

# Code of Conduct

for Clergy of the Archdiocese of Regina

February 15, 2022 - Revision



# Code of Conduct

*FOR CLERGY OF THE ARCHDIOCESE OF REGINA*

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## INTRODUCTION

The Church in Canada has committed herself to a spiritual transformation “in which the Church’s practices grow in authentic witness to the Gospel and the mission conferred upon it by Christ himself” [*Protecting Minors*, p. 63]. In the wake of the clergy sexual abuse crisis, the Church is being challenged to be more transparent and accountable in those practices. One of the ways in which we do that here in the Archdiocese of Regina is through developing better guidelines, including a revised code of conduct, which are clear, comprehensive and accessible [cf. *Protecting Minors*, p. 64]. This should be seen in the context of a previous code of conduct to which clergy of this Archdiocese were bound, of recommendations of victims, and recently, in the context of the call from the Canadian Conference of Catholic Bishops “to implement/update a diocesan safeguarding policy conforming to the highest standards of responsible ministry, including instruction on appropriate boundaries in pastoral relationships (e.g., through a code of conduct)” [*Protecting Minors*, p. 36].

This Code of Conduct for the clergy of the Archdiocese is intended to provide clearer directives regarding conduct in ministry. Along with the archdiocesan policies on clergy sexual abuse and serious pastoral misconduct, it contributes to our understanding of appropriate boundaries in professional relationships. To the extent that it deals more specifically with boundaries of conduct pertaining to interaction with minors and vulnerable adults, it is not merely a re-statement of the rules regarding priestly conduct as found in the 1983 Code of Canon Law [*Canons #275-289*] or the previous code of conduct. It speaks to ten particular areas of ministry in which discretion and sensitivity are of the utmost importance.

This Code of Conduct contains, at its outset, a list of key terms that will be helpful in discerning who or what may be involved in specific situations.

In imitating our servant-leader, Jesus Christ, we clergy commit ourselves to practices that meet the needs of God’s people and employ the highest respect for the dignity of all individuals, especially those most vulnerable members of our community.

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## KEY TERMS

<b>Archbishop</b>	means the Roman Catholic Archbishop of Regina.
<b>Archdiocese</b>	means the Roman Catholic Archdiocese of Regina.
<b>Clergy (or clerics)</b>	are bishops, priests, deacons and (for the purposes of this code) seminarians.

*Terms used with clergy:*

***Incardinated*** is a church legal term which describes clergy who are directly under the jurisdiction of the Archbishop.

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***Non-Incardinated*** refers to clergy who are incardinated into a diocese other than the Archdiocese but, if officially ministering in the Archdiocese, have faculties from the Archbishop. It should be noted that all clergy by church policy are incardinated into some diocese or are members of a religious order.

***Religious*** are members of a religious order or congregation, and for the purposes of this policy, include members of secular institutes and associations of the faithful. Religious who are clergy need to be granted faculties in order to minister in the Archdiocese.

***Seminarians*** serving pastorally in the Archdiocese are considered among the clergy within this policy.

**Clergy Sexual Abuse** means any act or attempted act by a member of the clergy of emotional, physical or verbal contact or approach of a sexual nature, or threats of the same, whether or not apparent damage arises from that conduct. This includes grooming, that is, engaging in conduct that is designed to select and prepare potential victims for abuse. Sexual abuse also includes possession of pornographic materials depicting minors.

**Deacon** refers to an ordained man who has a specific ministry of service in the church:

A **permanent deacon** normally has no intention or desire to become a priest. Serving under the direction of the Archbishop, he can be single or married; however, he cannot marry once ordained or remarry once widowed.

A **transitional deacon** will normally be ordained a priest after a period of time; he makes a promise to remain celibate.

**Grooming** means engaging in conduct that is designed to select and prepare potential victims for sexual abuse. It is by its nature seductive behaviour, whether intentional or not. Grooming includes 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. This privileged status of the young person or vulnerable adult makes them feel obligated to comply with the abuse.

**Harassment** means any unwelcome conduct and/or discrimination based on one's race, religion, sex, age or disability that interfere(s) with an individual's performance of his or her duties, or creates a hostile, offensive, or intimidating work environment.

