



**Private and Confidential**

**Review of Safeguarding Practice**

**in the**

**Diocese of Achonry**

**undertaken by**

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

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Bishop of Achonry**

**August 2013**

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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 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 Achonry* 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 Bishop Brendan Kelly, along with interviews with selected key personnel who contribute to safeguarding within the Diocese of Achonry. The NBSCCCI believes that all relevant documentation for these cases was passed to the reviewers and Bishop Kelly has confirmed this.

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

## **Introduction**

At the request of Bishop Brendan Kelly, staff from the NBSCCCI engaged in a process of reviewing safeguarding children policy, procedures and practice on the 9<sup>th</sup> and 10<sup>th</sup> of July, 2013. Over the two-day fieldwork period, case files were examined and interviews were conducted with key personnel in the diocesan safeguarding structure. The reviewers also read diocesan safeguarding policy and procedures documents and evaluated these against the 2009 *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*.

The fieldwork team want to acknowledge the engagement of Bishop Brendan Kelly with the review process and his assistance to them. They also want to acknowledge the participation in the review by a range of people involved in safeguarding within the diocese, both employees and volunteers.

## **Diocese of Achonry**

The Diocese of Achonry serves a geographical area approximately 560 square miles (1500 km sq), and consists of 23 parishes spanning the counties of Mayo (11 parishes), Sligo (11 parishes), with one parish in Roscommon. There are about 35,000 Catholics resident in the diocese, served by 36 priests. The diocese is mostly made up of rural townlands and villages, with a small number of medium sized towns (Tubbercurry, Ballaghaderreen, Charlestown, Foxford, Kiltimagh, Collooney, Swinford).

Bishop Brendan Kelly was appointed to the diocese on 20.11.2007 and was ordained on 20.01.2008. His predecessor, Bishop Thomas Flynn, served for more than thirty years.

The NBSCCCI was aware of the HSE *Audit of Safeguarding Arrangements in the Catholic Church in Ireland* (Volume 1, Dioceses Report), dated July 2012, but published on October 11<sup>th</sup> 2012. That audit covers the period to the end of November 2011 and examines safeguarding children practice in the 24 dioceses that are fully or partly in the Republic of Ireland, including the Diocese of Achonry. Safeguarding practices in each diocese are given separate chapters in the HSE audit report and where relevant, HSE findings are referred to in this review report.

## **NBSCCCI Reviews**

The purpose of this NBSCCCI 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 Achonry and against whom a child-safeguarding allegation had been made or about whom a concern had been raised. The reviewers also read some case files relating to deceased priests about whom concerns had been raised, either while they were alive or after their death. In addition, interviews were held with Bishop Brendan Kelly, the Designated Safeguarding Persons, members of the Safeguarding Committee, the person responsible for coordinating safeguarding and training, one trainer, the person responsible for the coordination of Garda vetting for the diocese, the person who has provided a counselling service to victims and two Parish Safeguarding Representatives. Achonry Diocese uses the National Case Management Reference Group (NCMRG) of the NBSCCCI in Maynooth and so has ceased to use its own Advisory Panel.

The review also conducted 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*. All other written material provided to the reviewers was evaluated for relevance and accuracy, as was the child safeguarding information contained on the diocesan website.

Reviews into safeguarding have two objectives, to establish how concerns of clerical child sexual abuse have been managed in the past and to evaluate the efforts that have been made to create safe environments for children to ensure their current and future safety. To achieve these two objectives, 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 discusses the findings of the fieldworkers under each standard. Conclusions are drawn regarding both the effectiveness of diocesan policies and practices in preventing abuse and the ability of the relevant personnel within the diocese to assess and manage risk to children. Recommendations for improvements are made where considered appropriate.

## **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 *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 Achonry. 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 Achonry Diocese meets the requirements of all nine criteria against which the standard is measured.

