

**Private and Confidential**

**Review of Safeguarding Practice**

**in the**

**Diocese of Cork and Ross**

**undertaken by**

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

**Catholic Church (NBSCCCI)**

**The content of this Report is not to be accessed or shared without the consent of the Bishop  
of Cork and Ross**

**May 2012**

## **CONTENTS**

<b>Background</b>	<i>Page 3</i>
<b>Standard 1</b> <i>A written policy on keeping children safe</i>	<i>Page 7</i>
<b>Standard 2</b> <i>Management of allegations</i>	<i>Page 10</i>
<b>Standard 3</b> <i>Preventing Harm to Children</i>	<i>Page 15</i>
<b>Standard 4</b> <i>Training and Education</i>	<i>Page 19</i>
<b>Standard 5</b> <i>Communicating the Church's Safeguarding Message</i>	<i>Page 20</i>
<b>Standard 6</b> <i>Access to Advice and Support</i>	<i>Page 22</i>
<b>Standard 7</b> <i>Implementing and Monitoring Standards</i>	<i>Page 24</i>
<b>Recommendations</b>	<i>Page 26</i>
<b>Terms of Reference</b>	<i>Page 27</i>

## **Background**

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

This report contains the findings of the *Review of Safeguarding Practice within the Diocese of Cork and Ross* 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 John Buckley, staff from the NBSCCCI engaged in a process of reviewing safeguarding children policy and practice on March 21<sup>st</sup>, 22<sup>nd</sup> and 23<sup>rd</sup>, 2012. Over the three day fieldwork period, case files were examined and interviews with key personnel in the diocesan safeguarding structure took place. The fieldwork team want to acknowledge the commitment of Bishop Buckley to the review process and his cooperation with them. They also want to acknowledge the assistance to the review given by all of the other people involved who made themselves available for interview.

## **Geographical Area**

The Diocese of Cork and Ross includes Cork city, west Cork and most of mid Cork on the south side of the River Lee. The diocese also extends eastwards to Glounthaune and north-east to Watergrasshill, and it covers a total of 1,290 square miles. The diocese is comprised of two previously separate dioceses. The following description appears on the diocesan website.

“The Diocese of Ross is comprised of eleven parishes on the seaboard stretching from Timoleague, near Clonakilty, to Aughadown, west of Skibbereen. It includes parishes with beaches which are well known to holiday-makers from near and far. Places like Inchdoney, Baltimore and Owenahincha are all under the patronage of St. Fachtna. The diocese also includes several islands, including the gaeltacht of Oileán Cléire and Sherkin Island which has earned a name for study and research of its maritime environment.

Ross diocese enjoyed complete independence between the twelfth century (when most diocesan boundaries were agreed) and 1693 when it was united with Cork and Cloyne. In 1849, it regained its own diocesan bishop until it was united with Cork diocese in 1958. Ross is predominantly a rural diocese and the rural community accounts for a sizable part of the Cork diocese, too. However, Cork city and its suburbs, the country’s second largest urban area (pop. 170,000 approx.), is home to the majority of the people of Cork diocese”.

Cork and Ross Diocese is one of the largest of the 26 Catholic dioceses on the island of Ireland, with 68 parishes. The population of the diocese is approximately 240,000. NBSCCCI is very aware that a diocesan review can cause an amount of anxiety to individual bishops and to those who help and support them with their safeguarding responsibilities. However, all involved in assisting the fieldwork team were welcoming and very generous with their time and attention and this made the task of the reviewers straightforward and uncomplicated.

The purpose of the review is set out within the Terms of Reference that are appended to this report. It seeks to examine how practice conforms to expected standards in the Church, both at the time an allegation was received and currently. It is an expectation of

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

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

The process involved the fieldwork team reading all case management records of living priests who are incardinated into the Diocese of Cork and Ross and against whom a child safeguarding allegation had been made or about whom a concern had been raised. Concerns also exist relating to a number of priests from the UK who have retired into the Cork area and the reviewers read all of the files that have been developed on these men. The reviewers also read some case files relating to deceased priests. In addition, interviews were held with Bishop Buckley, two Designated Persons, the members of the Safeguarding Committee, the members of the Advisory Panel, three Parish Safeguarding Representatives, a Priest Advisor and the two Victim Support Persons.

