

# SAFE ENVIRONMENT POLICY

## A. Introduction

Children are our most precious resource, our posterity, and promise. In a special way, the parishes, ecclesial communities, and clergy of the Ordinariate understand and manifest this reality. All recognize their responsibilities to assure that children, youth, and at-risk adults are safe from sexual misconduct and exploitation whenever they participate in activities that occur in Ordinariate parish communities and institutions. We are committed to their protection and to care for victims of physical and sexual abuse.

The policies and guidelines (“Policy”) herein set forth address two very important and complementary issues: (1) clear expectations for the behavior of those who exercise ministry under the Ordinariate and corresponding actions to fulfill those expectations, and (2) responses when someone comes to the Ordinariate to report that he or she is or was a victim of physical or sexual abuse. This Policy cannot address all situations that may arise in pastoral relationships. Instead, it is intended to provide clear and unambiguous guidelines and norms of appropriate behavior and to make plain the consequences of violating them. That some instance or occurrence has not been fully anticipated in these pages does not mean that the Ordinariate cannot or will not act.

For purposes of this Policy, “sexual abuse” includes sexual molestation, exploitation, and other behavior by which an adult uses a child, youth or at-risk adult as an object of sexual gratification. “Sexual abuse” is not merely criminal acts under the civil law, including child pornography, but also acts of grooming and other actions which manifest an unhealthy sexual interest in a child, youth or at-risk adult. “Sexual abuse” is often a civil crime, but is always wrong and sinful. Because the parishes of the Ordinariate<sup>1</sup> span the United States and Canada, our parish communities are subject to a variety of laws and we recognize that there may indeed be conflicting definitions of criminal sexual abuse in those laws. We expect that Church Personnel in our parish communities will reach out to child protection professionals who work for the Catholic Dioceses in which they are located and work collaboratively to assure that the local implementation of this Policy accords with the requirements of the local civil laws.

The Policy must be read and interpreted in light of applicable civil and ecclesiastical law, including but not limited to Canon Law, *Sacramentorum sanctitatis tutela*,<sup>2</sup> the USCCB *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse by Priests or Deacons* (the “Essential Norms”),<sup>3</sup> as well as any laws promulgated to amend these texts. This Policy also reflects

---

<sup>1</sup> The Policy refers often to the ecclesial communities in the Ordinariate as “parishes” and readers should understand that “parish” or “parish community” refers to the ecclesial communities of believers within the Ordinariate whether they are organized as parishes, missions, quasi-parishes, or associations of the faithful.

<sup>2</sup> [http://w2.vatican.va/content/john-paul-ii/en/motu\\_proprio/documents/hf\\_jp-ii\\_motu-proprio\\_20020110\\_sacramentorum-sanctitatis-tutela.html](http://w2.vatican.va/content/john-paul-ii/en/motu_proprio/documents/hf_jp-ii_motu-proprio_20020110_sacramentorum-sanctitatis-tutela.html).

<sup>3</sup> Text is found at this site preceded by the Charter text applicable in 2012. <http://www.usccb.org/issues-and-action/child-and-youth-protection/upload/Charter-for-the-Protection-of-Children-and-Young-People-revised-2011.pdf>. Unless otherwise noted, the Ordinariate will apply contemporaneously all amendments to the Essential Norms or the Charter.

the commitments made by individual Bishops and Eparchs in the United States through the *Charter for the Protection of Children and Young People* (“Charter”) and through the “*Orientations ... for updating a diocesan protocol for the prevention of the sexual abuse of children, youth and at-risk adults and the pastoral response to complaints regarding abuse*” issued by the Canadian Conference of Catholic Bishops.<sup>4</sup>

This Policy applies to all priests and deacons, (collectively “Clergy or cleric”), candidates, seminarians, employees, educators, and volunteers who have contact with children, youth or at-risk adults (collectively “Church Personnel”). Unless they are also qualifying employees or volunteers under this Policy, spouses are not considered as “Church Personnel.” All Church Personnel are asked to acknowledge receipt of the Policy on the form attached as Appendix A below.

For purposes of this Policy, a child is anyone under the age of 12, youth are those age 12-18, and at-risk adults are those who habitually lack the use of reason so to be considered equivalent to an individual under the age of 18.

