectively.

**Indirect Victims by Relationship** refers to the parents, foster parents, children, spouse, siblings, extended family, and close friends of the direct victim of sexual abuse.

**Lay Parish/Pastoral Worker** is a man or woman employed and remunerated by a parish or Diocese for performing a specific pastoral duty under the responsibility of that religious authority (parish or Diocese).

**Minor** means a person under the age of 18 years as stipulated in Ontario legislation and the Code of Canon Law.

**Misconduct** means behaviour that is contrary to the norms of civil law or Roman Catholic Church teaching and includes, without limitation, all forms of Abuse. Misconduct includes behavior that may or may not constitute Abuse but which is nonetheless unacceptable and capable of being subject to complaint, investigation and sanction. If the Misconduct involves an imbalance of power in the relationship, it is Abuse.

**Online Abuse** any sort of abusive behaviour that happens via electronic technologies. The Online Abuse may involve the intent to manipulate and/or bully the receiver of the online messages. It can also involve hacking into user accounts, accessing e-mail address books and finding and posting fake pictures so the abuser appears as someone he or she is actually not. The use of the social networking platform may be used to inflict emotional abuse, psychological abuse, sexual abuse and/or verbal abuse or to secure physical contact with the victim to inflict an act of sexual and/or physical abuse.

**Oral Sex**, sometimes referred to as **oral intercourse**, is sexual activity involving the stimulation of the genitalia of a person by another person using the mouth. **Cunnilingus** is oral sex performed on female genitals, while **fellatio** is oral sex performed on male genitals. **Anilingus**, another form of oral sex, is oral stimulation of the anus.

**Pedophilia** (may be spelled **paedophilia**) is a psychiatric disorder in which an adult or older adolescent experiences a primary or exclusive sexual attraction to prepubescent children. Although girls typically begin the process of puberty at age 10 or 11, and boys at age 11 or 12, criteria for pedophilia extend the cut-off point for prepubescence to age 13. A person who is diagnosed with pedophilia must be at least 16 years old, and at least five years older than the prepubescent child, for the attraction to be diagnosed as pedophilia.

Pedophilia is termed pedophilic disorder in the Diagnostic and Statistical Manual of Mental Disorders (DSM-5), and the manual defines it as a paraphilia involving intense and recurrent sexual urges towards and fantasies about prepubescent children that have either been acted upon or which cause the person with the attraction distress or interpersonal difficulty.[4] The International Classification of Diseases (ICD-11) defines it as a "sustained, focused, and intense

pattern of sexual arousal—as manifested by persistent sexual thoughts, fantasies, urges, or behaviours—involving pre-pubertal children."

**Personnel Files** include the application for employment, and records which are used or have been used to determine an employee's qualifications for promotion, compensation, termination, or disciplinary action. In the case of clergy, the personnel files include records from their years of study, dates and documents related to the reception of Holy Orders, location and dates of pastoral assignments, dates and reasons for leaves of absences, compensation information, correspondence related to the employee, disciplinary documents and sanctions and any other information which will impact on decisions related to assignment, transfer or cessation of active ministry.

**Physical Abuse** is an act where one person uses their body in order to inflict intentional harm or injury upon another person. Physical abuse in a relationship often starts gradually, such as with a push or a slap, and then becomes progressively worse over time.

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

**Post-Traumatic Stress Disorder** is a condition of persistent mental and emotional stress occurring as a result of injury or severe psychological shock, typically involving disturbance of sleep and constant vivid recall of the experience, with dulled responses to others and to the outside world.

**Power Imbalance** is a dynamic between individuals in which one of the persons has a position of strength possibly based on their professional title, their age, their supervision of the other person, etc.

**Power Imbalance among Seminarians/Clergy** refers to the power imbalance among seminarians and/or clergy in an ecclesial context may occur between a seminarian and a priest or bishop having some measure of control or influence over his studies or pastoral assignment; it may occur between older and younger priests seeking acceptance among the priests of a Diocese; it may occur between a priest having a Diocesan role which has some measure of control or influence over another priest. Power imbalance may create the setting for psychological or other forms of abuse.