Interviews were also held with a senior manager in An Garda Síochána and in HSE Child and Family Services.

The final part of the review was an assessment of the Diocesan Safeguarding Policy and Procedures against the standards set down in *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* and of other written material provided to the reviewers.

The focus of reviews into safeguarding in the recent past has concentrated on the management of allegations. NBSCCCI accepts that the huge emphasis placed on this aspect of safeguarding is critical. In addition, NBSCCCI recognises that in order to prevent abuse happening in future, the investment in creating safe environments for children must be great and open to scrutiny. It is for this reason that the review process uses the seven standards outlined within *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* as an assessment framework. The report below, therefore, highlights the findings by the fieldworkers under each standard and draws conclusions regarding the effectiveness of policies and practices in the diocese to prevent abuse, as well as the ability of the relevant personnel within the diocese to assess and manage risk to children. Where appropriate, recommendations for improvements are made.

## **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 Cork and Ross. 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 fully
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.	*
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

\* The Policy and Procedures document of Cork and Ross Diocese is less than 1 year in existence; it contains a statement that it “is under constant review and will be updated as necessary”

## **Policy & Procedures**

The Diocese of Cork and Ross has a full written policy and procedures document in place that is consistent with the NBSCCCI *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* and which was published in February 2009. This document replaced the earlier Diocesan Child Safeguarding Policy of 2007. In his Foreword to the November 2011 document, Bishop Buckley states that the Diocese of Cork and Ross is committed to:

- implementing this policy in every parish in the diocese;
- co-operating fully with the statutory authorities in all aspects of this matter;
- welcoming and listening to anyone who has been a victim of abuse;
- doing everything possible to help victims towards healing;
- ensuring that all reports of wrong-doing are properly received and addressed.

This Policy and Procedures document is available on the website of the Cork and Ross Diocese, <http://www.corkandross.org> .

This document was prepared for publication before the Cork and Ross Diocesan Child Protection Committee had sight of two important 2011 national documents, *Children First*, and the *HSE Child Protection and Welfare Practice Handbook*. This leads to the following recommendation:

### **Recommendation 1:**

**Bishop Buckley needs to ensure that the Cork and Ross Diocesan Child Protection Committee reviews and if necessary revises, the current Safeguarding Children in the Diocese of Cork and Ross to satisfy himself that they are consistent with *Children First, 2011* and with the HSE guidance document, *Child Protection and Welfare Practice Handbook, 2011*.**

The production of the revised policy and procedures document was one of the outcomes of a full diocesan review of safeguarding initiated by Bishop Buckley in 2011. The following elements or functions were included as part of this internal review process:

- The engagement of an external consultant to plan and facilitate the process
- A diocesan consultation process
- A review of all safeguarding publications
- A review of training
- A review and refreshing of the membership of the Diocesan Advisory Panel
- A review of the work of the diocesan Relapse Prevention Group
- A review of the deployment and work of Local Parish Representatives

A number of decisions were made as a result of the internal review, including

- The appointment of a lay woman child protection social worker as a second Designated Person



- The convening of an Interagency Forum with An Garda Síochána and the HSE
- The development of an Operational Management Committee
- The holding of a number of healing events in the diocese

The process of review is ongoing. This comprehensive and productive initiative of Bishop Buckley is commended.

## 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 partially +
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

\* Subject to the review referred to in Recommendation 1 above.

