

**Private and Confidential**

**Review of Safeguarding Practice**

**in the**

**Diocese of Raphoe**

**undertaken by**

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

**(NBSCCC)**

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Bishop of Raphoe**

**August 2010**

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## **Background**

The National Board for Safeguarding Children in the Catholic Church (NBSCCC) 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 was to confirm that current safeguarding practice complied with the standards set down within the guidance issued by the Sponsoring Bodies in February 2009 and that all known allegations and concerns had been appropriately dealt with. To achieve this task, safeguarding practice in each Church authority was to be reviewed through an examination of case records and through interviews with key personnel involved both within and external to the diocese. The findings of the review will be shared with a reference group before being submitted to the diocese along with any recommendations arising from the findings. This report contains the findings of the *Review of Safeguarding Practice within the Diocese of Raphoe* undertaken by the NBSCCC in line with the request made to it by the Sponsoring Bodies. It is based upon the case material made available to the reviewers by the diocese. NBSCCC do not have powers of compellability and therefore sharing of data has been done on the basis of consent. The NBSCCC believes that all relevant documentation for the cases in the diocese of Raphoe was passed to the reviewers. This has been confirmed by the diocese.

The National Board would like to acknowledge the approach adopted by Bishop Boyce and his team, who demonstrated commitment to best practice in inviting the reviewers to examine safeguarding practice. The terms of reference of NBSCCC's review covers an assessment of current risk. An examination of existing cases provides great insight into how cases were managed historically and most importantly as to how cases are currently assessed, whether the statutory agencies are notified and how those who pose a risk are managed within the diocese. The period under examination - 1<sup>st</sup> January 1975 to 1<sup>st</sup> August 2010 covers a time when three bishops were in office. References are therefore made to both past management by the three bishops and current management by Bishop Boyce.

### ***For Clarification –***

***The National Board for Safeguarding Children in the Catholic Church, NBSCCC, National Board, National Office - all these terms are synonymous with each other and refer to the same entity.***

***Also the term Designated Person is interchangeable with that of Designated Officer or Delegate. A precise definition of the content of the role may be found on Page 55 of Safeguarding Children: Standards and Guidance document.***

## **Introduction**

The purpose of the review is set out within the Terms of Reference that are appended to this report. It seeks to examine practice within the diocese, highlighting that which is good but also highlighting areas of poor practice and applying to them recommendations for implementation in order to safeguard our children more effectively. It is an expectation held by the National Board that key findings from the review will be shared widely so that public awareness of what is being done may be increased and with it, confidence that this diocese is now taking appropriate steps to safeguard children. It is also an expectation of NBSCCC that a time bound action plan is prepared based on the recommendations made in this review.

## **Methodology**

Case files comprising complaints, witness statements, respondent statements, notes of interviews and discussions, assessment reports, correspondence and other written material have been examined to form a view of the quality of practice provided to complainants and respondents in the area of safeguarding children. In addition, people with a safeguarding role within the diocese, including Bishop Boyce and representatives from outside agencies, have been interviewed with the purpose of adding to this assessment of the quality of current practice.

In line with the Terms of Reference, fourteen case files relating to diocesan priests, against whom allegations were made, were examined.

The report employs the seven standards outlined within *Safeguarding Children: Standards and Guidance* document as a template for drawing conclusions and commentary on past and present practice. This is followed by a set of recommendations to be applied by the diocese.

Upon examination all files were found to be well ordered, consistently structured and containing chronologies which made the task of reading and assessing the content a great deal easier. Attention had been paid to ensuring that the content of the files were accessible to readers.

Interviews were conducted with Bishop Boyce, Advisory Committee members, Child Safeguarding Committee members, along with the Diocesan Designated Person and Assistant Diocesan Designated Person. A representative from the HSE was also interviewed. A telephone conversation with an Inspector of the Gardaí confirmed that a good working relationship exists between the diocese and the Gardaí. Bishop Boyce concurs with this view. He has recently reviewed all his cases and discussed them in detail with the Gardaí.

A similar process has also taken place with HSE, who also feel that the relationship with Bishop Boyce is open and receptive to putting in place safeguards in the interests of children. HSE have also made a commitment to work proactively with the diocese both in terms of the management of allegations and to increase awareness of the impact of abuse. NBSCCC commend Bishop Boyce and local HSE personnel for having a very clear joint agenda which is focused on the safety of children.

