

FAQ about Clergy Misconduct

What is Clergy? Clergy in CBOQ is defined as ministry leaders. These terms, clergy and ministry leaders in CBOQ mean ordained ministers or pastors, commissioned workers (such as youth or children directors), chaplains and others who are accredited by the CBOQ from time to time. Clergy in the context of misconduct, could also be unaccredited or not-ordained pastors. Retired pastors that continue to be accredited by CBOQ are also included.

What is clergy misconduct? Misconduct occurs when a member of the clergy violates or breaches one or more of the expectations listed on the CBOQ Statement of Ethical Pastoral Conduct. A violation happens when harm is caused by the action(s) or the words of the member of the clergy. It can be intentional or unintentional. It may be sexual in nature or not. It may be a one-time event or a pattern of actions.

What happens when I file a clergy misconduct complaint? In short, it will be examined by the CBOQ staff assigned to receive complaints. It will be weighed against the Statement of Ethical Pastoral Conduct. Should the complaint indicate an alleged breach of the Statement, it will be sent to be investigated and following that the Ministry Resources Committee Executive will take appropriate action. The details of the process are found in the Discipline and Restoration Protocols.

If I submit a complaint concerning child abuse or elder abuse, does it get reported?

Yes. CBOQ is obligated under law to report child abuse in Ontario and Quebec. Elder abuse will also be reported as the law requires in Quebec. Historical complaints that concern alleged child abuse will also be reported as the law requires. This means that when someone submits a complaint that pertain to an incident(s) from childhood or teenage years and relates to sexual or physical abuse (as defined by the law), CBOQ will report it, even though the complainant is now an adult.

Can my complaint lead to court? It is possible that the complaint you submit end up in court. All documentation surrounding a complaint can be compelled by a court of law and CBOQ must oblige under law. When this happens, if the complaint file is active, it will be paused so that nothing hinders the legal proceedings. You will be notified should this happens. CBOQ's will resume its process after the legal procedure is completed.

Can I file a complaint against non-accredited CBOQ clergy? Anyone can file a complaint concerning non-accredited clergy. Depending upon the nature of the complaint (such as physical or sexual abuse, or criminal activities that must be reported by law), CBOQ may do an investigation as per its protocols. However, CBOQ will not be able to take action except to make a note in the pastor's file. The responsibility for taking action will be left to the local church as the pastor is not accredited and not under the authority of CBOQ but only of the local church as the employer.

What does Respondent mean? The respondent is the member of the clergy who is alleged to have breached the Statement of Ethical Pastoral Conduct. This person is called Respondent because he or she has the right to respond to the allegations brought forward. The response goes to CBOQ, not to you.

What kind of investigation is done? Generally, an investigation is led by three individuals, two of which are members of CBOQ's Credentials Committee and one from the local association where the Respondent serves. Those who do the investigation are not professional investigators. Their task is to verify the allegations and understand the response given by the Respondent. They do not make the

decision as to what happens. This is the purview of the Ministerial Resources Committee Executive. Investigations for physical or sexual abuse (outside of minors) are done by an outside, experienced investigative organisation.

What kinds of actions is taken when there is misconduct? Actions taken are in proportion to the misconduct. The most severe is the withdrawal of credentials. This is permanent, meaning this person will no longer be authorised to minister as part of the CBOQ. The second most severe is a suspension of credential for a specific amount of time. The least severe is a letter of censure which goes in the clergy personnel file. When an investigation cannot conclude that there was a breach, usually the clergy is exonerated.

Can I remain anonymous? You can ask to remain anonymous to the Respondent if you are fearful or do not wish to be re-traumatized. This may not always be possible as the Respondent may deduce who you are. You must, however, reveal your identity for CBOQ to process the complaint.

Where do I find the Complaint Form? You will find it by clicking the two verification buttons. This verifies that you have read the Statement of Ethical Pastoral Conduct and you wish to submit a complaint. It will [open a new window automatically]. Should you have difficulties getting it, simply request a link or a copy by writing to [clergy misconduct email].

How long does the process take? It generally takes a few weeks to maybe two months, depending upon the complexities of the complaint. The process with normal time guidelines is found in the Discipline and Restoration Protocols. Please note: When a complaint is related to an issue that is being investigated by law enforcement agencies (including children's aid) or in a court of law, CBOQ pauses its process for the duration of the legal proceedings. This results in a much longer timeframe.

Can I ask someone to report on my behalf? Yes, you can appoint a victim's advocate to report a misconduct on your behalf. We encourage that especially when there has been trauma involved. The form makes allowance for it.

Can a member of the clergy be removed immediately from its position when I submit a complaint? It could happen. The aim of an immediate action is to prevent any further harm, such as but not limited to sexual misconduct or child abuse.

Will I cause trouble for the member of the clergy if I submit a complaint? The goal of the process is restoration. The process is aimed at preventing further harm to you or other people and to bring about restoration, when possible. You may actually be helping a member of the clergy grow and learn through the process, enabling this person to be a better minister of God.

Can I report a misconduct even if it was years ago? Yes. CBOQ realizes that coming forward is not easy. Sometimes, other events trigger a memory that helps a person decide to submit a complaint. Historical complaints are handled the same way as current ones.

Can I file a repeated complaint? Once a complaint has been duly processed and action has been taken by the MRC Executive, a complaint cannot be re-submitted simply because one is not satisfied with the outcome. Unless there is new evidence that has come to light regarding a former complaint, completed complaints cannot be reopened or re-submitted.

Can there be multiple complaints by different complainants filed against a member of the clergy? Yes. Multiple complainants can file a similar complaint concerning a member of the clergy. However, these complaints will be dealt as one. If the complaint has already been completed and a new complaint comes from another complainant for the same incident and this complaint does not bring new information, then the complaint will be dismissed as per the previous question. Should the complaint bring new, unknown evidence, it will be taken into consideration and a new investigation may take place according to the Protocols.