

DIOCESE OF MANCHESTER
Promise to Protect, Pledge to Heal
Policy for the Protection of Children
November 2019

Preamble

1. Child sexual abuse is a horrible sin and crime and is a matter of the gravest concern for our Diocese. The objectives of the *Promise to Protect, Pledge to Heal* Policy for the Protection of Children and Young People (“Policy”) are to prevent child sexual abuse in our Church before it occurs, respond with compassion and respect to those who report that they have been abused by Church personnel, ensure due process and respect for the accused, provide for cooperation with civil authorities, and address all allegations of child sexual abuse openly.

Applicability and General Definitions

2. The Policy applies to all who are engaged in ministry either by assignment, employment, or as a volunteer for the Diocese or its parishes, Catholic schools, institutions and agencies.

3. The term sexual abuse is defined more broadly than, but is consistent with, New Hampshire law. Under canon law, the term “sexual abuse” may include contact of a sexual nature between an adult and a vulnerable adult, defined as “any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist the offense” (Pope Francis’ *Motu Proprio*, May 2019).

Prevention

4. Screening: All employees, all volunteers who have regular contact with minors, all clerics assigned to ministry by the diocesan bishop, and clerics who serve in supply ministry in the Diocese of Manchester must undergo background checks.

5. Assignments of Priests and Deacons: All assignments of priests and deacons are subject to a recommendation process that will consider, among other things, how confident the Christian faithful would be in each assignment. The Bishop will consider the complete records of priests and deacons before making assignments, including whether the priest or deacon has been accused of sexual abuse and any recommendation of the Diocesan Review Board. Before a priest can be transferred for a ministerial assignment or supply ministry in the diocese from another diocese, the diocese shall seek documentation of suitability for ministry, including documentation that there is nothing in the background of the priest or deacon that would render him unsuitable to work with minor children or that would disqualify him from ministry.

6. Training of Church Personnel: All employees, all volunteers who have regular contact with minors, all clerics assigned to ministry by the diocesan bishop, and clerics who serve in supply ministry in the Diocese of Manchester must receive instruction on the mandatory reporting requirements for Church personnel. All clerics, members of religious institutes assigned by the diocese, all employees and all volunteers who have regular contact with minors must undergo training that addresses prevention of sexual abuse; procedures for making reports; and responding to suspected abuse. In addition, refresher training is required at least once every four years.

7. Roles and Responsibilities: All Church personnel have a role in the protection of children and young people in the Church. The diocesan bishop, the Diocesan Review Board, the Delegate for Ministerial Conduct, the Office for Healing and Pastoral Care, the Delegate for Safe Environment, the heads of Church institutions, the Safe Environment Council, and Safe Environment Coordinators have specific responsibilities under the Policy. All Church personnel are responsible for knowing and adhering to the Policy.

Intervention

8. Investigations: The Diocese takes all allegations of sexual abuse seriously, reports allegations to the civil authorities, and investigates all concerns. The investigations must be conducted by individuals appropriately trained to conduct such investigations and will comply with civil and Church law.

9. Pastoral Care and Support: The Director of the Office for Healing and Pastoral Care will coordinate pastoral care and counseling, spiritual assistance, and other social services for complainants and their families, including making available counseling resources independent from the Church. Spiritual and pastoral care will also be provided to those accused of sexual abuse and the communities affected by allegations.

Remediation

10. Allegations Found to be True: Those found to have engaged in even a single act of sexual abuse of a minor will be permanently removed from ministry. The Bishop must comply with Church law in this regard. The Bishop may initiate the process for dismissal from the clerical state. The diocese will not transfer for ministerial assignment any cleric incardinated in the diocese known to have committed sexual abuse of a minor. The diocese will notify the local bishop or religious ordinary if it transfers for residence a cleric found to have committed sexual abuse of a minor.

11. Unfounded Allegations: The diocese will take appropriate steps to restore the good name of the accused in cases where the accusation of sexual abuse is not proven to be true.

12. Settlement Agreements: The diocese will not bind any complainants to a condition of confidentiality or encourage or otherwise attempt to convince a complainant to require confidentiality as part of an agreement to provide services, support, treatment, or a financial settlement. The diocese will include on financial statements to be made public the total amounts of money expended by the diocese in connection with financial settlements entered into between the diocese and complainants.

