

# Pastoral Misconduct Policy for Clergy, Religious and Secular Institutes, Orders, Societies, and Associations.

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**PASTORAL MISCONDUCT POLICY**  
**for Clergy, Religious and Secular Institutes, Congregations, Societies**  
**and Associations.**

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## PREAMBLE FROM THE ARCHBISHOP

A misconduct policy is not meant to intimidate or threaten those who fall under its authority, but rather, is in the first instance an encouragement to holiness, integrity, and ethical behaviour as a key part of our witness to the Gospel. The Archdiocese of Regina aspires to these values and seeks to foster a culture where they are respected and upheld. These values should permeate the actions and attitudes of clergy, religious, and all covered by this policy, in all aspects of our conduct and in all of our human encounters, as we seek to reflect the great mercy of God, and teach and model a Gospel vision for our communal life.

Especially given the power differential in relations between those covered by this policy and staff, parishioners, and others we meet on the path, the way in which we exercise authority is vital to our Gospel witness. The instruction that the Lord gave to his disciples, after James and John asked for special privilege in the Kingdom, remains ever pertinent for us:

You know that among the gentiles those whom they recognize as their rulers lord it over them, and their great ones are tyrants over them. But it is not so among you; instead, whoever wishes to become great among you must be your servant, and whoever wishes to be first among you must be slave of all. For the Son of Man came not to be served but to serve and to give his life a ransom for many.(Mk. 10:42-45)

As you ponder this policy, I encourage you to read it as an invitation to those covered by it, and indeed to all in the Church, to a servant model of exercising authority, as exemplified and called for by Jesus. There is a positive nature to accountability and corrective measures, which are essential for personal growth, communal well-being, and the maintenance of the Church's integrity. Accountability and corrective actions offer opportunities for renewal, restoration and grace. This policy supports an examination of pastoral or liturgical irresponsibility in situations where the complexity and gravity requires expeditious, yet thorough, investigation and recommendations.

Considerable work has gone into preparing this policy, which replaces a policy from 2013 which addressed both clergy sexual abuse and serious pastoral misconduct. These are now being dealt with under separate policies, though the same values and the desire for integrity, transparency and accountability underlie both of them.

As your bishop, I encourage all those covered by this policy, and indeed the whole People of God, to commit yourselves anew each day to strive to live the Gospel faithfully and courageously. In so doing, we each do our part in building up a diocesan church where all are respected, supported and welcomed.

Donald J. Bolen  
Archbishop of Regina

# **CULTURE OF AWARENESS, PREVENTION & ACCOUNTABILITY**

## **Commitment of the Archdiocese of Regina**

The Archdiocese of Regina is committed to creating and sustaining an environment of awareness and preventing pastoral misconduct by all possible means, including:

- Ensuring the safety of reporting persons, parishioners and community by investigating and managing all reports of pastoral misconduct;
- Providing ongoing formation for all governed by this policy on issues of friendship, intimacy, psychosexual development, race and ethnicity, and religious chastity and celibacy, as well as issues related to addiction and sobriety;
- Informing all governed by this policy and procedure regarding its conduct and implementation;
- Ensuring that all governed by this policy are aware of and respect other canonical, diocesan, and civil standards of conduct; and
- Regularly reviewing these procedures to deal effectively with reports and consequences of misconduct in a timely fashion.

## **Corpus of Policies**

This policy is part of a more extensive set of Archdiocesan policies that include Clergy Sexual Abuse, the Clergy Code of Conduct and the Archdiocese of Regina Protocol for Responsible Parish Ministry, which has detailed areas that include volunteers, parish staff, and Archdiocesan staff. It also sets out avenues to deal with safe environments.

## **Code of Conduct for Clergy**

The Code of Conduct for Clergy of the Archdiocese of Regina sets out expectations and provides clear directives regarding appropriate conduct in ministry. It contributes to the understanding of appropriate boundaries in professional behaviour and relationships, and speaks to ten particular areas of ministry in which discretion and sensitivity are of the utmost importance.

