

# Newsletter



Latest News from the National Office for Safeguarding  
Children in the Catholic Church in Ireland

August 2017

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## Introduction

It is hard to believe we are in the last month of the summer. We hope that you are getting the opportunity to have a rest over the summer period. Summer is traditionally a time which allows us to recharge our batteries and gather stock for the work ahead in the autumn.

Staff in the National Office have welcomed the time and the opportunity to reflect upon the various projects that are in progress; and to review guidance, and draft new guidance where necessary. All guidance updates are posted on the National Board's website here: <https://www.safeguarding.ie/index.php/guidance>

This Newsletter will provide you with information on:

- Data Protection and Information Sharing.
- Self-Audits and proposed new Review methodology.
- Anglophone Conference 2017.
- Caring for respondents.
- Changes to Leadership Teams and Safeguarding personnel.
- Training.
- Practice Issue-Mandatory Reporting.

# Data Protection and Information Sharing

Data Protection laws in both jurisdictions on the island of Ireland impose obligations on each Church authority as a Data Controller not to disclose personal data about a data subject without their consent, unless any of the specified exceptions arise or a proper Data Controller/Data Processing Deed of Arrangement exists. This includes the exchange of personal data with any third party other than statutory authority agencies – police and child protection services. The laws apply not just to exchange of information relating to allegations, but also when considering sharing information about visiting priests and other matters.

Deficiencies in both the internal and external communication of essential child protection information by various Church authorities have been identified and criticised in a number of statutory reports, including the Ryan Report, the Ferns Report, the Report of the Commission of Investigation into the Catholic Archdiocese of Dublin (the Murphy Report), and the Cloyne Report.

Most recently in the HIA Report, Sir Anthony Hart in Module 6, points 105/106, concludes that the failure to share information in a timely fashion undoubtedly led to further abuse by Brendan Smyth: ‘Fr Smyth took advantage of this opportunity and continued to abuse children in the Republic of Ireland until 1993, offences for which he was later sentenced at Dublin Circuit Court on 22 April 1997’.

In order to provide clarity on what information can be shared, the National Board has consulted with both the Data Commissioner in the Republic of Ireland and the Information Commissioner in Northern Ireland. The Data Commissioner has offered advice on the development of (a) a data consent form; and (b) a privacy impact assessment. The latter will become a requirement later in 2017 under new EU directives on all data controllers. Further work is underway to ensure protection of Church authorities in sharing information with a third party which is not a statutory body. The National Board will appraise every one of future developments in this challenging area of practice in which we all seek to strike the correct balance between ensuring the safety of children while also protecting an individual’s right to privacy.

## Annual Self Audits and Proposed Review Methodology

In line with Standard 7, Indicator 7.1, each Church authority is required to put in place arrangements to ensure and evaluate the Church Bodies’ compliance with the safeguarding standards; and furthermore, to inform the National Office annually that this compliance audit has been completed. We recommend that all reports advising that the annual audit has been completed should be submitted to the National Office by the end of January each year, to enable the National Board to detail in its Annual Report the numbers of self-audits completed in the previous year.

Can each Church authority therefore make sure that the annual self-audit is completed by end of **December 2017**

A paper setting out the revised Review methodology was submitted to the Bishops’ Conference in June 2017 and to the AMRI Executive in August 2017. Staff from the National Office will meet with nominated Bishops and Religious Leaders over the next few weeks to make any necessary amendments to the methodology. The methodology will then undergo a trial and **once signed off by the National Board it will be circulated** to all Church authorities.

# Anglophone Conference 2017

This year's Anglophone Conference was hosted by The Bishops' Conference of Scotland Scottish Catholic Safeguarding Service, and the Safeguarding Commission of the Archdiocese of Malta, with support from the Centre for Child Protection at the Gregorian University.

The theme for the conference was *Celebrating Hope*. The organisers' ambition was that through keynote speakers, workshops and the opportunity to network and share good practice, to collaboratively explore the importance of Hope as a Church working to safeguard children.

