

Chief Adjudicator Directive Regarding Redaction of Names

1. Names of claimants

Adjudicators shall identify the claimant in decisions and legal fee rulings by his/her full name, unless the claimant specifically asks to be identified by the first initials of his/her first and last names.

2. Names of alleged perpetrators or witnesses in relation to whom no findings of compensable abuse are made, or where identity of alleged perpetrator is uncertain

Adjudicators will not identify by name in decisions, alleged perpetrators or others in relation to whom no findings of compensable abuse are made, those whose identity is uncertain, or those in relation to whom negative comments are made. The objective is to avoid naming individuals who have not had an opportunity to respond to allegations against them. Also, adjudicators are encouraged not to refer to individuals in decisions by name, but rather by position or relationship to the parties.

3. Redaction of names of alleged perpetrators in relation to whom findings of compensable abuse are made

When submitting decisions, Adjudicators shall provide one hard copy and one electronic copy (CD) of the following:

- (a) One version of the decision, which on its face is identified as **“Unredacted – Counsel Copy”**, in which all names of alleged perpetrators against whom findings of compensable abuse are made have been included.

This version shall be made available to Canada, the Church and Claimant Counsel on Claimant Counsel’s undertaking not to release this version to the claimant or others, with a written caution that Claimant Counsel remains under a professional obligation to maintain this version of the decision in strict confidence.

- (b) One version of the decision, which on its face is identified as **“Alleged Perpetrator Names(s) Redacted – Claimant Copy”**, in which all names of alleged perpetrators against whom findings of compensable abuse are made have been redacted. Names of alleged perpetrators are to be redacted by being replaced with an “X”, or, if there is more than one, “X”, “X1”, “X2” etc. However, the names of adult or student alleged perpetrators who are known to have been criminally convicted of abusing children will be included in decisions and will not be subject to these redaction provisions.

Claimant Counsel shall release only this version of the decision to their respective clients. The Adjudication Secretariat will release only this version of the decision to Self-Represented Claimants.

If the names of none of the alleged perpetrators are known, adjudicators need only submit one version of the decision, which on its face is identified as “**Counsel and Claimant Copy**”.

4. Application to Chief Adjudicator

If a party wishes to know the name of any person whose name has been redacted from a decision, a request should be made to the Chief Adjudicator. If the Chief Adjudicator is satisfied that the request is reasonable, he/she may release the name to the party requesting same.

This is a revision of a Chief Adjudicator Directive dated 5/11/07. It is a consolidation and clarification of previous policies that applied to redaction of names of alleged perpetrators in decisions, and the addition of new policies regarding the redaction of names of claimants and witnesses.

(Approved by IAPOC 03/02/09)

Feb. 3, 2009