

# VANCOUVER MONTHLY MEETING CONFLICT RESOLUTION GUIDELINES

## I. PURPOSE OF VANCOUVER FRIENDS MEETING

We are a spiritual community. We come together to worship, to seek divine guidance and for fellowship. We are diverse in our individual beliefs and outlooks, but also hold dear our sense of community and of gathering together to support each other in living out Quaker testimonies on peace, integrity, equality, simplicity and community and emerging testimonies such as our relationship to the Earth. We wish to seek the Light and to see our community prosper. These guidelines are set out to further these goals.

## II. ASSUMPTIONS

### A. General Assumptions

Conflict is a fact of life. For each of us the question is how we deal with it. Quakers, being as fallible as others, are not immune to antagonistic or hurtful behaviour, including abuse of a sexual, physical, or emotional nature.

When conflict or abuse occurs, we need a process in place that:

- a. seeks clearness about the facts and context of the behaviour;
- b. always seeks to hold a compassionate regard for all involved, knowing that there is that of God in everyone and that each of us is more than the worst we have done;
- c. requires accountability and limit-setting with respect to the behaviour of any participant who abuses another;
- d. determines at the outset whether anyone is at risk of abuse in the future, and, if so, takes all reasonable steps to minimize that risk and to ensure that person's safety.
- e. offers support, whenever that is possible and desired, for each person involved in a case of conflict or abuse;
- f. offers mediation or a clearness process to all involved, if and when mediation or a clearness process is appropriate. Mediation may not be appropriate in cases of abuse.
- g. honours the importance of the prayerful holding of each person in the Light and of an openness to the intervention of the Spirit.
- h. treats all participants equally in a spirit of compassion and justice.

We recognize that without such a process at Vancouver Friends Meeting when the next case of conflict or abuse occurs, we are likely to experience avoidance, prejudice, gossip, confusion, distrust, and more conflict.

Finally, with the adoption of these guidelines, we affirm that Friends have conflict resolution processes that are likely to work, and we accept our duty to utilize them, to seek the truth in love, and to address behaviours that do much to rend our community or harm a member and little to further anyone's life or spiritual well being.

At a minimum, if we sense conflict or abuse in our midst, this duty asks each of us to consult with the Clerk of Ministry and Counsel, so that it might aptly be addressed.

If the Clerk of Ministry and Counsel or a family member of the Clerk of Ministry and Counsel is involved in the perceived conflict or abuse, then someone else on Ministry and Counsel can be consulted and asked to have Ministry and Counsel address the matter.

If someone serving on Ministry and Counsel or a family member of someone serving on Ministry and Counsel is a participant in the perceived conflict or abuse, that person serving on Ministry and Counsel must not be present when Ministry and Counsel discusses the matter or take part in the decision-making of Ministry and Counsel regarding the perceived conflict or abuse.

A person's relationship with or status in Meeting is irrelevant as to how they are treated in the conflict resolution process. Members of Vancouver Monthly Meeting, members of other Monthly Meetings, attenders, and employees of the Monthly Meeting are all considered to be equal and treated with respect and dignity in a situation of perceived conflict or abuse. The Vancouver Monthly Meeting Personnel Policy will be referred to in situations involving an employee of the Monthly Meeting.

#### B. Our Attitude in Confronting Instances of Conflict or Abuse

It may be helpful for us, whenever we are dealing with any difficult instance of conflict or abuse, to adopt the following attitude, individually and collectively:

Our prayer should be for *humility*, which allows us to look at our possible contribution to the problem and for *simplicity*, to speak the truth in gently and straightforward ways. We can pray for *rootedness*, which will allow us to be mindful of the values that bind us together as a community, and for *patience*, remembering that things will not change overnight. And always, we need a sense of humor. (*Arlene Kelly, "Dealing with Difficult Situations, Pastoral Care Newsletter, October, 1994.*)

Bring into God's light those emotions, attitudes and prejudices in yourself which lie at the root of destructive conflict, acknowledging your need for forgiveness and grace. (*Quaker Faith & Practice of Britain Yearly Meeting, #32.*)

#### C. Limits of the Meeting

Any case of conflict or abuse can bring an individual or group to its limits. How do we decide, individually or collectively, that we have reached the limits of what we can do in a seemingly irresolvable situation? Have we thought carefully enough about the simplest of needs, those for support, witnessing, prayer, and holding in the Light. Is the situation not ours to resolve? If not, are we big enough to accept our smallness? Is this a

situation where the most loving act is to set limits upon an individual's behaviour (perhaps even to ask the individual to withdraw from the community, either temporarily or permanently) to protect either that individual, another, or the community? Can we so act while holding all those concerned in our hearts and prayers?