As stated above the Diocese of Raphoe has experienced a significant level of clerical abuse cases reported in the past two decades. Amongst these one particular case stands out. This involved a serial paedophile priest who was the subject of a book and also of a great deal of media attention. This priest, Fr. Eugene Greene, was charged and convicted of a number of serious offences against children. This case is included in the review.

It is clear that significant errors of judgement were made by successive bishops when responding to child abuse allegations that emerged within this diocese. Too much emphasis was placed on the situation of the accused priest and too little on the needs of their complainants. Judgements were clouded, due to the presenting problem being for example, alcohol abuse and an inability to hear the concerns about abuse of children, through that presenting problem. More attention should have been given to ensuring that preventative actions were taken quickly when concerns came to light. This view is based on an assessment of cases reported to the diocese and includes a number which were received during the previous bishops' time in office.

It is a matter of great regret to Bishop Boyce that his focus on victims' needs was not greater in the past, and he now acknowledges that he has a very different appreciation of his safeguarding responsibilities as to when he first came into office. The reviewers would accept that this is the case and would wish to commend Bishop Boyce on his willingness to learn the painful lessons of the past and to apply them to the current practice in the diocese.

## **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 guidance, *Safeguarding Children: Standards and Guidance*. This guidance was launched in February 2009 and was endorsed and adopted by all the Church authorities who minister on the island of Ireland, including the Diocese of Raphoe.

### **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.*

Bishop Boyce has established all the relevant structures required by the standards document to enhance the implementation of safeguarding within his diocese. The review included interviews with key personnel responsible for establishing and implementing these structures.

### **Written Policies**

The Child Protection Committee is the main source of child protection development within the diocese and from meeting with representatives of that committee there is no doubt about their enthusiasm to ensure relevant policies are in place. The committee is made up of volunteer lay and clerical members. The mix of experience within the group reflects an attempt to draw on a range of child protection expertise. In interview, the committee representatives demonstrated their commitment to develop safeguarding structures and constructively challenge as appropriate. They view their main role as ensuring that practice in the diocese and parishes is effective and reflects policies and procedures.

The committee have produced an abundance of written materials in consultation with others. Their first annual report (2006/7) gives detail of progress made since they were set up by Bishop Boyce in the autumn of 2006. No further annual report was presented at the interview.

One of the main products of the committee has been a series of best practice leaflets which have now been collated into the *Child Protection Policy Handbook* (2008). This has been distributed to all parishes and to individuals who have accessed child protection training in the diocese. In line with the Standards, the policy document will be due for review in 2011. A policy statement contained within this document has been adapted to include relevant referral contact details to be used by anyone with concerns about a child's safety. This statement includes a range of child focused activities and is intended for display in public places in parish buildings.

One of the key areas explored with committee members was the issue of their confidence that policies and procedures are effectively implemented in the parishes. In order to assess this, the committee arranged an event to which parish representatives were invited. In addition a self audit (Safeguarding Children Policy and Procedures Checklist) has been forwarded to parish priests for completion. No mandate to attend was attached to this

request as the committee feel they have no right to insist. Despite this the return rate was high (33 parishes and 8 independent curacies). Whilst this self-report provides an indicator that the parishes have responded well to the requirements of the *Safeguarding Children: Standards and Guidance*, there remains a challenge for Bishop Boyce that he feels confident the structures work effectively. Consideration should be given to adopting an annual audit of policy and practice in parishes and reporting the findings to NBSCCC as part of an assessment of how the structures are implemented in the future.

Safe recruitment and vetting is reported as having been implemented in every parish for both clerical and lay personnel and the self-report audit tool designed by the committee to elicit feedback on implementation requests information about this practice also.

The foregoing paragraph indicates that a significant start has been made to establishing safeguarding structures in the diocese and confirmation of this has been sought through self-report. It is to the credit of Bishop Boyce and his staff and volunteers that they have responded in this way to the requirements of *Safeguarding Children: Standards and Guidance*.

