

ANGLICAN DIOCESE OF EDMONTON
SEXUAL ABUSE AND SEXUAL HARASSMENT POLICY

I. INTRODUCTION

Theological Basis

Despite its mission to be the body of Christ, the church is no stranger to sexual abuse, even in its own midst. The Church's understanding of sexual abuse must be set in the framework of what it means to be a Christian, to be a sexual person of Christian faith, and to be a servant in the church.

Christians have a high calling. Christ invites and empowers us to live out our lives in the love he shows us. Our identity as Christians is both gift and demand. Promised fullness of life, we are called to the self-giving of the cross, to faithfulness, compassion, and justice. Our faith is framed between acknowledgment of our arrogance, sinfulness and brokenness, and commitment to the renewal of human life through dying to self. That renewal encompasses "the healing, wholeness, and liberation promised by God's grace to every facet of human life" which is the task of ministry (Pellauer et al., 52)

What does it mean to be a sexual person with such a faith? Sexuality is central to our being; we are body-selves. It is basic to our fulfilment, and our vulnerability. Sexuality carries our need to reach out to and embrace others, our longing for relatedness. Sexuality is the power to be in communion with another, to be caught up in the wonder of mutuality. Our sexuality, as a dimension of our whole selves, is to be offered to God; in the expression of sexual desires we are called to holiness.

God values sexuality as good, blessed, and purposeful. Scripture sees it as a gift to be celebrated in joy and ecstasy, and to be held in the web of love and covenant. Trust and justice, mirroring God's ways with us, are to undergird it. Love is to be its expression. Mutuality is its meaning in a world God destines for a reconciliation we are to create, a harmony alive to the divine presence. Non-coercion, mutual acceptance of needs and rights, and mutual caring are characteristics of healthy sexual activity. Our God-given natures invite us to the responsible fulfilment of our sexuality.

The ethic that must go with such an understanding of sexuality entails equal respect for children, women, and men, as persons made in God's image, and for everyone's right to sexual and bodily integrity.

Those who undertake as clergy or laity to serve the church (whether salaried or volunteer) must, in living out their faith, adhere to Christian ethical principles in their sexual conduct, and also in their exercise of authority and power. In sharing the gospel mission to bring reconciliation, healing, and wholeness, they will draw close to those to whom they minister. They need to recognize the dynamics of trust in these relationships and the

consequent potential for harm and abuse. The authority conferred by the church on those who work in Christ's name must be rooted in the love of Christ (Eph. 3:17). In their ministry they must model God's trustworthiness.

For any Christian, to betray trust by the grave ethical transgression of sexually abusing another, whether child or adult, is to deny Christian identity. Such a betrayal cannot be other than a gross injury to the one abused, and a violation of faithfulness to Christ.

II. STATEMENT OF POLICY

It is the policy of the Diocese of Edmonton that sexual abuse and sexual harassment of any kind by any staff person or volunteer will not be tolerated.

Sexual conduct cannot be treated by the church as an entirely private affair between consenting adults, since others' attitudes and relationships are bound to be affected. Moreover, in relationships of trust, whether with children or adults, the greatest care must be exercised to avoid taking advantage of trust, or abusing a situation of responsibility and caring.

Clergy and other Christian workers need to recognize the dynamics of these relationships and the potential for harm and abuse. Vulnerabilities are exposed, and the very strengths of these relationships, namely the expression of care and love, can take on inappropriate forms. In particular:

- (a) Professional counsellor/client relationships are to be respected and maintained by all clergy and other professionals in every pastoral counselling situation. The pastoral counselling function creates a relationship of trust. Exploitation of this trust through sexual activity, or touching for sexual purposes, or the suggestion or depiction of any such activity, will not be tolerated.
- b) Clergy and those responsible for parish, educational, or recreational activities are expected to maintain the highest ethical standards in all their employment, mentor, and colleague relationships. Inappropriate sexual activity, or the suggestion or proposal of any such activity, will not be tolerated.
- (c) Clergy and other professionals in the employ or service of the diocese or any of its parishes or agencies are expected to exhibit unquestionable, ethical behaviour with their colleagues at all times.
 - 1. Sexual harassment shall refer to any attempt to coerce any person into a sexual relationship, or to subject a person to unwanted sexual attention, or to punish a refusal to comply, or to reward compliance. Sexual harassment must be understood as an exploitation of a power relationship, rather than as an exclusively sexual issue. Sexual harassment may involve a wide range of behaviours from verbal innuendo and subtle suggestion to overt demands and

