

## Archdiocese of Gatineau

### **Protocol for the management of an allegation of a sexual delict with a minor in an ecclesiastical context**

#### **Abridged version**

*July 23, 2025*

This protocol complies with the Criminal Code of Canada, the Civil Code of Québec, directives and recommendations from the Holy See and the Canadian Conference of Catholic Archbishops. It foresees a transparent and objective process that respects the rights of those involved (both the complainant and the accused), notably concerning their privacy and reputation.

The full version of the protocol is available from the Chancery Office, in French only. Here is an abridged version, followed by a synthesis of the procedure.

#### **Scope of application**

This protocol applies to situations in which a sexual delict committed by a priest, deacon, pastoral agent or worker with a minor is reported.

In this text, “complainant” refers to the person who presents an allegation, whether they are complainant or a third party; “accused” refers to the person who is alleged to have committed the delict.

A sexual delict with a minor is defined as:

- Any physical, verbal, emotional or sexual behavior or act that causes a person to fear for his or her safety or physical, psychological or emotional well-being;
- This includes:
  - Consensual and non-consensual sexual relations, inappropriate gestures of a sexual nature, exhibitionism, masturbation, incitement to prostitution, conversations and advances of a sexual nature in person or on social networks.

- Production, exhibition, possession and distribution of child pornography;
- Recruiting and inciting a person to participate in pornographic activities.

## **The duty to report**

Anyone who knows or suspects that a person under the age of 18 has been the complainant of a sexual offense must report this fact to the *Direction de la protection de la jeunesse (DPJ)*.

Any cleric or lay employee of the diocese or its parishes who knows or suspects that a person under the age of 18 has been the complainant of a sexual delict in an ecclesiastical context must report this fact to the archbishop's delegate (in addition to reporting it to the *DPJ*).

If the report is made directly to the archbishop, he shall inform the *DPJ* and his delegate, to whom he shall entrust the responsibility of following up on the matter.

The delegate shall notify the *DPJ* of the allegation.

## **Roles and responsibilities**

The Dicastery for the Doctrine of the Faith (part of the Roman Curia)

- Receives the final report of the preliminary investigation with the archbishop's recommendations;
- Directs the archbishop on how to follow-up according to the particular case: judicial criminal proceeding, extrajudicial criminal proceeding, or other alternative, including concluding that the allegation is unfounded and thus terminating the proceedings;
- Receives and files the report of an implausible allegation.

The Archbishop

- Appoints a delegate and a deputy delegate to coordinate the diocesan response to received allegations;
- Appoints a team to manage allegations;
- Appoints a person responsible for communications with communities and the media;
- Ensures that no member of the Church forces a person to remain silent about the alleged delict;
- If the report is considered implausible, informs the complainant and the accused, and sends a note to this effect to the Congregation for the Doctrine of the Faith;

- Otherwise, orders an investigation and appoints a person to direct it;
- Imposes on the accused, at any time deemed appropriate during the investigation, measures to ensure the safety and protection of the public, the complainant and their family (e.g.: leave of absence from ministry, removal of faculty to preach, suspension of faculty to hear confessions, etc.).
- Ensures follow-up as determined by the Dicastery for the Doctrine of the Faith.

The delegate or, in his or her absence, his or her deputy

- Receives the allegation, prepares a report and immediately informs the Archbishop and the Allegation Management Team;
- According to certain particular situations:
  - If the accused belongs to another diocese or religious institute, informs their superior;
  - If the archbishop of Gatineau himself is accused, informs the archbishop of Rouyn-Noranda who will ensure follow-up;
  - If the accused is a retired archbishop, informs the Metropolitan Archbishop of the place where the retired archbishop lives.
- Prepares a written report of the allegation for presentation to the archbishop and Allegation Management Team;

The Allegation Management Team

- Receives the initial report of an alleged sexual delict in an ecclesiastical context;
- Evaluates the plausibility of the allegation and so advises the archbishop;
- Eventually receives the report of the canonical preliminary investigation, studies it and shares its judgement with the archbishop;
- Makes recommendations to the archbishop concerning actions to be undertaken during and at the end of the process.

### **Preliminary investigation**

In the case of a person who is still a minor, the investigation is the responsibility of the DPJ. If the person is no longer a minor, the diocesan protocol sets out the procedure to be followed.

If a complaint is deemed plausible, the archbishop orders a preliminary canonical investigation to establish the facts and circumstances of the alleged abuse. The investigation is carried out diligently and confidentially. Every effort is made to obtain the complainant's and the accused's version of events as quickly as possible. The investigator has access to all the files and archives of the diocese concerned.