**Recommendation 1:**

**Bishop Boyce should continue to support the Child Protection Committee and encourage them to regularly review and monitor the policies and procedures that apply within the diocese. Care should be taken to ensure that they comply fully with the requirement of *Safeguarding Children: Standards and Guidance* as well as *Children First*.**

**Standard 2:**

**Table of the incidence of Safeguarding allegations received  
within  
the Diocese of Raphoe  
from 1<sup>st</sup> January 1975 up to 1<sup>st</sup> August 2010**

<b>1</b>	<b>Number of priests incardinated into the Diocese of Raphoe against whom allegations have been made since the 1<sup>st</sup> January 1975 up to the date of the Review</b>	<b>14</b>
<b>2</b>	<b>Number of allegations reported to An Garda Síochána involving priests of the diocese since 1<sup>st</sup> January 1975</b>	<b>52</b>
<b>3</b>	<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>	<b>52</b>
<b>4</b>	<b>Number of priests against whom an allegation was made and who were living at the date of the Review</b>	<b>14</b>
<b>5</b>	<b>Number of priests against whom an allegation was made and who are deceased</b>	<b>0</b>
<b>6</b>	<b>Number of priests against whom an allegation was made and who are “Out of Ministry” or who have left the priesthood</b>	<b>8</b>
<b>7</b>	<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>	<b>4</b>
<b>8</b>	<b>Number of priests of the diocese against whom an allegation has been made and who are in ministry or who had retired at the date of the Review</b>	<b>6</b>
<b>9</b>	<b>Number of priests who are not of the diocese but who reside within it, and who are known to be the subject of an allegation arising from their past ministry.</b>	<b>2</b>

*Notes:*

*(1) All priests in this diocese who have been the subject of an allegation have been referred to An Garda Síochána and to the HSE.*

*(2) Fr. Eugene Green, a priest of the diocese, was convicted of multiple offences against children on the 9<sup>th</sup> December 1999. He was sentenced to twelve years imprisonment for these crimes.*

***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.*

The safeguarding structure within the diocese is mainly staffed by lay people who have volunteered for their roles. The Designated Person is a priest and he is more ill at ease with the tasks associated with his role. This discomfort is related to the fact that those against



whom allegations are made are generally well known to him and in some circumstances life long friends. As a priest, (as is the case throughout the country), the task of being totally objective in these situations, can be very difficult and can add significant pressure to established colleague relationships. The recent introduction of a lay Deputy Designated Person is to be welcomed. This development should be built upon and it would serve the diocese well if the practice of appointing clerical designated persons was phased out in favour of lay personnel only. This development is being recommended in other dioceses.

Following an interview with the clerical Designated Person it was clear that the guidelines are not referenced on a regular basis when handling complaints. In fact a number of the personnel in the safeguarding structure interviewed were not as familiar with the content of the various standards and guidelines as they should be. The Designated Person had not received any formal training in safeguarding when he took over the role in January 2009, though he previously had acted as support person and therefore had an awareness of the issues. He has since attended meetings and training organised by the National Office in Maynooth. It is also evident it is not a role in which he felt comfortable but he undertook it out of a sense of responsibility and a desire to ensure better practice in the diocese. The role of Designated Person is not popular amongst priests and identifying someone to take this role on can be difficult. While conscious that the role needed to be filled it appeared that the Designated Person was not completely confident and at an emotional level was challenged by the tasks involved in the role. He expressed a preference for learning the role through experience rather than reading through the guidelines and preferred talking to people as a source of learning the job. He also expressed concern that guidelines and personnel with whom he engaged were constantly changing and that he was receiving conflicting advice from different sources around the country. The development of one set of national guidelines and the regular meetings now scheduled with Designated Persons nationally have helped significantly and have proved helpful and insightful for the priest designated person. He added that he approaches his role firstly from a pastoral point of view.

Upon examination it was found that record keeping generally was of good quality in so far as the files were well organised. We would however recommend that all new case files should make use of the template devised by the NBSCCC which can be downloaded from the website [www.safeguarding.ie](http://www.safeguarding.ie) as agreed between solicitors for NBSCCC and solicitors for the Sponsoring Bodies.

The relationship between the Church and civil authorities has been good in the recent past. Key personnel in HSE and Gardaí have remained the same for some time. This has helped to establish firmer working relationships between these bodies and the diocese. There is now a more positive working relationship as reflected in regular liaison meetings between Bishop Boyce and the local Garda Detective Inspector and a desire on the part of HSE to positively engage with the diocese to establish a process of risk management for all sex offenders in the district.