## **Continuity in Application of Policies and Procedures**

This policy and procedure will be reviewed annually and updated as necessary. Incoming clergy, religious, and others covered by this policy will be given an orientation to it soon after their arrival. A newly installed Archbishop will be informed of policies and procedures relating to areas of sexual abuse and pastoral misconduct.

## KEY TERMS RELATED TO THIS POLICY

**Abuse of Power** - The unethical use of power for personal gain by individuals in roles of authority over others. This can take many forms, including bullying, coercion, grooming, intimidation, threats, and other methods to exploit, harm, or mistreat individuals.

**Active Ministry** – Refers to the status of those covered by this policy who have been assigned to and are functioning in a specific ministry and/or role in the archdiocese.

**Administrative Leave** – Describes the status of those covered by this policy who are temporarily removed from active ministry when deemed appropriate.

**Archbishop** – Means the Roman Catholic Archbishop of Regina.

**Archbishop's Delegate** – A Person appointed by the Archbishop to fulfill the role as outlined in the Archdiocese of Regina Policy and Procedure for Reports of Sexual Abuse of Minors and Vulnerable Adults by Clergy or Persons in a Religious Order, along with any appointed Deputy Delegate.

**Archdiocesan Pastoral Misconduct Office (APMO)** – The Archbishop appoints the Vicar General and the Lead Ombudsperson to this office. They are to receive and review reports of Pastoral Misconduct by those covered under this policy.

**Archdiocese** – This means the Roman Catholic Archdiocese of Regina.

**CCCB** – Refers to the Canadian Conference of Catholic Bishops, which is the national conference of Catholic Bishops in Canada.

**Canon Law** - the term used to describe the laws of the Roman Catholic Church. The primary source of the norms of law is contained in the *Code of Canon Law* promulgated in 1983 and the *Code of Canons of the Eastern Churches* promulgated in 1990. Supplementary law is contained in other legal documents.

**Canonist** – Refers to a person who is a recognized specialist in canon law.

**Clergy (cleric, clerics)** – Bishops, Priests, and Deacons.

**Incardinated** – A church legal term which, within this policy, describes clergy who are directly under the jurisdiction of the Archbishop of Regina.

**Non-Incardinated** – Clergy who are incardinated into a diocese or society of apostolic life other than the Archdiocese of Regina, but, if officially ministering in the Archdiocese, are required to 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** – Members of a religious order, institute or congregation. Religious who are priests need to be granted faculties to minister in the Archdiocese of Regina.

**Dicastery for the Doctrine of the Faith** – Branch of the Vatican that deals with doctrinal issues, including ‘grave delicts’ – those crimes against the faith that are considered the most serious, such as abuse of minors and adults who habitually lack the use of reason.

**Faculties** – Authorities and responsibilities granted to clerics by the law itself or by a local Ordinary giving permission to perform sacramental acts or function in the Church or in a designated jurisdiction such as a diocese. Normally, a bishop grants a priest faculties to celebrate Mass and the sacraments in the diocese he serves.

**Interim Measures** – Drawing on Canon Law, measures such as administrative leave, alternate residence, removal of faculties, or reassignment, which may be deemed appropriate or required in advance of or during an investigation.

**Lay Review Board** – An external, confidential, impartial advisory body consisting of 5 to 7 lay people (not governed by this policy, and not a staff member of the Archdiocese or a parish) appointed by the Archbishop. The Lay Review Board provides independent and objective observations regarding pastoral misconduct.

**Ombudspersons** – A group of 3-4 individuals not covered by this policy and not a staff member of the Archdiocese or a parish, appointed by the Archbishop to be available to the Archdiocesan Pastoral Misconduct Office to conduct investigations into reports of pastoral misconduct, as outlined in this policy.

**A Lead Ombudsperson** will serve as a member of the Archdiocesan Pastoral Misconduct Office, working with the Vicar General.

**An Investigating Ombudsperson** will be assigned to investigate a report of pastoral misconduct. Upon completion of the investigation, they will provide a written report with their findings and recommendations directly to the Archbishop.