Let our Meetings for Worship with a Concern for Business be conducted openly and transparently. All members and attenders are encouraged to participate in Meetings for Worship with a Concern for Business. The Clerk may permit other persons to participate if the Clerk considers this appropriate. The Clerk shall ask an applicant for membership in Meeting to leave the Meeting for Worship for Business after the Meeting hears the final report of their clearness committee while the Meeting considers the applicant's application for membership or a prospective employee of the Meeting while there is discussion as to whether to employ the person or consideration of the terms of the employment contract. Apart from this, members and attenders are permitted to participate in consideration of all business conducted at Meeting for Worship for Business, including when there has been a request for funding, either personally or for a project. It is not appropriate for a Clerk to ask an individual to not attend a particular Meeting for Worship with a Concern for Business because other Friends would be more comfortable discussing a matter without the individual being present. The Meeting may refer any matter concerning a situation of conflict or abuse to Ministry and Counsel for their consideration.

While Ministry and Counsel may, in its role of caring for the spiritual life of the Meeting, restrict an individual's participation in the life of the Meeting by prohibiting an individual from attending the Meetinghouse or requesting a peace bond or restraining order to prohibit an individual from attending the Meetinghouse, only Monthly Meeting may remove an individual from a committee or in any other service to the Monthly Meeting that the individual has been appointed to, or remove an individual from membership in Monthly Meeting. If Ministry and Counsel considers it necessary to prohibit an individual from attending the Meetinghouse and the individual is willing, Ministry and Counsel will arrange for the individual to worship with Friends outside of the Meetinghouse.

We recognize that Ministry and Counsel bears a heavy burden in dealing with conflict and abuse issues. We ask Friends to hold them in the Light and pray that they will be rightly guided in their decisions. Ministry and Counsel is not a participant to the conflict and needs the support of the Meeting when dealing with difficult situations. This does not imply that Friends must agree with everything Ministry and Counsel does. It is often easy for Friends to take sides in a dispute and criticize the actions of Ministry and Counsel without knowing the full story of what occurred. It may not be possible, because of confidentiality concerns, for Ministry and Counsel to disclose all of the relevant information that led to their decision.

### **III. HOW TO DEAL WITH DIFFICULT SITUATIONS, IN GENERAL**

For conflict situations that do not involve an issue of abuse:

- a. Prayerfully hold the situation and all of the persons involved in the Light;
- b. Speak directly to the person you are in conflict with;
- c. If that does not work, take the matter to the Clerk of Ministry and Counsel (or another member of Ministry and Counsel if it involves the Clerk of Ministry and Counsel or a family member of the Clerk). Ministry and Counsel will then appoint a Friend to act as a third party between you and the person you are in conflict with;
- d. If that does not work, Ministry and Counsel will bring the matter to Monthly Meeting for consideration;

#### **IV. HOW TO CONFRONT A SITUATION WHERE ONE FRIEND HAS ABUSED ANOTHER**

##### **A. Definition of Abuse**

While there are many definitions of abuse, we have settled on a fairly simple one. Abuse occurs when one person has cause to know that certain behaviour is hurtful, threatening, or offensive to another person and yet engages in that behaviour with respect to that person.

Cause to know may take any one of several forms, including: the second person having signalled the first, by word or gesture, not to repeat certain conduct because it is unwelcome; a third person having warned the first person that such conduct is being experienced as unwelcome; or the community or society in general having put its members on notice that a particular behaviour is typically experienced as unwelcome. If the perceived abuser denies having had cause to know the behaviour was experienced as abusive, that excuse is removed as soon as the Meeting raises its concern with that person.

We understand that on occasion someone may experience as abusive behaviour that most people would find acceptable. Then, it is Ministry and Counsel's responsibility to initiate a process to discern whether or not the behaviour is in fact hurtful, threatening, or offensive.

Abuse may be emotional, physical, or sexual in nature. It may take the form on one person deliberately trying to upset another, an employer harassing an employee, a larger person picking on a smaller person. Most often the abusive behaviour occurs because of a real or perceived difference in the relative power or sense of empowerment between the abuser and the abused.

