

**Private and Confidential**

**Review of Safeguarding Practice**

**in the**

**Diocese of Cloyne**

**undertaken by**

**The National Board for Safeguarding Children in the**

**Catholic Church in Ireland (NBSCCCI)**

**The content of this Report is not to be accessed or shared without the consent  
of Bishop William Crean**

**Date:** December 2013

**CONTENTS**

|                                                                             |                |
|-----------------------------------------------------------------------------|----------------|
| <b>Background</b>                                                           | <i>Page 3</i>  |
| <b>Standard 1</b><br><i>A written policy on keeping children safe</i>       | <i>Page 10</i> |
| <b>Standard 2</b><br><i>Management of allegations</i>                       | <i>Page 15</i> |
| <b>Standard 3</b><br><i>Preventing Harm to Children</i>                     | <i>Page 21</i> |
| <b>Standard 4</b><br><i>Training and Education</i>                          | <i>Page 27</i> |
| <b>Standard 5</b><br><i>Communicating the Church's Safeguarding Message</i> | <i>Page 29</i> |
| <b>Standard 6</b><br><i>Access to Advice and Support</i>                    | <i>Page 32</i> |
| <b>Standard 7</b><br><i>Implementing and Monitoring Standards</i>           | <i>Page 35</i> |
| <b>Recommendations</b>                                                      | <i>Page 37</i> |
| <b>Terms of Reference</b>                                                   | <i>Page 39</i> |

## **Background**

The National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) was asked by the Sponsoring Bodies, namely the Episcopal Conference, the Conference of Religious of Ireland and the Irish Missionary Union, to undertake a comprehensive review of safeguarding practice within and across all the Church authorities on the island of Ireland. The purpose of the review is to confirm that current safeguarding practice complies with the standards set down within the guidance issued by the Sponsoring Bodies in February 2009, *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* and that all known allegations and concerns had been appropriately dealt with. To achieve this task, safeguarding practice in each Church authority is to be reviewed through an examination of case records and through interviews with key personnel involved both within and external to a diocese or other authority.

This report contains the findings of *the Review of Safeguarding Practice within the Diocese of Cloyne* undertaken by three reviewers from the NBSCCCI on December 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> 2013 in line with the request made to it by the Sponsoring Bodies. It is based upon the case material made available to us by the Bishop Crean, along with interviews with selected key personnel who contribute to safeguarding within the diocese. The NBSCCCI believes that all relevant documentation for these cases was passed to the reviewers and Bishop Crean has confirmed this.

Bishop Crean and his safeguarding staff cooperated fully with this review. During the period reviewed (from 01/01/1975 to 30/11/2013), 416 priests ministered in the Diocese of Cloyne. The Diocese of Cloyne has 125 incardinated priests, of whom 106 are at present in ministry.

The findings of the review have been shared with a reference group before being submitted to Bishop Crean, along with any recommendations arising from the findings.

## **Introduction**

The history of the Cloyne diocese dates back to around 560 AD when St. Coleman established his own monastic settlement at Cloyne. A Bishopric was established in approximately 580 AD, and during the Synod of Kells in 1152 it was made a suffragan diocese within the Metropolitan province of Cashel and Emly. For eight centuries it was the residence for the Bishop of Cloyne. The diocese became the Diocese of Cork and Cloyne from 1429 to 1747; and then became the Diocese of Cloyne and Ross, until these were separated in 1850. The then bishop, Bishop Keane, planned a cathedral for Cobh to replace the parish church there. Building work began in 1868 and the cathedral was completed in 1915, 47 years later. Cobh became the bishop's place of residence.

The diocese is situated in the northern and eastern parts of County Cork, covering most of the county, except Cork City and the western parts of the county. It covers 3,440 square kilometres, approximately 1,328 square miles. The diocese incorporates 46 parishes, containing 107 churches and stretches from Youghal in the southeast to Macroom in the southwest and from Rockchapel in the northwest to Mitchelstown in the northeast. The population of this area is approximately 150,000, of which somewhere between 147,500 (2006) and 126,000 are Catholic: [the 2006 figure is taken from <http://www.catholic-hierarchy.org>, and the 2011 figure is calculated from the census finding that 84.2% of the population of the Republic of Ireland defined themselves as Roman Catholic].

In the period covered by this review (from 01/01/1975 to 30/11/2013) there have been four bishops in charge of the Diocese of Cloyne, Bishop John Ahern, who served from 30/03/1957 to 17/02/1987, Bishop John Magee SPS, appointed on 17/02/1987 and resigned on 24/03/2010, Archbishop Dermot Clifford, who was appointed Apostolic Administrator on 07/03/2009 and who administered the diocese until the appointment of Bishop William Crean. Canon William Crean from Kerry was ordained Bishop of Cloyne at St Colman's Cathedral, Cobh on Sunday 27 January 2013. The overlap between the period of office of Bishop Magee and the appointment of Archbishop Clifford was due to Bishop Magee having stepped aside for a period before he resigned.

## **Recent history and the Cloyne Report**

Beginning in the 1990s a number of media commentaries and television documentaries about sexual abuse within the Catholic Church in Ireland led to the development of Church policies to address the concerns. In 1996, *Child Sexual Abuse: Framework for a Church Response* (the *Framework* document) was published. The Irish Bishops' Conference, which included Bishop Magee and the Conference of Religious of Ireland adopted the 1996 *Framework*. It was hoped that The *Framework* would restore confidence in the Church's ability to adequately protect children and respond to the needs of the victims of clerical sex abuse in Ireland.

The *Framework* sets out the Church's response to sexual abuse and the policies and procedures for responding to complaints, exchanging information and assessing and treating priests and religious accused of child sexual abuse. Among the new structures recommended was the Advisory Panel. Section 3.17 of the *Framework* stated that:

*Each bishop or religious superior should appoint an Advisory Panel, the members of which will be available to offer advice on a confidential basis, collectively and in their respective disciplines, when required. The Panel should include lay people with qualities and expertise relevant to the issue of child sexual abuse. It is recommended that a child care professional, a canon lawyer and a civil lawyer be included in the membership of the Panel.*

While Bishop Magee did establish an advisory panel in 1995, it only met on three occasions in that year and it did not operate thereafter. In 2005, the Diocese of Cloyne and the Diocese of Limerick established an inter-diocesan case management advisory committee, but this was ineffective.

In 2004, Bishop Magee commissioned an assessment of the diocese's implementation of the policies outlined in the *Framework*. An independent consultant completed his report in 2004 and concluded that the diocese was not implementing all of the policies and procedures set down in the *Framework*. Despite this finding, Bishop Magee told the Minister for Children in 2005 that the diocese was fully compliant with the principles, policies and procedures of the *Framework*.

Following publication of the Ferns Report in 2005, the HSE was requested by the Minister for Children to commence an audit among Catholic dioceses of compliance with the recommendations of that report and the work on this was commenced in October 2006. However, it took the HSE four years to produce a first report on this exercise, in part because the HSE did not have the legal powers to compel Catholic bishops to provide information and there were a number of changes in the information requested by HSE which caused confusion. In the course of its audit, HSE reported specifically on the Diocese of Cloyne to the Department of Health and Children in January 2008 in which it stated that:

*On foot of the HSE's review of the Diocese of Cloyne, new agreed arrangements and procedures were put in place in the Diocese and we are now assured that there are currently adequate child protection practices in place.<sup>1</sup>*

However, following further media scrutiny and Government disquiet regarding the handling of sexual abuse concerns in the Diocese of Cloyne, the Chief Executive Officer of the National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI), completed a review on the diocese's management of two cases of suspected child sexual abuse. The review report was completed in December 2008 and found that:

*Children have been placed at risk of harm within the Diocese of Cloyne through the inability of that Diocese to respond appropriately to the information that came to it regarding child protection concerns involving the clergy. It failed to act effectively to limit the access to children by individuals against whom a credible complaint of*

---

<sup>1</sup> Report of the CEO to the Board of HSE, 15th January 2009

*child sexual abuse was made. The competence of those involved in this area of work in the Diocese has to be questioned. Risk has not been recognised and responded to appropriately.*

On 7th January 2009, the Minister for Children and Youth Affairs announced that the Commission of Investigation into the Dublin Archdiocese would be requested by the Government to carry out an examination of child protection by the Catholic Diocese of Cloyne. The Minister stated that:

*I believe that there is evidence that points to the fact that Bishop Magee, as the responsible person, did not faithfully report actual compliance with child protection procedures and the manner in which clerical sexual abuse allegations have been dealt with. Accordingly, the Government has taken the decision to notify the Cloyne Diocese to the Commission of Investigation into the Dublin Archdiocese to carry out an examination of the Diocese (of Cloyne).<sup>2</sup>*

[The Commission of Investigation into the Dublin Archdiocese was established in March 2006 to report on the handling by Church and State authorities of a representative sample of allegations and suspicions of child sexual abuse against clerics operating under the aegis of the Archdiocese of Dublin during the period 1975 – 2004].

The Government referred the Diocese of Cloyne to the Commission of Investigation on the 31<sup>st</sup> March 2009; and the Report by Commission of Investigation into Catholic Diocese of Cloyne (the *Cloyne Report*) was published in July 2011.