**Preliminary Investigation or "Investigation"** is the initial inquiry by which a diocesan bishop or ordinary determines whether an alleged delict such as sexual abuse of a minor has a semblance of truth. Once that threshold is met, the case should be referred to the Congregation for the Doctrine of the Faith where the next stage in the process is determined.

**Prevention** means any measure aimed at preventing the occurrence of sexual abuse, detecting its early signs, and reducing its impact.

**Psychological Abuse** is often associated with situations of power imbalance in abusive relationships including bullying. Psychological abuse can be defined as the systematic use of malicious manipulation through nonphysical acts against an intimate partner, child, or dependent adult. Also known as **emotional abuse**, these actions can include threatening the physical health of the victim or the victim's loved ones, purposely controlling the victim's freedom, and/or acting to undermine or isolate the victim. Psychological abuse can occur prior to physical, sexual, or other abuses. However, it can also happen at the same time. Even when it occurs by itself, it may cause long-term damage to the victim's mental health.

**Public Misconduct** is serious and inappropriate activity that becomes known and gives rise to scandal.

**Rape** is a type of sexual assault usually involving sexual intercourse or other forms of sexual penetration carried out against a person without that person's consent. The act may be carried out by physical force, coercion, abuse of authority, or against a person who is incapable of giving valid consent, such as one who is unconscious, incapacitated, has an intellectual disability or is below the legal age of consent. The term rape is sometimes used interchangeably with the term **sexual assault**.

**Religious** refers to persons who, by professing the evangelical counsels (poverty, chastity, obedience) through public vows approved by the Church or other sacred bonds approved by the church, are consecrated to God. The term is used interchangeably and in combination with "members of institutes." By extension, this policy covers members of other institutes, societies, associations, and ecclesial movements.

**Religious Order/Congregation** means an independent and self-governing religious institute or secular institute that is recognized by the Catholic Church and governed by her laws.

**Respondent** means a member of the clergy, a sister or brother in a Religious Order, employee or volunteer alleged to have committed an act of misconduct and/or abuse.

**Safety Plan** is a formal, written supervision program for a cleric who has been determined to have sexually abused a minor.

**Seal of Confession** is the obligation of strict confidentiality imposed by divine law on a confessor in the sacrament of penance not to reveal to any person, under pain of excommunication, the sins confessed.

**Secret Archives** is a term from the Code of Canon Law (1983) cc. 486 - 490. The Secret Archives in the Code refers to "a safe place such as a diocesan archive, or record storage area, in which instruments and written documents which pertain to the spiritual and temporal affairs of the

Diocese are to be safeguarded after being properly filled and diligently secured.” In October of 2019, Pope Francis changed the name of the Vatican Secret Archives to the Vatican Apostolic Archives to remove what he said were the "negative" connotations of having "secret" in its name.

**Secular** describes a structure or a system in society, as distinguished from Church structures or systems which are referred to as “ecclesiastical” or “canonical”.

**Secular Courts** is a term that applies both to criminal and to civil courts.

**Seminarian** is a man who is studying at the Seminary for the priesthood.

**Sexual Abuse** of a minor refers to the “actual or threatened intrusion of a sexual nature against [a minor], whether by force or under unequal or coercive conditions.

**Sexual Activity** encompasses all behaviours intended for a sexual purpose. Priests, religious, and deacons without spouses, because they promise to live celibately, must never view sexual activities as appropriate for them and any such activities by a celibate, even if not criminal in the civil law, will be considered to be Misconduct for purposes of this Procedure.

**Sexual Assault** refers to sexual activity with another person without his/her consent. The term “Sexual Assault” is broader than rape because it may be committed by other means than force or violence, and it does not necessarily entail penetration. Common examples include lascivious acts, indecent contact, and indecent exposure.

**Sexual Exploitation** is use of one’s position of power or trust to have sexual contact or attempted sexual contact with another person.

**Sexual Harassment** is unwanted sexualized conduct or language with others. This conduct may entail 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 Interference** involves touching the body of another person with the intent of engaging in sexual activity. It is a crime addressed as follows in the Criminal Code.

