

**Private and Confidential**

**Review of Safeguarding Practice**

**in the Diocese of**

**Down and Connor**

**undertaken by**

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

**Catholic Church in Ireland (NBSCCCI)**

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**May 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 Down and Connor* 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 to the reviewers by the diocese, along with interviews with selected key personnel who contribute to safeguarding within the diocese. The NBSCCCI has been assured that all relevant documentation relating to the cases examined has been given to the reviewers.

The findings of the review have been shared with a reference group prior to the final draft being submitted to the Bishop of Down and Connor, along with any recommendations arising from the findings.

## Introduction

The diocese of Down and Connor is the second largest on the island of Ireland. It has a total of 88 parishes and a Catholic population of 336,272. There are 150 churches with 130 priests listed as being in active ministry. A further 48 are either retired, sick, on study leave or working in other dioceses. The current bishop of the diocese is the Most Reverend Noel Treanor. He was ordained bishop of Down and Connor on 29<sup>th</sup> June 2008. Due to the size and scale of the diocese, he is supported by two auxiliaries, Bishop Donal Mc Keown and Bishop Anthony Farquhar. Bishop Treanor replaced the Most Reverend Patrick Walsh, who now lives in retirement in the diocese.

The diocese is entirely contained in the jurisdiction of Northern Ireland. It is one of just two of dioceses which are so located. Although primarily centred on the city of Belfast, the diocese also stretches both north and south, incorporating many rural parishes.

There are a number of religious orders present within the diocese, which together have a total of 54 priests, 28 brothers, and 233 sisters.

From a safeguarding perspective, the diocese has a well-resourced team retained by the bishop. They are supported by a large number of committed and enthusiastic volunteers who together make up the safeguarding framework of the diocese.

When the seven safeguarding standards were adopted by the three sponsoring bodies of the NBSCCCI, the Diocese of Down and Connor committed itself to complying with these. This was evidenced by signing in early 2009 of a Memorandum of Understanding between each Church authority in ministry on the island of Ireland and NBSCCCI.

Prior to the review being undertaken, the diocese asked two independent consultants to undertake a review of safeguarding in the diocese. The reviewers understand that this involved reading the case files and also examining the safeguarding policies and procedures that operate within the diocese. The reviewers did not see a copy of the report that was completed and submitted by these consultants in 2011, nor did they speak to these consultants with regard to their findings. This was agreed with Bishop Treanor prior to this Review in order to avoid one review process influencing the other. Some files read did contain insertions that came from the independent consultants' review report, and where relevant this is referenced. The summary report of the 2011 independent review is published on the Diocese of Down and Connor website under the title, October 2011, *Independent Review of Cases of Alleged Clerical Abuse in Down and Connor* and can be accessed at <http://www.downandconnor.org/safeguarding/children/publications>

A second external review was commissioned by the diocese in December 2012, which was presented to the diocese in July 2013. The National Board did not have sight of that review report prior to the completion of its own Review. The second external review is also available on the Down and Connor diocesan website under the title *Devaney Report (July 2013) - Review of Child Safeguarding Structures and Processes*.

With the presentation of the NBSCCCI review report, the diocese now has three recent appraisals of its child safeguarding. The NBSCCCI strongly urges incorporation of its recommendations made herein.

The reviewers have assessed the diocese's compliance with the 48 criteria that make up the seven standards and commend the diocese in meeting 46 of these fully. This is an excellent result and indicates the very successful and effective investment of time and resources by the Diocese of Down and Connor in its Child Safeguarding services over the last five years.

## 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 Down and Connor. 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 Church organisation 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 relevant leadership body of the Church organisation (e.g. the bishop of the diocese or provincial of a religious congregation).	Met fully
1.3	The policy states that all Church personnel are required to comply with it.	Met fully
1.4	The policy is reviewed at regular intervals no more than three years apart and is adapted whenever there are significant changes in the organisation or legislation.	Met fully
1.5	The policy addresses child protection in the different aspects of Church work e.g. within a church building, community work, pilgrimages, trips and holidays.	Met fully
1.6	The policy states how those individuals who pose a risk to children are managed.	Met fully
1.7	The policy clearly describes the Church's understanding and definitions of abuse.	Met fully
1.8	The policy states that all current child protection concerns must be fully reported to the civil authorities without delay.	Met fully
1.9	The policy should be created at 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.	Met fully

The diocese has produced a range of policies and procedures to guide its practice. These were submitted to the reviewers and examined by them. All of the material can be accessed through the website of the diocese. The policies are compliant with the

standards and are also in line with the legislative requirements that apply in this jurisdiction. They are well produced and have been widely circulated in the diocese.