**Criteria**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
1.1	The Church organisation has a child protection policy that is written in a clear and easily understandable way.	Fully met
1.2	The policy is approved and signed by the relevant leadership body of the Church organisation (e.g. the Bishop of the diocese or provincial of a religious congregation).	Fully met
1.3	The policy states that all Church personnel are required to comply with it.	Fully met
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.	Fully met
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.	Fully met
1.6	The policy states how those individuals who pose a risk to children are managed.	Not met
1.7	The policy clearly describes the Church's understanding and definitions of abuse.	Fully met
1.8	The policy states that all current child protection concerns must be fully reported to the civil authorities without delay.	Fully met
1.9	The policy should be created at diocese or congregational level. If a separate policy document at parish or other level is necessary this should be consistent with the diocesan or congregational policy and approved by the relevant diocesan or congregational authority before distribution.	Fully met

The title of the diocesan safeguarding document is *Diocese of Achonry, Safeguarding Children –Policy and Procedures*. It is a clearly set out A5 document with an attractive cover, and is available in hard copy and on the diocesan website - [www.achonrydiocese.org](http://www.achonrydiocese.org).

The child protection policy statement of the Diocese of Achonry states that;

- Each child shall 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
- Everyone in the church has an obligation to ensure that the fundamental rights of children are protected
- The policy has been written to ensure that the Diocese of Achonry takes every possible measure to prevent child abuse
- The policy aims to ensure that none of its personnel or volunteers engages in behaviour that could allow abuse to occur or actions that could be misinterpreted by children, their families or other adults as constituting to or leading to abuse

It is clear from these statements and from the information contained on the Diocese of Achonry website that the bishop and the diocese are fully committed to child safeguarding. All of the criteria except one are fully met. In relation to Criterion 1.6, the reviewers saw no reference to a procedure for dealing with respondent priests or other diocesan personnel beyond initial reporting to the civil authorities. Whilst the guidelines are clear about the role of the Designated Person in relation to the reporting and management of new allegations of abuse, they are not specific about the processes for internal investigation by the Church and for the management of priests or other diocesan personnel against whom allegations have been made, beyond the initial phase of reporting and Garda/HSE inquiry. These are addressed in Resource 15 of the NSBCCCI guidance and should be considered in the next review of the policy and procedures.

The Diocese of Achonry policy document was published on 30<sup>th</sup> Jan 2012. Website information is comprehensive, including up to date contact information, the policies and procedures, a range of forms which can be downloaded relating to volunteering, parental consent, complaints, vetting, and links to An Garda Síochána and HSE (Children's) Domestic and Sexual Violence Unit sites.

### **Recommendation 1**

**The Diocesan Safeguarding Committee should review Criterion 1.6, with a view to inserting a clear statement about the role of the Church authority and of the Designated Person in managing priests and other diocesan personnel in respect of whom allegations have been made, but where the civil processes have been discontinued and/or completed.**



**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 Achonry diocese meets the requirements of all seven criteria against which the standard is measured.

**Criteria**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
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).	Fully met
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.	Fully met
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.	Fully met
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.	Fully met
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.	Fully met
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.	Fully met

**Table 1**

**Incidence of safeguarding allegations received within the diocese against priests, from 1<sup>st</sup> January 1975 up to time of review.**

<b>Name of Diocese ACHONRY</b>		
1	Number of diocesan priests against whom allegations have been made since the 1 <sup>st</sup> January 1975 up to the date of the review.	11
2	Total number of allegations received by the diocese since 1 <sup>st</sup> January, 1975.	15
3	Number of allegations reported to An Garda Síochána involving priests since 1 <sup>st</sup> January 1975.	13
4	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.	12
5	Number of priests (still members of the diocese/order) against whom an allegation was made and who were living at the date of the review.	2
6	Number of priests against whom an allegation was made and who are deceased.	9
7	Number of priests against whom an allegation has been made and who are in ministry.	1
8	Number of priests against whom an allegation was made and who are “Out of Ministry, but are still members of the diocese”.	0
9	Number of priests against whom an allegation was made and who are retired.	1
10	Number of priests against whom an allegation was made and who have left the diocese/ priesthood.	1
11	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.	0

*Footnote:* The term allegation in this table includes complaints and expressions of concern

The reviewers were informed by Bishop Brendan Kelly that the diocese did not have a safeguarding policy and procedures document prior to 2008. One of his first tasks was to adopt the safeguarding policy and procedures from his previous diocese (Galway) as an interim policy for Achonry, pending the design and launch of the current document. There had also been little evidence of any systematic process for filing or managing information about allegations relating to child abuse in the diocese prior to 2008. The current filing system has been put together since then through a process of gathering and co-ordinating whatever information came to light through other sources. The reviewers were able to confirm that commendable efforts have been made by the diocese since early

2008 to establish and maintain a viable and secure management system for information relating to safeguarding.

