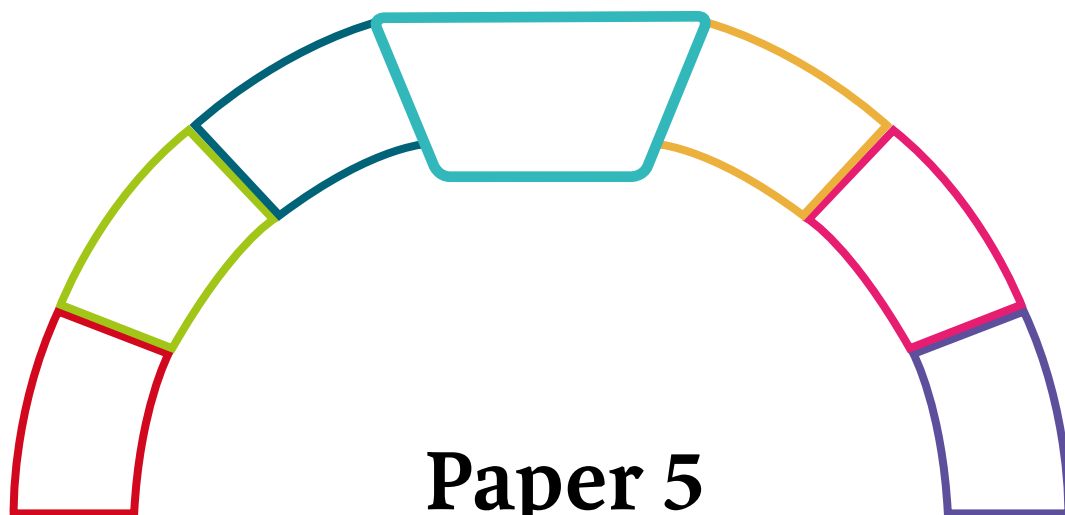


# **GAP**

## **Guidance, Advice and Practice**



### **Paper 5**

## **Enabling a Child Safe Church**

**January 2020**



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



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

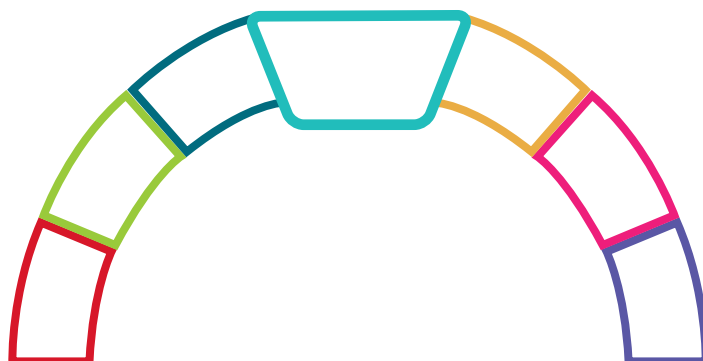
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## About the GAP Papers



The National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) was established to provide advice, services and assistance in furtherance of the development of the safeguarding of children within the Roman Catholic Church on the island of Ireland. The National Board also monitors compliance with legislation, policy and best practice and to report on these activities annually, all as comprehensively set out in the Memorandum of Association of the Company, Coimirce.

Article 4 (iii) of the Memorandum and Articles of Association of the Company requires the National Board to: “ report and provide, upon request from the Constituents or any Constituent, support, advisory and training services to such Constituents or Constituent on policies and practices relating to safeguarding of children.”

The National Board already provides comprehensive Guidance to support the implementation of *Safeguarding Children, Policy and Standards for the Catholic Church in Ireland 2016*. These series of Guidance, Advice and Practice (GAP) Papers further complement the detailed Guidance on topics of current interest to constituents.

The bridge logo above encapsulates the aim of these GAP papers, each brick represents one of the seven safeguarding standards; the keystone signifies the importance of quality assuring compliance with the standards, which is the responsibility of the Church authority. A major part of quality assurance is becoming aware of new challenges or gaps to safeguarding as they emerge. This series of papers aims to provide the reader with information on guidance, advice and practice, which will assist in developing best practice in safeguarding children, identifying where there are risks and how to minimise these risks. To do this these papers draw on the experiences of the National Board, research and information already available to the reader from other sources.