The foundation document is the Diocese of Down and Connor *Child Protection Policy & Procedure – Best Practice in Safeguarding and Protecting Children and Young People*, signed by Bishop Walsh in May 2008. This publication preceded the NBSCCCI 2009 national guidance, *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*. The diocese has since produced a range of supplementary documents that have developed the core diocesan guidance to take account of the evolving safeguarding situation at both Church and statutory authority levels. In time it would be very useful if the diocese could bring all of its guidance together into a revised and amalgamated document.

The diocese is well resourced with regard to safeguarding personnel. They are also well supported by a large number of volunteers who have relevant knowledge and expertise to offer to the diocese. The Safeguarding Committee is chaired by a priest of the diocese who has occupied this role since 2006. It is this committee that is currently responsible for overseeing the production of policies and procedures to support the safeguarding practice of the diocese.

The reviewers were informed that a change to the safeguarding structure in the diocese is being actively developed at present. There is an intention to establish a *Safeguarding Commission* to replace the existing committee structure. The proposal is at the preliminary stage and details about how the new structure will operate are still being discussed and decided on. It is, as a consequence, difficult to assess the potential benefit of such a change. The present structure appears to have worked well and to have been an appropriate vehicle for producing a range of policies that meet the needs of the safeguarding staff and volunteers. Until there is an agreed revision of the 2009 all-island *Safeguarding Children Standards and Guidance Document for the Catholic Church in Ireland* document, the Diocese of Down and Connor needs to ensure that its planned new structures are consistent with what is set out in that document. The experience of the diocese in originating a new structure can inform the Irish Church in its review and revision of its ratified and adopted *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* document.

The policy and guidance produced by the diocese is of a high standard. The diocese's compliance with its own policies and with the all-island *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* document will be commented on in the course of this report.

Strictly viewed, the Down and Connor policy and procedures document was issued in 2008 and so should have been revised and reissued by now. The reviewers are aware of the excellent addendum documents that have been issued since 2008 to further develop the core document. All of this work now needs to be consolidated in the development of a new, integrated diocesan document.

## Standard 2

### Management of allegations

*Children have a right to be listened to and heard: Church organisations must respond effectively and ensure any allegations and suspicions of abuse are reported both within the Church and to civil authorities.*

Compliance with Standard 2 is only fully achieved when a diocese meets the requirements of all seven criteria against which the standard is measured.

#### Criteria

Number	Criterion	Met fully or Met partially or Not met
2.1	There are clear child protection procedures in all Church organisations that provide step-by-step guidance on what action to take if there are allegations or suspicions of abuse of a child (historic or current).	Met fully
2.2	The child protection procedures are consistent with legislation on child welfare civil guidance for child protection and written in a clear, easily understandable way.	Met fully
2.3	There is a designated officer or officer(s) with a clearly defined role and responsibilities for safeguarding children at diocesan or congregational level.	Met fully
2.4	There is a process for recording incidents, allegations and suspicions and referrals. These will be stored securely, so that confidential information is protected and complies with relevant legislation.	Met fully
2.5	There is a process for dealing with complaints made by adults and children about unacceptable behaviour towards children, with clear timescales for resolving the complaint.	Met fully
2.6	There is guidance on confidentiality and information-sharing which makes clear that the protection of the child is the most important consideration. The Seal of Confession is absolute.	Met fully
2.7	The procedures include contact details for local child protection services e.g. (Republic of Ireland) the local Health Service Executive and An Garda Síochána; (Northern Ireland) the local health and social services trust and the PSNI.	Met fully

**Table 1**

**Incidence of Safeguarding allegations received within the Diocese of Down and Connor from 1<sup>st</sup> January 1975 up to the date of the review**

1	Number of priests incardinated into the diocese against whom allegations have been made since the 1st January 1975 up to the date of the review	42
2	Total number of allegations received by the Diocese since 1st January 1975	59
3	Number of allegations reported to PSNI (or RUC) involving priests of the diocese since 1st January 1975 – this figure includes some allegations that were notified by the PSNI to the diocese	59
4	Number of allegations reported to the HSC (or the Health Boards which preceded the setting up of the HSC) involving priests of the diocese since 1st January 1975: This figure includes some allegations that were notified by the health services to the diocese	49
5	Number of priests against whom an allegation was made and who were living at the date of the review	19
6	Number of priests against whom an allegation was made and who are deceased	20
7	Number of priests against whom an allegation was made and who are in ministry.	6
8	Number of priests against whom an allegation was made and who are out of ministry but are still members of the diocese	7
9	Number of priests who are known to be the subject of an allegation arising from their past ministry and who are retired.	5
10	Number of priests of the diocese who have left the priesthood and against whom an allegation was made	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 1st January 1975	3

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

The reviewers read case files relating to 17 living priests and 1 deceased priest and the comments below are based on an analysis of those case management records.