To illustrate abuse, it may be helpful to look at but one of its manifestations: sexual harassment. Sexual harassment is any conduct by one person directed at another person when the first has cause to know that this conduct is experienced by the second person as sexual and unwelcome. The conduct may range from a sexually provocative remark, to seemingly harmless flirting, to unwanted touching, to stalking. The key questions are whether the second person experiences the conduct as sexual and

unwelcome, and whether the first person has cause to know that the second person experiences the conduct in this way. Has the second person signalled the first person, either by word or gesture, not to repeat certain conduct because it is unwelcome and sexual? Has a third person warned the first person that such conduct is being experienced as sexual or unwelcome? Is it behaviour that the community or society in general has defined as typically experienced as sexual and unwelcome? No matter what form abuse may take, it is always a violation of the Spirit.

B. Procedures for Confronting Instances When One Person Experiences Abusive Behaviour by Another

Every situation has its unique set of circumstances. If faced with a situation of serious conflict or abuse, take these concerns into account:

- a. The first priority must be to protect anyone who is fearful or at risk. This may need to be done before all of the facts of a case are known. Interim measures that are taken do not indicate a determination of guilt and may later be revised after further investigation. Any measures taken will be designed to address practical concerns raised by the situation and are not intended to be punitive.
- b. Do not ask someone who is vulnerable to meet face to face with a person who may be intimidating to him or her.
- c. Friends may, in their efforts to be caring to both abuser and abused, enable perpetuation of the abuse. It is an exacting discipline to be both caring and clear and firm. Both are required in cases where there has been or may have been abuse.
- d. The investigation of the facts is not a criminal proceeding and does not require a formal hearing with all of the participants present. All of the participants to the situation of conflict or abuse need to be informed of what the other participants have said they did. The standard of proof is not proof beyond a reasonable doubt, but whether it is more likely than not that something occurred.
- e. All participants are encouraged to participate in whatever process is set out for investigating the facts or resolving the issues. Decisions will have to be made regardless of whether or not a participant chooses to participate in the process.

The following procedures might be implemented when one person in the Meeting, Alpha, feels abused by another, Beta.

Step 1. If Alpha is willing and feels safe enough to do so, Alpha can approach Beta, explain that Alpha experiences Beta's particular behaviour as abusive, and ask Beta not to repeat it. (One variation: Alpha asks a Friend to come as a support person if both of them feel this would help Alpha to convey the message or help Beta to hear it.)

Step 2. If Beta does not agree to stop the behaviour or if Beta does not actually stop it, or if Alpha is unwilling or unable to make a direct approach to Beta, then Alpha is encouraged to contact the Clerk of Ministry and Counsel. (It is assumed here and throughout this section that Beta is not on Ministry and Counsel.)

Step 3. The Clerk informs Ministry and Counsel, who then designate persons to meet with Alpha and listen with compassion and openness to Alpha's account of Beta's behaviour and Alpha's experience of it. Then, in consultation with Alpha, the designated persons decide on the next steps: those that recognize the need for safety, justice, and the health of the Meeting; those that give Beta a full chance to give Beta's account of what has transpired; those that will aid in the halting of any abusive conduct, the discernment of truth, the expression of regret and apology for the abusive behaviour, and the beginning of healing.

Possible further step a. If Alpha agrees (see "c" below, if Alpha does not agree), the designated persons might meet with Beta to hear Beta's story; or a meeting might be arranged with both Alpha and Beta (each to have a support person, if desired), where they may tell their stories to the designated persons, and Alpha and Beta have agreed to listen carefully and open-heartedly to one another's story.

Possible further step b. A carefully chosen, small committee of members, or a person outside of the Meeting specifically invited to address this problem, might facilitate a meeting such as that describe in "a" above. A person outside of the Meeting may be someone with professional expertise or a respected Friend. Ministry and Counsel may wish to consult with the Continuing Meeting of Ministry and Counsel of either Canadian Yearly Meeting or of Western Half Yearly Meeting about finding someone outside of the Meeting.

Possible further step c. If Alpha does not agree to representatives of Vancouver Friends Meeting confronting Beta with Alpha's complaint of abusive behaviour, then what can Vancouver Friends Meeting do?

- n offer to have a committee of care formed for Alpha?
- n Make note of the reported incident in case other incidents involving Beta are reported later?
- n Seek clarity in prayer?
- n Advise Alpha to seek help from a professional or an agency?
- n Clearly inform Alpha of the limits of what Vancouver Friends Meeting can do under these circumstances?

