



25 July 2019

Ms. Tavia Grant
Reporter
The Globe and Mail
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Dear Ms. Grant,

Thank you for your email of 11 July 2019 and your questions. Because many of these questions attempt to compare policies in Canada against those in the United States, I think it might be helpful from the outset to indicate that the Canadian Conference of Catholic Bishops (CCCCB) and its American counterpart, the United States Conference of Catholic Bishops (USCCB), have not evolved in the same way vis-à-vis this issue and therefore, each operates in different ways. In fact, from an overall perspective, the two episcopal assemblies have each developed very differently, both subject to the influences of culture, language, history, finances and legal traditions in their own contexts. As a result, there are a number of key and relevant distinctions worth noting, as well as a number of unique Canadian initiatives with respect to safeguarding worth highlighting.

The bishops in the U.S.A. assigned greater areas of responsibility on certain issues to the USCCB, giving it a broad and arguably a centralizing role in the Catholic Church in the U.S.A. The bishops in Canada have taken a different route. Certainly, one reason for this variance owes to the different histories and experiences of the Church in English and French Canada, among other factors, which can often make national policies to particular regional and local questions ineffectual and difficult to implement. The upshot is that while (on the one hand) the scope and depth of matters covered by the CCCC may have its limits, perhaps (on the other hand) such limits may be embraced by each diocese/eparchy in Canada as an opportunity and incentive to address concerns arising at the local level with greater precision and proximate care. This is helpful when one considers that differences exist not only in terms of culture, history and official languages across provinces/territories, but also in terms of laws themselves and legal procedures. Perhaps Quebec, which has its own *Code Civil*, is most distinct in this regard. As one example, you may find it of particular interest to compare the legislation pertaining to the protection of personal information in Quebec, found at <http://www.legisquebec.gouv.qc.ca/en/showdoc/cs/P-39.1>, with federal and provincial/territorial legislation elsewhere in Canada, as summarized by the Office of the Privacy Commissioner of Canada, found at https://www.priv.gc.ca/en/privacy-topics/privacy-laws-in-canada/02_05_d_15/#heading-0-0-3-2

Thus, in the tradition of the Canadian episcopal conference, when an issue of national importance has come to the fore, such as the protection of minors, the response of the bishops has always been to provide the kind of national response which could then be adapted and implemented at the local/diocesan level. While the CCCC is mandated to provide resources as requested by the bishops themselves (such as the recent [*Protecting Minors from Sexual Abuse: A Call to the Catholic Faithful in Canada for Healing, Reconciliation, and Transformation*](#)

guidelines published in 2018), the offices of CCCB are not mandated to supervise, oversee or manage how such resources are used or implemented within each diocese. For similar reasons, the CCCB does not conduct statistical or demographic research. The most authoritative statistics on the Church in Canada are gathered and published annually by the Holy See (in its *Annuario Pontificio*). These can also be found in an annual publication by Novalis in its *Canadian Catholic Church Directory*, <https://en.novalis.ca/products/annuaire-de-leglise-catholique-au-canada-2019-canadian-catholic-church-directory-2021>.

This being said, it is important to indicate, for the record, that the 2018 document [*Protecting Minors from Sexual Abuse*](#) was unanimously approved by all the bishops at their annual Plenary Assembly in 2018, and that the motion to promulgate the document was accompanied by a parallel motion, also carried unanimously, for each bishop to ensure in his diocese/eparchy that i) a widespread dissemination of the document be undertaken; and that ii) the policies and protocols currently in use in each diocese/eparchy be updated and brought into line with the new CCCB document. While a specific deadline was not set, since the latest Vatican document on safeguarding, [*Vos estis lux mundi*](#) (in English: “You are the light of the world”), requires dioceses/eparchies to establish systems for reporting abuse and to make these known to the [papal representative in Canada](#) by 1 June 2020, it would make sense for the implementation of *Protecting Minors from Sexual Abuse* to take place in tandem, as the latter outlines related procedures and protocols. Finally, in relation to the specific requirement by Pope Francis in *Vos estis lux mundi* to establish “one or more public, stable and easily accessible systems for submission of reports (i.e., complaints), even through the institution of a specific ecclesiastical office,” this is currently being discussed by the bishops in view of clarifying the expectations for each and every diocese/eparchy in Canada and specifically with a view to the handling of complaints against a bishop. That which is decided will then enhance and strengthen what is already defined in the 2018 document *Protecting Minors from Sexual Abuse* (pp. 30-31):

The Canadian experience of sexual abuse has led Church leaders to the profound recognition of the need to take complaints seriously and to act upon them immediately and effectively. Bishops and major superiors should not assume that what is being alleged has not happened; they must respond with openness to the individuals bringing forward allegations and related concerns. Without prejudice to the basic presumption of innocence with respect to the accused, bishops and major superiors are required to launch a preliminary investigation with sincere interest in seeking the truth. At the same time, they are required to limit the exercise of the accused individual’s ministry, placing him or her on “administrative leave,” while also discerning an appropriate pastoral response. Whenever allegations involve a minor, Church leaders themselves must inform police or other designated civil authorities and are required to cooperate fully with them as they investigate criminal wrong-doing. When the events being reported happened in the past, and the alleged victims are no longer minors, victims must be informed of their right to approach the police, or other civil authorities, should they so wish.

Once the preliminary investigation of local Church authorities has concluded – whether the allegations of sexual abuse of a minor are present or historic, and regardless of whether the alleged victim is no longer a minor – if the allegations

have a semblance of truth (“*notitiam saltem verisimilem habeat*”), the Congregation for the Doctrine of the Faith is to be informed. Unless the Congregation takes over the case because of special circumstances, as a rule it will indicate how local Church leadership is to apply the relevant canonical norms. Where possible and pastorally advisable it would also be important to keep the faithful informed of developments during the preliminary investigation while respecting the requirements of due process and confidentiality.

In going forward, a significant contributor in the CCCB’s role with respect to safeguarding will be its newly established *Standing Committee for Responsible Ministry and the Protection of Minors and Vulnerable Adults*. The members of the committee include bishops as well as lay professionals in diverse fields, including child protection, psychology, and law.

The Standing Committee for Responsible Ministry and Protection of Minors is a consultative body established within the CCCB also by a resolution of the 2018 Plenary Assembly of Bishops. Its role will be to provide research-based insights, ideas, information, and expertise in the Canadian context for the consideration of the CCCB. Among other things, the Committee is expected to propose recommendations to ensure the CCCB Guidelines and resources are kept up to date; to study emerging needs and identify best practices; and to provide appropriate resources which may assist bishops in implementing the CCCB Guidelines at the local/diocesan level.

Finally, I wish to bring to your attention for your ongoing research on this topic, in case you do not already know it, the full list of online Vatican resources on the Church’s response to the abuse of minors and vulnerable adults, which can be accessed via the following link: http://www.vatican.va/resources/index_en.htm

Sincerely yours,

The Canadian Conference of Catholic Bishops