As has already been stated, in the past guidelines have not been universally implemented and awareness of reporting requirements by some clergy was lacking. Historically, on occasions, there were delays in reporting concerns to the appropriate authorities. For safeguarding procedures to operate effectively it is important that all staff within the diocese are aware of the obligation to report. This must be a universal requirement, particularly as a curate or parish priest is likely to be the first recipient of allegations or concerns of abuse. NBSCCC are satisfied that all allegations have now been reported to the

civil authorities for their investigations and that current practice reflects prompt notification on the part of the diocese.

Referral to the Congregation for the Doctrine of the Faith (CDF) should occur in line with Church guidance. A significant influence is the attitude of the bishop as to the credibility of an allegation. In most cases the CDF have not been notified until such times as prosecution is made or laicisation is being sought. It is recommended that the guidance issued by the CDF in 2001 should be adhered to fully in relation to notifying them of all allegations of clerical child abuse which hold “a semblance of truth”.

There is evidence in the files suggesting that, in some instances and especially where the credibility of the accused is high, the church authorities appear to offer support primarily to the respondent and their family. Initial contact with the complainant relates to collating the facts of the allegation. Whilst there are some examples of offers of contact and support for the complainant following this initial contact, there is little evidence that this has happened routinely. Experience would suggest that contact with church representatives would be welcomed by complainants and would go a long way to meeting many of their needs at that time. However, contact with the complainants may not be possible, especially if they didn't come to the Church in the first instance, as their first approach may have been at the initiation of a legal process or their whereabouts may not be known.

The offer of the Priest's Adviser is seldom accepted and when it is, it has been the choice of the respondent as to who that should be. However, we would encourage Bishop Boyce to continue to offer the Priest Adviser in cases when they arise.

The files and interviews raise some concerns about the Advisory Panel and how it is used which suggest that it should be used in a more efficient way. On many occasions records show that selected members are called upon as consultants to Bishop Boyce in the early stages following disclosure. The Advisory Panel membership includes some skilled and experienced individuals and the advice of the full panel should be sought as a matter of course.

There is evidence in the files to suggest that assessment / treatment centres have been widely used. It seems that this is almost an automatic consideration when behavioural problems of any sort are presented. There has been a heavy dependence again on the recommendations coming from these centres which have often failed to provide evidence in support of their recommendations.

There is a distinct absence in all case files of a planned risk management programme where one would be appropriate. There are indicators that attempts are being made to pursue engagement with key statutory bodies such as the HSE. The Gardaí have a statutory responsibility for those whose names have been placed on the Sex Offender Register. It is necessary, for the future, that work toward effective risk management is progressed and the responsibility of the Church in this is identified and implemented. It is also recognised that a priest cannot be compelled to undergo a risk assessment if he does not choose to do so. There have been a number of examples where the offer was made and not accepted. This leaves Bishop Boyce in a very difficult position with regard to progressing the appropriate management of the case. Recent engagement with HSE has meant that this statutory body has offered assistance to Bishop Boyce in the assessment and management of risk, and this development is welcome.

**Recommendation 2:**

**Bishop Boyce should ensure that a *written* referral is made to statutory authorities when a safeguarding concern arises. He should also ensure that referrals are made to the CDF in line with current Church guidance.**

**Recommendation 3:**

**Bishop Boyce should build on the introduction of a qualified lay person to the role of Deputy Designated Person and consider the replacement of the clerical designated person with a further qualified lay member, in line with developments nationally.**

**Recommendation 4:**

**As the commissioner of assessments, Bishop Boyce should ensure that a formal written contract with any Assessment Centre is used, and that should include that he owns any report produced rather than it being seen as the property of the referred.**

**Recommendation 5:**

**Bishop Boyce should continue to develop a sound working relationship with An Gardaí, the HSE and the Probation Board with regard to the management of all current cases within the diocese.**

### **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.*

#### **People and Structures**

##### **(i) The Child Protection Committee.**

The Child Protection Committee (CPC) is made up of seven members. These include trainers, diocesan designated persons and support persons. They are drawn from lay and religious backgrounds. Many have relevant work experience through their professions. There is also some cross over with the Case Management Committee that fulfils the role of an Advisory Panel within the diocese.

The policies produced by the CPC would have originated within the previous framework for the Church that related to the National Child Protection Office. To a very great degree they have tried to ensure that their policies are all compliant with current State and Church guidance.

The CPC would also seek to co-ordinate any training that is undertaken within the diocese in the field of child protection. This approach in the past would have been guided by the Volunteer Development Agency initiative entitled *Keeping Safe*.