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- Minor** means anyone who has not reached the age of 18, or who is considered by law to be the equivalent of a minor (*Vos Estis Lux Mundi*, Art. 1 §2a).
- Ordinary** refers to the bishop of the diocese to which the cleric is incardinated, or to a major superior for religious.
- Parish** means a parish within the territory of the Archdiocese that is Archdiocese-recognized as Catholic.
- Professional relationships** for clergy are characterized by maintaining appropriate boundaries within ministerial relationships, acutely aware of church and public expectations. Clergy are expected to represent not only the institutional church and clerical ministry but to spiritually represent and lead others to God.
- Public communications** are communications offered in a public forum or disseminated to a general audience, and also include communications whose potential for broad dissemination is reasonably foreseeable (e.g., homily, public speech, bulletin article, op-ed submission to media, social media post, or blog).
- Safe-Environment** refers to our responsibility and commitment to provide an environment which is safe and nurturing to those who participate in activities within the Archdiocese. As a faith community, we have a particular moral and legal responsibility, and are entrusted by God with the spiritual, emotional and physical well-being of minors and vulnerable adults, and caring for those who have been abused in any way by clergy.
- Unprofessional** means below or contrary to the standards expected for clergy.
- Vulnerable Adult** means any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits their ability to understand or to want to otherwise resist the offence (*Vos Estis Lux Mundi*, Art. 1 §2a).

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## ETHICAL STANDARDS FOR CLERGY

### 1. Professional and Personal Interaction

- 1.1. Clergy carry moral and spiritual authority, as well as professional power. So, it is always their responsibility to maintain appropriate boundaries in professional

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relationships and not use the power inherent in their position to exercise unreasonable or inappropriate authority over others.

- 1.2. Clergy shall relate to others respectfully and professionally and shall work collaboratively and cooperatively with others.
- 1.3. Clergy must not engage in physical, psychological, spiritual or sexual harassment of any person, and must not tolerate such harassment by others serving the Church.
- 1.4. Clergy, with the support and assistance of the Archdiocese, shall commit themselves to ensuring that those who state that they have been harmed, especially by clergy abuse and misconduct, are to be treated with dignity and respect, and, in particular, are to be welcomed, listened to and supported, including being advised of specific services provided by the archdiocese. The good name and the privacy of the persons involved, as well as the confidentiality of their personal data, shall be protected (from *Vos estis lux mundi*, Article 5).
- 1.5. Clergy are called to integrity according to their life vocation and to exhibit this through their conduct.
  - 1.5.1. Clergy must not exploit another person for any purpose.
  - 1.5.2. Clergy are prohibited by law from showing pornographic material to minors and from illegally providing alcohol, tobacco or drugs to minors.
  - 1.5.3. Clergy must not take pornographic materials onto the property of the Archdiocese, a Parish or a School.
  - 1.5.4. More broadly, clergy must not access, view, acquire, possess, or distribute any pornographic images.
  - 1.5.5. Clergy must not illegally possess, use, or distribute alcohol, marijuana, or other drugs.
  - 1.5.6. In the course of ministry clergy must not be under the influence of illegal drugs, or under the excessive influence of alcohol or medications to the extent that this impairs stable functioning or sound judgment.
  - 1.5.7. Clergy will dress professionally and appropriately which can mean different apparel in various contexts.
- 1.6. While reasonable debate on matters of social issues is valued, clergy must conduct themselves in a manner consistent with Catholic teaching in all public communications.
- 1.7. Clergy must exercise discretion and confidentiality in handling sensitive information and may not disclose confidential information, in accordance with archdiocesan policy.

## 2. Conduct with Minors

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- 2.1. Clergy must use prudent judgment and common sense when working with minors within the framework of this code of conduct and archdiocesan policies.
- 2.2. Clergy should be aware of their own vulnerability and the vulnerability of others when working with minors. Clergy should avoid any conduct that a reasonable person could misconstrue as improper. A team approach including input from parents should be used when working with minors, and appropriate supervision should be in place to promote safe-environment for all.
- 2.3. Clergy should avoid being alone with any minor including related minors, except for sacramental confession, or in 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. Above all, clergy should use appropriate discretion in all such situations.
- 2.4. Physical contact with a minor must be nonsexual and appropriate.
- 2.5. Clergy who minister to the home-bound and to vulnerable adults are to serve in the company of another adult, preferably a safe-environment trained adult whenever possible.
- 2.6. Clergy must not use alcohol (including wine outside the Eucharist), tobacco or marijuana when working with minors.
- 2.7. Clergy are prohibited from having an unrelated minor in a vehicle unless supervised. Therefore, clergy must not travel in a vehicle with an unrelated minor or vulnerable adult without another safe-environment trained adult present, except in documented emergencies.
- 2.8. Clergy are to not share private overnight accommodations (bedroom, hotel room, tent, camper, bed, etc.) with any minor.
- 2.9. Communications by clergy with unrelated minors must be for professional reasons only. Clergy must maintain appropriate boundaries in all communications with a minor, including communications through the use of electronic devices or web-based media.
  - 2.9.1. 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 that unrelated minor. If it is a communication that a minor is in distress or being abused, then safe-environment procedures, including mandated reporting, should be followed.
  - 2.9.2. Some clergy have been issued school, parish, or archdiocesan computers or other communication devices and they can be monitored for proper usage.