inappropriate physical contacts of a sexual nature. It may be an incident or a series of incidents. It is behaviour of a sexual nature that is known, or ought reasonably to be known, to be behaviour that is unwanted or unwelcome. It includes actions which contribute to an environment that is “poisoned”, eg. by sexually-oriented humour or language, or by pornographic pictures or cartoons. The behaviour need not be intentional in order to be considered harassment. Sexual harassment of any sort will not be tolerated.

2. Sexual abuse refers to a spectrum of behaviours on the part of a person, lay or ordained, who is in a position of power, authority, or trust in relation to another. eg. parish priest, chaplain, church school worker, camp counsellor, music director, youth worker. It involves the misuse of power, or betrayal of trust, respect, or intimacy. Specifically, sexual abuse occurs when one in a position of power or trust engages in physical contact or in any sexual activity which may reasonably be perceived by others to be of a sexual nature with someone under their authority, with or without that person’s consent. Any sexual contact or activity between an adult and a minor under any circumstances is illegal.

III. GUIDING PRINCIPLES

As part of its ongoing educational program, the Diocese of Edmonton will offer courses on sexual abuse and sexual harassment to all clergy and church workers, professional and volunteer.

- A. As a priority, it is essential to take allegations of sexual abuse and harassment seriously.
- B. Sexual abuse and harassment needs to be recognized as an abuse of power and authority.
- C. The protection of victims and potential victims from sexual abuse and sexual harassment is a matter of fundamental concern.
- D. A person against whom an allegation of sexual abuse or harassment is brought will be presumed innocent until proven otherwise.
- E. If there has been harm to others, the protection of the complainant and their family will be a paramount concern.
- F. Notwithstanding the above four principles, nothing should be done that might impede a criminal investigation.
- G. No person or persons shall knowingly make a false or vexatious complaint. To make such a complaint will be treated in itself as a form of harassment.

IV. DIOCESAN RESPONSE GROUP

A. There will be a Diocesan Response Group whose duty will be to investigate and advise the Bishop or the Bishop's delegate relating to allegations of inappropriate sexual behaviour that come to the attention of any member of the church. The responsibility of the Diocesan Response Group will be investigation, and recommendation with regard to discipline. Pastoral care for the alleged victim, family and friends of the alleged victim, the alleged offender and his/her family, the congregation immediately involved, and other clergy of the Diocese will be provided by others.

The Response Group is responsible to the Bishop or the Bishop's delegate, but must function with relative independence while investigating allegations in order to avoid the appearance of undue interference in the process.

B. The membership of the Diocesan Response Group will consist of:

- (a) a senior priest of the diocese,
- (b) a lawyer who is knowledgeable in the area of sexual abuse law,
- (c) a person, clerical or lay, who is knowledgeable in the field of human relationships including sexual abuse and sexual harassment,
- (d) a person skilled in keeping minutes of the Diocesan Response Group's meetings, and
- (e) any other person or persons the Bishop deems appropriate.

After consultation with the Diocesan Executive Council, the Bishop will appoint the members for a three year term. Members will be eligible for re-appointment.

V. PROCESS

A. Any complaint of sexual abuse regarding a minor must be reported immediately to the Department of Social Services.

B. When a complaint of sexual abuse or harassment by a church employee or volunteer becomes known to a member of the Diocese, the complaint must be reported promptly to the Bishop. If the complaint is against the Bishop it must be reported directly to the Metropolitan. If the complaint is against the Bishop who is also the Metropolitan, it must be reported to the Primate.

C. The Bishop, Metropolitan or Primate will then consult with the members of the Diocesan Response Group as soon as possible after receiving the complaint.

D. When the complaint leads to criminal charges, Diocesan officials including the Response Group will assist the police in all appropriate ways in the investigation.