It is imperative that the CPC maintains its integral position within the diocese. The presence of Bishop Boyce at some of its meetings is to be encouraged, establishing an important link between leadership in the diocese and this committee.

#### ***Safe Recruitment and Vetting.***

The policy of safe recruitment is well embedded in the diocese. All individuals who are in contact with children are asked to be vetted. In general all have consented but a few have expressed reluctance to undergo vetting. In the absence of a statutory requirement to be vetted, this places responsibility on Bishop Boyce to keep this matter under close review.

***The Case Management Committee.***

This Committee comprises six members. They include two clergy, a solicitor, a doctor, a social worker and a psychologist. There is a lack of clarity as to what the role and function of this group is. They appear to fulfil the function of an Advisory Panel in the diocese but they report that they are often consulted late on in the case when a plan has already been made. They are simply asked to advise on how that plan may be taken forward. Case files when presented to them are anonymous in line with legal advice to protect the identity of the respondent, to enable more objective judgements, in case any accused person is personally known to them.

***Parish Safeguarding Representatives.***

Although significant efforts have been made to establish a network of parish representatives across the diocese it is not clear as to how these people are supported. There would be considerable benefit in bringing these volunteers together on a more regular basis and briefing them directly on developments within the diocese. Without this occurring there is a danger that the performance of some of these individuals may fall below the line of acceptability. They need to be continually motivated and shown that they are valued.

**Recommendation 6:**

**Bishop Boyce should meet on a regular basis with the chairs of committees to agree objectives and to monitor and review progress against these objectives. Each committee should have a written description of their role and function which would include their reporting relationship with Bishop Boyce.**

**Recommendation 7:**

**The Designated Person should meet regularly with the Support person and Adviser to discuss and brief each other on their work. They should agree objectives and monitor and review progress against these objectives**

## **Standard 4**

### ***Training and Education***

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

A record of training both delivered and received is maintained on file by the Child Protection Coordinator on behalf of the Child Protection Committee. This notes that a number of training, information and review events have taken place during the five year period 2005/10. These events include:

- accredited Child Protection training (2005/6) and Disability Training (2010) done by the diocesan trainers
- one session with the Child Protection Committee on best practice in child protection
- four events with parish clergy
- eleven events with parish representatives in a variety of venues to accommodate attendance
- five parish information events
- four sessions with diocesan groups
- two sessions with church groups
- meetings with representatives of the National Safeguarding Board to plan for training.

In addition there have been review meetings to follow up on some of the training delivered. This is an impressive training itinerary which suggests a great deal of emphasis has been placed on cascading the requirements of the Standards within relevant groups.

It is worthy of note, however, that some key personnel in the front line of implementing policies and procedures have not had the benefit of training specific to their role. Bishop Boyce recognises the importance of training and has evidenced this through his attendance at events run by the National Board. His example is to be commended and he is encouraged to ensure that as many of his volunteer staff as possible, can also avail of the training opportunities provided by the National Board.

The clerical Designated Person, who has attended national training, could benefit further from training in implementing the referral and recording standards. There is guidance contained within the *Safeguarding Children: Standards and Guidance* document (Resource 2) outlining how to respond to people who make allegations and this is useful in knowing what to do in such circumstances.

Members of the Child Protection Committee have received training on the content of the Standards document. It would benefit the cohesion of the committee if additional members received training and if time were allocated to team building and planning.

There is no evidence of a training plan beyond what has already been delivered. A lot of good work has been done to ensure the roll out of the policies and procedures and it is now appropriate that attention is given to reviewing the skills base of those delivering the strategy with a view to training up those who fall short of having the necessary skills. It has been pointed out that some clerics who have been given access to training and information sessions have reported that they are anxious about the subject matter and the potential

personal consequences. Trainers particularly need to recognise and acknowledge that in their endeavour to improve the knowledge base of the priests in the diocese they may overlook the fact that in order to learn effectively, this group of priests need to get over their fear of the issues facing them when trying to deal with child protection. Some of them have chosen not to involve children in the life of the parishes due to absolute fear of being trapped in an allegation. They need to be freed from this fear in order to move forward.

