

Private and Confidential

Review of Safeguarding Practice

in the

Diocese of Clogher

undertaken by

**The National Board for Safeguarding Children in the
Catholic Church in Ireland (NBSCCCI)**

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of Clogher**

December 2012

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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 (CORI) and the Irish Missionary Union (IMU), 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 Clogher* undertaken by the NBSCCCI in line with the request made to it by the Sponsoring Bodies. It is based upon the case material made available by the diocese, 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 the diocese has confirmed this.

The findings of the review have been shared with a reference group in redacted form before being submitted to the diocese, along with any recommendations arising from the findings.

Introduction

At the request of Bishop Liam Mc Daid of the Diocese of Clogher, staff from the NBSCCCI undertook a review of child safeguarding policy and practice on 5th, 6th, and 7th November 2012. The methodology employed in the review process may be viewed on the website www.safeguarding.ie. Over the three day period, the case papers relating to all living priests who had been the subject of an allegation of abuse were examined. Files selected by the reviewers relating to priests who are deceased but who were known to be involved in the abuse of children in the diocese were also read.

The reviewers would wish to express their thanks to the bishop, his staff and the volunteers engaged in safeguarding in the diocese for their openness and willingness to engage in the review process. The NBSCCCI would wish to commend the enthusiasm and commitment to effective safeguarding that was found during the visit to the diocese.

The Diocese of Clogher occupies the county of Monaghan, most of county Fermanagh, and portions of counties Tyrone, Donegal, Louth, and Cavan. Geographically it is both large and diverse with a total of thirty seven parishes with seventy three priests in active ministry. Lough Derg which is a well known place of pilgrimage is situated within the boundaries of the diocese.

Bishop McDaid was ordained as Bishop of Clogher on 25th July 2010. Since his arrival he has worked strenuously to ensure that good working relationships were maintained with the key statutory safeguarding agencies in both jurisdictions for his diocese. The diocese is situated in both the Republic of Ireland and Northern Ireland. As a consequence the bishop had to engage with the PSNI, An Garda Síochána, the HSE and the HSC Trusts. All of these bodies were contacted by the reviewers and their views sought on the current state of those working relationships.

The purpose of the review is set out in the Terms of Reference which were agreed with the three Sponsoring Bodies of the Irish Catholic Church. They are the Episcopal Conference of Ireland, the Conference of Religious of Ireland (CORI), and the Irish Missionary Union (IMU). A copy of the Terms of Reference of the review is appended to this report.

A number of interviews were undertaken over the three day fieldwork period. These had been organised in advance of the reviewers visit by the diocese. These interviews allowed the opportunity of hearing directly from those involved in the delivery of safeguarding practice within the diocese. The reviewers greatly appreciated the time that was given to them by those that were interviewed.

The process of review can give rise to a degree of anticipatory anxiety on the part of those who are being reviewed. It is important to recognise that the primary concern is always the development of learning as a means of enhancing practice. It is not the intention of those engaged in reviews to find fault for the purpose of criticism. The aim is trying to develop practice so that each Church authority may be seen as an exemplar of

best practice in the field of safeguarding children. For that reason, the NBSCCCI would wish to thank Bishop Mc Daid for the request to undertake a review of his diocese and to be willing to open up to a process of examination against the standards set down and agreed by the three Sponsoring Bodies and upon which the review is based.

As well as reading case documentation, the reviewers examined the safeguarding policies and procedures that apply within the diocese. Comment will be provided on these against the relevant standards within the body of the review report. The reviewers also formed a view of the safeguarding framework that has been developed with particular reference to the clarity of roles and responsibilities carried. Again, comment will be offered on this aspect of the dioceses operation.

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 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 Clogher. 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 Met partially or Not met
1.1	The diocese has a child protection policy that is written in a clear and easily understandable way.	Met partially
1.2	The policy is approved and signed by the bishop of the diocese.	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 fully
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 diocesan level. If a separate policy document at parish or other level is necessary this should be consistent with the diocesan policy and approved by the relevant diocesan authority before distribution.	Met fully

Policy & Procedures

Those involved in safeguarding children in the diocese of Clogher have worked hard to try to provide a comprehensive policy framework for the all staff and volunteers. This is to be commended. One item that the NBSCCCI would draw to their attention relates to the definition of a child as stated in their *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*. Reference is made to the adoption of a wider definition of a child to include a vulnerable adult. This term is included but is not defined in the policy guidance. As a consequence it is believed that it could lead to confusion as to what is actually meant by it.