The reviewers were informed that there are no current allegations relating to safeguarding being managed by the diocese, nor have any new allegations been made since Bishop Kelly was appointed in late 2007. Bishop Kelly and other diocesan staff in the safeguarding structure have confirmed to the reviewers their absolute commitment to immediate sharing of information with the civil authorities, as required in the policy and procedures. There is, however, scant evidence that this standard was practiced in the past. The reviewers found numerous examples of circumstances, prior to Bishop Kelly's appointment, where there were long and unacceptable delays in communicating information about possible child abuse to An Garda Síochána or HSE Child Protection service and in managing cases appropriately. There was an absence of appropriate response by the previous bishop to allegations of risk, or to victims. In one case the reviewers noted that a priest was allowed to remain in ministry even after the previous bishop had received an allegation, which was not reported or addressed. Six months later the priest retired, with still no evidence that the allegation had been put to him. He has since died. It is noted that Bishop Kelly passed information about all historical cases known to the diocese to An Garda Síochána and to the HSE in February 2012.

The available records show that a total of eleven priests from the Diocese of Achonry have been subject of child abuse allegations since 1975. Of the total of eleven, nine are deceased. In the majority of these cases the abuse is alleged to have happened at least thirty years ago and as stated, there were substantial delays in reporting to An Garda Síochána or to the HSE Child Protection service. The reviewers are satisfied that the remaining two cases have been appropriately managed by the diocese since 2008. In one of these cases the diocese was not made aware until 2010 of an allegation that had been investigated by An Garda Síochána some three years previously (in another diocese) and where the DPP had already decided on no prosecution. The response of the diocese to the 2010 allegation was appropriate. In the second case, the reviewers concluded that there had been delay about the management of the case prior to 2008, but that Bishop Kelly, once made aware, had been proactive in its resolution (including an attempt to reach out to the relative of the alleged victim who had first made the referral). In a further instance which came to their attention in the course of the audit, the reviewers recommended that Bishop Kelly consult with the civil authorities about any action needed in respect of a physical abuse file which had not been entered into the safeguarding record. The reviewers have also noted that the diocese had to manage an allegation referring to a person who was not a priest or a member of a religious community and did so appropriately.

The issue of management of priests and religious from outside the diocese has been problematic in Achonry. There were three examples which brought this to the attention of the reviewers. Firstly in 1981 a priest of the diocese sought the help of a religious order to support his work. The nominated priest was unable to provide the cover so another priest arrived in the diocese, unknown to the bishop. This priest, Fr P spent five months in Achonry, returning the following year during which he sexually abused a boy. Fr P has been recently convicted of child abuse charges and is currently serving a ten year

prison sentence for abusing eighteen boys in five counties between the 1960's and the 1980's. The reviewers saw evidence that information about Fr P's abuse of this young person had been made available to a priest of the diocese at an early stage, but had not been passed by the diocese to the civil authorities. Although there was further strong circumstantial evidence available to the diocese from 1997, the case was not passed to An Garda Síochána until 2002, when a list of other victims was available. The reviewers have noted that this priest had been out of ministry since 1986 because of the levels of concern about his abuse of children and the reporting of the Achonry allegation was undertaken by his own Society. Bishop Kelly published an apology for the manner in which the diocese managed the Fr P case on 13<sup>th</sup> January 2012. There have been no further allegations from within Achonry relating to this man since the apology. The other two cases related to priests who had retired to the diocese, from abroad. Bishop Kelly wrote to check their credentials with the bishops of the respective dioceses and was advised that neither priest was in good standing and that there were outstanding allegations against them, which had not yet been investigated. The representative of An Garda Síochána interviewed during fieldwork confirmed that Bishop Kelly has informed them of the presence of these priests in his diocese. The reviewers have been assured that there have been no other allegations against living priests in the diocese. These cases highlight the need for clear procedures to be followed to ensure that all checks are carried out on visiting and retired priests before they are allowed to minister. The diocese has stated to the reviewers that there is now a register of visiting priests and a strict requirement for Bishop Kelly to review and establish their good standing.