If sexual abuse of a child, youth or at-risk adult is admitted or established through an appropriate process, the perpetrator of abuse will be permanently removed from the exercise of ministry and may also be subject to civil legal proceedings. While every person can experience conversion of heart and forgiveness through sacramental reconciliation, and recognizing the abundant mercy of God’s grace, the Ordinariate also acknowledges the need to do penance for one’s sins, that there are temporal consequences for wrongful actions, and that the safety of children, youth and at-risk adults requires certain measures to be taken even if there is conversion and forgiveness. Abuse of a child, youth or at-risk adult disqualifies one from service in the ministries of the Ordinariate. Under the Norms applicable to the Dioceses in the United States and consistent with the approach in Canada, the Bishop reserves the right to assess an individual’s fitness for service and to make necessary judgments.

## **B. Code of Conduct**

Our Policy reflects our promise to protect, respond, and heal. Responsibility for adherence to Ordinariate Policy and to the *Code of Conduct* contained therein rests primarily with the individual. Church Personnel (priests, deacons, candidates, seminarians, employees, educators, and volunteers) who disregard the Policy or the following *Code of Conduct* may be subject to disciplinary action by the entity that employs, supervises, or authorizes their ministry or employment, whether it be the Bishop, a pastor, or another person within the Church structure. Corrective action may take various forms – from a verbal reprimand to removal from employment or the ministry, temporarily or permanently – depending on the specific nature and circumstances of the offense and the extent of the harm.

---

<sup>4</sup> [http://www.cccb.ca/site/images/stories/pdf/orientations-diocesan\\_protocols.pdf](http://www.cccb.ca/site/images/stories/pdf/orientations-diocesan_protocols.pdf) Both the USCCB and CCCB documents reflect the same set of principles prescribed by the CDF for Episcopal Conference policies, *Circular Letter to Assist Episcopal Conferences in Developing Guidelines for Dealing with Cases of Sexual Abuse of Minors Perpetrated by Clerics* (May 3, 2011).  
[http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_20110503\\_abuso-minori\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20110503_abuso-minori_en.html).

The Ordinariate expects the following:

- Church Personnel agree to do their best to prevent abuse and neglect among children, youth and at-risk adults involved in church activities and services, and to receive and follow this Policy in their service in parishes and activities.
- Church Personnel agree not to physically, sexually or emotionally abuse or neglect a child, youth or at-risk adult.
- Church Personnel agree to comply with this Policy for contact with and supervision of children, youth and at-risk adults in parishes and activities of the Ordinariate.
- In the event that Church Personnel observe any inappropriate behaviors or possible Policy violations with children, youth or at risk adults, or have reasonable suspicion that abuse of one has or may occur, he/she agrees to report their observations immediately to appropriate civil and Ordinariate authorities.
- Church Personnel understand that the Ordinariate will not tolerate abuse of children, youth and at-risk adults and agree to comply in spirit and in action with this Policy.
- Church Personnel agree to submit themselves to evaluations of fitness for work with children, youth and at-risk adults according to the Policy of the Ordinariate, including policies on background checks and other evaluative processes.
- Church Personnel agree not to espouse any view contrary to the teachings of the Catholic Church to children, youth and at-risk adults.
- Church Personnel agree not to use, possess or be under the influence of alcohol or illegal drugs at any time while working with children, youth or at-risk adults.
- Church Personnel agree not to commit an illegal or immoral act in the presence of children, youth or at-risk adults.
- Church Personnel agree to educate themselves, and in turn educate others, such as other volunteers, spouses, parents, children, youth and at-risk adults, about appropriate boundaries in ministry, the nature, signs and symptoms of abuse, this Policy and its implementation, reporting of abuse and responses to claims of abuse, according to this Policy.
- Church Personnel agree to notify the Ordinariate Safe Environment Coordinator within 30 days if they have been charged with, convicted of, granted deferred adjudication or plead nolo contendere to any felony or any misdemeanor involving moral turpitude.