The difficulty that the diocese faced in this regard arises from the fact that legislation in Northern Ireland exists to protect vulnerable adults. Therefore, the part of the diocese that lies in this jurisdiction is required to be subject to that legislation. However, at the time of the review, there was no matching legislation in the Republic which has helped to create the situation whereby the diocese, in seeking to meet the needs of the parishes that are within Northern Ireland, have had to make reference to the need to protect vulnerable adults but has not had available to them a statutory definition accepted within the Republic. This situation is under review at present within the Church and a working party is currently drafting guidance that would be compliant with legislation in Northern Ireland and also implementable within the Republic. In the interim, the NBSCCCI suggests that the diocese would provide greater clarity on this issue to avoid confusion arising as to who is viewed as a vulnerable adult. It may be helpful in the interim to refer to Canon 99 which states: “*Whoever habitually lacks the use of reason is considered as incapable of personal responsibility and is regarded as an infant.*”

Recommendation 1: Bishop McDaid must ensure that the safeguarding policy should include a definition of a vulnerable adult which provides sufficiently clarity to enable those involved in safeguarding to decide whether an individual falls within the scope of the policy.

The reviewers were supplied with a document entitled *Operational Guidelines* for the Advisory Panel. This group serves not only the diocese of Clogher but also two other adjoining dioceses. The membership of this body is subject to revision currently as the view was expressed to the NBSCCCI that the diocese was not sufficiently well represented.

These guidelines set out the procedures followed by the Advisory Panel and were reviewed in 2010. They plan meetings on a bi-monthly basis but may meet more frequently if required. It would also appear that all cases held within a diocese will be reviewed by the Advisory Panel but it is not clear how often or how this will be organised. From the guidelines emphasis is placed on the role of the “designated person” for each diocese to facilitate this. Also, there is a complete reliance on the “designated person” to communicate the advice of the panel to the relevant bishop. Each bishop will receive a copy of the minutes of each meeting of the panel but it is specified in the guidelines that these minutes will not contain any information relating to “the details of

any case reports or the recommendations made”. This practice places too heavy a reliance on verbal communication between the bishop, who is the responsible decision maker, and the “designated person” in the absence of any written record of either the content of the discussion or the detail of the recommendations made as a result.

Recommendation 2: Bishop McDaid in consultation with the other bishops involved in the Advisory Panel must ensure that the Operational Guidelines for the Advisory Panel should be amended to specify that the recommendations from the panel to the relevant bishop should be in writing and should also reference the information presented to them upon which their advice is based.

Earlier this year, the NBSCCCI initiated a National Case Management Reference Group (NCMRG) with the specific aim of providing easy access to advice and guidance for all bishops and others in position of authority within the Church. Consideration may be given as to whether it would be helpful for the diocese to seek membership of this initiative as a way of providing additional access to advice for the bishop when facing difficult decisions.

The diocese’s website www.clogherdiocese.ie contains complete details of the child protection policies and procedures that apply. Also the contact details of the key volunteers and staff that hold safeguarding positions within the diocese are available. It was updated in February 2012. It appears that considerable effort is put into communicating the policies and procedures to a wide audience. This includes a commitment to display summarised contact details within Church premises.

The diocese was also subject to a state audit carried out by the H.S.E. This process identified a number of policy gaps that it judged existed at the time that the audit was undertaken. The diocese has addressed these since receiving the audit findings. They have worked hard at this task and strive diligently to ensure that the policy framework is compliant with state and Church expectations.

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

Number	Criterion	Met fully or Met partially or Not met
2.1	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
2.2	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
2.3	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
2.4	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
2.5	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
2.6	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
2.7	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

The policy and procedures document of the Clogher Diocese is very comprehensive and fully meets the requirements of criteria 2.1, 2.2, 2.3, 2.4, 2.6 and 2.7 of national Standard 2. Table 1 below presents the figures relating to the number of priests and the number of allegations since 1975 in the Diocese of Clogher, as well as details on the notifications to the two statutory child protection agencies.