The diocese provided a statistical breakdown of the incidence of abuse recognised and responded to within the period under review. Differences can occur in the number of allegations reported to the two statutory child protection agencies for a number of reasons, including for instance when the original notification came to the diocese from the PSNI. This is why items 3 and 4 in Table 1 above do not have the same numbers of reports recorded.

The review of the case material indicates that current practice places emphasis on a timely reporting of the concerning information to the PSNI and to the relevant HSC Trust. The diocese has a good working relationship with both of these agencies and the

reviewers had this confirmed to them through interviews with relevant senior personnel in the PSNI and local statutory Health and Social Care Trust Gateway social work services. The development of the diocesan Safeguarding Office brought about significant improvements in communication and cooperation with these important bodies. This is exemplified in the workings of the Multi-Agency Group, where the diocesan Safeguarding Office, the PSNI and the Trust's social work services meet together to share information on cases as soon as these are notified to the Safeguarding Office. This arrangement is commended. In case files the reviewers found evidence from previous years of significant delays in reporting some child protection concerns to the statutory agencies, but this problem was eliminated with the creation of the Safeguarding Office and timely reporting now takes place.

In understanding the safeguarding practices before and after the creation of the diocesan Safeguarding Office, Bishop Walsh had overseen the development of the 2003 diocesan policy and procedures for the safeguarding and protection of children and he ensured that these were reviewed and revised, so that in 2008 the current document, *Diocese of Down and Connor Child Protection Policy and Procedures* was launched by him. The diocesan child safeguarding structures at that time included the central Child Protection Office, as well as the recently appointed Child Protection Coordinator. This was the situation that the incoming bishop inherited on his appointment in June 2008.

Bishop Treanor embarked a number of initiatives when he had examined the overall child safeguarding position in the diocese. The Child Protection Office became the Safeguarding Office, which introduced a more organised and professionalised approach to the child safeguarding project. The bishop also directed in 2009 that an internal review of all open case files would be conducted by the Child Protection Coordinator, who was now the Director of Safeguarding and an experienced voluntary safeguarding colleague. This internal review provided the bishop and the director with an indication of the challenges of case management in relation to living priests about who there was a safeguarding concern. Most of the cases reviewed had come to the attention of the diocese prior to the appointment of the bishop or the director and while neither could affect what had been done or not done in the past, they could ensure that effective case management practices could be introduced.

In order to ensure that these cases would then be more objectively assessed, the bishop commissioned an independent external review, which was completed and published in 2011. That independent review made a number of recommendations about the management of existing safeguarding cases involving priests, which delineated a core part of the workload of the Safeguarding Office.

From the review of cases, the reviewers found examples where respondent priests had been removed from ministry before Bishop Treanor's appointment, but had not been actively managed by their bishop over a period of years. This meant that risk was not identified and safety plans put in place to manage the risk. These cases appear to have been commented upon by the previous independent reviewers.

A critical issue in the management of clerical child sexual abuse cases is the recognition and monitoring of risk. Where this is done effectively, it can prevent further abuse occurring. The practice of Down and Connor Diocese is to use “Multi-Agency meetings” for this process. The management of cases is the responsibility of the bishop and designated person; they must ensure that all risk is identified and appropriately managed, including the issuing of appropriate written directions and / or precepts to respondent priests. The diocese considers that cases which are processed jointly with the statutory sector have restrictions put in place and that this has been communicated in writing to the priest in question. However, the reviewers did not find written evidence of this in every case file that they examined.

There are 19 living priests of the Down and Connor Diocese about whom there have been child safeguarding concerns. Of these, seven had been known about before Bishop Treanor was appointed in June 2008. Two of these seven men had further historical allegations made against them after June 2008; and a further twelve diocesan priests also had historical allegations made against them since that time. The current bishop therefore has been responsible for ensuring that the cases of 14 living priests were and if necessary, are being effectively managed, as measured against the National Safeguarding Standards, statutory requirements in Northern Ireland and best safeguarding practice.

The cases that have arisen since June 2008 are as follows:

Year	Number	Insufficient evidence
2009	2	1
2010	6	3
2011	4	2
2012	2	1

All 14 concerns / allegations have been properly managed. In the cases of seven of these men investigation by the PSNI did not establish sufficient evidence on which a prosecution could be pursued, of which three had not met the Church’s threshold of a ‘semblance of truth’. All of these seven priests are in good standing in the diocese.

Of the other seven, all are currently out of ministry, of who one is in the criminal investigation process and one is in prison.

It is right that the statutory criminal investigation should be completed prior to the diocese undertaking its own internal investigations and it is important that the diocese then does so. *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*, under Resource 15 sets out the role and responsibilities of the designated person and of the Church authority in managing the concern / complaint / allegation from start to finish including:

- The preliminary internal enquiry
- Referral to the Health and Social Services/PSNI
- Any subsequent internal investigations

Ideally, the canonical process set out in Resource 15 should be followed to ensure clarity, so a decree under Canon 1717 appoints the designated person or another competent person to conduct a preliminary inquiry, which is suspended to allow the statutory agencies to complete their work, and is re-initiated once that work is concluded.