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- 2.9.3. Clergy will not use physical force or use profane, demeaning, or abusive language in interactions with a minor.
- 2.9.4. Clergy should not accept expensive or excessive gifts from an unrelated minor, or give expensive, individual or personal gifts to an unrelated minor without the permission of the parent or guardian.

### 3. Conduct Related to Pastoral Care

- 3.1. When engaged in pastoral guidance or spiritual direction, clergy must take great care to respect the rights and advance the welfare of all involved.
- 3.2. Clergy are responsible for establishing and maintaining clear, appropriate boundaries in pastoral care relationships.
- 3.3. When pastoral care services are provided to two or more people who have a relationship with each other, clergy must:
  - 3.3.1. Clarify the nature of the relationship(s);
  - 3.3.2. Identify potential conflicts of interest; and
  - 3.3.3. Discuss how to eliminate or manage the conflicts.
- 3.4. Pastoral care sessions must be held in appropriate settings and at appropriate times. Clergy must not hold these sessions at places or times that might confuse the other person as to the nature of the relationship with the cleric.
- 3.5. Physical contact during pastoral care or spiritual direction may be misconstrued. Any physical contact must be appropriate in nature and duration and generally restricted to sacramental ministry.
- 3.6. Should it be necessary, upon ending a pastoral care relationship, clergy should recommend appropriate arrangements for the continued care of person(s).

### 4. Confidentiality in Counselling and Pastoral Care Relationships

- 4.1. Counselling services provided by clergy must be within the scope of their expertise, training, or certification.
- 4.2. Clergy must discuss the nature of confidentiality and its limitations with each person in these relationships.
- 4.3. Information obtained by clergy in the course of religious or spiritual advice, aid, or comfort is confidential and may be disclosed only in the following circumstances, as well as in those circumstances which require disclosure and/or reporting to authorities under *The Child and Family Services Act*, and any successor legislation:
  - 4.3.1. When legally required to do so consistent with civil or canon law or with the written, informed consent of the person being counselled or cared for;

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- 4.3.2. When there is clear and imminent danger to the person or to others (in this situation clergy must act in good faith to disclose only the information necessary to protect the parties affected and to prevent harm; if prudent, clergy should inform the person being counselled about a possible disclosure before the disclosure is made);
- 4.3.3. When there is a serious threat to the health, safety, or welfare of a minor and disclosure of confidential information to a parent, legal guardian, or civil authorities is essential to the minor's health, safety, or welfare (in this situation, clergy should attempt to obtain informed consent from the minor before disclosure, and must act in good faith to disclose only the information necessary to address the health, safety or welfare threat);
- 4.3.4. When consultation with another professional would be beneficial to the person being counselled (in this situation, clergy should consider attempting to obtain written informed consent from the person being counselled before disclosure, must act in good faith to disclose only the information necessary to receive assistance, and must obtain assurance from the other professional that he/she agrees to be bound by our standards of confidentiality).
- 4.4. Clergy should keep only minimal records of contents of sessions pertaining to counselling services or pastoral care and must safeguard the confidentiality of any notes, files, or electronic records. Counselling or spiritual direction sessions must not be video or audio recorded without the prior informed, written consent of all parties involved.
- 4.5. Knowledge that arises from pastoral care interactions may be not used publicly, and in all cases only when effective measures have been taken to safeguard individual identity and confidentiality.
- 4.6. Information received during the sacrament of confession may never be recorded or disclosed (see 1983 Code of Canon Law, canon 983).

## 5. Records and Information

- 5.1. All archdiocesan or parish records are generally the property of the respective entity, and not the property of an individual cleric.
  - 5.1.1. Records include all recorded information, documents, letters, maps, books, photographs, film, sound recordings, tapes, records generated in an electronic format, emails and any other documentary material regardless of media format.
- 5.2. No records shall be removed, destroyed, stored, or transferred into another media format, or otherwise disposed of, except in compliance with archdiocesan or parish policies.

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- 5.3. Confidential records will be kept separate from public records for privacy purposes. Confidential records include sacramental records, clergy files, personnel files, records of individual financial contributions to the Archdiocese or parish, and other financial records of the Archdiocese or parish which have not been officially released to the public.
- 5.4. When compiling and publishing statistical information from records, great care must be taken to preserve the anonymity of individuals.
- 5.5. Clergy who have been issued an archdiocesan or parish email account are advised to use such an account for their pastoral activities and professional communications, and generally restrict personal communications to personal email accounts.

