



*Safe Church*  
**SEXUAL ABUSE  
POLICY**

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**Our Vision: To be a church that is transformed by the Holy Spirit. A church that reflects the virtue and grace of Jesus. A church reaching out to proclaim God's love to a broken world.**

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This policy has been adapted from policies of the Diocese of Montreal whose work is gratefully acknowledged.

## **SEXUAL ABUSE POLICY**

### **1. PREAMBLE**

For purposes of this policy, the Diocese of Calgary affirms its belief that healthy human sexuality requires its expression to be based in love, and that defining characteristics of love-based sexuality include values of mutual respect, acceptance of the needs and rights of the other, fidelity, caring, and non-coercion. Sexual abuse is a deviation from love-based sexuality, for it is rooted in power and not love. More specifically, in an abusive relationship, there is a clear power imbalance between the parties, be they adult-child, priest-parishioner, counsellor-client, employer-employee. For purposes of definition, sexually abusive behaviour is any form of sexual harassment, including inappropriate or offensive language, suggestion, or comment, inappropriate touching, and more explicit forms of sexual activity, including sexual intercourse. Sexual abuse is regarded as such when it occurs with or without the consent of the other party.

Implicit in the notion of power imbalance is personal boundary violation. Clergy, pastoral care-givers and others in leadership positions in the Church are responsible for their behaviour regarding the emotional, spiritual, and physical care of those who come to them for help and over whom they hold a position of authority. Breach of this caring relationship by exploiting the power differential for sexual purposes is clearly unethical and not to be tolerated. Clergy and other Church representatives are fully responsible for maintaining appropriate personal boundaries in all their dealings with others. This holds regardless of the expressed wishes of the other party.

### **2. GUIDING PRINCIPLES**

The following policy applies to all affiliated parties within the Diocese of Calgary, i.e., clergy, wardens, parish administrative staff, volunteers, and any other providers of ministerial service.

The policy of the Diocese of Calgary is that sexual abuse of any kind is unacceptable and will not be tolerated. This is a *ZERO TOLERANCE* policy that recognizes the serious and potentially injurious effect that sexual abuse can have. Also implied in the policy is the need for pastoral care and emotional healing of both victims and perpetrators.

As part of this zero-tolerance policy, the Diocese affirms its commitment to the following:

- Willful ignoring of sexually abusive behaviour is not tolerated, since silence in such matters may be tantamount to tacit acceptance.
- Sufficient support for sexual abuse survivors is a top priority and will be arranged and provided to the fullest extent possible.
- Efforts will be made to inform and educate clergy, church workers, and members of the congregation on matters related to the causes and effects of sexual abuse, including the aforementioned issues of power imbalance and boundary violations.
- Appropriate touching between people is recognized as normal and healthy, and can be a healing aspect of pastoral relationships.
- Those alleged perpetrators of abuse are not presumed to be automatically guilty but are accorded the same rights of due process as any other accused person.
- Any allegation involving a minor must be immediately reported to civil authorities (Child and Family Services Alberta).
- An accused person will be presumed innocent until proven otherwise.
- If there has been harm to others, the protection of the complainant and their family will be a paramount concern.

### **3. PROTOCOL**

This protocol is designed to apply to instances whereby a Priest or other licensed person of The Diocese of Calgary or an employee or volunteer of the Diocese or of any Parish within the Diocese has been:

- a) informed of an act of sexual abuse where the perpetrator is in a professional, fiduciary or pastoral relationship with the victim.
- b) accused of such an act.

### **4. STEPS TO FOLLOW**

With clergy - Canon 18 General Synod (Discipline of clergy) is invoked.

With adults – please refer to the Diocesan *Safe Church Sexual Misconduct Policy*

With minors the following steps shall be taken

- a) The Priest or other person informed must immediately report the situation to the Alberta Child and Youth Protection Services closest to the residence of the child involved or to the Parish where they are working.
- b) Immediately thereafter, the Priest or other person informed may report the situation and the fact that he or she has contacted the Alberta Child and Youth Protection Services to the Bishop or the Bishop's designate.

Any complaint against clergy or other employee or volunteer in the Diocese or Parish

in the Diocese must be brought to the attention of the Bishop. If the complaint is against a lay staff worker or volunteer, the Incumbent or head of the agency involved should be informed first and must take it to the Bishop.

During an investigation the person who is the subject of the allegation will be placed on leave of absence with pay. This leave is without prejudice and does not imply the guilt or innocence of the person under investigation.

Alberta Child and Youth Protection Services and the police will begin the investigation of the case and contact the individuals as they see fit.

No one in the Diocese shall interfere with any investigation of the appropriate authorities with respect to a situation involving possible sexual abuse. Any intervention, even if well-intended, runs the risk of being interference in a possible criminal investigation.

For this reason, the pastoral care of the victim, the victim's family, the accused, the accused's family and the Parish or Diocese as a whole, which are matters of paramount concern to all, shall be subject to the overriding responsibility of the Bishop or the Bishop's designate. No person shall take any steps on his or her own without first discussing the same with the Bishop or the Bishop's designate, who will consult with the Alberta Child and Youth Protection Services and the police, if necessary, with respect to the best approach to be taken with respect to the pastoral care required in the circumstances.

If deemed advisable, the Bishop will meet with the Congregation of the Parish or take or direct such other action as is necessary at the earliest possible occasion, and no person shall take any steps on his or her own without first discussing same with the Bishop or Bishop's designate

## **5. PAST ABUSE**

In circumstances where an alleged sexual abuse occurred years ago and the accused individual may still be involved with children in the course of carrying out their duties in the Parish or in the Diocese, the Priest or other licensed person must immediately report the information to the Bishop or the Bishop's designate who, in consultation with them and with the Chancellor, Vice-Chancellor can determine the obligation to report to the Alberta Child and Youth Protection Services.

## **6. OFFENCE NOT TO REPORT**

Due to the very sensitive nature of the issue of sexual abuse of children and the legal obligations imposed, it shall be an offence, subject to the Discipline Canon in addition to the Alberta Child and Youth Protection Act, for any person who has reasonable cause to believe that sexual abuse has or is occurring against a child, and who does not report the information to the Alberta Child and Youth Protection Services and to the Bishop or the Bishop's

designate.

### **"The Seal of the Confessional"**

The kind of confidentiality implied in the term "the seal of the confessional" is an age-old dimension of pastoral relationships. A recent Anglican affirmation of this principle is the following, adopted by the National Executive Council (now Council of General Synod) in November 1987.

*"It is the historic obligation of the members of the clergy of the Anglican Church of Canada to regard as a sacred trust all confidential information imparted to them either under the seal of the confessional or revealed to them in their capacity as pastors."*

It is clear that this privileged position no longer exists when it comes to allegations of sexual abuse of children, as indicated above. It is up to the conscience of the individual pastor to decide which obligation, civil or ecclesiastical, is to prevail.