Possible ultimate steps. Steps beyond this point depend entirely upon the outcome of the initial meeting with Beta alone, or of that with Alpha and Beta together.

Clearly, if Alpha and Beta agree to what has happened and Beta acknowledges that the conduct was abusive, or experienced as abusive, apologizes for the conduct, agrees never to repeat it, and attempts to make amends, the further steps are likely to be fairly straightforward and a good outcome probable. If, however, there is either disagreement as to what happened, or as to whether Alpha should or should not have experienced the conduct as abusive or whether Beta should stop the conduct, then Ministry and Counsel, the committee, or consultant will be faced with more difficult questions, such as:

- n Does Vancouver Friends Meeting have the skills, time, and willingness to address and resolve this situation?
- n Do we need outside assistance to help us?
- n Would any larger Quaker body of help in some way?
- n Does safety or the law require notification of any governmental agency? What are the consequences to Alpha, to Beta, and to the community of taking this step? What are the consequences of not taking it?
- n Could a committee of care be formed for each of Alpha and Beta? Could these two committees be set up so that there is some mechanism of communication between them, maybe through a third person, so that each committee does not work in complete isolation from the other? Note that a committee of care is not an advocate for a participant nor to elder or monitor the behaviour of a participant. Its function is set out in Organization and Procedure of Canadian Yearly Meeting as, “To provide help, both practical and spiritual, during times of stress in the lives of members of the Meeting, e.g. bereavement, separation, illness, career changes, etc.”.
- n Would a mediator or mediators be of help? Note that while mediation is often helpful in other kinds of conflict, it is less likely to work and we are unlikely to find mediators willing to try it in a case of abuse, where it appears that Beta is dishonestly denying what has occurred or refusing to accept that the conduct was abusive, or where there is a fear for safety or a significant difference in the sense of empowerment between Alpha and Beta.
- n Would it be helpful to suggest that a participant contact a CYM National Listener as an experienced Friend outside of the Meeting who could non-judgmentally listen to the participant’s concerns. Note that National Listeners are not responsible for resolving conflict.

All steps in this process will require deep, prayerful listening to the specifics of the situation. Our aim is to do all in our power to assist the work of the Spirit towards clarity, justice, safety and sanctuary for all in the Meeting, and reconciliation, where possible. The need is to focus upon dealing with the behaviour while holding each person in the Light.

We encourage anyone involved in a case of conflict or abuse – Alpha, Beta, and those who meet with them to try to resolve the matter – to read deeply in the literature listed in the resource section.

## **V. CONFIDENTIALITY**

Difficult questions of confidentiality arise whenever conflict or abuse occurs within a community. Who needs to know what? Who has a right to privacy that must be honoured? How do we strike a balance between the need of various individuals or groups for privacy and others’ need for disclosure? Most cases of conflict will require an evaluation of these questions, a process that is related to but also beyond the consideration of the conflict itself.

When a question of confidentiality versus disclosure arises, Friends might consider, at a minimum, the following:

1. Is anyone's safety at risk? If so, how is his/her safety best insured – by what degree of confidentiality and what degree of disclosure?
2. Is anyone's psychological well-being at risk? If so, by what degree of confidentiality or disclosure is her/his well-being best protected?
3. What is the need of any individual or part of the community to know certain information? Is that need of greater importance than the need for confidentiality that some other individual or group has?
4. If there is a need for the community as a whole to know something of the matter, how it is being processed, or its ultimate resolution, can publication of what needs to be known be done in a way that respects the individual's need for confidentiality?
5. Is there a need to contact the police, a government agency, an outside psychotherapist, mediator, lawyer or other professional, perhaps because of a legal requirement, a concern for safety, or a felt need for the use of professional services from beyond the Meeting? If so, and if that outsider might feel compelled by the facts and applicable law to commence legal action against a participant in the Meeting or in some way involve outside agencies in the lives of a Meeting participant, are we as Friends ready for this step and how do we need to adjust or maintain our Quaker processes in the face of such developments?

Note: There are legal obligations to promptly report the matter to the appropriate authorities when a person has reason to believe that a child needs protection. The relevant provisions are appended to these guidelines.

Note that a claim of confidentiality may not be respected in subsequent civil or criminal proceedings in a court of law.