### **6. Well-being of Clergy**

- 6.1. Clergy must address their spiritual needs.
- 6.2. Clergy should be aware of warning signs that indicate potential problems with their own spiritual, physical and/or mental health.
- 6.3. Clergy should seek help immediately whenever they notice warning signs in their professional and/or personal health.
- 6.4. Clergy should take adequate time during their annual leave to rest and restore their strength and energy for effective ministry.
- 6.5. Clergy are encouraged to socialize with one another through support groups and deanery groups of priests.
- 6.6. Clergy should attend clergy retreat, study days and other important archdiocesan gatherings.
- 6.7. Support from a spiritual director is highly recommended.

### **7. Stewardship and Financial Issues**

- 7.1. Clergy must exercise responsible stewardship of all financial and material resources.
- 7.2. Financial solicitation for purposes other than parish or archdiocesan sanctioned initiatives, including financial solicitation for personal use and personal projects, must be approved in advance by the archbishop.
- 7.3. Clergy must not knowingly and without having received prior approval from the archbishop, be a recipient of any last will bequests of anyone within the archdiocese. An exception applies in the case of receiving bequests from immediate family members.
- 7.4. Clergy must not act as executors for members of a current or past parish.
- 7.5. Clergy must not contract a personal loan or loans from parishioners for personal needs or projects.

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7.6. Clergy must follow archdiocesan policies regarding parish collections.

### 8. Conflicts of Interest

8.1. Clergy must avoid actions that may reasonably be perceived as exploiting their position with the church to further their personal, religious, political, or business interests. Clergy should avoid situations that present conflicts of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question and should be avoided.

8.2. A conflict of interest may exist when a cleric has an ownership interest in, an investment interest in, or a compensation arrangement with, an entity or individual who engages in regular or substantial business with the archdiocese, relevant parish or relevant catholic school. Such potential conflicts of interests or similar arrangements should be discussed beforehand with the archbishop and relevant archdiocesan official.

8.3. Clergy must not receive dual compensation for work within the scope of their assignment or employment (e.g., a priest who received a salary as pastor may not also receive a salary for other pastoral activities).

8.4. Clergy should avoid accepting from any parishioner gifts of excessive material value that may bring about a conflict of interest.

### 9. Reporting Misconduct

9.1. Clergy who have reason to believe that a minor is being abused or has been abused (such abuse would include the possession and distribution of child pornography), or that a child is in need of protection under *The Child and Family Act* or any successor legislation, must by law report this immediately to the competent authorities.

9.1.1. Clergy are also obliged by church law to report promptly such a fact to the ordinary or the ordinary where the events are said to have occurred (*Vos Estis Lux Mundi*, Art. 3 §1).

9.1.2. Making such a report shall not constitute a violation of confidentiality by the cleric.

9.1.3. A cleric who makes such a report to church authorities can never be required to keep silent with regard to the contents of his report or be retaliated against for making the report (*Vos Estis Lux Mundi*, Art. 4 §3).

9.2. Clergy must adhere to high ethical standards and report illegal, unethical or unprofessional behaviour to the archbishop or appropriate archdiocesan official.

### 10. Harassment and Violence

10.1. Clergy must not engage in physical, psychological, spiritual, written or verbal harassment, or violence towards staff, volunteers or parishioners, and must not

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tolerate such actions by other church staff or volunteers. Clergy must provide a professional, respectful and safe-environment.

- 10.2. Harassment can take place based on a variety of factors including race, creed, religion, family status, colour, sex, sexual orientation, marital status, disability, physical size, weight or nationality.
- 10.3. Psychological harassment includes bullying or abuse of authority which creates a risk to the health of another person or adversely affects the other person's psychological or physical well-being. Clergy must be attentive to and help avoid this from happening.
- 10.4. Allegations of harassment are taken seriously and must be reported immediately to the archbishop or the appropriate archdiocesan official.
- 10.5. In the event the abuse is directed towards the priest, the incident must be reported to either the director of personnel or to the archbishop. Archdiocesan procedures will be followed to protect the rights of all those involved.



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## CODE OF CONDUCT FOR CLERGY

### ACKNOWLEDGEMENT

I am a Cleric with faculties to minister or who is seeking faculties to minister in the Archdiocese of Regina. I have read this *Code of Conduct for Clergy of the Archdiocese of Regina* and promise to abide by it.

I understand and agree that I am subject to periodic background checks, and am required to participate in archdiocesan safe-environment training commensurate with my role.

I also understand that I may face consequences or discipline, up to and including removal from ministry or duties for violations of this *Code*.

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*Printed Name*

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*Signature*

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*Date*