**Recommendation 8:**

**The Child Protection Committee should ensure that all trainers are made aware of the anxiety experienced by a number of clergy through fear of the subject of child abuse, or of being the subject of a false allegation. They should also engage with the National Board toward finding a solution to the problem.**

**Recommendation 9:**

**The Child Protection Committee should continue to seek and avail of appropriate skills training for those in key positions who deal directly with people associated with allegations. These should include the priest Designated person, the Advisor, Bishop Boyce and the Support Person.**

**Recommendation 10:**

**The Chair of the Child Protection Committee should encourage, where possible, more members receive relevant specialist and accredited training to ensure the knowledge base in the group is spread more widely and support is available to the current trainers in the event of future change.**

## **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.*

There is no dedicated role of communications person within the diocese. This deficit has been filled by the Co-ordinator of the Child Protection Committee in addition to all of her other safeguarding responsibilities. No formal communication plan for safeguarding was offered. However, there was evidence through the training provided, development and distribution of the Policy Handbook and associated documents, meetings with National Board representatives and reviews with a range of personnel that communication of the policies and procedures was delivered across the relevant bodies within the diocese.

In fulfilling the requirements of the Standards, the Child Protection Committee has developed documents, posters and leaflets for use in the parishes. Some of these are for display on notice boards in Church premises and this appears to be the main avenue of communication with parish communities.

The safeguarding checklist asks parish representatives to confirm activities relating to communication including the publication, communication and promotion to the parish of a parish safeguarding statement.

The Annual Report of the Diocese of Raphoe in 2006/7 was a very comprehensive summary of safeguarding activity but it was not repeated. This is regrettable. However we are pleased that another annual report is planned for later this year. All opportunities should be taken to keep the lay faithful of the diocese fully apprised of the progress made by those engaged in safeguarding in the diocese

## **Recommendation 11**

**The Child Protection Committee should prepare and publish a further Annual Report on developments in the diocese.**



## **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.*

This standard examines the ways in which the Church supports and advises anyone who has been abused or has perpetrated abuse as to how they may access help. It is now widely accepted that one of the key aspects of recovery for victims of abuse within the Church is the recognition and acceptance directly from Church representatives of the impact the abuse. The standards document requires that roles are created to enable advice and support to be available within the diocese.

There is some evidence in the files to suggest that insufficient emphasis has been placed on ensuring that complainants received support. However, there are examples of offers having been made to complainants or their families to meet with Bishop Boyce. Since many complaints came first through lawyers dialogue with the complainant has usually been in respect of litigation and as a result has been managed through the lawyers. This in many ways has reduced the role of the Support Person to nominal status only.

In contrast there is evidence of quite a lot of activity surrounding the respondent. Prison visits, family visits and correspondence were commonplace. Bishop Boyce in at least one serious case was keen to protect the family of the convicted priest from further trauma by not initiating laicisation. Although the case was referred to the Congregation for the Doctrine of the Faith in the Vatican, the further laicisation process has not yet been completed. This, whilst pastorally understandable, is inappropriate and should be reviewed.

Regular meetings also took place with accused priests and much effort was put into ensuring that they were supported throughout the process of investigation. Most of this support was from Bishop Boyce himself and the priest adviser, as previously noted, and has been seldom accepted by respondents.

It is essential therefore that the Church authorities ensure a greater balance between support for the complainant and the respondent. In order to do this the role of Support Person must become more proactive in seeking out, assessing and responding to the needs of complainants.

Information in respect of who to contact with any concerns has been distributed amongst the parishes by way of a single page “flyer” and a poster. These contain details of individuals in the parish and also in statutory and non-church bodies available to anyone wishing to share information about child abuse. The single page is taken from the policy and procedures booklet and, if publicised in all relevant Church buildings, meets the requirements of the standards. It is important, however, that the use and value of this document is assessed as part of the recommended review of procedures in the parishes. Inserts in parish bulletins should be considered as a possible option for provision of advice and support.

### **Recommendation 12:**

**Bishop Boyce should review the role of Support Person and ensure that it proactively engages with the complainant following an allegation to assess and respond to their support and advice needs.**

## **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.*

As has been noted previously in the report, the required structures and posts have been broadly established in the diocese. Their existence or otherwise has been reviewed and comments made in relation to recommendations. This section therefore examines what plans are in place to ensure that the structures that do exist are monitored for effectiveness.