+ The Diocesan guidance does not contain references to clear timescales

The policy and procedures document of the Cork and Ross 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 Cork and Ross, 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 Cork and Ross from 1<sup>st</sup> January 1975 up to June 2011**

1	Number of priests incardinated into the Diocese of Cork and Ross against whom allegations have been made since the 1 <sup>st</sup> January 1975 up to the date of the review.	<b>26</b>
2	Number of allegations reported to An Garda Síochána involving priests of the diocese since 1 <sup>st</sup> January 1975 – this figure includes some allegations that were notified by An Garda Síochána to the diocese.	<b>50</b>
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 <sup>st</sup> January 1975: This figure includes some allegations that were notified by the health services to the diocese.	<b>51</b>
4	Number of priests against whom an allegation was made and who were living at the date of the review	<b>18</b>
5	Number of priests against whom an allegation was made and who are deceased.	<b>8</b>
6	Number of priests against whom an allegation was made and who are out of ministry or who have left the priesthood.	<b>15</b>
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 <sup>st</sup> January 1975.	<b>4</b>
8	Number of priests against whom an allegation was made and who are in ministry, or retired.	<b>10 *</b>
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.	<b>3</b>

\* 3 in ministry; 7 retired

***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 Diocese of Cork and Ross has two designated persons, a priest, and a female social worker who has child protection experience. The fieldwork team were impressed at the effective mix of knowledge and experience that these two staff brought to their roles. The lay designated person was only in post for a matter of weeks at the time of the review and

her post was full-time, temporary. However, Bishop Buckley has already given the new designated person formal authority to ensure that all complaints are responded to appropriately and that all cases are managed properly. She has also been given responsibility for reviewing the monitoring and management arrangements for all priests of the diocese who have been subject to a child safeguarding complaint. The fieldwork team commends these decisions of Bishop Buckley. The team recommends that Bishop Buckley extend the employment period of the second designated person position.

**Recommendation 2:**

**Bishop Buckley extend the employment period of the second Designated Person post to three years, to be reviewed at that time.**

The case files in the Cork and Ross diocesan offices are securely kept. These files have all been re-examined recently and have been restructured in accordance with the recommendations of the National Board for Safeguarding Children in the Catholic Church (NBSCCCI). A legal secretary was employed to assist the two designated persons to restructure the case files prior to this review, and this made a significant contribution to making the work of the fieldwork team more efficient, as the files were very easy to follow. This is commended.

Eighteen case files of priests of the Diocese of Cork and Ross were examined, all relating to men who were living at the time of the review. Of the 18, three had been laicised (of whom two have convictions for the abuse of children); five are either completely out of ministry or are on very restricted and supervised ministry; seven are retired (of whom one was convicted of child abuse); and three have been returned to active ministry, having been out of ministry while concerns were being investigated.

The files of five priests who have either retired and live within the Diocese of Cork and Ross or who visit it regularly from UK dioceses were also examined. None of these men have allegations against them related to any incidents within the Diocese of Cork and Ross. However, three of these men have convictions of abuse of children in other jurisdictions. One of these men has now been laicised.

One further priest about whom there have been concerns is originally from Ireland but is living and in ministry outside the Irish jurisdiction. In his case, the allegations relate to holiday visits to Cork and these have been shared with the leadership of the religious order to which he belongs.

In addition, files on three deceased priests were also examined as part of this review, but no particular concerns were raised regarding how these cases had been managed. In all, there are files on eight deceased priests of the diocese about whom concerns have been raised.

The issue of whether it is always just and fair to remove a priest from ministry when an allegation is made was highlighted in the cases of three priests. When the protection and

welfare of children has to be the primary consideration, it is generally required that a priest about whom there is a concern is removed from ministry. However, the paucity of evidence in these three cases, combined with the length of time that was taken for investigations to be completed may well have contributed to avoidable distress and public ignominy being caused to these men.

Another matter of concern was highlighted by the cases of priests retiring into the geographical area of the Diocese of Cork and Ross from dioceses in Britain. Information on the status of these priests was not as forthcoming as it should have been from their home dioceses, which resulted in a lack of awareness of potential risk. These cases also underscored the importance of all priests having a current *celebret*, which acts as a 'licence to minister' for priests who are in good standing. Three of these priests were convicted of child abuse in the UK prior to their moving to Cork.