151. Every person who, for a sexual purpose, touches, directly or indirectly, with a part of the body or with an object, any part of the body of a person under the age of 16 years

(a) is guilty of an indictable offence and is liable to imprisonment for a term of not more than 14 years and to a minimum punishment of imprisonment for a term of one year; or

(b) is guilty of an offence punishable on summary conviction and is liable to imprisonment for a term of not more than two years less a day and to a minimum punishment of imprisonment for a term of 90 days.

**Sexual Misconduct** is any act deemed a sexual offence according to Canon Law, and federal and provincial laws.

**Staff** means lay persons employed by the Diocese, its parishes, or by a Religious Order in respect of its activities in the Diocese, but does not include independent contractors or others who are not employees of the Diocese, its parishes, or Religious Orders. The Bishop's Delegate may apply the Procedure to others, in all cases with the goal of ensuring that the responsible agency addresses complaints and complainants in the appropriate manner.

**Superior** means the local head of a Religious Order.

**Target** means the person or persons who is/are the subject of an intended abuse by an abuser. The target may be or may become a victim.

**Treatment** refers to specific intervention(s) by a qualified professional or specialist based on a statement of need and designed to limit, reduce or remedy individual and/or family dysfunction.

**Verbal Abuse** (verbal attack or verbal assault) is when a person forcefully criticizes, insults, or denounces someone else. Characterized by underlying anger and hostility, it is a destructive form of communication intended to harm the self-concept of the other person and produce negative emotions. It is a pattern of behaviors used intentionally to control or manipulate others.

**Victim** means any person who is subjected to misconduct and/or abuse.

**Volunteers** means persons who undertake assignments of charity or service with the sanction and direction of the Diocese, Clergy, Staff or Religious Orders. Volunteers do not include self-appointed persons who operate without the authority or direction of the Diocese, Clergy, Staff or Religious Orders.

**Votum** is an authoritative opinion; in forwarding a case to the Congregation for the Doctrine of the Faith a bishop or religious superior offers his (or her) authoritative opinion on the matter addressed in the particular case.

**Vulnerable Person** means minors or persons of any age who by reason of their condition, suffer from physical, mental, or emotional disabilities or a spiritual weakness. Their mental capacity, emotional stability, a physical disability, illness or a mental health challenge may render them unable to adequately protect themselves.

## APPENDIX B

### UNITED NATIONS' CONVENTION ON THE RIGHTS OF THE CHILD, ART. 3 AND 19

#### **Article 3**

*1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.*

*2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.*

*3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.*

#### **Article 19**

*1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.*

*2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.*

# APPENDIX C

## CLERGY CODE OF CONDUCT

### SPECIFIC TO THE PROTECTION OF CHILDREN AND VULNERABLE ADULTS

#### 1. Professional and Personal Interaction with Minors and Vulnerable Adults

1.1 Clergy will maintain appropriate boundaries in professional relationships, and not use the power inherent in their position to exercise unreasonable or inappropriate authority over others, especially minors and vulnerable adults.

1.2 Clergy will relate to others respectfully and professionally, and will work collaboratively and cooperatively with others serving the Church.

1.3 Clergy must not engage in physical, psychological, or sexual harassment of any person, and must not tolerate such harassment by others serving the Church. Harassment may be a single incident or a persistent pattern of behavior where the purpose is to create a hostile, offensive, or intimidating work environment

1.4 Clergy are called to integrity according to their religious vocation and to exhibit this through their conduct.

a. Clergy must not exploit another person for any purpose.

b. Clergy must not acquire, possess, or distribute any pornographic images. Clergy are prohibited from viewing of pornographic materials.

c. Clergy will dress professionally and appropriately while engaged in ministry.

1.5 Clergy must not be under the influence of drugs or alcohol that impairs stable functioning or sound judgment in the company of minors and vulnerable adults.

1.6 Clergy are prohibited from showing pornographic material to minors and vulnerable adults and from providing alcohol, tobacco or drugs to minors or vulnerable adults.

1.7 Clergy will follow all policies and guidelines regarding overnight guests at parish rectories.

#### 2. Conduct with Minors and Vulnerable Adults

2.1 Clergy must use prudent judgment and common sense when working with minors and vulnerable adults.

2.2 Clergy should be aware of their own vulnerability and the vulnerability of others. Clergy should avoid any conduct that a reasonable person could misconstrue as

improper. A team approach should be used when working with minors, and appropriate supervision should be in place to promote safe environments for all.