**Pastoral Misconduct** – A report of misconduct by those governed by this policy highlighting a specific issue or wrongdoing which is not a canonical crime.

**Precept** – A personal law in a decree requiring someone to do or not to do an action after there is evidence of misconduct. Precepts specify the individual, the situations, and the circumstances encompassed by the law. The penal precept binds immediately and should have a determined penalty.

**Progressive Correction** — a structured approach that involves warnings, corrections, a safety plan, precepts and penalties to address inappropriate conduct.

**Recuse** – The action of a person voluntarily removing themselves from a process due to a personal connection with someone else in the process, thus avoiding a conflict of interest or the potential for bias, or the appearance of such.

**Religious Order or Community** – In the Catholic Church, a community of men or women who are members of an independent and self-governing religious institute, professing solemn vows of

poverty, chastity, and obedience, with a way of life dedicated to God and living in a manner recognized and approved by the Church.

-In the Archdiocese of Regina, there are also associations of the lay faithful and members of secular institutes serving here. All of these, along with religious communities, are in different ways bound by this misconduct policy, in conjunction with their own communal leadership.

-Women who are members of religious communities, secular institutes and associations of the faithful are also members of the Sisters Association of Regina Archdiocese (SARA).

-The term 'religious' refers to any individual male or female member of a religious institute or community.

**Reporting Person** – A person who reports pastoral misconduct.

**Respondent** – anyone covered by this policy who has been reported for pastoral misconduct.

**Seminarian** – Person in formation for priestly ministry.

**Superior** – Leader of a religious order whose jurisdiction may be local, provincial, or international (i.e. local superior, major superior, superior general).

**Vicar General** – A priest appointed by the Archbishop to work directly with him in various capacities. The Vicar General serves as the highest official after the Archbishop.

**Victim Services Advocacy (VSA)** – A person who provides outreach, accountability, and transparency for victims of clergy sexual abuse, working closely with the Archbishop.

## PURPOSE OF THIS POLICY

This policy is based on the core principles of human dignity, integrity in relationships, the need to foster public confidence, the recognition of fiduciary relationships and power differentials, and to offer protection when needed. The Archdiocese aims to establish a framework founded on compassion, respect, active listening, fairness, confidentiality, and privacy, supporting both those who report pastoral misconduct and all individuals involved in the process. Through an honest and transparent approach, it seeks to build or rebuild relationships, and to avoid causing additional harm through its response. The Archdiocese is committed to taking necessary action when pastoral misconduct is determined to have occurred. These principles and standards are intended to guide the entire process and shape ongoing education and preventive efforts regarding pastoral misconduct among those governed by this policy.

This policy informs the Archbishop in the examination of a report about pastoral irresponsibility where the complexity and gravity of a situation requires expeditious, yet thorough, investigation and recommendations. All such reports of misconduct against anyone covered by this policy will be examined.

The Archdiocese will cooperate with police investigations. Should a case be forwarded to the police, the Archdiocese will cooperate to the best of its ability. As well, in certain investigations of pastoral misconduct, should the process lead to concerns about canonical crimes being involved the archbishop will be informed immediately. The Archbishop, following the code of Canon Law, n.b. 1717-1720, may be required to forward the results of the investigation to a designated Dicastery in Rome for direction on the next canonical and pastoral steps to be taken.

## **APPLICATION OF THIS POLICY**

This policy and procedure lays out those who fall under its authority. Corporate bodies that have a Catholic identity such as schools and school boards, social welfare agencies, non-profit volunteer organizations or hospitals are subject to their own policies and applicable legislation. However, if anyone covered by this policy is employed or a volunteer in these organizations, this policy will also apply.

If any provision of this 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 would normally override this document, and the policy or procedure will be modified accordingly.

### **Care for the Reporting Person:**

The Archdiocese will respond with prudence and compassion to anyone who brings forward a report of pastoral misconduct. It is acknowledged that reporting such misconduct may cause the individual to relive their experience. The Archdiocese respects the rights of the reporter and recommends having someone of their choosing accompany them to meetings.