In a paper of October 2012, Professor Ursula Kilkelly states about the Cloyne Report:

*In short, the Report details that in many instances the responses of those in positions of authority – both Church and state – were inadequate or inappropriate. The Report concluded that the ‘greatest failure’ (p. 6) was that some child sexual abuse allegations were not reported to the Gardaí (police). It criticised the failure on the part of the bishop with responsibility to implement agreed child abuse procedures and concluded that the Vatican was ‘entirely unhelpful’ to any bishop who wanted to implement such procedures (p. 5). From the State’s point of view, the Report was largely complimentary about the role of the Gardaí, although it expressed concern about the police’s approach in three cases. Moreover, although it found the response of the health authorities to be adequate, it expressed reservations that the State’s laws and guidelines are ‘sufficiently strong and clear’ for child protection (Commission of Investigation, 2011: para 1.72). The Report acknowledged that improvements have taken place in Cloyne since 2008, but it noted deliberate refusal on the part of some Church representatives to co-operate*

---

<sup>2</sup> Statement by Minister for Children and Youth Affairs, Barry Andrews, TD on the National Audit of Catholic Church Dioceses, 7 January 2009 – Department of Children and Youth Affairs

*with its own protocols regarding the reporting of allegations of child abuse and an approach which prioritised the interests of the alleged abuser over the victim.*<sup>3</sup>

In July 2012, the Health Services Executive published their Audit of Safeguarding Arrangements in the Catholic Church in Ireland - Volume 1 - Dioceses Report, in which it was stated that the diocese was in compliance with all of the 2009 national standards set by the Catholic Church in Ireland.<sup>4</sup>

### **NBSCCCI Reviews**

The purpose of this NBSCCCI review is set out within the Terms of Reference that are appended to this report. It seeks to examine how case management practice conforms to expected standards in the Church, both at the time an allegation was received and currently. Just as importantly, the review evaluates the efforts that have been made to create safe environments for children to ensure their current and future safety. To achieve these two objectives, the review process uses the seven standards outlined within *the 2009 Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* as an assessment framework.

It is an expectation of the NBSCCCI that key findings from the review will be shared widely so that public awareness of what is in place and what is planned may be increased, as well as confidence that the Church is taking appropriate steps to safeguard children.

The review was initiated through the signing of a data protection deed, allowing full access by staff from NBSCCCI to all case management and diocesan records. This access does not constitute disclosure as the reviewers through the deed were deemed to be nominated data processors of the material for Bishop Crean.

The current review, while taking account of the 2008 HSE Audit report and the 2011 Report by Commission of Investigation into Catholic Diocese of Cloyne, will not repeat the work of either appraisal. The cases examined in this review are those that arose subsequent to the commencement of the work of the Commission of Investigation. Where appropriate, the findings of these two earlier review exercises will be referenced in this report. It was decided therefore that this review would not re-examine the period covered in the 2011 Report by Commission of Investigation into Catholic Diocese of Cloyne (the Cloyne Report), i.e. 1<sup>st</sup> January 1996 – 1<sup>st</sup> February 2009.

The review process involved the fieldwork team reading case management records of living priests who are incardinated into the Diocese of Cloyne and against whom a child-

---

<sup>3</sup> Ursula Kilkelly (2012). *Learning Lessons from the Past: Legal Issues Arising from Ireland's Child Abuse Reports*, Irish Journal of Applied Social Studies Volume 12 Issue 1 Special Issue on Child Abuse Reports Published by Social Care Ireland

<sup>4</sup> Safeguarding Children - Standards and Guidance Document for the Catholic Church in Ireland

safeguarding allegation had been made or about whom a concern had been raised, which had not been examined in the Commission of Investigation's work. The reviewers also read some case files case relating to deceased priests about whom concerns had been raised, either while they were alive or after their death, and which had not featured in the Cloyne Report.

In addition, interviews were held with Bishop Crean, the Designated Liaison Person and his predecessor, the Deputy Designated Liaison Person, the Chairperson of the Safeguarding Committee, members of the Safeguarding Committee, the person responsible for coordinating Safeguarding, Training and Garda vetting for the diocese, a Trainer, two Priest Advisers, and four Parish Safeguarding Representatives. The Diocese of Cloyne uses the National Case Management Reference Group (NCMRG) of the NBSCCI in Maynooth and so has ceased to use its own Advisory Panel.

The review also conducted an assessment of the diocesan safeguarding policy and procedures against the standards set down in *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*. All other written material provided to the reviewers was evaluated for relevance and accuracy, as was the child safeguarding information contained on the diocesan website.

The report below discusses the findings of the fieldworkers under each of the seven national safeguarding standards. Conclusions are drawn regarding both the effectiveness of diocesan policies and practices in preventing abuse, and the ability of the relevant personnel within the diocese to assess and manage risk to children. Recommendations for improvements are made where considered appropriate.



## **STANDARDS**

This section provides the findings of the review. The template employed to present the findings are the seven standards, set down and described in the Church *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*. This guidance was launched in February 2009 and was endorsed and adopted by all the Church authorities that minister on the island of Ireland, including the Diocese of Cloyne. The seven standards are:

**Standard 1** A written policy on keeping children safe

**Standard 2** Procedures – how to respond to allegations and suspicions in the Republic of Ireland and Northern Ireland

**Standard 3** Preventing harm to children:

- recruitment and vetting
- running safe activities for children
- codes of behaviour

**Standard 4** Training and education

**Standard 5** Communicating the Church's safeguarding message:

- to children
- to parents and adults
- to other organisations

**Standard 6** Access to advice and support

**Standard 7** Implementing and monitoring the standards

Each standard contains a list of criteria, which are indicators that help decide whether this standard has been met. The criteria give details of the steps that a Church organisation, diocese or religious order, needs to take to meet the standard and ways of providing evidence that the standard has been met.

**Standard 1**

**A written policy on keeping children safe**

*Each child should be cherished and affirmed as a gift from God with an inherent right to dignity of life and bodily integrity, which shall be respected, nurtured and protected by all.*

Compliance with Standard 1 is only fully achieved when a diocese meets the requirements of all nine criteria against which the standard is measured.

**Criteria**

| Number | Criterion                                                                                                                                                                                                                                                                                        | Met fully or<br>Met partially<br>or<br>Not met |
|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 1.1    | The Church organisation has a child protection policy that is written in a clear and easily understandable way.                                                                                                                                                                                  | Met fully                                      |
| 1.2    | The policy is approved and signed by the relevant leadership body of the Church organisation (e.g. the Bishop of the diocese or provincial of a religious congregation).                                                                                                                         | Met fully                                      |
| 1.3    | The policy states that all Church personnel are required to comply with it.                                                                                                                                                                                                                      | Met fully                                      |
| 1.4    | The policy is reviewed at regular intervals no more than three years apart and is adapted whenever there are significant changes in the organisation or legislation.                                                                                                                             | Met fully                                      |
| 1.5    | The policy addresses child protection in the different aspects of Church work e.g. within a church building, community work, pilgrimages, trips and holidays.                                                                                                                                    | Met fully                                      |
| 1.6    | The policy states how those individuals who pose a risk to children are managed.                                                                                                                                                                                                                 | Met partially                                  |
| 1.7    | The policy clearly describes the Church's understanding and definitions of abuse.                                                                                                                                                                                                                | Met fully                                      |
| 1.8    | The policy states that all current child protection concerns must be fully reported to the civil authorities without delay.                                                                                                                                                                      | Met fully                                      |
| 1.9    | The policy should be created at diocese or congregational level. If a separate policy document at parish or other level is necessary this should be consistent with the diocesan or congregational policy and approved by the relevant diocesan or congregational authority before distribution. | Met fully                                      |

Bishop Crean spoke to the reviewers about his personal commitment and dedication to the on-going safeguarding work within the Diocese of Cloyne. Safeguarding personnel who were interviewed spoke of the bishop providing leadership and support in child safeguarding work. The reviewers were impressed by the dedicated personnel, both

clerical and lay persons, on whom the bishop can rely to implement safeguarding policies at both diocesan and local parish level.

The diocesan policy and procedures document, *Safeguarding Children and Vulnerable Persons in the Diocese of Cloyne* (2013) is a draft document provided to the reviewers, and which replaces the previous policy document *Safeguarding Children in the Diocese of Cloyne* (2010), which in turn replaced the earlier policy document *Child Protection in the Diocese of Cloyne* (2007). The diocese is commended for its diligence in reviewing and revising its guidance. As the publication of this guidance is imminent, the reviewers have decided to briefly comment on it as part of this review.

The second draft of *Safeguarding Children and Vulnerable Persons in the Diocese of Cloyne* (2013) is a comprehensive 96 page document. It is well written and clear in stating both the direction and expectations of child safeguarding within the diocese. While being user friendly in style and composition, the tone and content of the policies and procedures is definitive and firm, leaving no ambiguity in how child safeguarding will be practiced and monitored within the diocese, and it lucidly indicates how the seven national standards will be implemented at parish and diocesan level.