2.3 Clergy should avoid being alone with any unrelated minor, except for sacramental confession, or for reasonable, common sense exceptions, such as emergency situations and circumstances where the interaction is incidental and not extended. One-on-one meetings with an unrelated minor are best held in a public area; or if that is not appropriate or possible, in an area visible to others through a window or open door.

2.4 Physical contact with a minor or a vulnerable adult must be nonsexual and appropriate and only in the presence of other adults.

2.5 Clergy who minister to vulnerable adults are encouraged to serve in the company of another person whenever possible.

2.6 Clergy must not use alcohol, recreational drugs, or tobacco when working with minors.

2.7 Clergy are prohibited from having an unrelated minor or a vulnerable adult in a vehicle unless supervised. Therefore, Clergy must not travel in a vehicle with an unrelated minor or vulnerable adult without another adult present, except in documented emergencies. An exception to this is made for married permanent deacons who nonetheless must act with prudence toward unrelated minors and vulnerable adults.

2.8 Clergy must not share private overnight accommodations (rectory, bedroom, hotel room, tent, camper, bed, etc.) with any unrelated minor. An exception to this provision is made for married clergy.

In situations in which overnight accommodations are in open spaces (gymnasiums, classrooms, gathering spaces, etc.), actions should be taken to provide suitable supervision and create appropriate separation between sexes and between adults and minors.

2.9 Communications by Clergy with unrelated minors must be for professional reasons only. Clergy must maintain appropriate boundaries in all communications with an unrelated minor, including communications through the use of electronic devices or web-based media.

a. Clergy should make certain that the parents or guardians of an unrelated minor are aware of the content of private electronic or print communications sent to or received from an unrelated minor.

b. Informing parents or guardians is not required for non-private communications, such as those sent to youth groups regarding meeting locations or times, or other pastoral administrative matters.

c. Clergy must adhere to the standards of acceptable and legal use for electronic devices. All electronic communications are subject to this Code of Conduct.

2.10 Clergy will not use physical force or use profane, demeaning, or abusive language in interactions with a minor or vulnerable adult. Proportional physical force may be used if absolutely necessary in situations of self-defense or when the minor or vulnerable adult is a danger to self or others.

2.11 Clergy should not give or accept expensive, frequent, or inappropriate gifts from an unrelated minor or a vulnerable adult, without the permission of the parent or guardian.

### 3. Reporting Misconduct

3.1 Clergy must adhere to high ethical standards and report illegal, unethical or unprofessional behavior to their Bishop or other appropriate Church authority.

3.2 Clergy are required to report to the Bishop any arrest or citation involving conduct that violates the criminal code and/or serious misconduct which contravenes the Diocesan Policies.

3.3 Clergy who have reason to believe that a minor is being abused or neglected or has been abused or neglected must immediately report the basis for their belief to the proper civil authorities, in accordance with provincial legislation and this Policy and Procedure.

3.4 Child pornography is illegal and criminal. Suspected creation, use, possession, or distribution of child pornography must be referred to law enforcement, the Children's Aid Society and the Bishop immediately.

## APPENDIX D

### DUTY TO REPORT TO THE CHILDREN'S AID SOCIETY

Under section 125 of the Ontario Child, Youth and Family Services Act every person who has reasonable grounds to suspect that a child is or may be in need of protection must promptly report the suspicion and the information upon which it is based to a Children's Aid Society. This includes persons who perform professional or official duties with respect to children, such as health care workers, teachers, operators or employees of child care programs or centres, police and lawyers. In 2018 the age of protection was raised to include youth up to 18 years old. Youth who are 16 and 17 years old are now eligible to receive protection services from Children's Aid Societies.