### **Recommendation 2**

**While Bishop Kelly has no authority over other bishops, the reviewers recommend that he should contact the bishops of the two retired priests advising that they put in place precepts which include: no public ministry; no unsupervised contact with children and no priest's clothing and ask them to forward a copy of the precept to the priests and Bishop Kelly for his records.**

The designated person is one of the diocesan priests, who has been in post since 2007. He shares this role with a female colleague, who is a counsellor/psycho-therapist by profession. The introduction of a lay person into this role is a relatively new development. In the past the designated person role had been shared between a priest delegate, an assistant priest delegate, in addition a religious sister held the role as support person and there was a priest advisor for accused priests. The designated person confirmed to the reviewers that there was no record system for safeguarding prior to Bishop Kelly's appointment at the end of 2007. He also noted that Bishop Kelly has formally reviewed all of the personnel files in the diocese, in order to ensure that all relevant information is now within the safeguarding information system. There are no hidden archives or separate canonical files which have safeguarding information. To date, any allegations have been made directly to Bishop Kelly and the decision to report to the civil authorities has been a joint one.

Representatives from the HSE and from An Garda Síochána confirmed to the reviewers that they were content with the safeguarding structure in the diocese and regarded communication as open and effective. One of the challenges faced by this diocese is a significant gap in co-terminosity with its relevant HSE and Garda administrative areas (because it spans three counties). This has created a huge challenge for the diocese to implement the recommendation of the Ferns report re regular co-ordination meetings, as the numbers of An Garda Síochána and HSE personnel needing to be involved would be prohibitive.

As already noted, the diocese had not formed an Advisory Panel, and will refer to the NBSCCCI Reference panel for any specialist advice.

Overall, the reviewers are satisfied that the gaps evident in previous practice have been substantially addressed and that the necessary safeguarding structures are now in place in the diocese, backed up by a clear and unequivocal commitment and by leadership and example from Bishop Kelly to implement all aspects of safeguarding. The criteria relating to Standard 2 are met, with the exception of Criterion 2.5. Attention is drawn to the requirement for a complaints process through which children can draw attention to unacceptable behaviour. This criterion is met in the Achonry policy in respect of complaints by adults, but its application to children requires further work. The policy provides for a support person for children who disclose abuse or make an allegation, but more can be done to devise child or young person centred materials for communicating a complaints policy. The direct involvement of children and young people in constructing such a policy should be considered

### **Recommendation 3**

**The Safeguarding Committee should consider Criterion 2.5 further and include a child/young person centred complaints policy in its next review of the policy and procedures.**

**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>
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**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
3.4	The Church organisation 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 partially

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 partially
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**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
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 partially
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

Criteria 3.1, 3.2 and 3.3 are all well addressed in the diocesan policy and procedures. The recruitment and selection procedures for employees are detailed in Section 2. The diocese has adopted the recruitment guidelines and the declaration form from the NBSCCCI guidelines and has copies of these available on its website. The Parish Recruitment and Selection Committee is responsible for the recruitment process. The diocese employs a religious sister, who lives locally, for 20 hours per week to co-ordinate vetting, as well as providing some administrative support to Bishop Kelly. The reviewers were told that the diocese uses the Western Province Diocesan Centre, Galway as a clearing station. At present vetting information is stored at parish level. The vetting co-ordinator agreed that one of the priorities is to create a centralized system in the bishop's office for the storage of vetting information and to create a system for review of the files. The reviewers are satisfied that the diocese has put in place a safe system of recruitment of volunteers to work in Church activities with children and young people.

**Recommendation 4**

**That the Bishop of Achonry makes arrangements for the careful inventory and transfer of all vetting files and other records from parishes to a secure location in the diocesan offices.**

The Codes of Behaviour that are presented in the Diocese of Achonry child safeguarding guidance are comprehensive and Criteria 3.4, 3.5, and 3.7 are met in full. The diocese does not have any written guidance regarding ‘whistleblowing’ by staff and volunteers. Whilst the policy identifies other pathways for raising concern, the policy would be strengthened further through an explicit mandate to support ‘whistleblowing’, and Criterion 3.6 is therefore partially met. This needs to be rectified in the next review.