*Safeguarding Children and Vulnerable Persons in the Diocese of Cloyne* (2013) establishes as its guiding principles:

1. That all children have a fundamental right to be respected, nurtured, cared for, and safeguarded.
2. That this right is embedded in Gospel values, best practice guidelines and international and domestic laws.
3. That in light of the teaching of the Church, civil legislation and guidance, every part of the Church must be committed to taking the necessary steps to:
  - Demonstrate that the right of the child to protection from harm is paramount
  - Cherish and safeguard children and young people
  - Foster best practice
  - Demonstrate accountability through establishing effective structures
  - Support church organisations and personnel in safeguarding children
  - Establish clear recruitment and selection procedures for all the church staff and volunteers – aimed at preventing those who pose a risk to children from holding positions of trust
  - Maintain codes of behaviour – having clear guidelines that set out what is and is not acceptable behaviour as an essential part of keeping children safe.

At the time of the review fieldwork, the diocesan policy and procedures document that was in force was the 2010 *Diocese of Cloyne Safeguarding Children Policy* and this is the only document that can be evaluated.

The diocese meets Criteria 1.1, 1.2, 1.3, 1.4, 1.5 and 1.7, based on an evaluation of its 2010 policies and procedures. The document is written in a clear and easily understood style and is endorsed by Archbishop Clifford in his Foreword.

In the Introduction the following statement is made:

*With the safety and welfare of children and vulnerable adults as the ultimate goal, this document outlines safeguarding guidelines and procedures which are to be adhered to by all Church personnel/organisations in the Diocese of Cloyne.*

Diocesan Church personnel are required to comply with the safeguarding policies and procedures and the diocese regularly highlights and educates people about their safeguarding responsibilities. This is done through parish information meetings, safeguarding children conferences (held in 2011 and in 2013, with a further one planned for 2014) meetings between priests and parishioner and through local radio.

The first section contains a comprehensive two-page statement of the safeguarding children policy. Clear and accurate definitions of what constitutes child abuse are contained in Section 2 of the document.

The Diocese of Cloyne has also produced a *Parish Safeguarding Children Policy Statement, Guidelines, Roles and Responsibilities* in December 2010. This document complements the primary policies and procedures document, and contains a practical and concise explanation of safeguarding expectations. It is based on the 2010 *Safeguarding Children in the Diocese of Cloyne* document and will need to be updated when the draft 2013 policies and procedures have been adopted. Criterion 1.9 is well met.

The Diocese of Cloyne has a dedicated website:

<http://www.safeguardingchildrencloyne.ie> where safeguarding information can be obtained. This includes *Safeguarding Children in the Diocese of Cloyne* (2010), and the reviewers were informed that the completed *Safeguarding Children and Vulnerable Persons in the Diocese of Cloyne* (2014) will also be made available on this site.

Paragraph 1.21 of the Cloyne Report states that:

*Contrary to repeated assertions on its part, the Diocese of Cloyne did not implement the procedures set out in the Church protocols for dealing with allegations of child sexual abuse. The main failures were:*

- (a) The failure to report all complaints to the Gardaí;*
- (b) The failure to report any complaints to the health authorities between 1996 and 2008;*
- (c) The failure to appoint support people;*
- (d) The failure to operate an independent advisory panel.<sup>5</sup>*

---

<sup>5</sup> Report by Commission of Investigation into Catholic Diocese of Cloyne, p. 6

To address these historical failures, the Diocese of Cloyne has adopted stringent policies and procedures to ensure full compliance with their safeguarding obligations and complete cooperation with statutory services. This is set out in the guiding principles of the Diocese of Cloyne *Safeguarding Children Policy* 2010, which state that:

- 1. That all children have a fundamental right to be respected, nurtured, cared for and safeguarded*
- 2. That this right is embedded in Gospel values, best practice guidelines and international and domestic laws.*
- 3. That in the light of the teaching of the Church, civil legislation and guidance, every part of the Church must be committed to taking the necessary steps to:*
  - demonstrate that the right of the child to protection from harm is paramount*
  - cherish and safeguard children and young people*
  - foster best practice*
  - demonstrate accountability through establishing effective structures*
  - support Church organisations and personnel in safeguarding children*
  - establish clear recruitment and selection procedures for all Church staff and volunteers – aimed at preventing those who pose a risk to children from holding positions of trust*
  - maintain codes of behaviour – having clear guidelines that set out what is and is not acceptable behaviour as an essential part of keeping children safe*
  - operate safe activities for children – helping ensure they can play and learn in a safe environment*
  - report safeguarding concerns to the civil authorities without delay.*

As a result, Criterion 1.8 is fully met.

Paragraph 1.62 of the Cloyne Report commented on the management of individual priests who potentially pose a risk to children, as follows:

*Bishop Magee and Archbishop Clifford are to be commended for recruiting risk assessment specialists in 2009 to review diocesan files and to arrange risk assessments for a number of priests. The Commission is also satisfied that Archbishop Clifford has put in place a monitoring system for those priests still perceived to be a risk to children. The Commission has already noted in its Report into the Catholic Archdiocese of Dublin that monitoring of sex abusers is very difficult and that there is greater monitoring of clerical child sex abusers than any other child sex abusers.*<sup>6</sup>

---

<sup>6</sup> Report by Commission of Investigation into Catholic Diocese of Cloyne, p. 17

When considering compliance with Criterion 1.6 the reviewers examined the case management files and established that the Diocese is taking practical and reasonable steps to monitor these individual priests. However, paragraph 2.6 Disciplinary Processes, in the 2010 policy document is short on detail about how individuals who pose a risk to children are managed. For this reason Criterion 1.6 is considered to be met partially. The reviewers are aware that this will be rectified once the draft guidance is published in 2014.

To underpin the intentions explicit in the new diocesan policies and procedures to be published in 2014, the reviewers make the following recommendation:

**Recommendation 1**

**That Bishop Crean ensures that when the *Safeguarding Children and Vulnerable Persons in the Diocese of Cloyne* policy and procedures is published in 2014, all priests and all other personnel involved in diocesan and parish activities that involve children in any way sign and return to the Safeguarding Office a declaration that they have received, read and will abide with the requirements of that document. In addition Bishop Crean must ensure that appropriate training and induction is provided to those in safeguarding roles on the new policy document.**

## **Standard 2**

### **Management of allegations**

*Children have a right to be listened to and heard: Church organisations must respond effectively and ensure any allegations and suspicions of abuse are reported both within the Church and to civil authorities.*

Compliance with Standard 2 is only fully achieved when a diocese meets the requirements of all seven criteria against which the standard is measured.

#### **Criteria**

| <b>Number</b> | <b>Criterion</b>                                                                                                                                                                                                                            | <b>Met fully or Met partially or Not met</b> |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| <b>2.1</b>    | There are clear child protection procedures in all Church organisations that provide step-by-step guidance on what action to take if there are allegations or suspicions of abuse of a child (historic or current).                         | Met fully                                    |
| <b>2.2</b>    | The child protection procedures are consistent with legislation on child welfare civil guidance for child protection and written in a clear, easily understandable way.                                                                     | Met fully                                    |
| <b>2.3</b>    | There is a designated officer or officer(s) with a clearly defined role and responsibilities for safeguarding children at diocesan or congregational level.                                                                                 | Met fully                                    |
| <b>2.4</b>    | There is a process for recording incidents, allegations and suspicions and referrals. These will be stored securely, so that confidential information is protected and complies with relevant legislation.                                  | Met fully                                    |
| <b>2.5</b>    | There is a process for dealing with complaints made by adults and children about unacceptable behaviour towards children, with clear timescales for resolving the complaint.                                                                | Met fully                                    |
| <b>2.6</b>    | There is guidance on confidentiality and information-sharing which makes clear that the protection of the child is the most important consideration. The Seal of Confession is absolute.                                                    | Met fully                                    |
| <b>2.7</b>    | The procedures include contact details for local child protection services e.g. (Republic of Ireland) the local Health Service Executive and An Garda Síochána; (Northern Ireland) the local health and social services trust and the PSNI. | Met fully                                    |

**Table 1**

**Incidence of safeguarding allegations received within the diocese against priests, from 1<sup>st</sup> January 1975 up to time of review.**

| <b>Diocese of Cloyne</b> |                                                                                                                                                                                |            |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>1.</b>                | Number of Diocesan priests against whom allegations have been made since the 1 <sup>st</sup> January 1975 up to the date of the Review.                                        | <b>30</b>  |
| <b>2.</b>                | Total number of allegations received by the Diocese since 1 <sup>st</sup> January, 1975                                                                                        | <b>46</b>  |
| <b>3.</b>                | Number of allegations reported to An Garda Síochána involving priests since 1 <sup>st</sup> January 1975.                                                                      | <b>46</b>  |
| <b>4.</b>                | Number of allegations reported to the HSE (or the Health Boards which preceded the setting up of the HSE) involving priests of the Diocese since 1 <sup>st</sup> January 1975. | <b>46</b>  |
| <b>5.</b>                | Number of priests (still members of the Diocese) against whom an allegation was made and who were living at the date of the review.                                            | <b>19*</b> |
| <b>6.</b>                | Number of priests against whom an allegation was made and who are deceased.                                                                                                    | <b>10</b>  |
| <b>7.</b>                | Number of priests against whom an allegation has been made and who are in ministry.                                                                                            | <b>12</b>  |
| <b>8.</b>                | Number of priests against whom an allegation was made and who are “Out of Ministry, but are still members of the Diocese”.                                                     | <b>6**</b> |
| <b>9.</b>                | Number of priests against whom an allegation was made and who are retired                                                                                                      | <b>4</b>   |
| <b>10.</b>               | Number of priests against whom an allegation was made and who have left the Diocese/ priesthood.                                                                               | <b>1</b>   |
| <b>11.</b>               | Number of priests of the Diocese who have been convicted of having committed an offence or offences against a child or young person since the 1 <sup>st</sup> January 1975.    | <b>1</b>   |

*Footnote:* The term allegation in this table includes complaints and expressions of concern

\*Four of these 19 allegations refer to physical abuse.