The Investigating Ombudsperson will collaborate with the reporting person to establish a mutually convenient time and place to meet as soon as possible.

The Archdiocese recognizes that there are both spiritual and pastoral aspects to any report, and to the extent possible, is willing to provide assistance to the reporting person. The Archdiocese recognizes the stressful nature of reporting pastoral misconduct and navigating the process. The Investigating Ombudsperson will consult with the reporting person to determine how often they will be in contact throughout the process, ensuring the reporting person is informed of updates as they arise.

It is important to note that not all reporting persons will be those who have personally endured pastoral misconduct. In such cases, the same procedure will be followed, and due care will be shown to the one making a report.

# **POLICY OVERVIEW**

## **1. Reporting Pastoral Misconduct**

Reports regarding pastoral misconduct received by the Archdiocesan Pastoral Misconduct Office (APMO) are examined, and if deemed appropriate, the best-suited Ombudsperson is appointed to investigate the report.

## **2. Interim Measures**

The APMO, upon reviewing the report of pastoral misconduct, may determine that interim measures are warranted. They will provide written recommendations to the Archbishop for his consideration and implementation. The Investigating Ombudsperson may also recommend that interim measures are required either before or during any stage prior to the conclusion of the investigation. They can consult with the APMO or send written recommendations for the interim measures directly to the Archbishop for his consideration and implementation.

Interim measures might include administrative leave, alternate residences, or other recommended actions, such as temporarily suspending faculties for members of the clergy. Proposals for these measures will be submitted in writing to the Archbishop for evaluation. If he determines that interim measures are necessary, the Archbishop will inform the respondent, explain what care is provided to them, including any rights under Canon Law, and implement those measures.

If the Archbishop receives written recommendations for interim measures concerning anyone in a Religious Order, Secular, or Lay Apostolate, he will contact their superior to inform them and collaborate to determine the next steps for those individuals. The Archdiocese will also continue its own investigation.

## **3. Communication with the Respondent:**

The respondent will be informed of the reported misconduct and of any interim measures during their initial interview or when interim measures are necessary. The APMO will discern who will inform the respondent about the reported misconduct, and inform them of available care.

## **4. Investigation**

Investigations will be coordinated by the APMO and conducted by the assigned Investigating Ombudsperson in accordance with this policy and procedure. This process will include interviewing the reporting person, along with any other witnesses or individuals who have knowledge of the reported pastoral misconduct, and reviewing relevant files or information that may provide further insights.

Given the sensitive nature of reports concerning pastoral misconduct, the investigating Ombudsperson will consult with the APMO, who will determine the most suitable method for interviewing the respondent. If someone other than the Ombudsperson carries out the interview, the investigating Ombudsperson nevertheless remains in charge of all other aspects of the investigation. The information gathered from the interview with the respondent will be provided directly to the APMO.

## **5. Investigative Report**

Upon concluding the investigation, and providing a summary of findings to the APMO, the investigating Ombudsperson will send a written report directly to the Archbishop, presenting their findings and recommendations. The report will outline the steps taken during the investigation and include all relevant information from all individuals interviewed.

This report will detail the impact on the reporting person, and will contain all information derived from interviews. Other areas that may be considered when writing the report include the impact on parish communities or, if applicable, other individuals affected by the misconduct.

## **6. Lay Review Board**

The Archbishop will appoint several individuals not covered by this policy to create a pool of people who can be called upon to form a Lay Review Board that provides independent and objective observations regarding a specific report of pastoral misconduct. The Lay Review Board will be an external, confidential, and impartial entity.

The APMO or the Investigating Ombudsperson may decide whether to involve the Lay Review Board in discerning the appropriate response to a report of misconduct. If either chooses to do so, the Lay Review Board will be convened. When convened, the Lay Review Board will verbally receive non-identifying information about the pastoral misconduct. They will review and document their observations, findings, and recommendations in writing, which will be sent directly to the Archbishop.