An Garda Síochána and the HSE have been notified of all concerns, complaints and allegations against priests that are known to the Diocese of Cork and Ross. While current practice in this regard is excellent, in the past there were delays in some cases in informing the statutory authorities. The review identified an historical misunderstanding that operated in a number of dioceses, where it was believed that a notification to An Garda Síochána would automatically lead to An Garda Síochána notifying the relevant health board in turn, under the provisions of national Garda / Health Board interagency guidelines of 1995. There have been a number of meetings between the Designated Persons of the diocese and An Garda Síochána and the HSE in the more recent past at which all historical information on file has been shared with these agencies and advice and guidance requested regarding the management of individual cases. It is planned that this Interagency Forum will meet quarterly on a formal basis. It is clear that the local HSE Child Protection and Welfare service has been very rigorous in relation to the manner in which it requires the diocese to communicate and cooperate and while this approach has been challenging to adapt to, the diocesan child safeguarding personnel have done so.

The fieldwork team met with a senior manager from both An Garda Síochána and the HSE. Both managers expressed their satisfaction with the level of communication and cooperation that they have with the diocese and complimented the two Designated Persons for their commitment to child safeguarding.

### **Advisory Panel**

The Diocese of Cork and Ross has had an Advisory Panel since 1992, which precedes the first published Irish Church guidance document on Child Protection. In the 20 years since this panel has been in existence the membership has been refreshed from time to time. The current membership consists of a civil lawyer / mother, a (priest) canon lawyer, a counsellor, a general practitioner, a priest (diocesan secretary) and the two designated persons and is chaired by a retired Garda superintendent. The diocese has also signed up to using the resources of the NBSCCCI National Case Management Reference Group (NSMRG), as necessary and is of the view that:

*'The combination of an enhanced local Advisory Panel together with the availability of the National Case Management Reference Group is a particular strength in the Cork & Ross safeguarding service. [Notes provided to the fieldwork team]'*

The Diocesan Advisory Panel convened during the fieldwork period to allow the fieldwork team to meet and have a discussion with it. As well as providing a history of the working of the group and the various challenges it faced, the members of the panel spoke of two particular matters: the considerations that have to be made when advising the bishop about the possible return of an accused priest to active ministry and the usefulness of written guidelines to follow when examining a concern. No new allegation against a priest has been referred to the panel since 2011, although it continues to meet fairly regularly to oversee cases of historical allegations. The panel met on six occasions in 2009, five in 2010 and three in 2011. There had been two meetings of the panel in February 2012, prior to the review. The fieldwork team were impressed by the dedication of the panel members and their commitment to the protection and welfare of children.

Panel members expressed some concern about handling requests from An Garda Síochána to obtain the permission of complainants to be interviewed by An Garda Síochána as part of the criminal investigation process. Some members believe that acting as an intermediary may complicate their relationships with complainants. This national practice by An Garda Síochána was introduced in An Garda Síochána's policy on *The Investigation of Sexual Crimes, Crimes against Children Child Welfare (2010)*.

Members suggested that occasional regional meetings of the various Advisory Panels in the metropolitan area of Cashel and Emly, along with staff from the NBSCCCI, would be helpful.

A smaller operational management group, comprised of the bishop, his diocesan secretary and the two designated persons, meets fortnightly to continuously review all open cases. This practice is commended.

A particular initiative of the Diocese of Cork and Ross is the Relapse Prevention Group for priests who have been subject to allegations of sexual abuse of children. This group was established in 1992 and has operated successfully over the intervening 20 year period. This support group will be discussed under Standard 6 below.

The Diocese of Cork and Ross has three female Support Persons for Victims who have been recruited and trained and the fieldwork team interviewed these two of these women, both of whom come from a guidance teaching background. While they have been recruited and trained and see themselves as an important part of the overall diocesan safeguarding network, neither woman has yet been deployed to provide support to a complainant / victim, even though all complainants were offered the opportunity of their support.