\*\* Three of the six are passed the age of retirement

The Cloyne Report is based on an examination of

... all complaints, allegations, concerns and suspicions of child sexual abuse by relevant clerics made to the diocesan and other Catholic Church authorities and public and State authorities in the period 1 January 1996 – 1 February 2009.<sup>7</sup>

---

<sup>7</sup> Report by Commission of Investigation into Catholic Diocese of Cloyne, p.1



In that period there were 19 living priests about whom there were complaints, allegations or concerns, and the Commission of Investigation reviewed the cases of all of these men.

In the current review the reviewers read the case management files on 23 priests. This number included all priests in ministry against whom allegations were received, or concerns expressed and who were not included in the Cloyne Report, as well as all priests who are out of ministry or deceased against whom allegations were received, or concerns expressed. Four priests whose behaviour was examined in the Cloyne Report were the subjects of further concerns received post that report. The Commission of Investigation did not examine the cases of concerns about priests that arose between 01/01/1975 and 01/01/1996, or that arose between 01/02/2009 and 30/11/2013.

All twelve cases of priests in ministry about whom allegations / complaints / concerns had been received were reviewed. The reviewers were satisfied that all potential risks had been addressed and that all correct steps had been taken by the diocese, involving communication and cooperation with State authorities. The steps taken include the appropriate management of the allegations, sensitive and effective responses to the alleged victims and the risk management of the priest in question. The reviewers believe that in all cases the status of the priests' ministry was appropriate and in line with the need to safeguard children as well as responding justly to the priest respondent.

In one case, the reviewers felt that the case should be referred to the National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) for advice and informed Bishop Crean of their views. This advice was expeditiously acted on by the bishop and guidance on case management was provided by NBSCCCI to the diocese.

The reviewers read the case management files on all six priests who were out of ministry and about whom allegations were made, or concerns expressed, three of these cases had been considered in the Cloyne Report. In all six cases, the reviewers were satisfied with the diocesan safeguarding response, and with their cooperation with the civil authorities. It can be seen in Table 1 above that notifications to An Garda Síochána and to the health services were made in every case.

The following themes/issues emerged from examining the case management files and from interviews with the current and former Designated Persons, An Garda Síochána and the HSE.

- The structure of the case management files developed within the diocese is of a very high standard. Information is easily accessible and is organised in a clear and well defined manner. The reviewers appreciate the work undertaken by the Designated Persons in preparing the case management files for this review. The reviewers acknowledge that they had access to all of the available information and that records were essentially complete, with no significant information omitted. The reviewers suggest that the case files could be further improved by providing

additional facts about the alleged priest (such as date of birth, date of ordination, current status, present address etc.) on a file face-sheet.

- The reviewers found that the files contained a clear chronology of events and actions taken. This provides valuable factual information, which could be further enhanced by the addition of fuller narrative accounts. It would be especially helpful if the attitude of respondent priests to concerns raised about them was recorded. Such an account can provide valuable information relating to the priest's understanding and explanation of the allegation against him, which may be helpful in future assessments.
- The diocesan response to victims is worthy of significant note. Staff from *Towards Healing*, the counselling and support service for victims of abuse within the Church, spoke of a positive and supportive relationship with the Diocese of Cloyne. This diocese has assisted the greatest number of complainants to engage with the *Towards Healing* Restorative Justice – Facilitated Listening Meetings programme of any Church authority. As well as its significant financial contribution to *Towards Healing*, the diocese has also arranged to fund private counselling for some complainants, and this is commended.
- Two female religious together provide ongoing support to five victims of clerical child sexual abuse. These women were not formally recruited, but this arrangement has been officially acknowledged as diocesan victim support. This situation evolved as these two religious were known and trusted by the complainants. The diocesan response to victims is unstructured and needs to be strengthened. This deficit in the provision of support for complainants was acknowledged by Bishop Crean and by the Designated Persons, and a commitment was given to address the matter as a priority.
- The relationships between the Diocese of Cloyne and An Garda Síochána and Health Service Executive are good. Senior managers with both statutory agencies expressed positive views of the timeliness and nature of their contacts with the diocese.

In drawing a distinction between the safeguarding situation pre and post Cloyne Report, the reviewers identified a significant improvement in the approach adopted by the diocese in addressing safeguarding issues. This was evident in the quality of recording in case management files, in the reporting to and relationship with the statutory agencies, and in the consistent following of correct procedures in responses to allegations of clerical child sexual abuse.

The reviewers met with the previous DLP, who had been in post when concerns about Cloyne Diocese first arose in late 2007 – early 2008. The difficulties that he had in the early period of his tenure as DLP are documented in the Cloyne Report.

The reviewers acknowledge the significant work carried out by the current designated liaison person (a lay man) and his deputy (a priest) in ensuring the best standards of practice are in place now for responding to allegations of abuse. They have been supported in their work by Archbishop Clifford who took on the role of Administrator of the Diocese, following the stepping aside of Bishop Magee. Collectively this group (Archbishop, former Designated person and current DLP and his deputy) have refocused the agenda on safeguarding children, to ensure that allegations of abuse are managed in an open and transparent way. Their efforts and work is commended.

Overall the reviewers believe that the management of the cases examined as part of this review was effective and there was unambiguous observance of safeguarding procedures. A tone of unapologetic adherence to safeguarding principles and practices was adopted by all of the clergy and laity the reviewers met while undertaking this audit.

In conclusion, and to improve safeguarding practice further, the following recommendations are made;

**Recommendation 2**

**That the Designated Person ensures that a narrative account of the response given by the respondent priest is recorded on each case management file.**

**Recommendation 3**

**That Bishop Crean should ensure that an appropriate and deliberate response to victims is established, including recruiting and training at least two lay people, a woman and a man, to act in a victim support role.**

In relation specifically to the seven criteria against which Standard 2 is measured, the reviewers are satisfied that all are met fully.

Criterion 2.1 is fully met as the requisite procedures are in place and are being followed.

Criterion 2.2 is fully met as the diocesan safeguarding policies and procedures are consistent with child protection and welfare legislation and with statutory guidance.

Criterion 2.3 is fully met as the Diocese of Cloyne has two Designated Persons in post, a social worker as Designated Liaison Person (DLP), and a diocesan priest as Deputy Designated Person (D/DLP). The 2010 safeguarding children policy has in Section 8 a detailed description of the structures for safeguarding children and of the roles and responsibilities of all diocesan safeguarding personnel.

Criterion 2.4 is fully met as all safeguarding matters are appropriately recorded and case management files are securely stored, thus protecting the confidentiality of information. The diocesan safeguarding personnel are aware of and abide with the requirements of the Data Protection legislation.

Criterion 2.5 is fully met, as section 2.5.3 of the *Safeguarding Children Policy 2010* addresses *Responding to a child making an allegation of abuse*, and Section 2.7 deals with *Complaints procedures and Independent reviews*. The provisions of Section 2.7 are particularly well thought through and presented.

Criterion 2.6, which deals with confidentiality, is fully met and is covered in the *Safeguarding Children Policy, 2010*, at Section 2.3 and in detail at Section 2.8.

Criterion 2.7 is fully met, as the Diocese of Cloyne has the required contact details of the statutory child protection agencies on its literature and on its dedicated child safeguarding website - <http://www.safeguardingchildrenclayne.ie>

### **Standard 3**

#### **Preventing Harm to Children**

*This standard requires that all procedures and practices relating to creating a safe environment for children be in place and effectively implemented. These include having safe recruitment and vetting practices in place, having clear codes of behaviour for adults who work with children and by operating safe activities for children.*

Compliance with Standard 3 is only fully achieved when a diocese meets the requirements of all twelve criteria against which the standard is measured. These criteria are grouped into three areas, safe recruitment and vetting, codes of behaviour and operating safe activities for children.