It is not necessary to be certain that a child is or may be in need of protection to make a report to a children's aid society. "Reasonable grounds" refers to the information that an average person, using normal and honest judgment, would need in order to decide to report. This standard has been recognized by courts in Ontario as establishing a low threshold for reporting. (Source – Ontario Association of Children's Aid Societies)

Child and Family Services Act - 125 (1) Despite the provisions of any other Act, if a person, including a person who performs professional or official duties with respect to children, has reasonable grounds to suspect one of the following, the person shall immediately report the suspicion and the information on which it is based to a society:

1. The child has suffered physical harm inflicted by the person having charge of the child or caused by or resulting from that person's,
  - i. failure to adequately care for, provide for, supervise or protect the child, or
  - ii. pattern of neglect in caring for, providing for, supervising or protecting the child.
2. There is a risk that the child is likely to suffer physical harm inflicted by the person having charge of the child or caused by or resulting from that person's,
  - i. failure to adequately care for, provide for, supervise or protect the child, or
  - ii. pattern of neglect in caring for, providing for, supervising or protecting the child.
3. The child has been sexually abused or sexually exploited by the person having charge of the child or by another person where the person having charge of the

child knows or should know of the possibility of sexual abuse or sexual exploitation and fails to protect the child.

4. There is a risk that the child is likely to be sexually abused or sexually exploited as described in paragraph 3.
5. The child requires treatment to cure, prevent or alleviate physical harm or suffering and the child's parent or the person having charge of the child does not provide the treatment or access to the treatment, or, where the child is incapable of consenting to the treatment under the Health Care Consent Act, 1996, refuses or is unavailable or unable to consent to, the treatment on the child's behalf.
6. The child has suffered emotional harm, demonstrated by serious,
  - i. anxiety,
  - ii. depression,
  - iii. withdrawal,
  - iv. self-destructive or aggressive behaviour, or
  - v. delayed development,and there are reasonable grounds to believe that the emotional harm suffered by the child results from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.
7. The child has suffered emotional harm of the kind described in subparagraph 6 i, ii, iii, iv or v and the child's parent or the person having charge of the child does not provide services or treatment or access to services or treatment, or, where the child is incapable of consenting to treatment under the Health Care Consent Act, 1996, refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the harm.
8. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph 6 i, ii, iii, iv or v resulting from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.
9. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph 6 i, ii, iii, iv or v and the child's parent or the person having charge of the child does not provide services or treatment or access to services or treatment, or, where the child is incapable of consenting to treatment under the Health Care Consent Act, 1996, refuses or is unavailable or unable to consent to, treatment to prevent the harm.
10. The child suffers from a mental, emotional or developmental condition that, if not remedied, could seriously impair the child's development and the child's parent or the person having charge of the child does not provide the treatment or access to the treatment, or where the child is incapable of consenting to the treatment under the Health Care Consent Act, 1996, refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the condition.
11. The child's parent has died or is unavailable to exercise custodial rights over the child and has not made adequate provision for the child's care and custody, or

the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child's care and custody.

12. The child is younger than 12 and has killed or seriously injured another person or caused serious damage to another person's property, services or treatment are necessary to prevent a recurrence and the child's parent or the person having charge of the child does not provide services or treatment or access to services or treatment, or, where the child is incapable of consenting to treatment under the Health Care Consent Act, 1996, refuses or is unavailable or unable to consent to treatment.
13. The child is younger than 12 and has on more than one occasion injured another person or caused loss or damage to another person's property, with the encouragement of the person having charge of the child or because of that person's failure or inability to supervise the child adequately.

#### *Ongoing duty to report*

(2) A person who has additional reasonable grounds to suspect one of the matters set out in subsection (1) shall make a further report under subsection (1) even if the person has made previous reports with respect to the same child.

#### *Person must report directly*

(3) A person who has a duty to report a matter under subsection (1) or (2) shall make the report directly to the society and shall not rely on any other person to report on the person's behalf.

#### *Duty to report does not apply to older children*

(4) Subsections (1) and (2) do not apply in respect of a child who is 16 or 17, but a person may make a report under subsection (1) or (2) in respect of a child who is 16 or 17 if either a circumstance or condition described in paragraphs 1 to 11 of subsection (1) or a prescribed circumstance or condition exists.

#### *Offence*

- (5) A person referred to in subsection (6) is guilty of an offence if,
- (a) the person contravenes subsection (1) or (2) by not reporting a suspicion; and
  - (b) the information on which it was based was obtained in the course of the person's professional or official duties.

