

## **Advisory Panels Implementation Paper – July 2010**

### **1 Introduction**

The National Office for Safeguarding Children in the Catholic Church, consulted on the development of Advisory Panels during 2009 and forwarded a paper highlighting support for the reformation of existing panels in December 2009. This paper sets out proposals for an operational framework for Regional Advisory panels, and includes constitution of panels, recruitment of members, mandate, accountability, training for panel members and a timeframe for transition from existing panels to regional panels

### **2. Role and Purpose**

Safeguarding Children, Standards and Guidance for the Catholic Church, states that Advisory Panels are consultative panels, normally appointed by the Bishop, or by the leader of a religious congregation, in order to advise and assist him or her at all stages of the investigative process into alleged abuse. It goes on to state that the panel will provide advice on: Managing the initial complaint; Fitness for Ministry and management of Risk.

#### **(a) The complaint itself**

- Ensuring the safety and welfare of the child remains the paramount consideration
- The appropriateness of providing help to a child making an allegation and to the family of the child
- The appropriateness of the respondent continuing in his or her present pastoral assignment, having regard to the paramount need to protect children
- How the right of the respondent to a fair trial on any criminal charge may be preserved and his or her good name and reputation may be appropriately safeguarded
- Whether a specialist risk assessment of the respondent should be sought
- The needs of a parish or other community in which the respondent has served
- The needs of the wider community, including the appropriateness and timing of any public statement

It is now proposed that alongside this advice to the Ordinary, the Advisory Panel should take on additional responsibilities as detailed below:

#### **(b) Fitness for Ministry**

The discussion paper circulated during 2009 highlighted that the task of taking action in relation to the ministry of priests, religious and deacons, against whom

allegations of child abuse have been made, is one of the most challenging that confronts Bishops and Religious Leaders in the Church. The initial action following receipt of the allegation has been dealt with in the preceding section. However longer term, decisions must also be made in relation to the fitness for ministry of the respondent. Not all allegations referred will result in further action by the civil authorities. When no action is taken by the statutory bodies, decisions may still have to be made about the credibility of the allegations, assessment of risk and the future ministry of the respondent. It is therefore proposed that the new Advisory Panels should incorporate the remit of the proposed Professional Practice Committee and take on the role of offering advice to the Ordinary on the assessment for fitness to minister. This means that the advisory panel members should:

- Review all information relating to the allegation
- Scrutinise any information received from the statutory investigating agencies
- Obtain and review information from the designated person who is responsible for conducting the church investigation
- Consider any independent reports, e.g. risk assessments

The information obtained from the above sources should enable the Advisory Panel to offer good safeguarding advice on the fitness of the respondent to continue in any capacity in church ministry.

### **(c) Management of risk**

The final function of the advisory committee is to support the Ordinary in risk management of people against whom credible allegations have been received. It is important that those accused of child abuse, where there is a semblance of truth, are restricted in their ministry and supervised in order to reduce the likelihood of re-offending. Some of these respondents may be under the supervision of the civil authorities, and therefore any management plan needs to take place in consultation with the civil authorities. For others, the Church must take responsibility for putting in place a contract which sets out a range of living and behavioural conditions, which are imposed by the Ordinary. The Advisory Panel can play a key role in developing and overseeing such a management plan by:

- Recommending restrictions
- Developing a contract of behaviour, living arrangements etc
- Ensuring that the contract of behaviour is monitored
- Agreeing to review the supervision plan on a regular basis

### 3. Construct of Panels

In response to the discussion Paper circulated in 2009 there was a majority in favour of regionalising Advisory Panels.

To now move to a position whereby there is a body of expertise available to the decision makers (Bishops and Congregational Leaders) we have two proposals for the future development of Advisory panels in this paper;

These are:

- a) **Four combined Diocesan and Religious Advisory Panels delineated along Diocesan Metropolitan lines, The Metropolitan Diocesan and Religious Order Panels would consider allegations and management of risk for allegations/personnel based in the following areas:**

**Province of Armagh:** Diocesan and Religious Order personnel in: Armagh, Ardagh and Clonmacnoise, Clogher, Derry, Down and Connor, Dromore, Kilmore, Meath and Raphoe . Given the cross border issues, this panel would operate along lines similar to that currently operated by the panel covering Ardagh, Kilmore and Clogher where there are dual jurisdictional legislation, and statutory arrangements considered by existing panel members. The membership would reflect knowledge of the civil legislation in both jurisdictions .

**Province of Dublin:** Diocesan and Religious Order personnel in: Dublin, Ferns, Kildare and Leighlin, and Ossory. Given the large number of Religious headquarters, within the Dublin area, consideration will have to be given to the volume of work of this panel and whether more frequent meetings are required, or whether 2 panels will be necessary. The survey at the end of this paper will allow for gathering of information to identify a realistic option for Dublin's Metropolitan Area

**Province of Cashel:** Diocesan and Religious Order personnel in: Cashel and Emly, Cloyne, Cork and Ross, Kerry, Killaloe, Limerick, Waterford and Lismore.