**Criteria – safe recruitment and vetting**

| <b>Number</b> | <b>Criterion</b>                                                                                                                                                                                                                                                                               | <b>Met fully or Met partially or Not met</b> |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| <b>3.1</b>    | There are policies and procedures for recruiting Church personnel and assessing their suitability to work with children.                                                                                                                                                                       | Met fully                                    |
| <b>3.2</b>    | The safe recruitment and vetting policy is in line with best practice guidance.                                                                                                                                                                                                                | Met fully                                    |
| <b>3.3</b>    | All those who have the opportunity for regular contact with children, or who are in positions of trust, complete a form declaring any previous court convictions and undergo other checks as required by legislation and guidance and this information is then properly assessed and recorded. | Met fully                                    |

**Criteria – Codes of behaviour**

| <b>Number</b> | <b>Criterion</b>                                                                                                       | <b>Met fully or Met partially or Not met</b> |
|---------------|------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| <b>3.4</b>    | The Church organisation provides guidance on appropriate/ expected standards of behaviour of, adults towards children. | Met fully                                    |
| <b>3.5</b>    | There is guidance on expected and acceptable behaviour of children towards other children (anti-bullying policy).      | Met fully                                    |

|            |                                                                                                                                                                                                                                |               |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <b>3.6</b> | There are clear ways in which Church personnel can raise allegations and suspicions about unacceptable behaviour towards children by other Church personnel or volunteers (‘whistle-blowing’), confidentially if necessary.    | Met partially |
| <b>3.7</b> | There are processes for dealing with children’s unacceptable behaviour that do not involve physical punishment or any other form of degrading or humiliating treatment.                                                        | Met fully     |
| <b>3.8</b> | Guidance to staff and children makes it clear that discriminatory behaviour or language in relation to any of the following is not acceptable: race, culture, age, gender, disability, religion, sexuality or political views. | Met fully     |
| <b>3.9</b> | Policies include guidelines on the personal/ intimate care of children with disabilities, including appropriate and inappropriate touch.                                                                                       | Met fully     |

**Criteria – Operating safe activities for children**

| Number      | Criterion                                                                                                                                                                                                                      | Met fully or<br>Met partially or<br>Not met |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| <b>3.10</b> | There is guidance on assessing all possible risks when working with children – especially in activities that involve time spent away from home.                                                                                | Met fully                                   |
| <b>3.11</b> | When operating projects/ activities children are adequately supervised and protected at all times.                                                                                                                             | Met fully                                   |
| <b>3.12</b> | Guidelines exist for appropriate use of information technology (such as mobile phones, email, digital cameras, websites, the Internet) to make sure that children are not put in danger and exposed to abuse and exploitation. | Met fully                                   |

The Cloyne Diocese Safeguarding Children Committee (CDSCC) evolved from the Cloyne Child Protection Committee, which was established in 2004. Members of the CDSCC made it clear to the reviewers that their consciousness of the experiences of victims is a major element in their motivation to do safeguarding work and that their intention is to prevent any child or other vulnerable person being abused again. To this end, the CDSCC developed a policies and procedures document, *Child Protection in the Diocese of Cloyne* (2007). The Chairperson of this committee, although an unpaid volunteer, describes his responsibilities as including an executive role between meetings of the committee. He is clearly a very committed and involved participant in the overall

diocesan safeguarding project, and he works closely with the other key safeguarding personnel in the diocese.

The process of reviewing this document began early in 2010 and took into account the criteria set out in the National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland (2008)*. A revised policy and procedures document, *Safeguarding Children in the Diocese of Cloyne (2010)* was then produced and this was published in December 2010. The Commission of Investigation into Catholic Diocese of Cloyne was underway at this stage, having started in March 2009. *Safeguarding Children in the Diocese of Cloyne (2010)* was reviewed by the NBSCCCI and found to be satisfactory, therefore meeting the recommendation of the Cloyne Report.

From the beginning of 2012, the CDSCC undertook another lengthy review of safeguarding policies and procedures within the diocese. With consideration to changes in legislation and guidelines such as *Children First 2011* and the National Vetting Bureau (Children and Vulnerable Persons) Act 2012, as well as established and effective policies within the 2010 document, the CDSCC presented a revised 2<sup>nd</sup> draft of *Safeguarding Children and Vulnerable Persons in the Diocese of Cloyne (2013)* to the reviewers during this audit.

The 2010 document and the draft 2013 policies and procedures are comprehensive documents. In particular the 2013 document is meticulous in its detail regarding appropriate behaviours expected of any Church personnel who have dealings with children. The procedural guidelines are clear and concise and their intent is unambiguously defined. The diocese and the CDSCC have now want to ensure that the soon to be launched revised policies and procedures are understood and implemented by Church personnel as the official ‘road map’ on safeguarding best practice, rather than being considered to merely be aspirational guidelines. To make this happen, the CDSCC has rolled out extensive training at parish level. To date they estimate that within the 28 parishes involved in training thus far, approximately 1,000 people, priests and laity, have been educated on the policies and procedures contained in *Safeguarding Children and Vulnerable Persons in the Diocese of Cloyne (2013)*.

The reviewers were impressed by the dedication and commitment demonstrated by the CDSCC in developing policy and procedure, in training and in attending to practical aspects to safeguarding children within the diocese. Bishop Crean is fortunate to have the support of such enthusiastic and committed people in promoting safeguarding within the diocese.

The Diocese of Cloyne has a dedicated Safeguarding Office, with a half-time employee. This lay woman also works half-time for the diocesan youth service, CDYS. Her safeguarding role is to coordinate and deliver training within the diocese, along with three other trainers. She is also the authorised signatory for Garda vetting requests and the Safeguarding Office keeps a database of and renewal requirements. This office also maintains the diocesan safeguarding website. On the basis of their interview with the

female employee in the Safeguarding Office and a review of the provisions of the 2010 safeguarding children policy, the reviewers are satisfied that Criteria 3.1, 3.2 and 3.3 are met fully. The 2010 document's information and guidance on Garda Vetting is particularly comprehensive. The policy also covers the issue of visiting priests, which can be quite sensitive and complex and this is commended

In the 2010 policy document of the Diocese of Cloyne, Section 3 deals with recruitment matters and with prevention, or safe practice. This is a very comprehensive chapter of the guidance to be followed by safeguarding personnel, and all of the following areas of preventative practice are well covered:

- Code of behaviour for staff and volunteers -basics for working with children
- Code for meetings with children
- Discipline
- Respect for physical integrity
- Respect for privacy
- Guidance on personal / intimate care of children with disabilities
- Photography, film and use of I.T. equipment
- Running safe activities for children
- Trips away from home with children
- Recommended supervision ratios
- Record keeping for activities with children
- Complaints Procedure
- Code of behaviour for children
- Dealing with bullying

All of these issues have been carefully thought through and the guidance developed is well presented and accessible, for which the diocese is commended. On this basis, Criteria 3.5, 3.7, 3.8, 3.9, 3.10, 3.11 and 3.12 are met fully.

With reference to Criterion 3.6, neither the 2010 policy and procedures document nor *Safeguarding Children and Vulnerable Persons in the Diocese of Cloyne* (2013) has a specific 'whistle blowing policy'. Section 2.4.3 of the more recent document provides information for people outside of the Church and is written as such. Consideration should be given to providing information and direction to members of the Church and its volunteers on how to raise a safeguarding concern. For this reason, Criterion 3.6 is partially rather than fully met.

#### **Recommendation 4**

**That a specific whistle blowing policy is included in *Safeguarding Children and Vulnerable Persons in the Diocese of Cloyne* (2013), to include the procedures a member of the Church can use to express concern about a child. It may be helpful to outline a number of reporting options which could be utilised by an individual who is considering making a report, regardless of who their concern is about.**



The reviewers commend the Diocese of Cloyne and particularly the CDSCC, in their success in involving people from the 46 parishes within the diocese in the development, maintenance and oversight of a safeguarding approach across the diocese. It is now planned that each parish in the diocese will have its own Safeguarding Committee and this development is referenced in Section 3.5.4 of *Safeguarding Children and Vulnerable Persons in the Diocese of Cloyne* (2013). It is envisaged that these committees will be comprised of parishioners who are in safeguarding roles, including training and that they will include and support the parish priest in his local safeguarding leadership responsibilities. It is hoped that monitoring of compliance with diocesan safeguarding policies and procedures will be strengthened through this initiative.

The meeting with the Safeguarding Committee involved detailed presentations to the reviewers by each committee member in which they in turn described their particular role and interests. The chairperson stated on behalf of the committee that the three areas of focus they have adopted are recruitment, Training and the provision of a safe environment for children involved in Church activities. After the publication of the Cloyne Report the committee members met with all of the priests of the diocese at deanery meetings and they have worked on implementing some of the ideas that were shared at these meetings.

All members of the group have been involved in pairs who have so far visited 28 parishes in the diocese to bring the safeguarding message and to support local safeguarding activities. The members have also been involved in the planning and running of two diocesan safeguarding conferences, one in 2011 and another in 2013. These events were very well attended and gave an opportunity to let Parish Safeguarding Representatives meet with others in the same or different safeguarding roles in the diocese. The 2013 event gave Bishop Crean the opportunity to appreciate and applaud the assembled diocesan safeguarding personnel. Many of the presentations at these events have been made by members of the Safeguarding Committee.