### **C. Specific Guidelines for Conduct**

#### **Physical Contact**

1. Physical contact between Church Personnel and a child, youth or at-risk adult who is not a family member runs the risk of being misconstrued, by the child, youth or at-risk adult or by persons witnessing the contact. However, while care should be taken, the Ordinariate does not wish to exclude any type of demonstration of praise or affection between Church Personnel and the people to whom they minister.
2. Appropriate forms of physical contact include:
  - Brief hugs
  - Pats on the shoulder or back or on the head when culturally appropriate
  - Handshakes
  - “High-fives” and hand slapping
  - Arms around shoulders
  - Holding hands while walking with small children
  - Sitting beside small children
  - Kneeling or bending down for hugs with small children
  - Holding hands during prayer
3. Nonetheless, if the child, youth or at-risk adult on the receiving end of physical contact expresses explicitly or implicitly (i.e., by verbalizing or by withdrawing, physically stiffening, etc.) that he or she does not desire the physical contact, this desire should be honored immediately unless it is contact that prevents external physical harm to the child, youth or at-risk adult (e.g., moving a protesting individual out of harm’s way).
4. Physical contact which is always inappropriate between Church Personnel and a child, youth or at-risk adult who is not a family member includes, but is not limited to, kissing on the mouth, touching of the breasts/buttocks/genitals, whether over or under clothing, massaging or wrestling and touching underwear.
5. Discipline used in ministerial settings should be constructive and reflect the values of the Church. Corporal punishment is never permitted and physical force may only be used to stop a behavior that may cause immediate harm to the individual or to others.
6. Unless part of the specific task (such as in a day care setting), Church Personnel should avoid activities in a ministerial setting such as dressing, bathing or diapering infants or children, unless the child is a family member. If Church Personnel must engage in such activities, he/she must remain in an area observable by other adults and/or work with another adult.

## **Sexual Conduct**

1. Since all are called by Baptism to the virtue of chastity, Church Personnel should be an example of chastity in all relationships at all times.
2. Church Personnel who provide pastoral counseling or spiritual direction services must avoid developing inappropriate intimate relationships with children, youth or at-risk adults, other staff and parishioners, and should behave in a professional manner at all times.
3. No Church Personnel shall exploit another person for sexual purposes.
4. Allegations of sexual misconduct involving a child, youth or at-risk adult by Church Personnel must be taken seriously and reported to the appropriate person in the parish community, the Safe Environment Coordinator of the Ordinariate and to civil authorities.
5. Church Personnel should review and know the contents of the child abuse regulations and reporting requirements for their state and should follow those mandates.

## **Supervision in a Ministry Setting**

1. For the safety of all involved, it is best to take a team approach in ministry to children, youth and at-risk adults, to limit the occasions on which any adult will be alone with a child, youth or at-risk adult who is not a family member. The ratio of adults to children, youth or at-risk adults should be no less than one adult per twelve (12) youth and one adult per eight (8) children, with each adult having completed the Ordinariate-mandated safe environment training.
2. The focus must be on a team approach to supervising children, youth and at-risk adults with a safe environment trained second adult present, within line of sight or remain in an area observable by other safe environment trained adults.
3. If males and females under eighteen will be participating in an Ordinariate activity, then both male and female adult chaperones must be present.
4. Sharing beds or sleeping bags is prohibited. Church Personnel are prohibited from sleeping in the tents, hotel rooms or other rooms with children, youth or at-risk adults unless another safe environment trained adult is present at all times.
5. Church Personnel are prohibited from using physical punishment in any way for behavior management of children, youth or at-risk adults in Ordinariate activities. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force. Physical force may only be used to stop a behavior that may cause immediate harm to the individual or others.
6. Church Personnel are prohibited from using harsh language, degrading punishment, or mechanical restraint such as rope or tape for behavior management.

7. Church Personnel are prohibited from providing alcohol to anyone under the age of 21.
8. Church Personnel are prohibited from participating in or allowing others to conduct any hazing activities in ministry.
9. Gender-specific, age-appropriate measures should be taken to ensure the safety of children, youth and at-risk adults using restrooms. While adult intervention may be necessary to assist small children in observing proper toilet habits, under no circumstances may Church Personnel dress, undress, shower or bathe in the presence of a child, youth or at-risk adult who is not a family member.
10. For any parish-related activity or event, Church Personnel normally should not provide transportation on behalf of the parish to a child, youth or at-risk adult, other than a member of their own family, without another adult in the vehicle or without specific permission of the individual's parent. Parents or guardians must complete written permission forms before Church Personnel transport children, youth or at-risk adults on behalf of the parish for a parish-sponsored activity.
11. If Church Personnel offer pastoral counseling or spiritual direction to a child, youth or at-risk adult, it must occur in a place where private conversations are possible, but in view of others. Under no circumstances should this occur at the residence of Church Personnel or any other place that may lead to confusion as to the nature of the interaction.
12. Church Personnel may not accept expensive gifts from a child, youth or at-risk adult, or give such gifts to such individuals, without prior approval of the parent/guardian, unless the individual is a member of the person's family.