**Province of Tuam:** Diocesan and Religious Order personnel in: Tuam, Achronry, Clonfert, Elphin, Galway, Kilmacduagh with Kilfenora, and Killala.

**b) Four Metropolitan Diocesan Only Advisory Panels and one national panel for Religious Orders. This would be set up as above with the Religious Orders arrangements being managed through one panel. (Or two if volume of work requires this). In this situation, the geographic location of the respondent of the allegation will be immaterial, for Religious Order personnel.**

Given the geography involved, and in some instances the large number of congregations involved, it is suggested that a co-ordination role is located within the National Office

In order to progress, following agreement by Dioceses and Congregations to participate in the realignment of Advisory Panels, the National office would:

- Conduct a survey of workload of existing panels. This will include the frequency of meetings; numbers of new cases presented; number of cases reviewed and any other panel business carried out.
- Compile a list of all dioceses, religious orders and missionary society members in each metropolitan area
- Develop a data base of all existing cases where a fitness for ministry assessment is underway
- Compile a list of all risk management plans in order to facilitate a review of such arrangements.
- Develop a data base of all new allegations against priests and religious over the past year;

The data available will provide a baseline of work for advisory panels.

#### **4 Preparation and Next Steps for Pilot**

In order to prepare the membership for the new arrangements, following completion of the preliminary preparation work cited above, it is recommended that the National Office co-ordinate activity in relation to the following actions:

1. Decide on the skill set required for Advisory panels
2. Design a person specification for members
3. Develop on a pilot basis a shadow advisory Panel for one nominated metropolitan area
4. Agree with Church Leaders in the metropolitan area issues including accountability, tenure of office, training programme etc
5. Work with the Archbishops, Bishops, Provincials and Superiors to select appropriate personnel, based on the required skills.

6. Agree with the Archbishops, Bishops, Provincials and Superiors a chairperson for the shadow panel.
7. Begin process of recruitment and vetting of Panel members in line with “Safeguarding Children”, the Standards and Guidance Document
8. Ensure that new members do not have a conflict of interest, therefore must not act in another advisory capacity for the Diocese/Congregation which might cause such a conflict; or for the statutory Authorities in safeguarding children, in their local area
9. Invite new Members to attend an induction and training day on their role, and on assessment and risk management
10. Agree with Church leaders members’ expenses for travel, and overnight accommodation, if required. These posts will be voluntary, and members will not receive any payment for their services to the Panel.

If you are in agreement with the proposals detailed above, the National office will initiate the survey by telephone during July/August 2010, and proceed on a pilot basis with one combined diocesan/religious order panel and/or one diocesan only and religious order only panel during October/November.

Could you therefore indicate below your willingness to participate in the realignment of Advisory Panels and return the attached Form 1, to [imeldaashe@safeguarding.ie](mailto:imeldaashe@safeguarding.ie) by Monday 26<sup>th</sup> July . Imelda will then contact your nominated representative to complete Form 2 during August; alternatively you may wish to return both completed forms by 26<sup>th</sup> July.

I have attached for your information the survey questions.

Thank-you in anticipation

Teresa Devlin

**Form 1**

**Realignment of Advisory Panels 2010**

<b>Name of Diocese/Order</b>	
<b>Willingness to participate in realignment of Advisory Panel.</b>	<b>Yes</b> <b>No</b>
<b>Willingness to participate in pilot combined Diocesan /Religious Order metropolitan panel</b>	<b>Yes</b> <b>No</b>
<b>Willingness to participate in Diocesan or Religious Order Only pilot panel</b>	<b>Yes</b> <b>No</b>
<b>Nominated contact person and contact details for completing survey</b>	

**Person completing Form.....**

**Person nominated to complete Form 2 with Imelda Ashe and telephone contact details.....**

**Form 2**

**Preliminary Preparation work for development of realigned Advisory panels  
Survey of existing workload**

**Please Complete the following, giving as full numerical and qualitative Responses as possible:**

- 1. Do you have an Advisory Panel?**
  
- 2. Is your panel stand alone or joined with another Diocese/Religious Order, if yes, give details.**
  
- 2. How many active members are there in the panel?**
  
- 3. State their roles, (e.g. canon lawyer, civil lawyer, social worker etc)**
  
- 4. How frequently has your panel met in the last 12 months?**
  
- 5. How many new allegations of abuse have you considered in the past twelve months? (state number of respondents)**
  
- 6. How many risk management plans have you developed?**
  
- 7. How many fitness for ministry plans have you considered?**
  
- 8. How many plans have you reviewed?**