A priest member of the Safeguarding Committee has undertaken the role of being the bridge between the diocesan administration, the priests of the diocese and the Safeguarding Committee. He is a long serving diocesan priest and has an awareness of the challenges facing the priests, especially post the Cloyne Report. He and CDSCC colleagues have access to a weekly slot on local radio and use this to promote the safeguarding message. A second priest member has taken responsibility for the development of a safeguarding Newsletter, which was an excellently produced, widely distributed and informative document. He is also an accredited trainer. Lay members of the committee have taken responsibility to research the issues of cyber bullying, elder abuse and child neglect, and are bringing the information they have analysed to the wider safeguarding community within the diocese. Another committee member has taken particular responsibility for the parish audit exercise and has ensured that the information returned is scrutinised, collated and written up. The committee has developed a *modus operandi* that allows for good cooperative endeavour combined with an individual freedom to develop relevant interests.

One concern that the reviewers had following their meeting with the Safeguarding Committee is that the very ambition of the members to make a difference could lead to them spreading themselves too thinly and to an inadvertent dilution of their primary operations. For instance, individual committee members have developed their interests in the needs of elderly persons, vulnerable adults and child homelessness, and consider that the Church should be active in helping in these areas. Perhaps Bishop Crean might consider whether the Diocese of Cloyne will need a separate safeguarding committee for vulnerable adults at some future time, and whether the diocese might need to develop more pastoral services for a variety of individuals and groups.

The reviewers met with four Parish Safeguarding Representatives who were chosen from various different deanery areas of the diocese. All of these lay people were knowledgeable about their roles and responsibilities. They are clearly motivated and committed to what they are doing within their individual parishes. They were very complimentary about the leadership of Bishop Crean and for the support that they receive from the Training Coordinator. They described the parish meetings that the Safeguarding Committee members have facilitated and addressed as being very important and effective, and they welcome the diocesan plans to develop Safeguarding Committees at parish level. It will be essential that the role and function of these local committees are well defined and do not in any way conflict with or dilute the remit of the diocesan Safeguarding Committee.

The reviewers have a small degree of unease about the development of 46 separate parish safeguarding committees, simply on the basis that they will require something of the order of 250 or more members across the diocese. However, the NBSCCCI is not prescriptive in such matters and can only wish the Diocese of Cloyne every success in this venture. The reviewers do however acknowledge the geographical challenges of the shape and size of the diocese and can see the benefit of the devolution of responsibility in an area that has no natural centre. The chairperson of the Safeguarding Committee said that the existence of these local committees will be important in 'winning the hearts and minds' of parishioners for good child safeguarding in their area.

## Standard 4

### Training and Education

All Church personnel should be offered training in child protection to maintain high standards and good practice.

#### Criteria

| Number | Criterion                                                                                                                                                                                           | Met fully or Met partially or Not met |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| 4.1    | All Church personnel who work with children are inducted into the Church's policy and procedures on child protection when they begin working within Church organisations.                           | Met fully                             |
| 4.2    | Identified Church personnel are provided with appropriate training for keeping children safe with regular opportunities to update their skills and knowledge.                                       | Met fully                             |
| 4.3    | Training is provided to those with additional responsibilities such as recruiting and selecting staff, dealing with complaints, disciplinary processes, managing risk, acting as designated person. | Met partially                         |
| 4.4    | Training programmes are approved by National Board for Safeguarding Children and updated in line with current legislation, guidance and best practice.                                              | Met fully                             |

The Diocese of Cloyne has four trainers, one of whom takes responsibility for coordinating the training programme for the diocese. The safeguarding children policy of 2010, as well as the draft *Safeguarding Children and Vulnerable Persons in the Diocese of Cloyne* (2013), has well considered provisions regarding child safeguarding training. There is a commitment to providing all newly recruited safeguarding personnel with induction training for their responsibilities, whatever their role; this includes diocesan priests. The way that the Safeguarding Committee is ensuring that the new diocesan policy and procedures are familiar to all safeguarding personnel across the diocese before they are officially launched gives the reviewers confidence that the importance of training is well understood in the Diocese of Cloyne.

To validate the value of training and to acknowledge the significance of their efforts, Bishop Crean presented a cohort of newly trained volunteers with training certificates at an event in July of 2013. This ceremony, while not costly, was of real worth, and the good will that it will have instilled is priceless.

Having initially provided the HSE promoted *Keeping Safe* training to priests and safeguarding volunteers, the Diocese of Cloyne is now signed up to delivering NBSCCCI accredited training to those who are being trained. In 2012, two trainers completed the *Training for Trainers* course offered by the NBSCCCI, as a result of which the diocese now has four safeguarding personnel who have completed this course and who are available to facilitate training within the parishes of the diocese.

According to the *Annual Report of the Cloyne Diocese Safeguarding Children Committee, 2012*, the CDSCC

*...delivered training to all priests available for ministry; to relevant parish safeguarding representatives, and facilitated the Garda vetting obligations of Church personnel, staff and volunteers.*

The same report confirms that the diocese has achieved full implementation of safeguarding policies, including the training of all individuals who have contact with children through their diocesan activities. This training achievement is commended.

The two safeguarding conferences that have been run in the diocese in the last three years are another example of the awareness that key safeguarding personnel and Bishop Crean have about the benefits of refreshing people's knowledge and skills from time to time. The reviewers noted the willingness of the CDSCC to be robust in their approach to planning and providing ongoing training to meet the changing and challenging demands of child safeguarding in the Diocese of Cloyne.

On the basis of what was evidenced to the reviewers, Criteria 4.1, 4.2 and 4.4 are met fully.

In order for Criterion 4.3 to be met fully, the Diocese of Cloyne will need to conduct a training needs analysis and skills audit for all safeguarding personnel, including the bishop, the DLP and D/DLP, members of the Safeguarding Committee and members of the newly forming parish Safeguarding Committee. This exercise will provide Bishop Crean and his safeguarding staff with the information that is required to identify and provide for the discrete training needs of people who hold additional safeguarding responsibilities in the diocese.

### **Recommendation 5**

**That Bishop Crean arranges for a Training Needs and Analysis and Skills Audit to be conducted in the diocese to identify the training requirements of all safeguarding personnel, on the basis of which a Diocesan Training Plan can be developed and implemented.**

## Standard 5

### Communicating the Church's Safeguarding Message

*This standard requires that the Church's safeguarding policies and procedures be successfully communicated to Church personnel and parishioners (including children). This can be achieved through the prominent display of the Church policy, making children aware of their right to speak out and knowing who to speak to, having the Designated Person's contact details clearly visible, ensuring Church personnel have access to contact details for child protection services, having good working relationships with statutory child protection agencies and developing a communication plan which reflects the Church's commitment to transparency.*

#### Criteria

| Number | Criterion                                                                                                                                                                                                                        | Met fully or Met partially or Not met |
|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| 5.1    | The child protection policy is openly displayed and available to everyone.                                                                                                                                                       | Met fully                             |
| 5.2    | Children are made aware of their right to be safe from abuse and who to speak to if they have concerns.                                                                                                                          | Met partially                         |
| 5.3    | Everyone in Church organisations knows who the designated person is and how to contact them.                                                                                                                                     | Met fully                             |
| 5.4    | Church personnel are provided with contact details of local child protection services, such as Health and Social Care Trusts / Health Service Executive, PSNI, An Garda Síochána, telephone helplines and the designated person. | Met fully                             |
| 5.5    | Church organisations establish links with statutory child protection agencies to develop good working relationships in order to keep children safe.                                                                              | Met fully                             |
| 5.6    | Church organisations at diocesan and religious order level have an established communications policy which reflects a commitment to transparency and openness.                                                                   | Met partially                         |

The parish Safeguarding Representatives who met the reviewers confirmed that the required safeguarding children policy statements and contact details are prominently displayed in poster format in all churches across the diocese. The diocesan *Safeguarding Children Cloyne* website is easily accessed by link from the Diocese of Cloyne website home page or directly through the web address <http://www.safeguardingchildrenclayne.ie>

and child safeguarding information, including the *Safeguarding Children Policy* 2010 can be accessed on this website.

The *Safeguarding Children Policy* (2010) contains contact details of the DLP and D/DLP, along with contact details for Health Service Executive Offices and An Garda Síochána. These details are also displayed in the parishes. The DLP and D/DLP also have a mobile phone which is shared, and so can be reached 'out of hours' by safeguarding personnel who may need to report a concern or seek advice.

As mentioned earlier in this report, the Cloyne Diocesan Safeguarding Children Committee (CDSCC) takes responsibility for the overall communication of the child safeguarding efforts of the Diocese of Cloyne. This committee organises the visits to parishes, and at the time of the review, 28 of the 46 parishes had held information and consultation sessions with members of the committee. Members of the committee take overall charge for the production of a safeguarding newsletter, and this task will be rotated among members in turn. So far two high quality, attractive and informative editions of the *Safeguarding Children Newsletter* have been published, one in Spring 2012 and the second in Summer 2013. These were distributed in every parish in the diocese and are also available on the *Safeguarding Children Cloyne* website. The reviewers acknowledge the communications initiatives that have been taken by the CDSCC and would encourage this group to develop further information leaflets and other printed materials, including ones that could be read by children, of sufficient quality for distribution to church congregations and at parish based activities and schools.