## **7. Archbishop's Decisions to Address Misconduct**

The Archbishop will review and consider the Investigating Ombudsperson's written report and where applicable, the Lay Review Board's independent written report. If needed, he may also request clarification regarding either of the reports.

Upon review, the Archbishop will determine which actions or measures are necessary. He may consult a canonist to assess whether any additional steps are required, and proceed accordingly.

# **POLICY FOR INVESTIGATING REPORTS OF PASTORAL MISCONDUCT**

## **SECTION 1 – FILING A REPORT**

### **1. How and Where to File a Report**

Reports of pastoral misconduct could be generated in various formats and delivered through various channels. For example, concerns may initially be received verbally, via email, or written paper copy, etc. The concern might initially be received by any number of people in the Archdiocese and its parishes, such as volunteers, staff, or anyone covered by this policy, or directly to the Archbishop's office.

Regardless of the format of the original concern or the channel by which a report of pastoral misconduct is received, the matter is to be forwarded to the APMO.

## **2. Anonymous Reports**

Individuals may wish to report pastoral misconduct anonymously. Anonymous reports can be submitted through written messages, phone calls, or other means. These reports will be investigated to the fullest extent possible; however, the ability to conduct a complete investigation may be limited for various reasons.

## **3. Reports from Archdiocesan Staff, Clergy, and Volunteers**

Individuals who are employed by, or work within, the Archdiocese may also be reporting persons exposing wrongdoing, illegal activities, or unethical behaviour by those covered by this policy within the Archdiocese. They may bring attention to such matters in the interest of public or organizational integrity.

## **4. Receiving Reports**

Anyone receiving reports of pastoral misconduct is encouraged to approach a discussion with a reporting person with care, and guide them to the APMO if possible. Confidential information shared or obtained during the course of receiving a report must be handled with utmost care and maintained securely.

## **Steps to Prevent Retaliation**

The Archdiocese acknowledges that the threat of retaliation may concern and deter anyone reporting pastoral misconduct. It recognizes that retaliation can take various forms, occurring either covertly or overtly. Such forms may include bullying, intimidation, ostracism, or other methods used to coerce or punish individuals for providing information about pastoral misconduct. The Archdiocese of Regina does not condone any form of retaliation against staff, clergy, parishioners, or anyone who raises concerns or reports pastoral misconduct. The APMO and Investigating Ombudspersons will remain vigilant at every stage to ensure the safety of the reporting individual and to prevent retaliation.

Any reports of retaliation will be taken seriously and addressed promptly. Such reports should be submitted to the APMO, which will notify the Archbishop of the incident without delay. The Archbishop may consult with the APMO or other informed individuals to take appropriate actions to hold accountable those who engage in retaliation.

## **SECTION 2 – ROLES & RESPONSIBILITIES & INVESTIGATIVE STEPS**

### **1. Role of the Archdiocesan Pastoral Misconduct Office (APMO):**

The Archbishop will appoint the Vicar General and the Lead Ombudsperson to this office. They will receive and document reports concerning pastoral misconduct by individuals covered under this

policy. They will determine and appoint the most suitable investigating ombudsperson for each case.

If deemed appropriate, the APMO may recommend interim measures in writing to the Archbishop (see section 3, step 1). This can occur prior to the appointment of the investigating ombudsperson or during the investigation.

## **2. Role of the Ombudsperson**

The Archbishop will appoint three or four individuals who are not covered by this policy to serve as Ombudspersons. Their role will be to manage any case to which they are assigned.

## **3. Assignment and Role of the Investigating Ombudsperson**

The APMO will identify and assign the most suitable Ombudsperson for the investigation. Throughout the investigation, the assigned investigating Ombudsperson will have access to the support and guidance of the APMO.

The primary role of the Investigating Ombudsperson is to conduct investigations, gather information, reach conclusions, and provide a written report with recommendations to the Archbishop, using the procedures that are set out in this policy. During the process, all attempts will be made to independently corroborate what was reported. The Investigating Ombudsperson is expected to maintain a pastoral and caring approach throughout all stages of the investigation.