### **Sexually-Explicit Material**

1. Church Personnel are prohibited from possessing any sexually-oriented material on Ordinariate property, except as expressly permitted as part of an Ordinariate-approved educational program.
2. Church Personnel are prohibited from using the Internet to download or view sexually-oriented material on Ordinariate property. Ordinariate-owned computers are subject to regular audit especially during changes in Church Personnel or ministerial assignment.
3. Church Personnel are prohibited from discussing their own sexual activities and/or fantasies, including the use of pornography, with any child, youth or at-risk adult.
4. Church personnel are prohibited from using an Ordinariate computer to access, view and/or download pornography of any kind. The acquisition, possession, and distribution of pornographic images of children are also strictly forbidden.
5. The acquisition, possession, or distribution of pornographic images of children, youth or at-risk adults by Church Personnel, by whatever means or using whatever technology, is defined a grave delict (crime) in Church Law and is strictly forbidden.

#### **D. Background Checks for Clerics**

1. At the time a candidate for ordination for service to the Ordinariate enters formation, a background check will be conducted. In addition to other information considered to assess the candidacy, this background check shall include at a minimum:
  - a. a written authorization and waiver of liability by the candidate for the release of information by any person or entity;
  - b. a criminal records check in any state or province where the candidate has resided during the prior seven years;
  - c. a sexual offender registry check or its equivalent in any state or province where the candidate has resided during the prior seven years;
  - d. a motor vehicle records check in any state or province where the candidate has resided during the prior seven years; and
  - e. any other check of records, including Court records, or references indicated as a result of the above process.
2. A background check shall be repeated at least every five years for as long as the person retains any ministerial role in the Ordinariate. All information gathered during each background check will be carefully reviewed by the Bishop and/or his delegate, in consultation with others as necessary, to determine whether the person is suitable to work with children, youth or at-risk adults.
3. Because of the need for appropriate screening and certification, no cleric may grant permission for full-time, part-time or regular weekend ministry to an extern priest or deacon without prior written approval of the Bishop or his delegate.
4. Any cleric seeking incardination or residence in the Ordinariate is required to undergo the same background check required in # 1 above.
5. Any cleric who is invited to exercise ministry in the Ordinariate is required to provide a written confirmation from his diocese or eparchy of incardination that he is a cleric in good standing and suitable for ministry to the Chancery or pastor as appropriate.

#### **E. Screening of non-Clerical Church Personnel**

1. The background of all Church Personnel who have contact with children, youth or at-risk adults, will be evaluated. Pastors and other administrators must take due precautions to assure that only persons who are psychologically and temperamentally suited are chosen to work with children, youth or at-risk adults.
2. No applicant with a history of a felony or misdemeanor sex offense conviction will be considered for placement or hire.

3. Applicants for employment or to volunteer in a position with contact with children, youth or at-risk adults in parishes and institutions of the Ordinariate must provide information adequate to assess their suitability for such position. They must sign a waiver to conduct a criminal background check and complete the screening interview process.
4. A criminal background check must be completed with the search components defined in section D, above, for all applicants for employment and for volunteer service with children, youth and at-risk adults before any contact begins.
5. Pastors will require that any person or group who are hired through a third party contract, and who will have responsibility for the care, custody, or control of a child, youth or at-risk adult, must provide proof of a criminal background check.
6. Each parish or institution of the Ordinariate must establish procedures for gathering the information mentioned above. All information gathered will be maintained in a confidential manner by the employer for as long as legally required.
7. Children and youth under 18 years of age are not permitted, on legal and age appropriateness grounds, to apply for a criminal background check or Virtus training. However, we want to encourage the development of leadership and ministry skills in young people. Therefore, young people under 18 may assist in ministries and programs that include contact with children, youth and at-risk adults so long as they are under the direct supervision of Virtus-approved adults at all times. Any adult supervisor must have completed a criminal background check and completed all requirements of this Safe Environment Policy.
8. A background check must be repeated at least every five years for employees and volunteers who have contact with children, youth or at-risk adults in parishes, communities, and institutions of the Ordinariate. All information gathered during each background check will be carefully reviewed by the Bishop and/or his delegate, in consultation with others as necessary, to determine whether the person is suitable to work with children, youth or at-risk adults.