Table 1

Incidence of Safeguarding allegations received within the Diocese of Clogher from 1st January 1975 up to November 2012

1	Number of priests incardinated into the Diocese of Clogher against whom allegations have been made since the 1 st January 1975 up to the date of the review.	13
2	Number of allegations reported to An Garda Síochána involving priests of the diocese since 1 st January 1975 – this figure includes some allegations that were notified by An Garda Síochána to the diocese.	23
3	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 st January 1975: This figure includes some allegations that were notified by the health services to the diocese.	22
4	Number of priests against whom an allegation was made and who were living at the date of the review	3
5	Number of priests against whom an allegation was made and who are deceased.	7
6	Number of priests against whom an allegation was made and who are out of ministry or who have left the priesthood.	2
7	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 st January 1975.	2
8	Number of priests against whom an allegation was made and who are in ministry, or retired.	1
9	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.	1

Footnote: The term allegation in this table includes complaints and expressions of concern. The difference in totals between Section 2 and 3 is due to the fact that an allegation was reported to the HSE which occurred overseas and which was not reported to the diocese. The allegation did not contain a named victim.

The Management of Allegations

The reviewers would draw a line between the practice of this diocese today and some of the practice that existed previously. From the cases examined it was clear that opportunities for preventive interventions were consistently missed when concerns of abuse by clergy were highlighted in the past. In one particular case, there was an unacceptable delay in taking action against a priest and removing him from all ministry, following receipt of a credible allegation. In another, a priest of the diocese was suspected of multiple incidents of abuse, but he was not removed from ministry, transferred to another parish and eventually was sent overseas for therapeutic help. He remained outside the jurisdiction and was eventually extradited back to this country several years later but died before he could be brought before the courts. In a number of cases, allegations emerged against priests following their death making it impossible for any investigation to take place. The impression formed by the reviewers of past practice was that the response to abuse concerns was often unsatisfactory and that risky behaviour was not addressed as strongly as it should have been.

The response to allegations that is now expected within the Church involves timely referral to the appropriate statutory agencies. As the diocese of Clogher is located in both Northern Ireland and also in the Republic, the reviewers made contact with both An Garda Síochána and the HSE and the PSNI and the HSC Trusts. All reported that they had a very good working relationship with the diocese and made reference to the leadership of the present bishop. It was reported to the reviewers that he always made it clear that the safety and protection of vulnerable children should be seen as paramount within his diocese.

The review of practice in the diocese was primarily records based. It relied heavily upon the content and organisation of the case files. The reviewers would wish to thank the present diocesan director of safeguarding for his efforts in organising the documentation. However, it would be very helpful if some narrative recording could be included in each file to help tell the story of the case. Although the files were organised, there was an absence of any narrative recording which made it difficult to follow the often complex developments that took place. It would also be advisable to avoid a loose leaf filing structure to eliminate the possibility of an individual page being lost or removed from a file.

Recommendation 3: The designated person must follow the NBSCCCI case file template and ensure that the recording of safeguarding practice within the case files should include telling the narrative of the case as an aid to understanding.

Under the leadership of the present bishop, advice and guidance has been consistently sought from the National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI). This appears to have been always followed and applied to the cases by the diocesan safeguarding volunteers and staff.

It is clear that the issue of safeguarding children effectively is prioritised in this diocese. They have developed a framework of volunteers and staff and tasked them with the responsibility of ensuring that this happens. Although this is to be applauded, the reviewers found it confusing to have personnel involved with a multiplicity of potentially overlapping roles. It was difficult to understand where one role ended and another began. Importantly, there needed to be clarity with regard to where the responsibility for certain tasks lay, for example recording within case files or liaising with the statutory agencies. In their diocesan structure there is a diocesan director of safeguarding, a diocesan co-ordinator of safeguarding services, and two diocesan designated persons. It is excellent that there is no shortage of volunteers to fill important roles but the reviewers would wish to highlight the danger that having so many key roles without providing role descriptions for each, runs the risk of creating confusion as to who is responsible for what. As a consequence, an important task could be missed through each person believing that someone else was addressing it.

Recommendation 4: Bishop McDaid should ensure that each of the roles created and referenced in the safeguarding framework for the diocese should have a role description which details what are the tasks and responsibilities associated with each of them.

Access to advice for the bishop is critical in the effective management of safeguarding allegations when they arise. Reference has already been made to the value of joining the initiative by the NBSCCCI started earlier in the year. The National Case Management Reference Group (NCMRG) could provide an additional source of expert advice that could prove to be valuable to the bishop. Consideration should be given to joining this group by 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.