As mentioned above, the reviewers saw evidence of Down and Connor linking well with the statutory authorities in a way that enabled timely investigations to be conducted. The reviewers had a very good discussion with two canon lawyers who provide advice and practical support to the bishop and the Safeguarding Office in relation to clerical child sexual abuse cases. A number of canonical processes in open active cases were initiated in 2012 and these are in train. Responses from the Congregation for the Doctrine of the Faith, still awaited, will be important in assisting the diocese in making key decisions in the management of these cases.

### **Recommendation 1**

**That the bishop ensures that a review and evaluation of the implementation of Resource 15, as outlined in the 2009 *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* is conducted in the Diocese of Down and Connor.**

The reviewers have also discussed with the bishop and the Safeguarding Office staff, the need for the respondent priest to be informed in writing of the restrictions being imposed on his ministry and suggest that it is checked that this has happened in all relevant cases.

The reviewers have brought to the attention of the Safeguarding Office that a small amount of file documentation on canonical processes in pre-2008 cases is incomplete and have therefore advised that any missing documentation is searched for and appropriately inserted in the relevant case files.

### **Personnel**

The Child Safeguarding structures in place in the Diocese of Down and Connor are clearly described on the diocesan website at <http://www.downandconnor.org> This is quite a sophisticated structure and may best be understood by reproducing overleaf the illustration used on the diocesan website.

Diagram 1

## The Structure for Safeguarding Children



The reviewers had the opportunity to meet all of the key parties and representatives of various elements that make up this structure. Within the Safeguarding Office there are a number of personnel who are employed in a professional capacity. The roles they occupy are as follows:

- Director for Safeguarding (also Designated Officer for Down and Connor) works 4 days per week. The current post holder is a professionally qualified female social worker with a background in statutory child and family social service work. “...her role is to develop and oversee the implementation of safeguarding practices for the diocese and to liaise with the statutory agencies in relation to the management of cases and the development of best practice”.
- Vetting Co-ordinator for the Northern Dioceses (also Designated Officer for Down and Connor) works 2 days a week for the diocese in the Safeguarding office and 1.5 days as Vetting Co-ordinator. The current post holder is a retired male senior civil servant with extensive experience of information sharing and vetting. “...his role is to manage the vetting and barring arrangements for the six Northern Dioceses and he is accountable to the Northern Bishops.
- Development Consultant – part-time post. The current post holder is a professionally qualified male social worker with a background in child and family statutory social work and he has also worked as a professional trainer in a voluntary child welfare agency. He “...is responsible for developing safeguarding policy and practice and providing advice, support and guidance for clergy and Parish Safeguarding Committee members”.

- Training Consultant – part-time post. The current post holder is a recently retired statutory Child Protection Training Officer. She “... is responsible for the training and support needs of a range of groups and individuals across the diocese and providing advice and guidance on matters of safeguarding practice within parishes”.
  - (Quotations taken from diocesan website)

The person with overall delegated responsibility from the bishop for child safeguarding within the Diocese of Down and Connor is the (acting) Diocesan Chancellor.

The first two posts deal in the main with case management and with vetting for all priests, staff and volunteers across the dioceses in Northern Ireland. The second two posts deal with training and development, (including policy and procedures) and with the support and coordination of parish and volunteer child safeguarding activity across the Diocese of Down and Connor. This is a very strong central child safeguarding team and is evidence of a commitment to and an investment in child safeguarding by the bishop and the diocese. The achievement of a good gender balance is also noted.

Criteria 2.1, 2.2 and 2.3 are well met. As indicated in their job profiles above, two staff share responsibilities as Designated Persons. This allows for cover and support for each other, depending on the particular circumstances of a case.

The reviewers assess that Criterion 2.4 under Standard 2 is fully met insofar as the records have been created and are being kept confidentially and securely. The diocese has introduced a signing in and out process, which identifies who accessed a file and for what purpose. Only designated staff are authorized to access a case management file. However, the Safeguarding Office needs to continue to improve the quality of these files by ensuring that all documents referred to in the case notes are on the file, such as assessment reports, that unnecessary additional copies of documents are removed and that for each case file, only originals of case notes, correspondence, reports and other documents are contained therein.

Some of the case files were created prior to the diocesan Safeguarding Office being established and the staff of that office cannot be held responsible for any shortcomings in the structure and content of those files. In order to ensure that the diocese has child safeguarding case management files of the best possible quality and utility, all documentation on the older files need to be indexed and catalogued and then this documentation needs to be merged with more recent material in the creation of comprehensive, consolidated files. It is helpful that files created post 2009 have been created using the NBSCCCI case file template.