### **Recommendation 6**

**That the CDSCC should consider the production of further printed child safeguarding information materials, including some that would be particularly developed for and by children and young people, for general circulation within the diocese.**

The Safeguarding Children Committee oversees what is posted on the dedicated Safeguarding Children website and generates much of what goes on the site. The Bishop of Cloyne placed a message on this website in advance of the reviewers arriving in the diocese to undertake the fieldwork for this review. This announcement of the review was also an invitation to anyone who had a concern about a child safeguarding matter in the diocese to make contact with An Garda Síochána, the HSE or the diocesan DLP.

While the *Safeguarding Children Policy*, 2010 is a comprehensive document that will soon be replaced by an updated and enhanced document, neither has been prepared for use by children and young people. The reviewers are satisfied that everyone who is involved in safeguarding in the Diocese of Cloyne is committed to protecting children from abuse, but the reviewers were not provided with evidence that children who are involved in Church activities are as a matter of course made aware of their right to be safe from abuse and are informed of who to speak to if they have concerns. For this reason Criterion 5.2 is deemed to be met partially.

The *Safeguarding Children Policy, 2010* contains a short statement of the diocesan Communications Policy at Section 5.5, but this does not contain sufficient details about goals and methodologies to constitute ‘...an established communications policy which reflects a commitment to transparency and openness’; and for this reason, the reviewers believe that Criterion 5.6 is met partially rather than fully.

## Standard 6

### Access to Advice and Support

*Those who have suffered child abuse should receive a compassionate and just response and should be offered appropriate pastoral care to rebuild their lives.*

*Those who have harmed others should be helped to face up to the reality of abuse, as well as being assisted in healing.*

### Criteria

| Number | Criterion                                                                                                                                                                                                            | Met fully or Met partially or Not met |
|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| 6.1    | Church personnel with special responsibilities for keeping children safe have access to specialist advice, support and information on child protection.                                                              | Met fully                             |
| 6.2    | Contacts are established at a national and/ or local level with the relevant child protection/ welfare agencies and helplines that can provide information, support and assistance to children and Church personnel. | Met fully                             |
| 6.3    | There is guidance on how to respond to and support a child who is suspected to have been abused whether that abuse is by someone within the Church or in the community, including family members or peers.           | Met fully                             |
| 6.4    | Information is provided to those who have experienced abuse on how to seek support.                                                                                                                                  | Met fully                             |
| 6.5    | Appropriate support is provided to those who have perpetrated abuse to help them to face up to the reality of abuse as well as to promote healing in a manner which does not compromise children's safety.           | Met partially                         |

Under this standard the reviewers evaluate the quality of the diocese's outreach and support to complainants and victims of clerical child sexual abuse. The standard also deals with the adequacy of the diocesan response to the needs of the respondent priests who have been accused or suspected of abusing a child / children. These two responsibilities are examined in the wider context of child protection and therapeutic services.

The Designated Liaison Person is a child protection specialist who has worked in statutory child protection within the health services. His professional contacts provide him, and through him his diocesan safeguarding colleagues, including Bishop Crean with access to appropriate services for both complainants and respondent priests.



In the course of their fieldwork, the reviewers made contact with senior representatives from An Garda Síochána and Health Services Executive. In their interviews, both representatives spoke of the positive and efficient working relationship they had developed with the diocese. An Garda Síochána and the HSE were confident that reporting could now take place in a prompt and transparent manner and the diocese had a greater understanding of the role each agency played in the protection of children. Cloyne Diocese safeguarding personnel also make good use of the advice and guidance available from the NBSCCCI and take part in the National Case Management Reference Group to which it can present cases for consideration and recommendations for action.

The *Safeguarding Children Policy 2010* is clear about this standard, and relevant information and guidance is contained in Section 2.5, Section 6 and Section 8 of that document. The first of these is a detailed guidance on how to respond to and support children who share information about a safeguarding concern. All of Section 6 covers access to advice and support, including dedicated supports for complainants and peer support for respondent priests. Section 8 describes the roles and responsibilities of all of the diocesan safeguarding personnel and of the NBSCCCI.

It has already been noted that the diocesan victim support service has developed in a somewhat ad hoc manner and this needs concerted attention from Bishop Crean and diocesan safeguarding personnel. The reviewers met with one of the two victim support persons, a religious sister within the diocese, (the other person was abroad at the time of the fieldwork visit and therefore unavailable). The religious sister interviewed knew the woman she was supporting prior to her disclosure of childhood sexual abuse and so she continued to help her through what she described as a very difficult time. The diocese requested that she continue to offer support in a formal capacity, which she has done, but her role, activities, and the support available to her have not changed in any obvious way. The diocese needs to move towards the recruitment and training of two suitable people – a woman and a man - who can be formally assigned this complainant / victim support role.

In Paragraph 1.21 of the Cloyne Report, the Diocese of Cloyne was criticised for not appointing support people to victims of sexual abuse. Paragraph 1.26 of that report states:

*Given the diocese's knowledge of clerical child sexual abuse and its effects on complainants it was wrong of the diocese not to put in place a proper support system for complainants.*<sup>8</sup>

While all victims of abuse within the Diocese of Cloyne are offered counselling through *Towards Healing*, the requirements of each victim are different, as is the support they require. The availability of trained support persons who could advocate for them and help them communicate their needs and experiences could assist in their healing; and it could also provide the bishop with an increased understanding of the predicaments of victims of clerical child sexual abuse in his diocese. Recommendation 3 above deals with this issue.

---

<sup>8</sup> Report by Commission of Investigation into Catholic Diocese of Cloyne, p.8

**Recommendation 7**

**That Bishop Crean should request the CDSCC to consider and put in place practical and emotional support for the current and future victim support persons.**

As mentioned previously, the diocese has a dedicated and easily accessible safeguarding website on which a great deal of well-presented information is available for anyone who wants to find out about safeguarding contacts and support services. Other diocesan safeguarding communications initiatives have been described under Standard 5 above.

On the basis of evidence, Criteria 6.1, 6.2, 6.3 and 6.4 are considered by the reviewers to have been met fully.

Criterion 6.5 is met partially in the opinion of the reviewers to indicate that there are further developments required in this area of practice. The reviewers had the opportunity to speak with the previous Designated Liaison Person for the Diocese of Cloyne, who is also a priest of the diocese. He described how the diocese had engaged an independent forensic services and training agency, prior to the publication of the *Cloyne Report*, to assist the diocese to put in place adequate and robust safeguarding systems and practices. The training provided to the peer Priest Advisors prepared them to take on more of a supervisory and monitoring role than one of fellowship and the provision of emotional and practical support. There remains some confusion of roles and responsibilities within the diocese as a result, and some decisions and actions are required to separate out priest peer support from risk management roles. Bishop Crean and the DLP are aware of this and are working to remediate the situation.

Since the appointment of the current DLP, a risk management system has been developed, which is reflected in the case files. This positive development needs to be continued to the point where a clear system of risk assessment and risk management plans, with assigned responsibilities to named safeguarding personnel has been achieved.

**Recommendation 8**

**That Bishop Crean engages with the diocesan DLP and D/DLP in planning a suitable risk assessment and risk management protocol for respondent priests in the Diocese of Cloyne.**

It is noted that two Canonical Trials have been initiated involving priests of the Diocese of Cloyne, the outcomes of which will dictate further decisions and actions regarding each respondent priest involved.

The reviewers have suggested to Bishop Crean that he would consider meeting with the previous DLP to hear from him about his experiences in that role and his ideas about case management practices.

## **Standard 7**

### ***Implementing and Monitoring Standards***

*Standard 7 outlines the need to develop a plan of action, which monitors the effectiveness of the steps being taken to keep children safe. This is achieved through making a written plan, having the human and financial resources available, monitoring compliance and ensuring all allegations and suspicions are recorded and stored securely.*

### **Criteria**

| <b>Number</b> | <b>Criterion</b>                                                                                                                                                     | <b>Met fully or Met partially or Not met</b> |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| <b>7.1</b>    | There is a written plan showing what steps will be taken to keep children safe, who is responsible for implementing these measures and when these will be completed. | Met Partially                                |
| <b>7.2</b>    | The human or financial resources necessary for implementing the plan are made available.                                                                             | Met fully                                    |
| <b>7.3</b>    | Arrangements are in place to monitor compliance with child protection policies and procedures.                                                                       | Met fully                                    |
| <b>7.4</b>    | Processes are in place to ask parishioners (children and parents/ carers) about their views on policies and practices for keeping children safe.                     | Met fully                                    |
| <b>7.5</b>    | All incidents, allegations/ suspicions of abuse are recorded and stored securely.                                                                                    | Met fully                                    |

The CDSCC play a pivotal role in the implementation of safeguarding actions required under the various national standards and in the monitoring and audit of these actions against these standards. Since 2009, annual audits of compliance with the standards at parish level have been conducted by the committee and the results obtained have been analysed and written up in report form for the bishop and others with a safeguarding role in the diocese. This work is of a very detailed nature, and the current Parish Audit seeks 80 separate pieces of information, which results in 3,680 responses to be codified when the audit forms are returned. To encourage parishes to keep working to the point at which they meet the requirements of the standards and the diocesan policy, *Certificates of Compliance* are issued to successful parishes by the committee. These are now perceived as worth having, and this imaginative initiative is commended.