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

Number	Criterion	Met fully or Met partially or Not met
3.1	There are policies and procedures for recruiting Church personnel and assessing their suitability to work with children.	Met fully
3.2	The safe recruitment and vetting policy is in line with best practice guidance.	Met fully
3.3	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

Number	Criterion	Met fully or Met partially or Not met
3.4	The diocese provides guidance on appropriate/ expected standards of behaviour of, adults towards children.	Met fully
3.5	There is guidance on expected and acceptable behaviour of children towards other children (anti-bullying policy).	Met fully
3.6	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 fully
3.7	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

3.8	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
3.9	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 Met partially or Not met
3.10	There is guidance on assessing all possible risks when working with children – especially in activities that involve time spent away from home.	Met fully
3.11	When operating projects/ activities children are adequately supervised and protected at all times.	Met fully
3.12	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

People and Structures

One of the most striking parts of the fieldwork for the review was the opportunity to meet and engage with the volunteers, staff and priests of the diocese who are involved in safeguarding. Their enthusiasm was real and their commitment exceptional. People gave of their time most generously to try to advance the safeguarding agenda in the diocese. There was no shortage of volunteers reported to the reviewers and the total number of people involved was impressive. Every parish has a safeguarding representative and most have several. All the parish safeguarding representatives have received training and several have been involved for a number of years.

The diocese is moving to a position of having two lay “designated persons”. One is already in post and the other will shortly come into post. The membership of the safeguarding committee is strong and the bishop always attends each meeting. The committee meets at least twice a year and is responsible for overseeing the training and preventive strategies employed by the diocese.

When the reviewers met with the volunteers involved, they were told of the full range of training events and programmes run to strengthen the parish and diocesan frameworks. Importantly these were supported well by the priests of the diocese and particularly by the present bishop.

As the diocese has a cross border location, vetting is pursued through the appropriate jurisdiction. In Northern Ireland, the diocese uses the officer allocated the task for the northern dioceses. For the Republic, vetting applications are administered by two named people, one of whom is also listed as designated officer. It is not clear if this is seen as an additional task or as part of that role within the diocese.

The support provided by the bishop is important and greatly valued by the volunteers. Many spoke most warmly of his involvement and their belief that they were valued by him and their efforts greatly appreciated.

The safeguarding committee shared with the reviewers, an ambitious plan for the forthcoming year in which they set out a number of tasks that they seek to achieve. Training will continue and the number of registered trainers will increase. A total of eleven tasks are specified not all of which would fall within the stated brief of this committee. The responsibility to maintain a close and co-operative working relationship with the statutory agencies should more appropriately fall to “the diocesan designated persons” or the bishop rather than the Safeguarding Committee.

As previously mentioned, there will shortly be two new lay volunteers as “the diocesan designated persons”. As these are critical roles within the safeguarding structure, it is recommended that an induction programme should be provided for both of them so that they could familiarise themselves with the content of their new positions. This could be provided through the NBSCCCI but consideration should also be given to meeting with and talking to occupants of these roles in neighbouring dioceses who would have greater experience of the handling of cases.

Recommendation 5: Bishop McDaid, in consultation with NBSCCCI should develop an induction programme for the two new lay volunteers who occupy the roles of “diocesan designated person”. This may include engaging with more experienced occupants of the role from neighbouring dioceses.

With so many people contributing to the task of safeguarding there is potential for role confusion. For that reason the NBSCCCI would urge that all of the roles within the safeguarding framework in the diocese as well as each of the committees should have a written down and comprehensive explanation of what they are expected to do, for whom, and when. If they are a committee, this should include the frequency of their meetings and whether minutes will be taken and circulated to whom.

At the head of the safeguarding framework within the diocese is the bishop. His leadership is critical to its successful functioning. It was reported to us frequently by the volunteers that the willingness of the bishop to lend his support to their work is critical. In the opinion of the reviewers Bishop Mc Daid’s contribution is vital to the successful continuation of the safeguarding agenda in the diocese. A large number of volunteers are already involved and they need to be sustained in their enthusiasm and motivation. This task cannot be effectively delegated to others. Where opportunities present themselves for the bishop to lend his support these should be taken.