**Recommendation 5**

**The Safeguarding Committee should review Standard 3, Criterion 3.6 in order to strengthen the mandate for ‘whistleblowing’.**

The reviewers are of the view that, whilst the policy is inclusive of all children, it would be strengthened by a more comprehensive anti-discriminatory statement. For this reason Criterion 3.8 is assessed as partially met.

**Recommendation 6**

**The Safeguarding Committee should review Standard 3, Criterion 3.8 in order to strengthen the anti-discriminatory message.**

The reviewers commend the sections on disability, intimate care and bullying

The guidance on risk management for children’s trips away from home is well constructed. However the policy needs to be more definitive in its guidance on risk assessment in order to fully meet the requirements of Criterion 3.10. Also, the diocesan trainers should give consideration to developing a programme to assist adult leaders and volunteers to assess risks in working with children and young people in Church related activities and to contribute to completion of this part of the standard.

**Recommendation 7**

**The Safeguarding Committee should review Standard 3, Criterion 3.10, with the trainers, in order to give more direction on risk assessment for overnight trips.**

There is very clear guidance in the diocesan booklet on supervision and supervisory adult to children ratios that are required and this meets the requirements of Criterion 3.11. The policy on the use of information technology is wide ranging but could be linked to the reference, under the bullying section, to the section on use of abusive threats through the misuse of technology. Nevertheless Criterion 3.12 is judged to be met fully.



## 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 fully
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 partially
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 chapter on *Training* (C4) in the Achonry policy and procedures recognises that everyone in the Church who comes into contact with children needs to be aware of child protection issues and to have the necessary knowledge and skills to keep children safe and that mandatory training appropriate to roles will be provided by the diocese to all. Responsibility for safeguarding training in the Diocese of Achonry is undertaken by a diocesan priest, who has carried out this role since 2007. The trainer (who is also in the role of Safeguarding Co-ordinator) reports to the Safeguarding Committee. There is evidently a high degree of commitment to the training programme and a recognition of its importance by the committee. In this respect the reviewers consider that Criterion 4.1 is met. Whilst training was initially based on the HSE led model, it now follows NBSCCCI design and guidance and the trainer is NBSCCCI accredited. In this respect Criterion 4.4 has been met. The reviewers were advised that the current trainer plans to step down next year and note that it is important that the diocese begins the process of recruiting a replacement sooner rather than later in order to ensure continuity. Although the policy statement is in line with the requirements of Criteria 4.2 and 4.3 (above) reviewers were told that the delivery of the programmes was still under way. There is an open policy for access to training, but the reviewers were given to understand that not all of those engaged with children have been trained, nor has it been possible to provide all the

updated training that is needed. The planning for training is currently done using information from the parish audits and the reviewers were informed that this information, together with evaluation feedback, indicated that there were no major gaps in the programme. Whilst some training is appropriately carried out jointly with trainers from adjoining dioceses, the burden on one trainer in Achonry appears to be considerable. The reviewers were unable to find evidence of a systematic training needs analysis in the diocese, either to establish accurately what had been achieved, or to identify priorities and targets. The reviewers recommend that the diocese consider committing to an additional training resource. In was on this basis it is concluded that Criteria 4.2 and 4.3 were partially met.

**Recommendation 8**

**The Safeguarding Committee needs to ensure that a formal training needs analysis is carried out as the basis for the design, implementation and review of an annual training plan for the diocese.**

**Recommendation 9**

**Bishop Kelly, in conjunction with the Safeguarding Committee and the other key members of the safeguarding structure, need to review diocesan training capacity, in order to ensure that the resources are in place to achieve full compliance with Standard 4.**

## 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 Church organisations 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 Health and Social Care Trusts / Health Service Executive, PSNI, An Garda Síochána, telephone helplines and the designated person.	Met fully
5.5	Church organisations establish links with statutory child protection agencies to develop good working relationships in order to keep children safe.	Met fully
5.6	Church organisations at diocesan and religious order level have an established communications policy which reflects a commitment to transparency and openness.	Met partially

