

Board of Inquiry: Guidelines and Procedures:

1.1 The nature, purpose, and scope of the Board of Inquiry will be governed by the "Pastoral Plan for St. Anthony's Seminary" presented on Pages 3-4 of "A Comprehensive Approach to Provincial Policy" (Cf. Documentation II.1) In all cases it should comply with the applicable demands of the law.

1.1.1 The Board has an essentially pastoral purpose, acting to help the victims, the well-being of the community and the friars, and the integrity of the Church. It is fact finding, consultative, and advisory to the Provincial Minister, not adversarial or adjudicative. Its process is to help identify victims of sexual abuse, the perpetrators of the abuse, and to assess the nature and extent of the reported abuse.

1.1.2 The Board is charged with assessing the nature and extent of the reported sexual abuse of minors at St. Anthony's Seminary from the school year 1964-65 to the time of the seminary closure in 1987, and to report its findings and recommendations to the Provincial Minister in accordance with sections 2.2.6 and 2.2.7 of this document.

1.1.3 The final recommendations should address the following areas: 1) An assessment of the nature and extent of sexual abuse of minors; 2) Whether or not there is reasonable cause to suspect that the allegations against an individual are substantial; 3) How best pastorally to care for victims of abuse in accordance with the Province policies; 4) what steps can be taken to prevent the recurrence of such instances.

1.2 The first point of contact with the seminary students will be to send a letter to all known students during the period under question. This listing will be provided by the Minister Provincial and the local seminary authorities. A sample letter will be given to the Board, but it will be sent out under the Board's name. Former students who were sexually abused in any way will be requested to respond to the persons designated by the Board.

1.3 The Board will also invite all former faculty members and friar staff to respond to the process and actions being taken.

1.4 The Board will decide upon its own operating procedures with respect to interviews with individuals, families, and groups.

1.5 In specific cases the Board will be guided by applicable state law and by Provincial policies governing misconduct, assistance for victims, and policies governing accusations of sexual misconduct. (Cf. documentation II.2)

2.1 The Board of inquiry is established by the Province of St. Barbara, but it will function independently of the provincial administration, and will report directly to the Provincial Minister.

2.2 It is understood that the Board of Inquiry operates under the authority of the Provincial Minister.:

2.2.1 The Board serves the Minister Provincial alone by making determinations and recommendations contemplated by these guidelines and procedures for St. Anthony's Seminary. The Board is not accountable to other officials of the Province.

2.2.2 The members of the Board will be recompensed in accordance with the individual arrangements made between members and the Provincial Minister. The work of the Board will be funded by the Provincial Minister.

2.2.3 The guidelines and rules of procedure will be drawn up under the authority of the Provincial Minister, revised and amended in consultation with the Board members, and adopted and thereafter amended by mutual agreement.

2.2.4 The Board will select its own chairperson in consultation with the Provincial Minister.

2.2.5 After the adoption of the guidelines and rules of procedure and a meeting with the Provincial Minister to review the presenting information, the Board of Inquiry will establish its own schedule, mode of procedure, and meeting times. The Provincial Minister will not attend the meetings unless requested by the Board of Inquiry.

2.2.6 When the Board is prepared to make its final report, it will meet with the Provincial Minister to review the contents of the report and make further remarks as agreed appropriate.

2.2.7 The text of the report as discussed in 2.2.6, respecting confidentiality, will be made public jointly by the Board of Inquiry and the Provincial Minister.

3.1 With respect to confidentiality, the following policies will be invoked:

3.1.1 Information received and generated in connection with the Board of Inquiry will be maintained in a confidential manner, and may be disclosed only in accordance with this section.

3.1.2 The Board is the custodian of all information and shall develop an appropriate record keeping system to ensure accountability for and security of the information. Upon completion, this information will be turned over to the Provincial Minister under seal and/or destroyed.

3.1.3 The Board shall provide the individual identified as an abuser with information sufficient to enable him to respond to the report of abuse.

3.1.4 The Board will provide the person making the report of abuse and the abuser with appropriate and timely information about the Board's recommendations and the Provincial Minister's response.

3.1.5 Individual members of the Board shall provide all appropriate information learned in the context of this investigation to the remainder of the Board.

3.1.6 The Board shall provide access to all information to the Provincial Minister in connection with the reports of abuse about a member of the religious community or the appropriate religious superior in the case of another community.

3.1.7 The Board or individual members may disclose information if required by law.

4.1 After sufficient review a friar established to have been an offender will not return to active public ministry without thorough and enforceable guidelines as recommended by the Board of Inquiry. (Cf. Provincial Policy for "Accusations of Sexual Abuse"). The Provincial Minister will meet with the Board of Inquiry, as requested, to discuss the recommendations and to detail the actions which have been taken.

5.1 The Board will follow Province policies on active care for victims.

6.1 The Board will meet regularly with those members of the Greater Community of St. Anthony's Seminary interested in the progress of the inquiry. As much as possible the Board will explain its procedures and give indications of its progress to those interested. Until the conclusion of the inquiry, the identities of the people involved in the incidents under investigation shall not be revealed.

6.1.1 The final report of the Board to the Provincial Minister, respecting confidentiality, will be made public to the members of the Greater Community of St. Anthony's.

6.1.1 The Board will establish its own procedures as to public disclosure in the press. It may ask an individual member or, if appropriate, the Provincial Minister to act as spokesperson.

7.1 Because it is in the interest of all concerned that the investigation be concluded as quickly as is reasonable, the Board will be constituted until May 1, 1993. It may finish its work and, upon consultation, dissolve before that time or, if necessary, ask for an extension of time from the Provincial Minister. If it sees the importance of ongoing work, it may request that this be done by the permanent Review Board to be established by the Province by August 1993 (Cf. documentation II.1, page 3, #5).