## **4. Role of the Lay Review Board**

When input from the Lay Review Board is being sought, the APMO, in consultation with the investigating Ombudsperson, will select an individual from the Lay Review Board to coordinate the review. They will receive verbal, non-identifying information for review. The Lay Review Board may ask the investigating Ombudsperson questions to clarify the information. The Lay Review Board will prepare and provide a written report to the Archbishop that includes independent and objective observations regarding reported pastoral misconduct.

Any member who is sitting on a convened Lay Review Board and believes they have identified either the reporting person or the respondent must immediately contact the Investigating Ombudsperson and the APMO to inform them that they must recuse themselves from the particular report they are reviewing.

# **SECTION 3 - INVESTIGATION STEPS**

## **1. Interim Measures If Required**

As noted in the Policy overview, part 2 (p.10), the APMO or Investigating Ombudsperson will provide a written report outlining reasons for taking interim measures, and recommended actions. This report will be sent to the Archbishop for his determination, as identified above ([link](#)).

## **2. Conducting the Investigation**

Under the authority of the APMO, the investigating Ombudsperson's primary responsibility is to manage the assigned pastoral misconduct case and provide a written report to the Archbishop. The investigating Ombudsperson is expected to treat all individuals with care and respect. All interactions, including the times, dates, and locations of meetings, will be documented along with the steps taken. This information will be stored in a safe and secure location accessible only to them. Once the final report is completed and submitted to the Archbishop, all information, documentation, and related materials will be delivered directly to the Archbishop for appropriate storage in accordance with diocesan policy.

The investigating Ombudsperson will be given all pertinent information regarding the reported situation, including previous issues, concerns, or disciplinary actions related to the clergy member.

The investigative process involves meeting with the reporting person to define the scope and nature of the report. All individuals with relevant information on a report will be approached to be interviewed.

Before interviewing the respondent, the Investigating Ombudsperson will consult with the APMO. This consultation can help identify potential individuals to conduct the interview. If it is determined that the Investigating Ombudsperson should not carry out the interview, the APMO will seek a suitable individual to interview the respondent. They will arrange for the interview to take place and ensure that the Investigating Ombudsperson receives all information from the interview to aid in finalizing their report.

The Investigating Ombudsperson or the APMO may decide to convene the Lay Review Board. Once assembled, the Investigating Ombudsperson will provide the Lay Review Board with verbal, non-identifying information for review, and the Lay Review Board will submit a written report directly to the Archbishop.

The investigating Ombudsperson may consult with the APMO at any time. If the Investigating Ombudsperson finds during the active investigation that specialized information is needed, they may consult with the APMO, who will identify and coordinate a meeting with the person best suited to address the Investigating Ombudsperson's queries.

Before submitting their final report for the Archbishop, the investigating Ombudsperson will provide a summary report and consult with the APMO to determine whether any further steps are necessary.

Upon completing the investigation, the Investigating Ombudsperson will compile a written report. This report will outline the following processes: any interim measures taken along with their details, a summary of conducted interviews, and any consultations that occurred. Furthermore, the report will present the findings, conclusions, and recommendations of the Investigating Ombudsperson. This document will be submitted to the Archbishop. All written documentation and information gathered by the Investigating Ombudsperson during the investigation will be sent or delivered directly to the Archbishop.

After the Investigating Ombudsperson's written report is submitted, the decisions and any actions of the Archbishop will be documented in writing.

### **3. Expectation of Privacy and Confidentiality**

All individuals involved in receiving, investigating, and reviewing reports of pastoral misconduct will prioritize and respect the privacy of all parties concerned. Confidential information shared or obtained during the review and investigation of reports must be treated with the utmost care, securely maintained, and disclosed only with proper authorization. All information obtained, received, or compiled throughout the process must be submitted to the Archbishop once the final written report is submitted by the Investigating Ombudsperson.

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Any questions about this policy and its implementation can be directed to the APMO at [apmo@archregina.sk.ca](mailto:apmo@archregina.sk.ca)