The reviewers discussed this standard with the members of the diocesan Safeguarding Committee, with other key members of the safeguarding structure and with two parish representatives. All of these personnel give of their time voluntarily and undertake very significant work on behalf of the children of the diocese. The Achonry safeguarding policy and procedures provides information and contact details for a number of members of the Safeguarding Committee. The policy states that the committee will undertake implementation and monitoring of the policy and procedures through regular audit from

the parishes and church bodies of the diocese, reviews of local records such as sacristy books, on-going communication with the HSE and NSBCCCI and an annual report from the designated person. It also refers to compliance with policy and procedures, appropriate reporting to the NBSCCI and HSE, and to the safe and secure storage of records. The reviewers learned from members of the Safeguarding Committee that its principal activities to date have been those associated with writing and launching the policy and procedures, developing the training and vetting programmes and getting the audits started.

The role of Chair of the Safeguarding Committee (Safeguarding Co-ordinator) is shared between a diocesan priest and a female lay person who has a legal background. The latter told the reviewers of the need to develop a regular formal reporting process from the committee to the bishop addressing all safeguarding matters. She noted that the safeguarding structure in the diocese was still evolving and identified a number of issues that needed to be addressed, including a written job description for the role of Safeguarding Co-ordinator, more formal arrangements for input from parish representatives and in relation to training, the need for a second trainer and the need for a longer term safeguarding plan. Both safeguarding co-ordinators confirmed to the reviewers that parish audits had been carried out which focused on training and vetting issues.

#### **Recommendation 10**

**The bishop and the Safeguarding Committee should agree and implement a regular formal report from the committee to the bishop, addressing the state of safeguarding in the diocese.**

The diocese has some 60 Child Safeguarding Parish Representatives. These volunteers are responsible for ensuring that all churches in the diocese have clearly visible posters that indicate what the diocesan safeguarding policy is, who the key personnel are and who a concerned parishioner should contact if worried about the safety and welfare of a child. They were described to the reviewers by one of the safeguarding co-ordinators as “the eyes and ears of the (Safeguarding) Committee”. The Child Safeguarding Parish Representatives also have the responsibility for ensuring that safeguarding procedures in relation to altar servers are followed and for ensuring that safeguarding procedures are in place for those who use parish halls and community centres for activities with children and young people. These representatives ensure that all Church related groups catering for children, such as children’s choirs and liturgies are guided by best practice codes of behaviour and appropriate supervision arrangements. They also ensure that child safeguarding information is regularly included in all parish newsletters and other parish media. The reviewers were very impressed by the evident commitment and competence of the two representatives whom they met.

It is clear to the reviewers that Criteria 5.1, 5.3, 5.4 and 5.5 are fully met in the Diocese of Achonry. It is also very apparent that Bishop Kelly has provided leadership in relation to proactive safeguarding work within his diocese by both word and deed. The importance of the ripple effect of a safeguarding ethos at leadership level cannot be over-

emphasised. This has created the conditions within which lay volunteers can contribute great energy and creativity to the safeguarding project in the diocese.

Regarding Criterion 5.2, which is assessed as partially met, the reviewers have asked the Safeguarding Committee to consider ways of proactively involving children and young people in articulating and communicating their right to be safe.

**Recommendation 11**

**The Safeguarding Committee should, with the support of trainers, consider ways of directly involving children and young people in articulating and communicating their right to be safe.**

In relation to Criterion 5.6, the reviewers were unable to source evidence of an established communications policy and the criterion is therefore assessed as partially met. The need for this was identified by one of the safeguarding co-ordinators and the reviewers are satisfied that this will be addressed.

**Recommendation 12**

**The bishop, in consultation with the Safeguarding Committee, needs to develop a formal safeguarding communications policy for the diocese based on the principle of transparency and openness, knitting together all of the elements of the safeguarding structure, developing communication initiatives for children and young people and providing for management of the media as required.**

**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**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
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 partially
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 Achonry has well developed professional working relationships with An Garda Síochána, the HSE and the NBSCCCI and through these contacts, is able to access appropriate specialist advice, support and information. Through attendance at training events and child protection seminars and conferences, diocesan safeguarding personnel have established good and effective links with other relevant agencies that can provide necessary supports and assistance. The diocese is also a member of the National Case Management Reference Group (NCMRG) operated by the NBSCCCI and can bring any cases of concern to that group for guidance. In these ways the diocese has met the requirements of Criteria 6.1 and 6.2.