#### **F. Initial and Ongoing Safe Environment Training**

1. Church Personnel are required to complete a formal program, selected by the Ordinariate, on child abuse prevention and training. This must be completed before the person begins any work with a child, youth or at-risk adult.
2. In addition, the Ordinariate will provide regular opportunities for ongoing training, at a minimum every three years, including but not limited to the following subjects:
  - a. appropriate boundaries in ministry;
  - b. the nature of the problem of sexual abuse of children, youth and at-risk adults;
  - c. signs and symptoms of sexual abuse in children, youth and at-risk adults;
  - d. policies and procedures for the prevention of sexual abuse by Church Personnel;

- e. policies and procedures for the prevention of sexual abuse on any Ordinariate-owned property or at any Ordinariate-sponsored events and activities; and
  - f. policies and procedures for responding to and reporting allegations of sexual abuse.
3. All Church Personnel as defined in this Policy must participate in regular training and other exercises as identified by the Ordinariate and certify his/her participation to the Ordinariate.
  4. At least annually, all Ordinariate parishes and communities will utilize programs to educate children, youth, and parents about personal safety and appropriate boundaries between children, youth, and adults. Through formal training sessions, independent reading, video presentations, and Internet resources, parents can learn how to listen to and react to various types of disclosures. The prevention and education programs taught to children and youth will include instruction on how to:
    - communicate any concerns they may have;
    - say "no" to unwanted situations;
    - identify trusted adults with whom to speak;
    - recognize that abusive situations are never the fault of the victim;
    - disclose inappropriate or unwanted actions directed to self or others.
  5. All attendance will be documented; all parents who decline training for themselves or for their children and/or youth will be offered written information and these facts will also be documented.

### **G. Recordkeeping**

1. Information gathered during individual background checks, as well as other personnel records, will be maintained by the parish, activity or the Ordinariate in accord with civil and canon law.
2. The Ordinariate shall maintain, in accord with the provisions of civil and canon law, all records related to any report of sexual abuse of a child, youth or at-risk adult by any Church Personnel, including those made anonymously.
3. All attendance at Safe Environment training will be documented.
4. Records are presumed confidential and protected against disclosure except for purposes of administering this Policy and compliance with the Charter and other norms.
5. That there exists confidential material does not bar the Ordinariate or Church Personnel from performing any obligations under the civil laws to report abuse and misconduct to the proper civil authorities.

## **H. Response to Allegations**

The point of contact within the Ordinariate for the receipt of reports, allegations, and concerns related to the abuse of children, youth and at-risk adults, regardless of the age of the person making the report, is the Safe Environment Coordinator. Contact information for the Safe Environment Coordinator is provided on the Ordinariate's website: [www.ordinariate.net](http://www.ordinariate.net). All such reports must be made to this Coordinator, even if such reports have also been made to the pastor, a leader of an Ordinariate or parish activity, or to civil authorities. The Coordinator is responsible that the Response to Allegations Policy (described herein) is activated including victim assistance, communications, and legal responses. The Coordinator may also serve as the Delegate for Investigations noted below.

In addition, we note the following guidelines for the response to allegations:

- The healing of victims, their families, and their community from the effects of sexual abuse begins when the allegations of such abuse are received. When victims decide to disclose the abuse, it is important that the response they receive is compassionate and non-judgmental.
- The response to any report of sexual abuse of a child, youth or at-risk adult will be governed by the Gospel values of dignity, compassion, understanding, and justice. Anyone receiving an allegation of abuse will respond in a pastoral, supportive manner, leaving investigative concerns to those who serve in that role.
- An allegation will be received without initial judgment as to the truth of the complaint. No intimation of blame will be made by the initial recipient of information.
- Individuals making allegations will be supported positively in their decision to disclose.
- The Ordinariate will arrange for pastoral, psychological, and spiritual support not only to the alleged victim, but to the accused cleric and the communities impacted by the report, keeping in mind that both confidentiality and legal concerns may limit the amount of information that can be made available to any party.

