

Archdiocese of Gatineau

Protocol for handling an allegation of a sexual delict with a vulnerable adult in an ecclesiastical context

Abridged version

July 23, 2025

Since the publication in 2019 of the Pope Francis's *motu proprio* entitled "Vos estis lux mundi", sexual misconduct with a vulnerable adult is considered by the Church law as not only a sin but a delict with consequences at the level of Church discipline. The 2021 revision of Canon 1398 has integrated this new reality. This canon explains that not only clerics (bishops, priests and deacons) can be accused under of this delict, but any faithful who occupies an office in the Church (that is to say, who ensures a particular service in a stable manner).

This protocol foresees a transparent and objective process that ensures respect for the rights of those concerned, notably to privacy and good reputation.

In this text, "complainant" refers to the person who presents an allegation, whether it be the presumed victim or a third party; "accused" refers to the person to whom the delict is imputed.

This text presents an abridged version of the diocesan protocol for handling such cases. The complete version of the protocol, in French only, is available upon request from the Diocesan Centre.

Scope of application

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

The term "vulnerable adult" is enshrined in Church law. It covers a range of diverse but related realities: constant vulnerability due to unchangeable personal or contextual

limitations (e.g., disability, old age, solitary living); temporary vulnerability due to a particular personal or contextual situation (e.g., being under the authority of a supervisor, experiencing bereavement, being ill).

This protocol applies to any instance of sexual misconduct by a person in a position of authority within the Church involving a vulnerable adult, i.e., any physical, verbal, emotional, or sexual behavior: (i) that causes a person to fear for their physical, psychological, or emotional safety and well-being; (ii) that the alleged perpetrator knew or should reasonably have known would harm the physical, psychological, or emotional safety and well-being of that person.

This includes, for example, consensual and non-consensual sexual relations, physical contact with sexual intent, exhibitionism, masturbation, incitement to prostitution, conversations or advances of a sexual nature, even on social media. It also applies to the recruitment or incitement of a vulnerable person to participate in pornographic activities.

Roles and responsibilities

The Archbishop

- Appoints a delegate and a deputy delegate to coordinate the diocesan response to received allegations;
- Appoints a team to process 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;
- 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 Canon Law.

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 Processing 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 Processing Team;

The Allegation Processing 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

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 advisory committee, who in turn present their comments to the archbishop. The archbishop determines the procedure to be followed, considering the various options proposed by Canon law.

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 vulnerable adult to the archbishop's delegate or to a member of the parish or diocesan staff, who must forward the report to the delegate. The delegate gathers essential information to prepare a report of the allegation.

II. Assessing the plausibility of the allegations

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

- i. If the archbishop deems that the complaint is implausible, the delegate so informs the complainant as well as the accused. 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.

IV. Subsequent procedure

The archbishop decides how to proceed: by filing the case; by seeking further information; by imposing disciplinary or criminal measures on the accused; or by initiating a canonical trial. The archbishop's delegate informs the complainant of the archbishop's decision. The archbishop ensures that the person accused is also informed.

V. Verdict

At the end of a canonical trial, one of two verdicts is possible.

- i. If the verdict is not guilty, the archbishop ensures that both 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 ensure the complainant is informed.