## **Recommendation 2**

**That the bishop initiates a process whereby the pre-2009 child safeguarding case management files that are still open are brought up to the highest possible standards of accessibility, content and functionality.**

Criteria 2.5, 2.6 and 2.7 are met in full.

### **Advisory Panel**

The reviewers had the opportunity to meet with three members of the Advisory Panel, which has been set up to provide support and guidance to the bishop. They reported that the present operation of the Advisory Panel is better than the one that operated prior to Bishop Treanor coming into post. They regard the management of the meetings now as being more formal and business like. Minutes are kept and all open cases known to the diocese are regularly reviewed. Normally cases will have been reported to the PSNI and the HSC prior to them coming to the Advisory Panel.

The advice provided by the Advisory Panel is communicated to the Bishop by the chair and by the director of safeguarding. The Advisory Panel receive feedback from the chair at the following meeting on the response from the bishop and on the actions taken on foot of their advice. The Advisory Panel members that the reviewers spoke to were happy with this “arm’s length” relationship with the bishop, believing that this allows them to take a more objective approach in their deliberations: The bishop does not attend any part of their meetings. They clearly understood that the bishop is ultimately the decision maker in these cases.

As an improvement in the comprehensiveness of all case management files, the Safeguarding Office needs to ensure that all relevant case materials shared with the Advisory Panel and all relevant decisions recorded in Advisory Panel minutes are inserted into the file and clearly marked as relating to a meeting of the Advisory Panel. The reviewers did not find such records in every case management files examined and this needs attention.

The make-up of the Advisory Panel contains a good mix of relevant skills and expertise. In response to a question regarding ways in which their operation may be improved, the advisory Panel members highlighted the benefit of undertaking a training needs assessment for the Advisory Panel. They saw this as potentially very helpful for them in supporting their continued development. The following recommendation follows directly from the improvement identified by the panel members interviewed:

### **Recommendation 3**

**That the bishop should ask the diocesan trainers to undertake a training needs assessment of the Advisory Panel in line with their request.**

The Director of Safeguarding in the diocese receives external professional supervision. The focus of the supervision provided is on administrative case management decision making. According to the supervisor, she takes care to avoid any conflicts of interest with her statutory child protection role and the arrangement is working well. While this is a professional, paid for service, the supervisor does not have a formal reporting relationship with the diocese. She did however state clearly that, were she to have any child safeguarding concern arising from her involvement as supervisor, she would communicate this to the diocese without delay.

The Director of Safeguarding provides supervision for the other professional staff in the Safeguarding Office. Her line management relationship in the diocese is to the acting Chancellor, who is a priest and canon lawyer.

In the planned development of a Safeguarding Commission in the Diocese of Down and Connor, all reporting relationships will be examined and if necessary, reorganised. In such reorganisation, care needs to be taken to ensure that there will be appropriate oversight of all of the activities undertaken by people who hold both authority and responsibility, while avoiding any unnecessary complexity of reporting.

### 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

No	Criterion	Met fully or Met partially or Not met
3.1	There are policies and procedures for recruiting Church personnel and assessing their suitability to work with children.	Met fully
3.2	The safe recruitment and vetting policy is in line with best practice guidance.	Met fully
3.3	All those who have the opportunity for regular contact with children, or who are in positions of trust, complete a form declaring any previous court convictions and undergo other checks as required by legislation and guidance and this information is then properly assessed and recorded.	Met fully

#### Criteria – Codes of behaviour

No	Criterion	Met fully or Met partially or Not met
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 fully
3.7	There are processes for dealing with children's unacceptable behaviour that do not involve physical punishment or any other form of degrading or humiliating treatment.	Met fully

<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**

No	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 fully

The Diocese of Down and Connor is to be commended for meeting the requirements of all of the twelve criteria against which compliance with Standard 3 is evaluated.

Reference has already been made to the fact that this diocese is very well supported by approximately 470 committed, trained and enthusiastic volunteers who together make up an effective safeguarding structure. This structure differs from that which is found in all other dioceses in that it incorporates a vicariate structure. There are twelve Vicariate Support Teams in place in the diocese (see Diagram 1 in the previous section). This structure has been adopted as it was seen as better suited to the size of the diocese and the fact that it is split between urban and rural parishes.

The diocese has also developed committees at parish level, Parish Safeguarding Committees, to coordinate local safeguarding activities and to provide a forum in which volunteers can share information and ideas, as well as giving accountability and receiving support. Drawing on the content of the interviews that the reviewers had with parish and vicariate safeguarding committee members, this structure appears to be working well. Each of the chairs of the vicariate safeguarding committees meets with the chairs of the parish committees once or twice a year. Training is also provided on a regular basis at both levels and in this way, key policy and practice guidance developments are cascaded down through the dioceses. This structure clearly requires a great deal of support and maintenance from the diocesan Safeguarding Office, which is commended.