The CDSCC makes annual returns to the NBSCCCI based on the audit exercise and it also produces its own annual reports based on the committee's work for the previous year. These annual reports for 2010, 2011 and 2012 are available on the diocesan *Safeguarding Children* website and provide excellent information and a good level of accountability and transparency regarding the safeguarding work within the diocese. The 2013 annual report is imminent. Criterion 7.3 is fully met.

The Diocese of Cloyne now needs to utilise the detailed information it has available to it from its own CDSCC, from the *Cloyne Report*, from the HSE Audit and from this review to generate an overarching child safeguarding plan for the diocese. While it is clear that all safeguarding personnel are focused and committed and that targets are being set for their work, this needs to be guided by a well considered and costed written child safeguarding plan. This does not need to be a long document, but it does need to be agreed, signed off by Bishop Crean and published by the diocese. In the absence of this document, but acknowledging that activities are being guided by identified priorities, Criterion 7.1 is met partially rather than fully.

Bishop Crean has made it clear that the development of excellent child safeguarding systems and practices is a key priority of his episcopate. He has made a commitment that all resources required to achieve this will be made available. In discussions with the safeguarding personnel in the diocese it was clear to the reviewers that child safeguarding initiatives are adequately resourced. Criterion 7.2 is therefore met fully.

The ongoing parish meetings being facilitated by the CDSCC members provide an excellent opportunity for consultation at a local level. The person responsible for the overall coordination of safeguarding training has consulted with children and young people about the design of the safeguarding children diocesan webpage, and this is commended. This commitment to consultation provides evidence to support Criterion 7.4 being judged to be met fully. The reviewers spoke with the CDSCC members about developing further consultation with children and young people.

The case management files maintained by the Diocese of Cloyne are well kept and are safely stored. Sections 2.9, (Record keeping and storage of information), and 8.2.2 – (Diocesan Designated Officer) of the *Safeguarding Children Policy 2010* set out the procedures to be followed in file recording and storage, and the reviewers saw the secure archive in which the case management files are kept. On this basis Criterion 7.5 is met fully.

The Diocese of Cloyne is one of only three dioceses on the island of Ireland that has had the experience of being subjected to close examination by a statutory commission of investigation. It was clear to the reviewers that this process had been painful for all involved; but it was also discernable that Bishop Crean and all of the diocesan safeguarding staff have unambiguously dedicated themselves to ensuring that the commissions and omissions of the past that led to children suffering damage at the hands of priests within the diocese will not be repeated. In the estimation of the reviewers, the Diocese of Cloyne is making excellent progress towards this objective.

## **Recommendations**

### **Recommendation 1**

**That Bishop Crean ensures that when the *Safeguarding Children and Vulnerable Persons in the Diocese of Cloyne* policy and procedures is published in 2014, all priests and all other personnel involved in diocesan and parish activities that involve children in any way sign and return to the Safeguarding Office a declaration that they have received, read and will abide with the requirements of that document. In addition Bishop Crean must ensure that appropriate training and induction is provided to those in safeguarding roles on the new policy document.**

### **Recommendation 2**

**That the Designated Person ensures that a narrative account of the response given by the respondent priest is recorded on each case management file.**

### **Recommendation 3**

**That Bishop Crean should ensure that an appropriate and deliberate response to victims is established, including recruiting and training at least two lay people, a woman and a man, to act in a victim support role.**

### **Recommendation 4**

**That a specific whistle blowing policy is included in *Safeguarding Children and Vulnerable Persons in the Diocese of Cloyne* (2013), to include the procedures a member of the Church can use to express concern about a child. It may be helpful to outline a number of reporting options which could be utilised by an individual who is considering making a report, regardless of who their concern is about.**

### **Recommendation 5**

**That Bishop Crean arranges for a Training Needs and Analysis and Skills Audit to be conducted in the diocese to identify the training requirements of all safeguarding personnel, on the basis of which a Diocesan Training Plan can be developed and implemented.**

### **Recommendation 6**

**That the CDSCC should consider the production of further printed child safeguarding information materials, including some that would be particularly developed for and by children and young people, for general circulation within the diocese.**

**Recommendation 7**

**That Bishop Crean should request the CDSCC to consider and put in place practical and emotional support for the current and future victim support persons.**

**Recommendation 8**

**That Bishop Crean engages with the diocesan DLP and D/DLP in planning a suitable risk assessment and risk management protocol for respondent priests in the Diocese of Cloyne.**

**Review of Safeguarding in the Catholic Church in Ireland**

**Terms of Reference (which should be read in conjunction with the accompanying Notes)**

1. To ascertain the full extent of all complaints or allegations, knowledge, suspicions or concerns of child sexual abuse, made to the Church Authority (Diocese/religious congregation/missionary society) by individuals or by the Civil Authorities in the period 1<sup>st</sup> January 1975 up to the date of the review, against Catholic clergy and/or religious still living and who are ministering/or who once ministered under the aegis of the Church Authority, and examine/review and report on the nature of the response on the part of the Church Authority.
2. If deemed relevant, select a random sample of complaints or allegations, knowledge, suspicions or concerns of child sexual abuse, made to the Church Authority by individuals or by the Civil Authorities in the period 1st January 1975 to the date of the review, against Catholic clergy and/or religious now deceased and who ministered under the aegis of the Church Authority.
3. Examine/review and report on the nature of the response on the part of the Church Authority.
4. To ascertain all of the cases during the relevant period in which the Church Authority
  - knew of child sexual abuse involving Catholic clergy and/or religious still living and including those clergy and/or religious visiting, studying and/or retired;
  - had strong and clear suspicion of child sexual abuse; or
  - had reasonable concern;
  - and examine/review and report on the nature of the response on the part of the Church Authority.

As well as examine

- Communication by the Church Authority with the Civil Authorities;
- Current risks and their management.

5. To consider and report on the implementation of the 7 Safeguarding Standards set out in *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* (2009), including the following:
  - a) A review of the current child safeguarding policies and guidance materials in use by the Church Authority and an evaluation of their application;
  - b) How the Church Authority creates and maintains safe environments.
  - c) How victims are responded to by the Church Authority
  - d) What training is taking place within the Church Authority
  - e) How advice and support is accessed by the Church Authority in relation to victim support and assessment and management of accused respondents.
  - f) What systems are in place for monitoring practice and reporting back to the Church Authority.



## **Accompanying Notes**

### **Note 1: Definition of Child Sexual Abuse:**

The definition of child sexual abuse is in accordance with the definition adopted by the Ferns Report (and the Commission of Investigation Report into the Catholic Archdiocese of Dublin). The following is the relevant extract from the Ferns Report:

“While definitions of child sexual abuse vary according to context, probably the most useful definition and broadest for the purposes of this Report was that which was adopted by the Law Reform Commission in 1990<sup>9</sup> and later developed in Children First, National Guidelines for the Protection and Welfare of Children (Department of Health and Children, 1999) which state that “child sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal or that of others”. Examples of child sexual abuse include the following:

- exposure of the sexual organs or any sexual act intentionally performed in the presence of a child;
- intentional touching or molesting of the body of a child whether by person or object for the purpose of sexual arousal or gratification;
- masturbation in the presence of the child or the involvement of the child in an act of masturbation;
- sexual intercourse with the child whether oral, vaginal or anal;
- sexual exploitation of a child which includes inciting, encouraging, propositioning, requiring or permitting a child to solicit for, or to engage in prostitution or other sexual acts. Sexual exploitation also occurs when a child is involved in exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, video tape, or other media) or the manipulation for those purposes of the image by computer or other means. It may also include showing sexually explicit material to children which is often a feature of the ‘grooming’ process by perpetrators of abuse.”

---

<sup>9</sup> This definition was originally proposed by the Western Australia Task Force on Child Sexual Abuse, 1987 and is adopted by the Law Reform Commission (1990) *Report on Child Sexual Abuse*, p. 8.

**Note 2: Definition of Allegation:**

The term allegation is defined as an accusation or complaint where there are reasonable grounds for concern that a child may have been, or is being sexually abused, or is at risk of sexual abuse, including retrospective disclosure by adults. It includes allegations that did not necessarily result in a criminal or canonical investigation, or a civil action, and allegations that are unsubstantiated but which are plausible. (NB: Erroneous information does not necessarily make an allegation implausible, for example, a priest arrived in a parish in the Diocese a year after the alleged abuse, but other information supplied appears credible and the alleged victim may have mistaken the date).

**Note 3: False Allegations:**

The National Board for Safeguarding Children in the Catholic Church in Ireland wishes to examine any cases of false allegation so as to review the management of the complaint by the Diocese/religious congregation/missionary society.

**Note 4: Random sample:**

The random sample (if applicable) must be taken from complaints or allegations, knowledge, suspicions or concerns of child sexual abuse made against all deceased Catholic clergy/religious covering the entire of the relevant period being 1<sup>st</sup> January 1975 to the date of the Review.

**Note 5: Civil Authorities:**

Civil Authorities are defined in the Republic of Ireland as the Health Service Executive and An Garda Síochána and in Northern Ireland as the Health and Social Care Trust and the Police Service of Northern Ireland.