## **VI. SOME PROACTIVE STEPS FRIENDS CAN TAKE TO AVERT OR REDUCE CONFLICT OR INJURY TO THE MEETING OR TO ANOTHER FRIEND**

A. Whenever a Friend, Ministry and Counsel, or a committee is dealing with a conflict between two participants in the Meeting, take every care to provide equal support, opportunity for prayer, and chance to use Quaker practices to each person in conflict and notify each that these are being offered to all those involved.

B. Friends have a dual obligation – to be as compassionate as is possible toward all parties and to set very clear and firm limits when they are necessary to protect the safety of a person. Experience shows that many of us have trouble with one or both of these obligations. Any workshop or exercise that Meeting holds to reflect upon these obligations to role play through difficult hypothetical situations may help the Meeting meet both obligations when real conflict or abuse arises with the Meeting community.

C. If any Friend is considering taking any action, legal or otherwise, that is likely to affect the Meeting community or meeting for worship, that Friends is asked to notify the Clerk of Meeting of that action, preferably before it is taken and in any case as soon as possible after the action is taken.

D. Any Friend who attends any function in a way that is likely to give the appearance that the Friend represents Vancouver Friends Meeting when she/he is there only in her/his personal capacity is strongly urged to find ways to inform those present that she/he is not representing the Meeting.

E. Participants to a conflict are expected to refrain from any actions outside of the conflict resolution process, such as statements during Worshipful Sharing or mass emails, which could be construed as inflammatory.

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Dearly beloved Friends, these things we do not lay upon you as a rule or form to walk by, but that all, with the measure of light which is pure and holy, may be guided; and so in the light walking and abiding, these may be fulfilled in the Spirit, not from the letter, for the letter killeth, but the Spirit giveth life.

*(Postscript to an epistle to 'the brethren in the north' issued by a meeting of elders at Balby, 1656)*

# **Child, Family and Community Service Act**

## **[RSBC 1996] CHAPTER 46**

### **When protection is needed**

**13** (1) A child needs protection in the following circumstances:

- (a) if the child has been, or is likely to be, physically harmed by the child's parent;
- (b) if the child has been, or is likely to be, sexually abused or exploited by the child's parent;
- (c) if the child has been, or is likely to be, physically harmed, sexually abused or sexually exploited by another person and if the child's parent is unwilling or unable to protect the child;
- (d) if the child has been, or is likely to be, physically harmed because of neglect by the child's parent;
- (e) if the child is emotionally harmed by the parent's conduct;
- (f) if the child is deprived of necessary health care;
- (g) if the child's development is likely to be seriously impaired by a treatable condition and the child's parent refuses to provide or consent to treatment;
- (h) if the child's parent is unable or unwilling to care for the child and has not made adequate provision for the child's care;
- (i) if the child is or has been absent from home in circumstances that endanger the child's safety or well-being;
- (j) if the child's parent is dead and adequate provision has not been made for the child's care;
- (k) if the child has been abandoned and adequate provision has not been made for the child's care;
- (l) if the child is in the care of a director or another person by agreement and the child's parent is unwilling or unable to resume care when the agreement is no longer in force.

(1.1) For the purpose of subsection (1) (b) and (c) and section 14 (1) (a) but without limiting the meaning of "sexually abused" or "sexually exploited", a child has been or is likely to be sexually abused or sexually exploited if the child has been, or is likely to be,

(a) encouraged or helped to engage in prostitution, or

(b) coerced or inveigled into engaging in prostitution.

(2) For the purpose of subsection (1) (e), a child is emotionally harmed if the child demonstrates severe

(a) anxiety,

(b) depression,

(c) withdrawal, or

(d) self-destructive or aggressive behaviour.

### **Duty to report need for protection**

**14** (1) A person who has reason to believe that a child needs protection under section 13 must promptly report the matter to a director or a person designated by a director.

(2) Subsection (1) applies even if the information on which the belief is based

(a) is privileged, except as a result of a solicitor-client relationship, or

(b) is confidential and its disclosure is prohibited under another Act.

(3) A person who contravenes subsection (1) commits an offence.

(4) A person who knowingly reports to a director, or a person designated by a director, false information that a child needs protection commits an offence.

(5) No action for damages may be brought against a person for reporting information under this section unless the person knowingly reported false information.

(6) A person who commits an offence under this section is liable to a fine of up to \$10 000 or to imprisonment for up to 6 months, or to both.

(7) The limitation period governing the commencement of a proceeding under the *Offence Act* does not apply to a proceeding relating to an offence under this section.