Reporting of Incidents, Allegations, and Concerns

13. Reporting Requirements of Adults under New Hampshire Law: In accordance with New Hampshire law, any adult who has reason to suspect that a minor has been abused or neglected must personally report the suspicions to the Division for Children, Youth and Families (“DCYF”) at (800) 894-5533.

14. Reporting Requirements of Church Personnel:¹ Church personnel who have reason to suspect that a minor has been sexually abused by other Church personnel have additional reporting obligations. When the alleged victim is a minor, in addition to reporting to DCYF, Church personnel must immediately personally report the suspicion to local law enforcement and to the Delegate for Ministerial Conduct at (603) 669-3100. When the alleged victim no longer is a minor, Church personnel must immediately personally report the suspicion to the Delegate for Ministerial Conduct at (603) 669-3100. Church personnel may seek the advice or assistance of their pastor, principal, or supervisor if doing so does not unduly delay the report.

Allegations involving a bishop should be reported to the appropriate third party reporting system, details of which may be found on the Diocese of Manchester website, www.catholicnh.org/report.

15. Reporting Requirements of the Office for Ministerial Conduct: The Office for Ministerial Conduct will follow the reporting requirements for all Church personnel. In addition, whenever it has reason to suspect that a minor has been sexually abused by Church personnel, the Office for Ministerial Conduct immediately will make a report to the New Hampshire Attorney General's office.

16. Cooperation with Civil Authorities: Church personnel must cooperate with civil authorities in connection with investigations into allegations of sexual abuse.

17. Failure to Comply: Church personnel who fail to comply with the reporting procedure required by law and/or contained in this Policy will be subject to disciplinary action, up to and including appropriate canonical penalties for priests and deacons, and up to and including termination from employment or from volunteer ministry with the Church for other Church personnel.

18. Reporting Noncompliance in Policy Administration: Church personnel who believe that those responsible for administering the Policy have failed to do so should make a report to the Delegate for Ministerial Conduct or the diocesan bishop at (603) 669-3100.

19. Prohibiting Retaliation: The Policy prohibits retaliation against those who make reports in accordance with the Policy. Those who believe that they have been subjected to retaliation may make a report to the Delegate or the Bishop at (603) 669-3100.

Documentation

20. Records Regarding Sexual Abuse: All records regarding sexual abuse of minors will be maintained in accordance with the Diocese of Manchester Records Retention Policy.

21. Unified Personnel Documentation Systems: The Diocese shall continue to maintain unified clergy personnel documentation systems to enable those responsible for assigning clergy to consider the full record of each cleric. The Diocese shall establish and maintain central records of certain information regarding Church personnel to enable the diocese to audit compliance with the requirements under the Policy.

¹ The reporting requirements of Church personnel are greater than those required by New Hampshire law and are consistent with the requirements contained in the December 10, 2002, agreement between the State of New Hampshire and the Diocese of Manchester.

Communications

22. General Principles: The Diocese will adhere to a standard of openness, honesty, and candor in its communications and will follow a program of regular and ongoing communications to increase awareness and understanding of the problem of child sexual abuse. The diocesan website will include a section dedicated to child safety.

23. Policy Distribution: The Policy shall be distributed either electronically or in printed format to all Church personnel who regularly work with minors, all clerics assigned to ministry by the diocesan bishop, and all clerics who serve in supply ministry. The Policy must be available to the Christian faithful and the public.

24. Public Announcements: The Policy provides for periodic public announcements regarding the mandatory reporting requirements, the process for making a complaint of sexual abuse, and the services available to those who have been abused and to their families.

Measuring Progress and Accountability

25. General Principles: The Diocese will be accountable for its efforts and performance in preventing sexual abuse of minors in the Church and in identifying and healing those who have been abused. The Diocese shall evaluate the effectiveness of its child protection efforts at regular intervals to determine whether it is meeting the needs of the Church, the faith community, and the victims and their families in the most effective and responsive ways possible.

26. Compliance Audit: The Diocesan Review Board will conduct a regular compliance audit of the Office for Ministerial Conduct to determine compliance with the Policy and applicable Church and state law. The Review Board subsequently will make a public report to the Christian faithful regarding the compliance audit and the work of the Office for Ministerial Conduct and the Review Board.

27. Policy Review: At least once every four years, the Diocesan Review Board will review the *Promise to Protect, Pledge to Heal* Policy and recommend to the Bishop any changes.