Each speaker considered the theme of *Hope* from their own perspective: for survivors; for those working in the Church in child safeguarding; and for those who have abused.

# Changes to Leadership and Church Personnel

In order to maintain an accurate and up to date database, the National Board has recently sent out an e-mail asking that you inform us of changes to leadership and safeguarding personnel.

If the leadership has changed, the new Church authority is required to sign a Memorandum of Understanding (MOU) with the National Board committing the Church Body to following the Church's Child Safeguarding Standards. You can notify us electronically by completing the online form at this link <https://www.safeguarding.ie/index.php/change-in-leadership-of-church-body>.

## Caring for Respondents

The 2016 Safeguarding Children Standards contain two new Standards, *Care and Support for the Complainant*, Standard 3, and *Care and Management of the Respondent*, Standard 4. In addition to the Guidance that the National Board has produced to assist Church bodies to implement these two new standards, it is also involved in producing detailed discussion papers on them in which a comprehensive reflection on the import of each new standard is developed. Last year a draft treatment of Standard 3 was generated by the National Board, working in partnership with Towards Healing and Towards Peace. In 2017, work is underway in producing a parallel discussion paper on Standard 4. This is being led by Peter Kieran, Director of Safeguarding, and he has been and will be having consultative meetings with individuals and groups who have relevant perspectives on the issues involved. It is hoped that both papers will be completed by the end of 2017.



# Training and Support

All training and support is outlined in the Training and Support Strategy which can be downloaded by following this link. Upcoming training for this year is available at this link <https://www.safeguarding.ie/index.php/what-we-do/advice-on-effective-practice/training> .

## **New Version of the Training Manual**

As part of our quality assurance mechanisms for training, we regularly review our awareness training programme which trainers registered with the NBSCCCI deliver across the country. This year the training manual has been significantly redesigned and updated in line with new changes in legislation, policy, practice as well as feedback from trainers and participants. The Director of Training and Support has facilitated two training days for all trainers to update them on these changes - on the 13/05/2017 and the 22/07/2017. A small number of trainers have been unable to attend these days and need to be updated to ensure consistency of training across the country. Those trainers should contact [niall.moore@safeguarding.ie](mailto:niall.moore@safeguarding.ie) to arrange an update session.

## **Re-registration of Trainers**

Tutors registered with the NBSCCCI have been working throughout the year to reassess those trainers whose three year registration with the NBSCCCI has come to an end. This work will be continued throughout the remainder of 2017. In order to keep up your registration it is important that all trainers whose registration ends in 2017 contact their tutor ([contact details can be found here](#) ) and arrange a date for reassessment. If this is not completed by the end of 2017, the trainer's registration will be invalid and the trainer will be deregistered.

## **Frequently Asked Question**

A large number of questions which regularly come up at training sessions along with the answers, have been compiled on the trainers section of the NBSCCCI website. It is planned that these questions will be expanded and made available on the public part of the website in due course.

If you have a question that you would like included please contact [niall.moore@safeguarding.ie](mailto:niall.moore@safeguarding.ie) .

## **Training Events Facilitated Since the Last Newsletter**

Since the last newsletter staff from the NBSCCCI have been involved in the following activities:

- Delivering Safeguarding Committee training to 3 religious orders.
- Holding a series of meetings with formators to continue to enhance child safeguarding training as part of formation.
- Providing ongoing on-site safeguarding support to one religious order with significant ministry with children.
- Delivering bespoke workshops on child safeguarding to newly ordained deacons, and international formation students.



# Training and Support

## Forthcoming Training Events

Over the next few months the following national training events will be facilitated:

- **13/09/2017- Vetting Legislation Briefing with the Garda-** The day will include presentations from representatives of An Garda Síochána and the NBSCCCI on the following:
  - Overview of the changes in legislation and requirements on vetting.
  - Questions and answers from the floor.
  - Overview of NBSCCCI guidance and associated changes.