The suggestion was made to the reviewers by some of the volunteers that many people in the diocese did not realise how much has been achieved and the full extent of the work that has taken place to date. The suggestion was made that a diocesan newsletter should be issued which focused solely on the safeguarding of children. This has been successfully introduced in other dioceses and it has proven to be helpful both in validating the volunteers already involved and in awakening the interest of others not yet engaged.

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 partially
4.2	Identified Church personnel are provided with appropriate training for keeping children safe with regular opportunities to update their skills and knowledge.	Met partially
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 fully
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 degree of enthusiasm and commitment to safeguarding amongst staff and volunteers within the diocese was impressive and cannot be doubted. Training for the parish safeguarding representatives and also for the priests of the diocese is extensive and delivered regularly. The diocese has three trainers that have gone through the accreditation process administered by the NBSCCCI. A further two will complete the training in the coming year.

The specific training needs of key individuals within the diocese such as one of the two newly appointed "designated persons" should be addressed. The other has already received training. Also, the role of the bishop as the lead person for safeguarding in the diocese has already been emphasised as crucial. His training needs should be identified and provision made to meet these. The approach that has been followed to date involves providing training primarily at the level of the parish. However, to ensure that the safeguarding framework as a whole works effectively, it is important to ensure that all other parties, including the bishop, have a good understanding of what is expected of them. They need to have both the skills and the knowledge to discharge their responsibilities effectively. To that end, the NBSCCCI would suggest that attention be paid to looking at the training needs of all parts of the safeguarding framework rather than simply the parish representatives. Areas highlighted would include developing a better understanding of sex offending behaviour and the impact that sexual abuse can have on those that suffer it. Both of these would be particularly relevant to the roles of "designated officers" and also for the bishop.

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 the diocese 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 the Health Service Executive, An Garda Síochána, telephone helplines and the designated person.	Met fully
5.5	The diocese establishes links with statutory child protection agencies to develop good working relationships in order to keep children safe.	Met fully
5.6	The diocese has an established communications policy which reflects a commitment to transparency and openness.	Met partially

This standard involves the active dissemination of the policies and procedures that have been devised and operate in the diocese. As has already been stated, considerable effort has gone in to trying to identify and address any gaps that exist in the policy framework for safeguarding in the diocese. These can only be effective if all Church personnel and parishioners are aware of them.

Each church in the diocese has available the following documents for reference by anyone who has a safeguarding concern. They include the diocesan safeguarding policy statement, the code of conduct, the code of procedures, details of counselling services available and contact details for diocesan safeguarding personnel. The existence and

availability of these documents is communicated through parish bulletins and also through a safeguarding statement made at parish Masses on an annual basis.

The diocesan website contains each of these documents as well and emphasises the importance that these matters are afforded within the diocese as a whole.

It is clear that there is a lot of “good news” to communicate in the diocese with regard to the safeguarding of children. There would be benefit in creating a communication plan at the level of the diocese to try to co-ordinate more effectively the dissemination of knowledge about the good work being undertaken. It may be worthwhile to introduce an annual conference for volunteers bringing together all the many people who are involved across the diocese. This would provide an opportunity for the volunteers to be addressed by their bishop and thanked by him for their efforts. It would also provide a useful media opportunity that could be used to get the positive message about development in the diocese out to a wider audience. This is an approach that has proved to be very successful when used in other dioceses.

Recommendation 6: Bishop McDaid should consider creating a communication strategy for safeguarding in the diocese that could include an annual volunteer conference as a means of thanking them and strengthening them in their efforts in taking forward this vital work.

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 fully

From the review of the case files within the diocese it is clear that the advice and guidance of the NBSCCCI along with the relevant statutory agencies, is frequently sought since Bishop Mc Daid came into post. Advice has been sought and followed when there has been any uncertainty with regard to what action should be taken in a case. This is to be commended and encouraged.

The diocese has set up an Advisory Panel which it shares with two other neighbouring dioceses. This has worked well in the past but has not been used in recent months. The diocese has recently sought to increase its representation on the panel and had put forward two new names for inclusion on it.

The reviewers made contact with representatives of three of the statutory agencies with whom the diocese works. They all reported a positive relationship with the diocese and a shared commitment to the effective safeguarding of children. The reviewers were able to get a response from a representative of the HSE following the completion of the field work on site. He also reported a good relationship to be in place with the bishop and his safeguarding team.