E. Unless prohibited by police or court procedures, when an allegation of sexual abuse or sexual harassment is made, the Diocesan Response Group will appoint two trained report takers who will interview the alleged victim and record a written complaint from the alleged victim's oral account. The complainant may have an advocate present at the meeting. The complainant will also be advised that the written complaint will be shown to the offender. The report takers will take the written complaint to the Diocesan Response Group. The DRG will decide what recommendations to make to the Bishop. If necessary, the DRG will consult and engage additional experts.

F. The Diocesan Response Group, or its delegate, will provide the alleged offender with a written copy of the complaint. The Response Group will request a written response to the complaint from the alleged offender. The Response Group will request a meeting to hear the alleged offender's response. The alleged offender may have an advocate present at the meeting. The alleged offender is responsible for the cost of representation by an advocate.

G. If the alleged offender acknowledges the truth of the allegation, the alleged offender may be suspended from ecclesiastical duties, and the Response Group will make recommendations to the Bishop or the Bishop's delegate with regard to discipline and/or treatment of the offender.

H. (1) If the alleged offender denies the complaint but the Response Group thinks that further investigation is warranted, the alleged offender may be suspended from ecclesiastical duties, pending further investigation. If the alleged offender is a member of the clergy, the clergy person's license may be temporarily suspended. The Response Group will then make its investigation and report its findings to the Bishop as soon as possible.

(2) If the alleged offender is exonerated, this decision will be communicated to the parish and wider diocesan community.

(3) If in the opinion of the Response Group, Diocesan Policy and Guidelines have been breached, the Response Group will make recommendations with regard to discipline and/or treatment of the alleged offender.

I. The Bishop or the Bishop's delegate will give the alleged offender a written statement of the Response Group's recommendations and the proposed action by the Bishop or the Bishop's delegate. The Bishop or the Bishop's delegate will then arrange a meeting with the alleged offender to discuss the proposed action. The Bishop or the Bishop's delegate will then make a decision, and communicate that to the alleged offender. If the alleged offender disagrees with the decision of the Bishop or the Bishop's delegate, an appeal may be made to the Diocesan Court. In

such cases any existing suspension will remain in effect pending the decision of the Diocesan Court.

J. If the alleged offender is subject to discipline, the Bishop or the Bishop's delegate will be responsible for monitoring the offender's compliance.

K. When appropriate, the Bishop or the Bishop's delegate will inform the parish of the circumstances of the complaint and the subsequent action that has been taken. The Bishop or the Bishop's delegate will also arrange, if necessary, appropriate means to help the parish and diocesan community deal with the situation.

L. The above process may be shortened or altered at the discretion of the Bishop or the Bishop's delegate, the Chancellor of the Diocese, and two members of the DRG. All discretionary action must be reported to the DRG in a reasonable period of time.

VI. DIOCESAN PASTORAL RESPONSE:

A. The Bishop or the Bishop's delegate will appoint a pastoral resource person to contact the victim - whether child or adult - and the family of the victim to offer support as appropriate. Although there must be no interference with the investigation, help in obtaining therapeutic treatment, as well as other forms of pastoral care, may be offered as needed. Personal communication with a child is especially important, but care must be taken not to inadvertently impede or influence the investigation.

B. (1) The Bishop or the Bishop's delegate will also appoint pastoral resource persons for the alleged offender, the alleged offender's family, and the parish involved.

(2) The Diocese of Edmonton will maintain a list of therapists qualified to work in the area of sexual abuse and sexual harassment. This list will be provided to victims, victim's families, offenders, offender's families and others requiring help as a result of sexual abuse or sexual harassment by a member of the church. The diocese may offer financial support for those requiring therapeutic assistance.

(3) Confronting a priest or lay person with disciplinary action should be understood as a pastoral and caring act, providing for the common good of the church and also offering the possibility for restoration and healing.

(4) Confession and acknowledgment of responsibility should be regarded as an important first step in the possible restoration of an offending church worker. But confession and absolution should be conducted with care and cannot be considered the sole basis for restoration to ministry. Therapeutic evaluation and treatment is recommended and should be offered to the

offender and the family of the offender as well. The Diocese may wish to offer financial assistance to the offender and the offender's family for this purpose.

C. The Diocese needs to be supportive of the parish and parish leadership in such situations acknowledging the hurt and pain experienced and by offering support.

Updated and revised September, 1998