The appropriate checks with Access NI for all volunteers are initiated through the Parish Safeguarding Committees. The request for the check is managed by the designated vetting co-ordinator appointed by the bishops of the Armagh metropolitan area who is attached to the diocese. The services provided by this staff member ensure diocesan compliance with Criteria 3.2 and 3.3.

The safeguarding volunteers in interview spoke of the various ways in which they try and keep the safeguarding message before parishioners on a regular basis but in interesting ways, one of which was the designation of an annual “*Safeguarding Sunday*”. This involves them speaking to all attending Mass in the parish about the safeguarding work that is being undertaken, as well as what is planned. The diocese has produced in April 2012 an excellent document titled *A Resource Pack to support the practice of parishes in their implementation of the Diocese of Down and Connor Safeguarding Policies, Procedures and Guidance*, which translates the more detailed diocesan guidance into accessible and easily implemented local guidance. Between both documents, the Diocese of Down and Connor has produced the evidence required to meet the requirements of Criteria 3.1, 3.4, 3.5, 3.7, 3.8, 3.9, 3.10 and 3.11.

Among the documents produced by the Diocese of Down and Connor are Addendum 1: *Whistleblowing Policy and Procedures*; Addendum 2: *Guidance for Diocesan clergy, staff and volunteers in relation to Photographs and Images of children and young people*; Addendum 3: *Guidance on Using Social Networking Services and Social Media: Promoting Safe and Responsible Use*; and Addendum 4: *Guidance for text and email messaging*, all of which documents were published in January 2012 and are available on the diocesan website. The information and guidance contained in these documents ensures that Criteria 3.6 and 3.12 are met. The diocese is to be commended for having developed a specific piece of guidance on *whistle-blowing*, something which the reviewers have not encountered in the course of reviews elsewhere.

The volunteers that were interviewed were particularly appreciative of the support that they receive from the trainers attached to the diocese. They spoke of being kept informed by them and said that if they had any issues at any time with regard to their role, they could go to them for help. Importantly they all concurred that they could stand down from their role at any time if they needed to do so and did not feel in any way trapped in it. Indeed, the overall impression was one of them enjoying what they were doing and feeling very good about their contribution. They also stated that they feel well supported in their roles by their parish priests.

## 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 fully
4.3	Training is provided to those with additional responsibilities such as recruiting and selecting staff, dealing with complaints, disciplinary processes, managing risk, acting as designated person.	Met fully
4.4	Training programmes are approved by National Board for Safeguarding Children and updated in line with current legislation, guidance and best practice.	Met fully

The diocese has a designated resource for training. The position is split between two experienced trainers who work for one and a half or two and a half days a week. One is referred to as a Development Consultant and the other as a Training Consultant.

The Development Consultant described to the reviewers the process which led to the creation of the suite of guidance documents in the diocese. He stressed the usefulness of the annual safeguarding audit that is undertaken in each of the parishes and submitted to the Safeguarding Office. This exercise has helped them to identify the key training needs in the diocese. The Safeguarding Office has compiled a report in 2012 based on the parish self-audits and forwarded this to the NBSCCCI.

The diocese provides training for its volunteers and this is managed and partly delivered by the Training Consultant. She is an accredited trainer through the NBSCCCI and attends the Armagh metropolitan group of trainers meetings. The diocese has produced a calendar of training activities which details the sessions that have been delivered and are planned. It is a challenge to cover such an extensive diocese effectively but it is a tribute to the two consultants that they are able to do so as well as they do, along with a number of volunteer trainers.

The information contained on the diocesan website related to training activities for safeguarding children is of an exceptional standard. Each area of training is dealt with in detail and a complete and comprehensive suite of relevant training materials have been produced. This is evidence of very focused and professional work over the years 2009 to 2012. The diocese is now at an advanced stage in the development of a parallel structure, policy and procedures in relation to the safeguarding of vulnerable adults.

The diocese is to be commended in regard to the investment that it has made in training for volunteers. It has successfully recruited a large number of these and it maintains them very well. The numbers being trained is impressive, over 2,000 people in a three-year period.

## 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 fully
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, 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 fully

The Safeguarding Office has had its own website since 2010, on which it has placed all of the current operational policies and procedures for child safeguarding in the diocese. This ensures that there are wide distribution of and ease of accessibility to important information throughout the diocese. Attention is paid to ensuring that key safeguarding messages are communicated at parish level through the volunteers who staff the safeguarding structure. Reference has already been made to activities such as having an annual "Safeguarding Sunday" in some parishes. This is to be commended and also evidences the fact that the clergy generally are supporting the development of good safeguarding practice in the diocese.

It was reported to the reviewers that the contact details of the statutory agencies responsible for child protection are widely displayed throughout the diocese. Sample notices were shown to the reviewers and this fact was confirmed by the parish volunteers that were interviewed.