**Standard 3**

***Preventing Harm to Children***

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

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

**Criteria – safe recruitment and vetting**

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

**Criteria – Codes of behaviour**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>3.4</b>	The diocese provides guidance on appropriate/ expected standards of behaviour of, adults towards children.	Met fully
<b>3.5</b>	There is guidance on expected and acceptable behaviour of children towards other children (anti-bullying policy).	Met fully
<b>3.6</b>	There are clear ways in which Church personnel can raise allegations and suspicions about unacceptable behaviour towards children by other Church personnel or volunteers ('whistle-blowing'), confidentially if necessary.	Met partially *
<b>3.7</b>	There are processes for dealing with children's unacceptable behaviour that do not involve physical punishment or any other form of degrading or humiliating treatment.	Met fully

<b>3.8</b>	Guidance to staff and children makes it clear that discriminatory behaviour or language in relation to any of the following is not acceptable: race, culture, age, gender, disability, religion, sexuality or political views.	Met fully
<b>3.9</b>	Policies include guidelines on the personal/ intimate care of children with disabilities, including appropriate and inappropriate touch.	Met fully

**Criteria – Operating safe activities for children**

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

\* These are areas of work in progress for the Safeguarding Committee

The *Safeguarding Children in the Diocese of Cork and Ross* document is very comprehensive in relation to all of the criteria under Standard 3. Any document is only effective however if it is widely disseminated, if those who are to use it are trained to do so, and if they in fact carry out the policies and procedures that it contains. Responsibilities have to be allocated to individuals and groups to ensure that these steps are followed and structures have to be put in place to support this work. These include the Safeguarding Committee, the Trainer(s) and the network of Local Parish Representatives. Information leaflets and other forms of communication are also important in this regard.

**Safeguarding Committee** (also known in some dioceses as the Child Protection Committee)

The role of this committee is supportive and developmental. It is not related in any way to the management of individual cases of suspected or alleged abuse.

The Safeguarding Committee has responsibility for:

- the provision of training
- the safe recruitment of volunteers and staff within their service area
- creating, maintaining and monitoring a safe environment for children in all aspects of Church life and activity; and for advising on the human resources required for implementing best safeguarding practice across services.



The Cork and Ross Safeguarding Committee was established by Bishop Buckley in 2006 and the first task that he assigned to it was the development of a diocesan policy and procedures document. The first document was published in 2008. In 2009, the NBSCCCI published its national guidance document, *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*. In response to this national initiative, Bishop Buckley asked the Safeguarding Committee to revise the diocesan guidance and this was published in November 2011.

The committee is comprised of two primary school principals (one retired), the diocesan trainer, a retired garda, the two designated persons and a priest and it is chaired by a female manager of a local health service. The duties and responsibilities of the committee are clearly set out in writing. These include monitoring the safe recruitment of staff and volunteers, including Garda vetting. A lay secretary in the diocesan office takes responsibility for the administration of all Garda vetting. The committee meets approximately every six weeks, but met more regularly when drafting the new diocesan guidance document. Members informed the fieldwork team that the committee is to review its full Terms of Reference at its next meeting, before working on further areas, including whistle-blowing and information technology.

Two trainers were recruited in 2008 to provide relevant Child Safeguarding training across the whole diocese and this was reportedly well received. All priests of the diocese were included in this initial training process. The newly appointed local parish representatives, of which there are 180 across the 68 parishes in the diocese, were also trained, as were specific groups that cater for children and young people within the Church, such as the Lourdes pilgrimage volunteers and sacristans who generally supervise altar servers. The first training roll-out was completed in 2009. To complement this process, each parish was asked to produce its own parish Safeguarding Policy Statement – although subsequently one diocesan statement was produced and accepted by all parishes to ensure uniformity of approach. In 2010 / 2011, the training process was repeated using the new draft training materials produced by NBSCCCI, based on its 2009 national guidance. The NBSCCCI is very grateful to the Diocese of Cork and Ross for agreeing to be a pilot diocese for these new national training materials.