Chapter 3 of the Achonry policy and procedures provides detailed guidance on recognising and responding to abuse and Criterion 6.3 is deemed to be met.

In relation to Criterion 6.4, reviewers have noted that Bishop Kelly has been proactive in attempting to make direct contact with victims of abuse in individual cases which he inherited. Bishop Kelly's decision to issue an apology on behalf of the diocese in relation to the Fr. P. case sent out an important message about the seriousness with which the diocese now wishes to respond to safeguarding and victim issues. The diocese has employed a religious sister since 1996 in a victim support role. This person, who has a background in family therapy and in working with victims and abusers has provided a valuable counselling service to victims who sought to take it up and continues to be available in this capacity. In discussion with the safeguarding committee and other key members of the safeguarding structure, the reviewers recommend that, building on Bishop Kelly's lead in this area, more work needs to be done in the diocese to develop a victim support strategy. It is for this reason that Criterion 6.4 is deemed as partially met.

**Recommendation 13**

**Bishop Kelly, the Victim Support Person and the Safeguarding Committee need to develop and implement a diocesan strategy for reaching out to and supporting victims of clerical abuse.**

In relation to Criterion 6.5, it is apparent from the case management files that were examined in the course of the review that respondent priests have been offered appropriate assessment and therapeutic services, although some have declined to utilise these.

## 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.	Not met
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

The reviewers were unable to source any evidence of activity to develop a strategic safeguarding plan for the Diocese of Achonry. Although the diocese has made really good progress in recent years, the work has not been fully documented or co-ordinated. Criterion 7.1 in relation to a written safeguarding plan for the diocese has not been addressed. Such a plan would state what is currently in place to keep children safe, would identify strengths, weaknesses, opportunities, threats, would draw together the actions identified in this audit, together with the agendas already identified by the Safeguarding Committee, into a single three year plan. The reviewers have been assured that the financial support will be available to implement such a strategic plan. The reviewers have noted that, thankfully, the role of the Designated Persons in the management of allegations or 'live' cases has been light. Bishop Kelly should consider using this resource to develop a more strategic direction for his safeguarding structure. One suggestion to start the process could be to convene a facilitated (day long) strategic planning workshop, bringing together all of the people involved in the diocesan safeguarding project, to agree the priorities and the time scales for the way forward.



**Recommendation 14**

**Bishop Kelly and the Safeguarding Committee need to address Criterion 7.1 by developing and implementing a three year strategic safeguarding plan for the diocese.**

The reviewers have considered that Criterion 7.3 is met through the existing safeguarding structures, although this would be strengthened by more formal reporting arrangements already identified in Recommendation 11.

The reviewers feel that Criterion 7.4 is well met through the parish level structures in relation to parents and carers, but less well developed in relation to children. This gap is already addressed in Recommendations 3 and 12.

**Recommendation 15**

**Bishop Kelly and the Safeguarding Committee to design and develop child/young person friendly process for ascertaining their views on safeguarding (to be taken forward with Recommendations 3 and 12).**

The reviewers have seen evidence that information storage arrangements in the bishops office are safe and secure, and that Criterion 7.5 is fully met.

## **Recommendations**

### **Recommendation 1**

**The Diocesan Safeguarding Committee should review Criterion 1.6, with a view to inserting a clear statement about the role of the Church authority and of the Designated Person in managing priests and other diocesan personnel in respect of whom allegations have been made, but where the civil processes have been discontinued and/or completed.**

### **Recommendation 2**

**While Bishop Kelly has no authority over other bishops, the reviewers recommend that he should contact the bishops of the two retired priests advising that they put in place precepts which include: no public ministry; no unsupervised contact with children and no priest's clothing and ask them to forward a copy of the precept to the priests and Bishop Kelly for his records.**

### **Recommendation 3**

**The Safeguarding Committee should consider Criterion 2.5 further and include a child/young person centred complaints policy in its next review of the policy and procedures.**

### **Recommendation 4**

**That the Bishop of Achonry makes arrangements for the careful inventory and transfer of all vetting files and other records from parishes to a secure location in the diocesan offices.**