#### *Professionals and officials*

- (6) Subsection (5) applies to every person who performs professional or official duties with respect to children including,
- (a) a health care professional, including a physician, nurse, dentist, pharmacist and psychologist;

- (b) a teacher, person appointed to a position designated by a board of education as requiring an early childhood educator, school principal, social worker, family counsellor, youth and recreation worker, and operator or employee of a child care centre or home child care agency or provider of licensed child care within the meaning of the Child Care and Early Years Act, 2014;
- (c) a religious official;
- (d) a mediator and an arbitrator;
- (e) a peace officer and a coroner;
- (f) a lawyer; and
- (g) a service provider and an employee of a service provider.

*Volunteer excluded*

- (7) In clause (6) (b),  
“youth and recreation worker” does not include a volunteer.

Director, officer or employee of corporation

- (8) A director, officer or employee of a corporation who authorizes, permits or concurs in the commission of an offence under subsection (5) by an employee of the corporation is guilty of an offence.

Penalty

- (9) A person convicted of an offence under subsection (5) or (8) is liable to a fine of not more than \$5,000.

Section overrides privilege; protection from liability

- (10) This section applies although the information reported may be confidential or privileged, and no action for making the report shall be instituted against a person who acts in accordance with this section unless the person acts maliciously or without reasonable grounds for the suspicion.

Solicitor-client privilege

- (11) Nothing in this section abrogates any privilege that may exist between a lawyer and the lawyer’s client.

Conflict

- (12) This section prevails despite anything in the Personal Health Information Protection Act, 2004.

# APPENDIX E

## ECCLESIAL LAW

There are five sources for the applicable ecclesial laws as follows:

- [Code of Canon Law, Book VI, Sanctions in the Church](#)
- [Norms of the Motu Proprio, \*Sacramentorum Sanctitatis Tutela\*, Congregation for the Doctrine of the Faith, 2001](#)
- [Apostolic Letter Issued as a «Motu Proprio» by the Supreme Pontiff Francis, \*As a Loving Mother\*, 2016](#)
- [Vos Estis Lux Mundi - You are the Light of the World, 2019](#)
- [Congregation for the Doctrine of the Faith, \*Vademecum\* on Certain Points of Procedure in Treating Cases of Sexual Abuse of Minors Committed by Clerics, 2020](#)

# APPENDIX F

## RESOURCES

### *DIOCESAN RESOURCES*

*Code of Conduct*, Roman Catholic Diocese of Peterborough

### *CANADIAN CONFERENCE OF CATHOLIC BISHOPS RESOURCES*

[Protecting Minors from Sexual Abuse: A Call to the Catholic Faithful in Canada for Healing, Reconciliation, and Transformation](#), 2018.

[From Pain to Hope - Report by the Ad Hoc Committee on Child Sexual Abuse](#), 1992.

### *HOLY SEE RESOURCES*

Pontifical Commission for the Protection of Minors:

<http://www.protectionofminors.va/content/tuteladeiminori/en.html>

These resources may be accessed online at the page titled Abuse of Minors: The Church's Response:

[http://www.vatican.va/resources/index\\_en.htm](http://www.vatican.va/resources/index_en.htm)

[REPORT ON THE HOLY SEE'S INSTITUTIONAL KNOWLEDGE AND DECISION-MAKING RELATED TO FORMER CARDINAL THEODORE EDGAR MCCARRICK \(1930 TO 2017\)](#), November 10, 2020

[Statement of Cardinal Pietro Parolin, Secretary of State](#) (10 November 2020)

Congregation for the Doctrine of the Faith, [Vademecum on Certain Points of Procedure in Treating Cases of Sexual Abuse of Minors Committed by Clerics](#), 2020

[Vos Estis Lux Mundi - You are the Light of the World](#), 2019

[Letter sent by the Holy Father to the Bishops of the United States Conference of Catholic Bishops](#) (1st January 2019)

[Christmas greetings to the Roman Curia](#) (21 December 2018)

[Letter to the People of God](#) (20 August 2018)