The Diocese of Down and Connor published a clearly worded notice of this NBSCCCI review exercise on its Safeguarding section of the diocesan website, in which contact details for people who have a child safeguarding concern were provided and people who wished to speak about having been abused by clergy of the diocese were invited to come forward. This is commended.

The Diocese of Down and Connor published a Communications Policy in May 2012. The policy is on the diocesan website. This lucid document establishes standards for diocesan safeguarding communications and sets out goals to be achieved. This is commended

## 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 partially

The diocese has established a designated resource for the provision of support to those who have been harmed. This is in addition to the services offered through *Towards Healing*. This support service has been in place for three years and has been used by approximately ten people to date. In one case as an example, the reviewers saw evidence of good work being undertaken by the support staff, which included appropriate referral to professional counselling or psychotherapy services. However, the case files do not always contain details of the support work that is being done and this needs to be specifically addressed by strengthening the link between the support personnel and the professional staff who maintain the case management files.

Older, pre-2008 case files do not contain a great deal of evidence of a widespread availability of such supports to victims prior to the establishing of the Safeguarding Office.

The reviewers did not see evidence on every current open case files of the specific victim support being provided to the complainant(s). However, there can be a number of reasons for this. Some adults do not make a complaint of abuse by a priest directly to the Church authority responsible for that priest and in the case of the Down and Connor Diocese, some complainants have not identified themselves to the diocese at any stage. Complainants can tell their story to the police but stop short of making a signed complaint, or they might engage a solicitor but instruct her/him not to disclose their identity to the diocese, or they can make contact with the diocese anonymously or via a third party. In as many situations as possible, the diocese does attempt to communicate with complainants and to make them aware of what supports they can avail of in terms of counselling and pastoral care services. Letters are sent to unidentified complainants via the PSNI or their solicitor to invite them to make contact with the Safeguarding Office. It is understandable that some adults, who were abused by a priest as children, would not want to have any contact with the Church authority responsible for their abuser.

The reviewers acknowledge the work undertaken by the support workers within the victim support scheme. The diocese has advised that this scheme is part of its victim support strategy. The reviewers did not see a written strategy, but did read the *Liaison Support Worker - Diocese of Down and Connor* proposal document in which the role of the Support Worker is set out in detail. The June 2011 leaflet, *What to do if you have a concern, suspicion or wish to make an allegation of child abuse: Making contact with the Designated Officer*, also provides information on supports available to complainants.

Criterion 6.4 is fully met.

The reviewers interviewed two priests who had been appointed by the diocese to act as Advisers to respondent priests who are out of ministry. Both of these had been appointed by the bishop to act as a support to priests who were subject to an allegation. They had a good understanding of their role which they felt was an important one, not just for the individual priest that they are working with but also to the wider constituency of priests, communicating to them that even when you find yourself in the position of being subject to an allegation, your pastoral needs and rights will be respected by the diocese. They both felt that there was a danger that they could be caught in the middle between the diocese and the accused priest on occasions. However, experience and the availability of others who occupy the role are helpful to them to keep matters in perspective. Both priests described the NBSCCCI guidance document and training provided as being very helpful to them. They said that there would be real benefit in bringing all the priest advisers with the diocese together once or twice a year to discuss their work and on-going development. They felt that such gatherings could help to support the development of their own knowledge and understanding and therefore the quality of their service. Care would need to be taken in such discussion to avoid the identification of the respondent priests who are being supported by the Priest Advisers.

#### **Recommendation 4**

**That the bishop brings all the priest advisers together on a regular basis to receive support in their role and to develop thinking and planning for the development of this element of the diocesan safeguarding work.**

The reviewers did not see evidence in every open case management files of risk assessments and risk management/safety plans. It is for this reason that Criterion 6.5 is not fully met. The diocese has stated that the decision as to whether or not a risk assessment is required is determined by both the multi-agency and/or Advisory Panel. They added that if a case file does not contain a risk assessment, this is because it has been decided at one of these forums, that such an assessment is not necessary. The reviewers are aware from their discussions that there may be a difference between the terminology used by the Safeguarding Office and that used by the reviewers in relation to this particular aspect of safeguarding practice. For this reason and to be sure that the findings and recommendations of previous case reviews are revisited, the following recommendation is made, namely:

#### **Recommendation 5**

**That the bishop, with the staff of the Safeguarding Office, analyse the results of the 2009 internal diocesan review of case management files to ensure that those living priests of the diocese of Down and Connor who require to be risk assessed on the basis of child safeguarding concerns, have been so assessed and that written risk management plans have been developed and are being implemented with respect to them.**

The reviewers are aware of and commend the manner in which risk assessment is not seen as a single event but is on-going and open cases are brought to the Advisory Panel for review on a continuing basis. If believed to be necessary, a priest will be asked to attend for a new specialist assessment to ensure that the information being acted on is current. The diocese also uses the tripartite meetings with the two statutory child protection agencies as a forum in which risk is discussed and kept under review.