### **Reporting**

1. Church Personnel must report knowledge or reasonable suspicion that a child, youth or at-risk adult has been the victim of sexual abuse. Failure to do so in a prompt fashion may be a criminal act; in addition, it may result in penalties under ecclesiastical law. Contact information and resources for reporting child abuse may be found in Appendix C.
2. To the extent that it is known, the information to be reported shall be:
  - a. the name, address and age of the alleged victim (now and at the time of the alleged abuse);
  - b. if the person is under the age of 18 at present, the contact information for his or her parents or guardian;
  - c. the nature, type and extent of the alleged abuse;

- d. the dates and places when and where the alleged abuse occurred;
  - e. the name of the alleged perpetrator; and
  - f. any other pertinent information provided by the alleged victim.
  - g. See Appendix B below for a list of information to be reported.
3. Reporting obligations are independent of the sanctity of the seal of the confessional. Under no circumstances whatsoever may there be any disclosure (direct or indirect) of information received in the context of the Sacrament of Penance.

### **Victim Assistance Coordinator**

1. The Victim Assistance Coordinator will refer persons who make an allegation of sexual abuse as a child, youth or at-risk adult by a cleric to a network of resources for their pastoral, emotional and spiritual support. The Victim Assistance Coordinator is to maintain a professional relationship with each such individual and not serve as their therapist, spiritual director or in any other similar role.
2. The Victim Assistance Coordinator is to be a Catholic with training in Safe Environment awareness and child, youth and at-risk adult protection, coupled with familiarity with the resources available for the support of victims of abuse.
3. The Victim Assistance Coordinator is to immediately inform the Bishop if the complainant is a family member, personal friend or anyone else with whom a conflict of interest could exist, so that another person may serve in the role of Victim Assistance Coordinator in the individual case. Similarly, if the Victim Assistance Coordinator has a potential conflict of interest due to his or her connection to the community impacted by the alleged abuse and/or the accused cleric, the Bishop is to be informed immediately, so that another person may be appointed to act in his or her place.
4. The Victim Assistance Coordinator will work with the Delegate for Investigations to ensure that timely communications are made to the complainant and the impacted communities relative to the Ordinariate's canonical response to any allegation of sexual abuse of a child, youth or at-risk adult.

### **Delegate for Investigations**

The Delegate for Investigations will be a person with experience in review and response to claims of abuse or misconduct. The Delegate will work in cooperation with canonical and other resource persons in assessing the applicable legal and canonical norms relative to sexual abuse of children, youth and at-risk adults in the United States and in Canada. The Delegate may utilize the assistance of persons with expertise in other relevant fields (*e.g.*, law enforcement authorities with expertise in interviewing individuals who have been sexually assaulted, psychological professionals or social workers, Ordinariate legal counsel to ensure that reporting requirements have been fulfilled, *etc.*).

### **Process**

1. The Vicar General will ensure that prompt communication has been or is being made to the Bishop, the Ordinariate's legal counsel, the Victim Assistance Coordinator, and the appropriate

civil authorities, by himself or through a designee. He will also assure that the local Catholic Diocese is informed as necessary of the claim and any prospective or actual responses.

2. In coordination with the Bishop and the Vicar General, the Delegate for Investigations will ensure that the accused is informed of the allegation, that he is informed that he has a right to seek canonical and legal counsel, and support resources are made available to him and his family, especially if the nature of the allegation requires immediate removal from a ministerial assignment.
3. If warranted by the facts and circumstances after preliminary inquiry, a person against whom a report of sexual misconduct is made can be temporarily suspended from assignment. The accused may also be asked to cooperate with a psychological evaluation or other assessments.
4. In coordination with the Bishop and the Victim Assistance Coordinator, the Delegate for Investigations will ensure that appropriate communications are made to the communities impacted by the allegation (*e.g.*, the place(s) in which the abuse reportedly took place, the place(s) in which the accused is presently assigned, *etc.*).
5. When mandated by the Bishop, the Delegate for Investigations shall conduct a preliminary investigation, in accord with civil law and (in the case of an accused cleric) with canon law, into allegations of sexual abuse. He shall be responsible for doing this in a thorough and timely fashion, respecting the privacy of both the accused and the accuser, but ensuring that both are appropriately informed as to the progress of the investigation and the findings at its conclusion.
6. When the Delegate for Investigations believes that it is time to conclude the preliminary investigation, he is to inform the Bishop of his findings, along with his opinion of whether or not the allegation can be ruled out as unsubstantiated. At this time, the Bishop shall arrange for the matter to be assessed by the Review Board to seek its recommendations on the matter.
  - a. In the case of an accused cleric, the Bishop should follow the processes prescribed by the Congregation for the Doctrine of the Faith, in accord with the norm of canon law.
  - b. In the case of an accused lay person, the Bishop should follow processes outlined in employment or volunteer policies as applicable and appropriate.
7. If the Bishop judges that the matter should proceed further, he is to see that the presumed victim, the accused, the community, and the proper authorities are informed about the progress of the matter.
8. The Bishop will initiate public communication as needed and outreach to the affected ecclesial community. The Bishop or his delegate will also keep the local Catholic Diocese informed and the Ordinariate's communications director will work collaboratively with his/her counterpart in the Diocese as necessary.
9. If the Bishop judges that the matter should not proceed, either because the Review Board believes that the matter is unsubstantiated or that the facts and circumstances cannot or do not support further action, he is to see that the person making the report is informed. If the person accused is to be returned to ministry, the Bishop should see that his good name is restored to the best of his ability. The Bishop should consult with the Victim Assistance Coordinator to assess the need for