[Letter to the People of God in Chile](#) (31 May 2018) Spanish

[Letter to the Bishops of Chile](#) (17 May 2018)

[Letter to the Bishops of Chile following the report of Archbishop Charles J. Scicluna](#) (8 April 2018)

[To the participants in the Congress on "Child Dignity in the Digital World"](#) (6 October 2017)

[Address to the members of the Pontifical Commission for the Protection of Minors](#) (21 September 2017)

[Letter of the Holy Father to Bishops on the Feast of the Holy Innocents](#) (28 December 2016)

[Apostolic Letter issued 'Motu Proprio' As a Loving Mother](#) (4 June 2016)

[Letter to the Presidents of Episcopal Conferences and Superiors of Institutes of Consecrated Life and Societies of Apostolic Life concerning the Pontifical Commission for the Protection of Minors](#) (2 February 2015)

["Rescriptum ex audientia Ss.mi" regarding the creation of a College, within the Congregation for the Faith, for the examination of ecclesiastical appeals involving delicta graviora](#) (3 November 2014)

[Holy Mass celebrated in the Chapel of the Domus Sanctae Marthae with a group of clergy sex abuse victims](#) (7 July 2014)

Pope Benedict XVI

[Pastoral Letter to the Catholics of Ireland](#) (March 19, 2010)

[Message for the closing of the Fiftieth International Eucharistic Congress in Dublin](#) (June 17, 2012)

[Christmas greetings to Cardinals, Archbishops, Bishops and Directors of the Governorate of Vatican City State](#) (December 20, 2010)

[Meeting with the Bishops of England, Wales and Scotland in the Chapel of the Francis Martin House, Oscott College](#) (Birmingham, 19 September 2010) (Video)

[Visit to St Peter's Residence home for older people](#) (London Borough of Lambeth, 18 September 2010) (Video)

[Mass in the Cathedral of the Most Precious Blood of Our Lord Jesus Christ](#) (City of Westminster, 18 September 2010) (Video)

Meeting with journalists during the flight to the United Kingdom (Papal Flight, 16 September 2010) (Video)

[Holy Mass concluding the Year for Priests](#) (11 June 2010) (Video)

[Meeting with journalists during the flight to Lisbon](#) (Papal Flight, 11 May 2010)

[Regina Caeli, 25 April 2010](#) (Video)

[Press Release: Meeting with a group of persons who were sexually abused](#) (Apostolic Nunciature in Malta, 18 April 2010) Italian

[Meeting with journalists during the flight to Malta](#) (Papal flight, 17 April 2010)

[Meeting with the Irish Bishops](#), February 2010 - Press Release

[Meeting with some Irish Bishops](#), December 2009 - Press Release

[Meeting with the Assembly of First Nations of Canada](#), April 2009 - Press Release

[Speeches and Press Releases – Apostolic Journey to Australia](#), July 2008

[Speeches and Press Releases – Apostolic Journey to the United States](#), April 2008

[Speech to the Irish Bishops on their ad Limina visit](#), October 2006

Pope John Paul II

[Speech to the American Bishops on their ad Limina visit](#), 2004

[Speech to the American Cardinals](#), 2002

PONTIFICAL COMMISSION FOR THE PROTECTION OF MINORS

[Press Statement](#) (9 September 2018)

[Press Statement](#) (17 February 2018)

[Statement by H.Em. Cardinal Sean O'Malley, OFM Cap at the Consistory](#), 12 February 2015

[Press Statement](#) (9 February 2015)

## MODIFICATIONS MADE IN THE NORMAE DE GRAVIORIBUS DELICTIS

### Norms

[Letter to the bishops of the Catholic Church and to the Ordinaries and Hierarchs, regarding the modifications introduced in the Normae de gravioribus delictis](#), 21 May, 2010

[The norms of the Motu Proprio “Sacramentorum sanctitatis tutela” \(2001\): Historical introduction](#), 21 May, 2010

[A brief introduction to the modifications made in the Normae de gravioribus delictis, reserved to the Congregation for the Doctrine of the Faith](#), 21 May, 2010

[The significance of the publication of the new "Norms concerning the most serious crimes". Note by Fr. F. Lombardi](#)