### **Recommendation 5**

**The Safeguarding Committee should review Standard 3, Criterion 3.6 in order to strengthen the mandate for 'whistleblowing'.**

### **Recommendation 6**

**The Safeguarding Committee should review Standard 3 Criterion 3.8 in order to strengthen the anti-discriminatory message.**

### **Recommendation 7**

**The Safeguarding Committee should review Standard 3 Criterion 3.10, with the trainers, in order to give more direction on risk assessment for overnight trips.**

### **Recommendation 8**

**The Safeguarding Committee needs to ensure that a formal training needs analysis is carried out as the basis for the design, implementation and review of an annual training plan for the diocese.**

**Recommendation 9**

**Bishop Kelly, in conjunction with the Safeguarding Committee and the other key members of the safeguarding structure, need to review diocesan training capacity, in order to ensure that the resources are in place to achieve full compliance with Standard 4.**

**Recommendation 10**

**The bishop and the Safeguarding Committee should agree and implement a regular formal report from the committee to the bishop, addressing the state of safeguarding in the diocese.**

**Recommendation 11**

**The Safeguarding Committee should, with the support of trainers, consider ways of directly involving children and young people in articulating and communicating their right to be safe.**

**Recommendation 12**

**The bishop, in consultation with the Safeguarding Committee, needs to develop a formal safeguarding communications policy for the diocese based on the principle of transparency and openness, knitting together all of the elements of the safeguarding structure, developing communication initiatives for children and young people and providing for management of the media as required.**

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

## **Accompanying Notes**

### ***Note 1***

#### **Definition of Child Sexual Abuse:**

The definition of child sexual abuse is in accordance with the definition adopted by the Ferns Report (and the Commission of Investigation Report into the Catholic Archdiocese of Dublin). The following is the relevant extract from the Ferns Report:

“While definitions of child sexual abuse vary according to context, probably the most useful definition and broadest for the purposes of this Report was that which was adopted by the Law Reform Commission in 1990<sup>1</sup> and later developed in Children First, National Guidelines for the Protection and Welfare of Children (Department of Health and Children, 1999) which state that ‘child sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal or that of others’. Examples of child sexual abuse include the following:

- exposure of the sexual organs or any sexual act intentionally performed in the presence of a child;
- intentional touching or molesting of the body of a child whether by person or object for the purpose of sexual arousal or gratification;
- masturbation in the presence of the child or the involvement of the child in an act of masturbation;
- sexual intercourse with the child whether oral, vaginal or anal;
- sexual exploitation of a child which includes inciting, encouraging, propositioning, requiring or permitting a child to solicit for, or to engage in prostitution or other sexual acts. Sexual exploitation also occurs when a child is involved in exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, video tape, or other media) or the manipulation for those purposes of the image by computer or other means. It may also include showing sexually explicit material to children which is often a feature of the ‘grooming’ process by perpetrators of abuse.

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<sup>1</sup> This definition was originally proposed by the Western Australia Task Force on Child Sexual Abuse, 1987 and is adopted by the Law Reform Commission (1990) *Report on Child Sexual Abuse*, p. 8.

**Note 2**

**Definition of Allegation:**

The term allegation is defined as an accusation or complaint where there are reasonable grounds for concern that a child may have been, or is being sexually abused, or is at risk of sexual abuse, including retrospective disclosure by adults. It includes allegations that did not necessarily result in a criminal or canonical investigation, or a civil action and allegations that are unsubstantiated but which are plausible. (NB: Erroneous information does not necessarily make an allegation implausible, for example, a priest arrived in a parish in the diocese a year after the alleged abuse, but other information supplied appears credible and the alleged victim may have mistaken the date).

**Note 3**

**False Allegations:**

The National Board for Safeguarding Children in the Catholic Church in Ireland wishes to examine any cases of false allegation so as to review the management of the complaint by the diocese.

**Note 4**

**Random sample:**

The random sample (if applicable) must be taken from complaints or allegations, knowledge, suspicions or concerns of child sexual abuse made against all deceased Catholic clergy/religious covering the entire of the relevant period being 1<sup>st</sup> January 1975 to time of review 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.