The investigator meets the complainant in a spirit of empathy and seriousness. He or she encourages the complainant to lodge a complaint with the police and supports them in this step, if necessary. He informs the complainant of the procedure to be followed by the archdiocese and keeps them informed of the progress of the case.

The investigator meets the accused in complete confidentiality and informs them of the allegations made against them. The investigator asks for the accused's version of events, in a spirit of pastoral and psychological support. The investigator informs the accused of the procedure to be followed by the archdiocese and ensures that the accused knows or is informed of their rights. He will keep them informed of the progress of the case. The investigator asks the accused not to contact the complainant or his family. He informs them that the archbishop may impose measures to protect the public; normally, he or she will be removed from ministry for the duration of the investigation.

The investigator may meet with any other person who may be able to provide insights and information relevant to the investigation.

At the end of the investigation, the investigator draws up a report which he or she presents to the delegate and the Allegation Management Team, who in turn present their comments to the archbishop. The archbishop forwards this report to the Dicastery for the Doctrine of the Faith with his observations and recommendations. He awaits the Dicastery's directives for further action.

### **Dealing with the complainant**

During the investigation, all meetings and conversations with the complainant are marked by respect and empathy. The investigator demonstrates trust and compassion, while remaining objective. If the complainant so wishes, he or she can be accompanied by a person of their choice.

The archbishop's delegate accompanies the complainant, if it is desired, aware that a victim of a sexual assault is emotionally stressed and may present with a great deal of anxiety and emotional fragility, even if many years have elapsed since the event. Interventions are carried out with a view to compassionate pastoral care. If necessary, outside professional help can be offered to the complainant (counseling, spiritual guidance, support groups or other psychosocial services). In such cases, a formal agreement is signed between the complainant and the diocese stipulating the terms of this assistance.

## **Dealing with the accused**

Despite the seriousness of the charges, the accused is entitled to the presumption of innocence. He or she has the right to be heard, to be defended and to have their reputation protected.

Conversations with the accused are also characterized by respect and empathy. The accused may require external psychosocial support services, in which case a formal agreement is signed between the complainant and the archdiocese stipulating the terms of such support.

If the accused is removed from paid duties during the investigation, the diocese continues to pay their salary and all benefits. Depending on the findings of the investigation and the recommendations of the Congregation, the accused will be informed of their future position within the ministry. If the accused is a priest who can no longer exercise ministry, the diocese ensures that he has access to the minimum resources needed to live (unless he is dismissed from the clerical state altogether).

## **Community intervention**

Disclosing an allegation of sexual abuse in an ecclesiastical context is delicate. During the investigation and until the report is processed, the archbishop must ensure both the safety of the public and the presumption of innocence of the accused. Each situation must be studied by the advisory committee to decide what information should be disclosed to the community concerned (and possibly to the media) and when.

## **Synopsis of the procedure**

### **I. Reporting clerical sexual abuse**

A complainant reports a sexual delict concerning a minor to the archbishop's delegate or to a member of the parish or diocesan staff, who must forward the report to the delegate.

- i. If the complainant is still a minor, the third party, the staff member and the delegate **must** report the case to the DPJ. All diocesan procedures will be suspended pending information from the DPJ or the police.
- ii. If the complainant has reached the age of majority, the plausibility of the report is assessed.

### **II. Assessing the plausibility of the allegations**

The delegate presents the allegation to the Allegation Management Team and to the archbishop, who listens to the team's advice.

- i. If the archbishop deems that the complaint is implausible, the delegate informs the complainant as well as the Doctrine of the Faith. The file is closed.
- ii. If the archbishop deems that the complaint is plausible, he orders a preliminary investigation, normally led by someone other than the delegate.

### **III. Preliminary inquiry**

The investigator establishes the facts as far as possible. He or she meets with the complainant, reminding them of their right to file a complaint with the police. He or she meets the accused and any witnesses. He or she draws up a report and submits it to the archbishop in the presence of the Team, which gives its opinion. The archbishop forwards the report to the Doctrine of the Faith with his own comments and recommendations and awaits the dicastery's directions. The delegate informs the complainant. The archbishop ensures that the accused is also informed.

#### **IV. The Dicastery of the Doctrine of the Faith**

The Dicastery of the Doctrine of the Faith considers the various options open to it.

- i. If the Dicastery decides to handle the case itself, it will render its verdict to the archbishop who will carry it out.
- ii. If the Dicastery decides that the archbishop should judge the case, it will indicate the process to be followed to determine a verdict.

#### **V. Verdict**

At the end of the procedure, one of two verdicts is possible.

- i. If the verdict is not guilty, the delegate informs the complainant and the accused are informed. The file is closed.
- ii. If the verdict is guilty, the sentence is applied by the archbishop. This may go as far as dismissal from the clerical state. He will inform the complainant.