ongoing pastoral care.

10. At all times, the Bishop has the executive power of clerical governance, through an administrative act, to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry. For the sake of the common good and observing the provisions of canon law, the Bishop shall exercise this power of governance to ensure that any priest who has committed an act of sexual abuse of a child, youth or at-risk adult as described above shall not continue in the active ministry.
11. No priest or deacon who has committed an act of sexual abuse of a child, youth or at-risk adult may be transferred for a ministerial assignment in another diocese/eparchy.
12. Before such a diocesan/eparchial priest or deacon can be transferred for residence to another diocese/eparchy, his diocesan/eparchial bishop shall forward, in a confidential manner, to the bishop of the proposed place of residence, any and all information concerning any act of sexual abuse of a child, youth or at-risk adult and any other information indicating that he has been or may be a danger to children, youth or at-risk adults. This will be done with due recognition of the legitimate authority of the bishop/eparch.<sup>5</sup>

## **Communications**

The Ordinariate is committed to timely, accurate, and responsible communications about the subject of abuse and misconduct. These principles will guide actions before, during, and after a complaint of abuse or misconduct is received in one of its ecclesial communities.

1. The Ordinariate's commitment to child protection, this Policy, screening, Safe Environment training, and contact information to report abuse and misconduct *is* available on the Ordinariate's website, [www.Ordinariate.net](http://www.Ordinariate.net), under the Safe Environment tab. Given the geography of the Ordinariate, parishes and institutions should also address child protection on their own websites and also link to the Ordinariate site.
2. We will designate one person to speak for the Ordinariate and, if necessary, the parish community, if a complaint of abuse or misconduct is received. Parishes and institutions must defer to the Ordinariate's spokesperson.
3. Rumors and speculation about abuse and misconduct, especially about the persons involved, are invariably hurtful and unbecoming of a Christian community. Through discussion and appropriate disclosure of pertinent information, we will foster an environment disposed towards healing and truth.
4. In understanding information about a particular situation, we recognize our public stance must balance at least these two considerations:
  - a. Persons alleging abuse and misconduct must be heard respectfully and are entitled to a presumption of credibility.

---

<sup>5</sup> CIC, canons 678, 679 and 586.

- b. Persons accused of abuse and misconduct are entitled to a presumption of innocence.
5. We will communicate openly and truthfully about such complaint within the boundaries of the law and with respect for privacy of the people involved.
6. In situations where there is a civil or criminal investigation, we will cooperate with the expressed desires of proper civil authorities regarding the release of information to the community and/or the media. Likewise, to the extent we can, consistent with our obligations under the law, including canon law, we will work to honor the expressed desires of the person alleging abuse (and as appropriate his or her family) with regard to public disclosure of information.
7. If a complaint already disclosed has been concluded as unsubstantiated or not credible, we will speak truthfully about what we have concluded and why, always respectful of the person who brought forward the complaint. We will make every reasonable effort in public, in the community, and through the media, to preserve the good name and reputation of anyone wrongfully accused.
8. The fact that a complaint is brought to us through litigation or other public means does not change these operating principles.
9. The Ordinariate will not enter into settlements which bind the parties to confidentiality, unless the victim/survivor requests confidentiality and this request is noted in the text of the agreement.
10. We will remind the community of the Ordinariate's commitment to child, youth and at-risk adult protection through bulletin announcements, other public statements, and the ongoing work of providing a safe environment in the Ordinariate and in our ecclesial communities. At least once each year, every parish of the Ordinariate will publicize this Safe Environment Policy and, specifically, how to report abuse.