One of the trainers has recently retired, which has a significant impact on the amount of training that can be conducted in the diocese. As the trainers also maintain links with the local parish safeguarding representatives, this channel of communication is also weakened. The diocese has now selected two lay women to act as trainers and they are currently undergoing their Train-the-Trainers process before they can be deployed in their new roles. This shows a commitment by Bishop Buckley to the importance of ongoing Safeguarding Children training in the diocese. A new round of training using the new national programme developed by NBSCCCI will run through 2012, involving all three trainers.

Under the aegis of the Safeguarding Committee, a diocese-wide examination of the compliance of all 68 parishes with the *Safeguarding Children in the Diocese of Cork and Ross* was initiated in 2011. At the time of this review, this was almost complete, with nine parishes yet to be examined. The committee has also developed a self-audit tool for parishes to use in the future.

A standardised and robustly framed child safeguarding poster has been developed for display in all churches in the diocese and this was being distributed by the Safeguarding Committee at the time of this review.

**Local Parish Safeguarding Representatives:**

The fieldwork team met with three local parish safeguarding representatives from two parishes. As there are 180 trained representatives from 68 parishes in the diocese, this was in no way a representative or statistically significant group. It is important to state that there is at least one representative in each parish in the diocese, while many have two or three representatives. All have been Garda vetted and all have undertaken accredited child safeguarding training. The diocese began recruiting these representatives in 2008. Each representative is expected to give three years to their role in their parish. The local parish safeguarding representatives are central to the success of the ongoing audit of compliance of parishes in the diocese.

The three representatives who were interviewed spoke positively about the cooperation that they receive from diocesan clergy. They suggested that they would benefit from more support and communication from the diocese and would welcome diocesan, or deanery-area or pastoral area meetings with their counterparts from other parishes. They stated that they believe that it would be a positive development to have a man and a woman in each parish to act as representatives.

#### Standard 4

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

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

##### **Criteria**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>4.1</b>	All Church personnel who work with children are inducted into the Church's policy and procedures on child protection when they begin working within Church organisations.	Met fully
<b>4.2</b>	Identified Church personnel are provided with appropriate training for keeping children safe with regular opportunities to update their skills and knowledge.	Met fully
<b>4.3</b>	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
<b>4.4</b>	Training programmes are approved by National Board for Safeguarding Children and updated in line with current legislation, guidance and best practice.	Met fully

Training has been described under Standard 3 above, and it is well developed in the Diocese of Cork and Ross. It is challenging for any organisation to provide continuous training to its staff, with high numbers and an amount of turnover. The fieldwork team recommend that the diocese develop a training strategy to ensure that future training for all child safeguarding staff and volunteers is fully planned and resourced.

##### **Recommendation 3:**

**Diocesan Safeguarding Committee develop a Child Safeguarding Training Strategy which sets out the intentions of the diocese, on an annual basis, to equip people with the knowledge and skills required to undertake their roles and submit for the approval and implementation of Bishop Buckley.**

## 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**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>5.1</b>	The child protection policy is openly displayed and available to everyone.	Met fully
<b>5.2</b>	Children are made aware of their right to be safe from abuse and who to speak to if they have concerns.	Met fully
<b>5.3</b>	Everyone in the diocese knows who the designated person is and how to contact them.	Met fully
<b>5.4</b>	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
<b>5.5</b>	The diocese establishes links with statutory child protection agencies to develop good working relationships in order to keep children safe.	Met fully
<b>5.6</b>	The diocese has an established communications policy which reflects a commitment to transparency and openness.	Met partially

### **Child Protection Policy Display and Availability**

The diocesan policy is widely displayed in the churches across the diocese and as has been stated above, a new display format has been developed and is being circulated to all parishes.

The diocesan website has a dedicated section on Safeguarding Children. This is on a dropdown menu under the heading *The Diocese*, however it would be more easily accessed if there were also a specific Child Safeguarding icon on the website's home page.