The monitoring, supporting and risk managing of priests who have been assessed as posing an on-going threat to children is a challenge faced by all Church authorities on the island of Ireland.

## Standard 7

### Implementing and Monitoring Standards

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

#### Criteria

Number	Criterion	Met fully or Met partially or Not met
7.1	There is a written plan showing what steps will be taken to keep children safe, who is responsible for implementing these measures and when these will be completed.	Met partially
7.2	The human or financial resources necessary for implementing the plan are made available.	Met fully
7.3	Arrangements are in place to monitor compliance with child protection policies and procedures.	Met fully
7.4	Processes are in place to ask parishioners (children and parents/ carers) about their views on policies and practices for keeping children safe.	Met fully
7.5	All incidents, allegations/ suspicions of abuse are recorded and stored securely.	Met fully

In the *Annual Diocesan Safeguarding Standards Audit for the NBSCCCI 2012* report on the Diocese of Down and Connor website, the response to Criterion 7.1 is as follows:

The Safeguarding Plan for the Diocese of Down and Connor is outlined in a number of documents, namely

- The Child Protection Policy and Procedures (revised 2011)
- The new Resource Pack for parishes, February 2012
- Working Together to Safeguard Children and Young people, Dec 2010
- Safeguarding Office Annual Report 2010/ 2011.
- Safeguarding Children Diocesan Annual Audit for the National Board (2012)

It is then proposed that:

When the New Safeguarding Commission is established, a three year Strategic Plan will be developed and implemented by the Commission. This 3 year strategy will outline the priorities for the Diocese, who will assume responsibility for these, and the time frame for completion of these.

While there is a lot of planning on-going, the reviewers did not have sight of a current written child safeguarding plan, the document provided by the Safeguarding Office was a draft of the three-year plan 2009 to 2012. Therefore, and very strictly, Criterion 7.1 is met partially and not fully. The reviewers are aware that when the Down and Connor Safeguarding Commission is in place, its first task will be the development of a five-year diocesan safeguarding strategy.

The diocese is well provided for in terms of safeguarding staff and volunteers and the implementation of effective monitoring systems is well within their capacity. At present, there is an annual audit of each parish which is combined into a diocesan report. This outlines the safeguarding developments that have been undertaken in the preceding twelve months. As a next step in its safeguarding developments, compliance with the extensive suite of diocesan child protection policies and procedures should be monitored on a regular basis and the results reported to the bishop.

The bishop has commissioned an independent review of the operation of the child safeguarding structures and processes within the diocese and has asked the independent reviewer to advise him of the appropriateness of current structures within the diocese for discharging child safeguarding obligations and responsibilities. That review report will be very helpful to the bishop and the Safeguarding Office in continuing to meet the requirements inherent in Criterion 7.3. It is important that based on the new information generated from the independent review and from this NBSCCCI review, an internal monitoring capacity is developed within the diocese, which leads to the final recommendation, namely:

**Recommendation 6**

**That the bishop requests the diocesan Safeguarding Committee to develop systems for the regular monitoring of compliance with all diocesan child safeguarding policy and procedures**

The reviewers are satisfied that all incidents of abuse that are reported to the diocese are recorded and stored securely. However, whilst reading the files there were a number of instances of duplicated material in the files and of some papers misfiled. These are merely administrative tasks which need to be addressed.

## **Recommendations**

### **Recommendation 1**

**That the bishop ensures that a review and evaluation of the implementation of Resource 15, as outlined in the 2009 *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* is conducted in the Diocese of Down and Connor.**

### **Recommendation 2**

**That the bishop initiates a process whereby the pre-2009 child safeguarding case management files that are still open are brought up to the highest possible standards of accessibility, content and functionality.**

### **Recommendation 3**

**That the bishop should ask the Diocesan Trainers to undertake a training needs assessment of the Advisory Panel in line with their request.**

### **Recommendation 4**

**That the bishop brings all the priest advisers together on a regular basis to receive support in their role and to develop thinking and planning for the development of this element of the diocesan safeguarding work.**

### **Recommendation 5**

**That the bishop, with the staff of the Safeguarding Office, analyse the results of the 2009 internal diocesan review of case management files to ensure that those living priests of the diocese of Down and Connor who require to be risk assessed on the basis of child safeguarding concerns, have been so assessed and that written risk management plans have been developed and are being implemented with respect to them.**

### **Recommendation 6**

**That the bishop requests the diocesan Safeguarding Committee to develop systems for the regular monitoring of compliance with all diocesan Child Safeguarding policy and procedures.**

## **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 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 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 date 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 date 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.