### **I. Review Board**

1. The Bishop will establish a Review Board, whose primary mission is to advise him in his assessment of allegations of sexual abuse of a child, youth or at-risk adult and in his determination of suitability of an accused cleric for ministry. The Bishop may also call upon the Review Board to assist him in formulating and reviewing Ordinariate policies for dealing with sexual abuse of children, youth or at-risk adults, and other such matters as the Bishop judges.
2. The Review Board is composed of at least five members, including the Ordinariate's Vicar General. The majority of the members will be lay persons not employed by the Ordinariate, with expertise in mental health, civil and/or criminal law, and other relevant disciplines. At least one member should have direct experience in the treatment of the sexual abuse of children, youth and at-risk adults, whether in treating victims or perpetrators. Members must be Catholic, of outstanding integrity and good judgment.
3. The Review Board members are appointed by the Bishop for five year terms, which may be renewed at his discretion, but for not more than two consecutive terms.
4. The Review Board members are not compensated for their services, but they may receive reimbursement for expenses incurred (*e.g.*, travel, training, *etc.*).
5. The Review Board will meet in person or by telephone or video connection as requested by the

Bishop. The meetings of the Board will reflect the pastoral nature of their role, which is consultative and advisory, not adversarial and adjudicative. At these meetings, the Review Board receives and considers information, deliberates and formulates its recommendations. The final decision as to how to proceed belongs exclusively to the Bishop.

6. With the exception of the Bishop and the Delegate for Investigations, no persons other than members of the Review Board may attend meetings of the Review Board, except upon invitation by the Bishop.
7. The members of the Review Board may not discuss the business of the Review Board or information presented to the Review Board outside of Review Board meetings.

## Appendix A: Individual Acknowledgement/Affirmation Form

Name of Parish/ Activity/ Institution \_\_\_\_\_

I hereby acknowledge that I have received a copy of the foregoing Safe Environment Policy.

I affirm that I have read, understand, and agree to adhere to this Safe Environment Policy in my conduct and actions.

I am committed to joining the Ordinariate community in our common resolve to protect our children, youth and at-risk adults.

I affirm that I understand that a violation of this Safe Environment Policy can result in disciplinary action, up to and including termination and/or removal from ministry.

\_\_\_\_\_

Print Name

\_\_\_\_\_

Signature

\_\_\_\_\_

Title/Role

Date \_\_\_\_\_

## **Appendix B: Documenting a Complaint of Suspected Abuse**

- ▶ Date of abuse report
  - ▶ Name of person receiving the report/information
  - ▶ Name of person making a report of abuse
  - ▶ Telephone number
  - ▶ Address
  - ▶ Name of victim
  - ▶ When did the incident occur (date or best estimate)?
  - ▶ How old was the victim when the suspected abuse occurred?
  - ▶ Can you tell me what happened?
  - ▶ Identity of the perpetrator?
  - ▶ Location of incident?
  - ▶ What parish community?
  - ▶ Did the abuse occur again? How often? Where? When?
  - ▶ At the time, or at some point later, did you report what happened?
  - ▶ To whom?
  - ▶ What was the response?
  - ▶ If the incident was not reported, you need to make a report to the civil authorities/police now.
- If the person making the report is an adult and the abuse happened to him/her as a child, encourage him/her to call the local authorities/police. If the report is of suspected abuse of someone who is under 18 years of age, make a report to civil authorities/police now.
- ▶ How can I help you now?

## **Appendix C: Contact Information for Reporting Abuse**

In the United States, for information on how to report child abuse in your state go to: [www.virtusonline.org](http://www.virtusonline.org). Click on “Reporting Child Abuse” and you will be brought to contact information and links to Child and Family Welfare Services state by state. Please note that it is a requirement of the USCCB Charter for the Protection of Children to report all allegations of abuse of a child under age 18 and many dioceses routinely report all allegations to authorities regardless of when the abuse occurred.

In Canada, contact your local Children’s Aid Society.

If you are in doubt as to who to contact or whether a crime has been committed, call your local police department. In case of an emergency, call 911. For further information, you can also contact the Ordinariate’s Safe Environment Coordinator.