## OTHER RELATED DOCUMENTS

[Holy See Press Office Communiqué](#) (23 November 2018)

[Holy See Press Office Communiqué](#) (6 October 2018)

[Holy See and Convention of the Rights of the Child. The meaning of a commitment](#) (Note by Fr. Lombardi), Italian

[Presentation by H.E. Msgr. Silvano Tomasi of the Periodic Reports of the Holy See to the Committee on the application of the Convention on the Rights of the Child](#) (Geneva, 16 January 2014)

[Briefing on the Meeting of the Council of Cardinals](#) (5 December 2013)

[Summary of the Findings of the Apostolic Visitation in Ireland](#) (March 20, 2012)

[Response to Mr. Eamon Gilmore, Tánaiste and Minister for Foreign Affairs and Trade of Ireland, concerning the Cloyne Report](#) (September 3, 2011)

[Communiqué](#) (September 3, 2011)

[Summary of the Response to Mr Eamon Gilmore, Tánaiste and Minister for Foreign Affairs and Trade of Ireland, concerning the Cloyne Report](#) (September 3, 2011)

[Communiqué at the conclusion of the first phase of the Apostolic Visitation in Ireland](#) (6 June 2011)

[Circular letter to assist Episcopal Conferences in developing Guidelines for dealing with cases of sexual abuse of minors perpetrated by clerics](#) (May 3, 2011)

[Letter of Card. William Levada on the occasion of the presentation of the Circular letter to Episcopal Conferences concerning Guidelines for dealing with cases of sexual abuse of minors perpetrated by clerics](#), 3 May, 2011

["Cardinal Ratzinger’s Influence on the Revision of the Canonical Penal Law System" by Juan Ignacio Arrieta](#) (La Civiltà Cattolica, 4 December 2010)

["Cardinal Ratzinger and the Revision of the Canonical Penal Law System A crucial role" by Juan Ignacio Arrieta](#) (L'Osservatore Romano, 2 December 2010)

[Press Release of the Holy See at the beginning of the Apostolic Visitation in Ireland](#) (November 12, 2010)

[Holy See's Press Release on the Preparatory Meetings for the Apostolic Visitation in Ireland](#) (October 6, 2010)

[Guide to Understanding Basic CDF Procedures concerning Sexual Abuse Allegations](#)

[Press release on the Apostolic Visitation in Ireland](#) (May 31, 2010)

[Communiqué of the Holy See regarding the Apostolic Visitation of the Congregation of the Legionaries of Christ](#) (May 1st, 2010)

[Note of Fr. Federico Lombardi concerning abuses. Following Holy Week, Holding Our Course](#), (April 9, 2010)

[The New York Times and Pope Benedict XVI: how it looks to an American in the Vatican, by Cardinal William J. Levada](#) (3/26/10)

[Statement of the Director of the Holy See Press Office, Fr. Federico Lombardi, S.J., concerning the Murphy Case](#) (3/24/10)

[Synthesis of the Pope's Letter to the Irish Catholics](#)

[Fr. Lombardi on Pope's Letter to Irish Catholics](#) (March 20, 2010)

[Communiqué of the Archdiocese of Munich](#) (3/13/10), Italian

[Note of the Director of Vatican Radio](#) (3/13/10), Italian

[Communiqué of the President of the German Episcopal Conference](#)

[Intervention of H.E. Msgr. Silvano M. Tomasi](#) (3/10/10)

[Declaration of the German Bishops](#) (2/25/10)

[Article of H.E. Msgr. Giuseppe Versaldi](#) (OR 3/14/10), Italian

[Interview of Msgr. Charles Scicluna](#) (3/13/10)

[The Procedure and Praxis of the Congregation for the Doctrine of the Faith regarding Graviora Delicta - Mgr Charles J. Scicluna Promoter of Justice](#)

[Article by Msgr. J.P. Beal on Crimen Sollicitationis](#) (2007) – © Studia Canonica

[Unofficial Translation of Crimen Sollicitationis](#) (1962)

[Vatican Glossary of Terms](#) – This Glossary of Terms is maintained by the Vatican to assist the lay person in understanding concepts, mostly canonical in nature, often used regarding the handling of cases involving sexual abuse.