To book your place, please follow this link

<https://www.safeguarding.ie/component/eventbooking/vetting-legislation-briefing-with-garda> .

- **11/10/2017- Self- Audit Training for Safeguarding Committees and Church Authorities.** This day is designed to answer questions and provide support to child safeguarding committees on the new audit framework templates provided as part of the NBSCCCI guidance. You can book your place here <https://www.safeguarding.ie/component/eventbooking/audit-training-for-safeguarding-committees-and-church-authorities> .
- **12/10/2017- Child Safeguarding and Digital Media- Practices and Challenges for Faith Groups in Ireland (co-hosted with NOTA)** - This one day conference aims to provide participants with a greater understanding of good practice in managing the child safeguarding risks emerging from the ever changing world of digital media in Irish society, with particular reference to faith groups. From the delivery of a safe ministry with children and young people to managing respondents and supporting complainants the range of speakers will help participants address three questions:
  - What are the risks of digital media?
  - Why are they risks?
  - How can the risks be managed?

Presenters will include:

- Marie Collins- Patron and founder trustee of the Marie Collins Foundation.
- Wayne Denner- Independent Technological Entrepreneur.
- Eileen Finnegan- Clinical Director, One in Four.
- Daragh Kennedy- Independent Safeguarding Advisor and Trainer.
- Marcella Leonard- Director of Leonard Consultancy.
- Tink Palmer MBE - CEO of the Marie Collins Foundation.

To book your place please follow this link

<https://www.safeguarding.ie/component/eventbooking/child-safeguarding-faith-and-digital-media-practice-and-challenges> .



THE NATIONAL BOARD FOR  
**SAFEGUARDING CHILDREN**  
IN THE CATHOLIC CHURCH IN IRELAND

# Practice Issue

## **Mandatory Reporting of Allegations to the Statutory Authorities.**

Church policy is that all allegations of child abuse which meet the threshold for reporting are notified to both the Police (An Garda Síochána/PSNI) and to Social Services (Tusla/HSCT), apart from those received during the Sacrament of Reconciliation; including allegations against deceased clerics and religious.

In addition to this being a Church requirement, there are several pieces of legislation and interagency protocols which emphasise information sharing and structured inter-agency co-operation in both jurisdictions which underpin the requirement to report.

### **Republic of Ireland**

Of particular note is the ROI [Children First Act 2015](#), which has been enacted relatively recently - although certain key provisions have not yet come into effect. It is envisaged that full enactment will occur shortly.

Within the ROI, the obligations falling on persons and entities to report are captured under two pieces of legislation, the [Criminal Justice \(Withholding of Information on Offences against Children and Vulnerable Persons\) Act 2012](#); and the [Children First Act 2015](#).

Under the provisions of the *Children First Act 2015*, **Mandated Persons** will be required to report to Tusla (the Child and Family Agency). The National Board has discussed this with officials from Department of Children Youth Affairs (DCYA) and Tusla, and both are satisfied that all allegations against Church personnel will be jointly reported through the Mandated Person *and* the DLP. The National Board will amend the reporting form to ensure a consistent approach to reporting.

### **Northern Ireland**

In Northern Ireland it is an offence not to report an arrestable crime to the police, which by definition includes crimes against children; these crimes are set out in the [Criminal Law Act 1967](#) under Section 5(1).

In addition Under Article 66 of the [Children \(NI\) Order 1995](#), where there are concerns a child is at risk of, or has experienced, significant harm, a 'Child Protection Investigation' will be commenced, in line with the Procedures outlined in [Co-Operating to Safeguard Children and Young People in Northern Ireland, 2016](#) (Section 6.4).

In order to encourage the greatest degree of multi-agency and inter-professional contribution, all agencies, organisations and professionals in the statutory and non-statutory sector are expected to cooperate fully with the HSCT and the PSNI in their investigations and attend and provide information to the Child Protection Case Conference, if invited.

## Contact Details

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