There was evidence of an annual self-review of current structures. These are returned to the National Board for their information and review. Indeed the diocese is leading the way with regard to ensuring that these reviews take place and are returned to the National Board. The Standards set out best practice and it is therefore essential that Bishop Boyce is confident that these are working to greatest effect. The only way that this can be achieved is through consistent monitoring and review of safeguarding activities in the parishes.

An area that should be addressed as part of the monitoring process is the use of terminology within the diocese. It would be helpful if the names given to roles and committees were in line with those contained in Resource 2 of the *Safeguarding Children: Standards and Guidance*. This would also be helpful in undertaking work on clarifying the role and function of each group.

### **Recommendation 13**

**Bishop Boyce should consider bringing the names of the roles and groups that form part of the diocese's safeguarding framework into line with those contained in Resource 1 of the *Safeguarding Children: Standards and Guidance* document.**

## **Recommendations**

**It is recommended that:-**

- 1. Bishop Boyce should continue to support the Child Protection Committee and encourage them to regularly review and monitor the policies and procedures that apply within the diocese. Care should be taken to ensure that they comply fully with the requirement of *Safeguarding Children: Standards and Guidance* as well as *Children First*.**
- 2. Bishop Boyce should ensure that a *written* referral is made to statutory authorities when a safeguarding concern arises. He should also ensure that referrals are made to the CDF in line with current Church guidance.**
- 3. Bishop Boyce should build on the introduction of a qualified lay person to the role of Deputy Designated person and consider the replacement of the clerical designated person with a further qualified lay member, in line with developments nationally.**
- 4. As the commissioner of assessments, Bishop Boyce should ensure that a formal written contract with any Assessment Centre is used, and that should include that he owns any report produced rather than it being seen as the property of the referred.**
- 5. Bishop Boyce should continue to develop a sound working relationship with an Gardaí, the HSE and the Probation Board with regard to the management of all current cases within the diocese.**
- 6. Bishop Boyce should meet on a regular basis with the chairs of committees to agree objectives and to monitor and review progress against these objectives. Each committee should have a written description of their role and function which would include their reporting relationship with Bishop Boyce.**
- 7. The Designated Person should meet regularly with the Support person and Adviser to discuss and brief each other on their work. They should agree objectives and monitor and review progress against these objectives**

- 8. The Child Protection Committee should ensure that all trainers are made aware of the anxiety experienced by a number of clergy through fear of the subject of child abuse, or of being the subject of a false allegation. They should also engage with the National Board toward finding a solution to the problem.**
  
- 9. The Child Protection Committee should continue to seek and avail of appropriate skills training for those in key positions who deal directly with people associated with allegations. These should include the priest Designated person, the Advisor, Bishop Boyce and the Support Person.**
  
- 10. The Chair of the Child Protection Committee should encourage, where possible, more members receive relevant specialist and accredited training to ensure the knowledge base in the group is spread more widely and support is available to the current trainers in the event of future change.**
  
- 11. The Child Protection Committee should prepare and publish a further Annual Report on developments in the diocese.**
  
- 12. Bishop Boyce should review the role of Support Person and ensure that it proactively engages with the complainant following an allegation to assess and respond to their support and advice needs.**
  
- 13. Bishop Boyce should consider bringing the names of the roles and groups that form part of the diocese's safeguarding framework into line with those contained in Resource 1 of *Safeguarding Children: Standards and Guidance* document.**

**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 diocese by individuals or by the Civil Authorities in the period 1<sup>st</sup> January 1975 to 1<sup>st</sup> June 2010, against Catholic clergy and/or religious still living and who are ministering/or who once ministered under the aegis of the diocese and examine/review and report on the nature of the response on the part of the diocese.
  
2. If deemed relevant, select a random sample of complaints or allegations, knowledge, suspicions or concerns of child sexual abuse, made to the diocese by individuals or by the Civil Authorities in the period 1<sup>st</sup> January 1975 to 1<sup>st</sup> June 2010, against Catholic clergy and/or religious now deceased and who ministered under the aegis of the diocese and examine/review and report on the nature of the response on the part of the diocese.
  
3. To ascertain all of the cases during the relevant period in which the diocese:
  - 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 diocese.
  
4. To consider and report on the following matters:
  - Child safeguarding policies and guidance materials currently in use in the diocese and an evaluation of their application;
  - Communication by the diocese with the Civil Authorities;
  - Current risks and their management.

## **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>1</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.

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<sup>1</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.

*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 August 2010 and must be selected randomly in the presence of an independent observer.

*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.