**Recommendation 4:**

**The Diocese of Cork and Ross website home page have a specific Safeguarding Children icon for ease of access.**

The development of inter-agency meetings with senior managers in An Garda Síochána and in the HSE is a very positive step and the representatives of both agencies have stated to the fieldwork team that they are confident that they have reliable and trustworthy relationships with key diocesan personnel.

The consultation process in the diocese concerning safeguarding children, which was initiated in 2011, is ongoing. Bishop Buckley has addressed the people of the diocese on this matter in his Christmas message of 2011 and he has issued a general invitation to people to make their views known to him on improving diocesan policies and procedures.

The Diocese of Cork and Ross has produced two leaflets related to child safeguarding. The first of these is entitled *Safeguarding Children in the Diocese of Cork and Ross* and it provides very clear information on the diocesan policy, where to access the full diocesan policy and procedures document, what is expected of all participants in a Church related group, as well as contact details for An Garda Síochána, the HSE, designated persons, parish representatives and counselling services. There is also a brief signed message from the bishop on the back page of the leaflet. 10,000 copies of this leaflet have been printed and distributed across the diocese. The second leaflet is entitled *Diocese of Cork and Ross – Lourdes Pilgrimage – Child Protection and Vulnerable Adult Information for Lourdes Workers*. This dedicated leaflet for personnel who accompany children and vulnerable adults to Lourdes contains a statement of Diocesan Policy, a detailed Code of Conduct for Pilgrimage Workers and Procedures and Record Keeping.

There is clear evidence of a diocesan commitment to getting across the safeguarding children message to its own staff and volunteers, to other involved agencies and to the wider public. It is recommended that this commitment be formalised through the development of a Diocese of Cork and Ross Safeguarding Children Communications Policy.

**Recommendation 5:**

**Bishop Buckley directs the diocesan Safeguarding Committee to develop a Safeguarding Children Communications Policy, with the assistance of appropriate professional communications personnel, for his endorsement and implementation.**

## 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

The Diocese of Cork and Ross has been actively engaging specialist advice, support and information for its staff and volunteers for some time. It has appropriately used the services of the NBSCCCI in this regard, as well as those of statutory and relevant voluntary agencies in the areas of safeguarding, training and therapy.

As mentioned previously, the diocese has three dedicated Support Persons for Victims and the bishop appoints a Support Priest to each diocesan priest who is the subject of an allegation or complaint.

There is evidence on the case files examined that professional clinical expertise is engaged by the bishop when required in individual cases.

The Diocese of Cork and Ross is unique in having a well established support group for priests who have acknowledged, or who have been convicted of sexually abusing children. This is the Relapse Prevention Group that was initiated twenty years ago by a religious sister who was a professional psychotherapist. There have been strict conditions of membership for this group from the outset, as follows:

- members have admitted that they have abused minors and this has been reported to An Garda Síochána and to the HSE;
  - members have completed a recognised treatment programme;
  - what happens in the group is confidential except for any further offence. If this happens, it is understood from the beginning that this will be reported to the civil authorities immediately;
  - the understanding is that this is a therapy group and that it has a growth dimension, and members are expected to engage in this process;
  - members are expected to give support to each other.
- [from notes provided to the fieldwork team]

The psychotherapist who initiated this valuable group left the diocese in 2006 and was replaced by a lay woman who is also a psychotherapist. Meetings take place every month for ten months of the year. Between these scheduled meetings the psychotherapist is available to group members if necessary. To date no member of this group has relapsed, as far as is known.

The appointment of a second designated person has led to a review of the support and supervision of diocesan priests who are out of ministry or retired and about whom there is an allegation or concern.