Within the diocesan safeguarding documents there are references to how contact can be made with sources of advice and support. Details of how counselling support can be accessed are also given.

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

Number	Criterion	Met fully or Met partially or Not met
7.1	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
7.2	The human or financial resources necessary for implementing the plan are made available.	Met fully
7.3	Arrangements are in place to monitor compliance with child protection policies and procedures.	Met fully
7.4	Processes are in place to ask parishioners (children and parents/ carers) about their views on policies and practices for keeping children safe.	Met partially
7.5	All incidents, allegations/ suspicions of abuse are recorded and stored securely	Met fully

It is important that the policies and procedures that have been developed in the diocese are monitored to ensure that they are being implemented fully and complied with by all. The diocese has carried out an audit of the safeguarding activity within each parish and scrutinised this at the diocesan level. This is to be commended. It is important that it happens regularly on an annual basis. Any gaps that are identified should be filled and a report submitted on that work to the safeguarding committee.

An attempt has been made to identify issues that the diocese will try to address in the coming year. In essence, this is a list of desired outcomes or events that are anticipated. What it lacks is any detail with regard to who will undertake each of these objectives, by when and in what way. This detail is important so that progress can be monitored throughout the year against the plan. For this reason, it is recommended that additional detail be added to the document headed *Implementation Plan 2013* to include how each of these objectives will be achieved and who will be responsible for ensuring that they happen.

Recommendation 7: Bishop McDaid, in consultation with his safeguarding team should enhance the Implementation Plan for 2013 to include how each objective will be approached and who will be responsible for that work.

It is gratifying to record that all of the staff and volunteers who were interviewed confirmed that the provision of appropriate financial resources to support the safeguarding work in the diocese had never been a problem. There was recognition and appreciation of the priority placed on this work by the bishop and his staff.

Recommendations

Recommendation 1:

Bishop McDaid must ensure that the safeguarding policy should include a definition of a vulnerable adult which provides sufficiently clarity to enable those involved in safeguarding to decide whether an individual falls within the scope of the policy.

Recommendation 2:

Bishop McDaid in consultation with the other bishops involved in the Advisory Panel must ensure that the Operational Guidelines for the Advisory Panel should be amended to specify that the recommendations from the panel to the relevant bishop should be in writing and should also reference the information presented to them upon which their advice is based.

Recommendation 3:

The designated person must follow the NBSCCCI case file template and ensure that the recording of safeguarding practice within the case files should include telling the narrative of the case as an aid to understanding.

Recommendation 4:

Bishop McDaid should ensure that each of the roles created and referenced in the safeguarding framework for the diocese should have a role description which details what are the tasks and responsibilities associated with each of them.

Recommendation 5:

Bishop McDaid, in consultation with NBSCCCI should develop an induction programme for the two new lay volunteers who occupy the roles of “diocesan designated person”. This may include engaging with more experienced occupants of the role from neighbouring dioceses.

Recommendation 6:

Bishop McDaid should consider creating a communication strategy for safeguarding in the diocese that could include an annual volunteer conference as a means of thanking them and strengthening them in their efforts in taking forward this vital work.

Recommendation 7:

Bishop McDaid, in consultation with his safeguarding team should enhance the Implementation Plan for 2013 to include how each objective will be approached and who will be responsible for that work.

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 / religious congregation by individuals or by the Civil Authorities in the period 1st January 1975 to date of Review against Catholic clergy and/or religious still living and who are ministering/or who once ministered under the aegis of the diocese / religious congregation and examine/review and report on the nature of the response on the part of the diocese / religious congregation.
2. If deemed relevant, select a random sample of complaints or allegations, knowledge, suspicions or concerns of child sexual abuse, made to the diocese / religious congregation by individuals or by the Civil Authorities in the period 1st January 1975 to date of Review against Catholic clergy and/or religious now deceased and who ministered under the aegis of the diocese / religious congregation and examine/review and report on the nature of the response on the part of the diocese / religious congregation.
3. To ascertain all of the cases during the relevant period in which the diocese / religious congregation:
 - 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 / religious congregation.
4. To consider and report on the following matters:
 - child safeguarding policies and guidance materials currently in use in the diocese / religious congregation and an evaluation of their application;
 - communication by the diocese / religious congregation 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 1990¹ 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”.

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).

¹ 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 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.

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 1st January 1975 to 1st June 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.