**Recommendation 6:**

**Bishop Buckley, as a next step towards establishing a best practice regime in the Diocese of Cork and Ross, would issue a Pastoral Letter on the matter of Safeguarding Children in which he would specifically invite victims of clerical child abuse and other complainants to come forward.**

## Standard 7

### **Implementing and Monitoring Standards**

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

### **Criteria**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
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 fully
7.5	All incidents, allegations/ suspicions of abuse are recorded and stored securely	Met fully

Two plans were produced out of the internal review process initiated by Bishop Buckley in 2011. These are:

1. A Child Welfare Plan
2. An Action Plan based on the recommendations of the Ferns Report of October, 2005.

The Child Welfare Plan as seen by the fieldwork team, lists the procedures that must be in place to safeguard children involved in Church related activities in the diocese, including altar serving, choir members, pilgrimages and away trips, and use of halls and parish centres. All of the elements of this plan are important and replicate what is in the 2011 *Safeguarding Children in the Diocese of Cork and Ross* guidance document.

The Action Plan (*Ferns Report – Action Plan 2011 – Diocese of Cork and Ross*) addresses the recommendations of the Ferns Report, 2005 which are addressed to the Catholic Church in the Republic of Ireland. This plan details the new pastoral area structure that was introduced into the diocese, along with the responsibilities of the coordinators of these 17 groupings, the process of appointment of chairpersons of boards of management of national schools, Garda vetting, authority of designated persons, the Code of Behaviour contained in the 2011 diocesan guidelines, the security and confidentiality of files, the rights of victims, the responsibility that everyone has for child



safety and the Interagency Forum. Again, all of the elements outlined in this document are important.

Neither of these plans fully meets Criterion 7.1, however, as they lack the necessary detail of who is responsible in each area of practice and what the timeframes are for completing each action. It needs to be acknowledged that most of the work required to produce such a plan has in fact been completed.

**Recommendation 7:**

**Bishop Buckley direct the Diocese of Cork and Ross Safeguarding Committee to develop an action plan that indicates what steps will be taken to keep children safe, who is responsible for implementing these measures and when these will be completed for his endorsement and implementation.**

Bishop Buckley has ensured that all resources required for the development of Child Safeguarding in the Diocese of Cork and Ross have been supplied and this is commended.

Compliance is being monitored through the parish audit currently being undertaken across the diocese, as well as through this review and through the national HSE Audit. The Interagency Forum also provides accountability for diocesan child safeguarding decision making.

Various initiatives taken by Bishop Buckley and other Safeguarding Children personnel in the Diocese of Cork and Ross have contributed to an openness to the ideas and feedback from parishioners on how best to keep children safe within the Church. Perhaps there should now be a focus on age appropriate consultation with children, and this could be incorporated into the Action Plan referred to in Recommendation 7 above.

The fieldwork team commend the quality and secure filing of recording of all child safeguarding concerns, complaints, allegations and incidents.

## **Recommendations**

### **Recommendation 1:**

**Bishop Buckley needs to ensure that the Cork and Ross Diocesan Child Protection Committee reviews and if necessary, revises the current Safeguarding Children in the Diocese of Cork and Ross to satisfy himself that they are consistent with *Children First, 2011*, and with the HSE guidance document, *Child Protection and Welfare Practice Handbook, 2011*.**

### **Recommendation 2:**

**Bishop Buckley extend the employment period of the second Designated Person post to three years, to be reviewed at that time.**

### **Recommendation 3:**

**Diocesan Safeguarding Committee develop a Child Safeguarding Training Strategy which sets out the intentions of the diocese, on an annual basis, to equip people with the knowledge and skills required to undertake their roles and submit for the approval and implementation of Bishop Buckley.**

### **Recommendation 4:**

**The Diocese of Cork and Ross website home page have a specific Safeguarding Children icon for ease of access.**

### **Recommendation 5:**

**Bishop Buckley directs the diocesan Safeguarding Committee to develop a Safeguarding Children Communications Policy, with the assistance of appropriate professional communications personnel, for his endorsement and implementation.**

### **Recommendation 6:**

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## **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 1<sup>st</sup> 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 1<sup>st</sup> 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 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”.

### ***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).

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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 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 1<sup>st</sup> January 1975 to 1<sup>st</sup> 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.