The GAP papers are not intended to be read as definitive positions on the chosen topic. The National Board does not claim to have inserted all available research and knowledge; nor do we claim to be masters of best practice offering indisputable views. Each of these papers will focus on a particular gap in terms of safeguarding children, and each paper will provide guidance, advice and practice to help overcome these gaps, building the reader’s knowledge on the subject and informing practice, which will be underpinned by the seven safeguarding standards.

Effectively using **G**uidance, **A**dvice and **P**ractice to bridge the **GAP**.

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## 1. Introduction

‘The crimes of sexual abuse offend Our Lord, cause physical, psychological and spiritual damage to the victims and harm the community of the faithful. In order that these phenomena, in all their forms, never happen again, a continuous and profound conversion of hearts is needed, attested by concrete and effective actions that involve everyone in the Church, so that personal sanctity and moral commitment can contribute to promoting the full credibility of the Gospel message and the effectiveness of the Church’s mission. This becomes possible only with the grace of the Holy Spirit poured into our hearts, as we must always keep in mind the words of Jesus: “*Apart from me you can do nothing*” (John 15:5). Even if so much has already been accomplished, we must continue to learn from the bitter lessons of the past, looking with hope towards the future.’<sup>1</sup>

These are the opening words of Pope Francis in his Moto Proprio of May 2019 – ‘*Vos estis lux mundi*’. This apostolic letter sets a new tone for the future management of safeguarding children (and others) in the Catholic Church. Pope Francis calls all of us to adopt and follow procedures which prevent and combat crimes that betray the trust of the faithful.

We have many procedures for reporting and responding to allegations, assessing risk in relation to case management and relating to the prevention of abuse. This paper does not attempt to replicate those procedures but instead provides the reader with a broader context around what risk is, how it is assessed in different situations, civil legal requirements and canon law expectations. Risk is not static, it changes according to a range of variables; and in our efforts to safeguard children and prevent abuse we should be vigilant to the changing environments in which ministry to children is offered.

This paper will identify the principles and approaches to creating a child safe Church, develop an understanding of situations of potential risk, and how these can be assessed and managed. Whatever is our ministry, its focus must at all times be ensuring the safety of children.

The energy produced by children in the Church is tangible and life giving. Pope Francis has cautioned us in March 2019 that “A Church always on the defensive, which loses her humility and stops listening to others, which leaves no room for questions, loses her youth and turns into a museum”.<sup>2</sup>

One way for the Church to encourage children to be part of ministry is to ensure that its entire ministry reaches the highest child safeguarding standards. It is possible to positively engage with children whilst also being aware of and managing risk.

## 2. Legislative Basis International Legislation (UNCRC)

The United Nations Convention on the Rights of the Child (UNCRC<sup>3</sup>) contains a list of forty two indivisible and inalienable rights which signatories (including the Holy See, United Kingdom and the Republic of Ireland) must uphold for children. Although all of the articles of the UNCRC are interrelated, they are often discussed under four overarching principles.

- Article 2 – Non-discrimination - Each child should be treated fairly, with respect recognising their unique characteristics;
- Article 3 – Best interests of the child - All interactions between an adult and a child, within a child safeguarding framework must be based on the best interests of the child;
- Article 6 – Right to life, survival and development - Children must be safeguarded from all forms of abuse;
- Article 12 – Respect for the views of the child - Children have a right to express their opinions and have their views considered in matters which affect them.

<sup>1</sup> Pope Francis (2019) *Vos estis lux mundi*. Vatican City: Libreria Editrice Vaticana, p. 1.

<sup>2</sup> Pope Francis (2019) *Christus Vivit – Post-Synodal Apostolic Exhortation of the Holy Father Francis to Young People and to the Entire People of God*. Available at [http://w2.vatican.va/content/francesco/en/apost\\_exhortations/documents/papa-francesco\\_esortazione-ap\\_20190325\\_christus-vivit.html](http://w2.vatican.va/content/francesco/en/apost_exhortations/documents/papa-francesco_esortazione-ap_20190325_christus-vivit.html) (Accessed on 29th October 2019), paragraph 41.

<sup>3</sup> United Nations Convention on the Rights of the Child, 1989 (United Nations).

## A. Republic of Ireland

The Children First Act 2015 (ROI) was enacted on 19th November 2015 and commenced in full on 11th December 2017.

The Act places a number of statutory obligations on specific groups of professionals and on particular organisations providing services to children.

Section 10 of the Act states that:

‘A provider of a relevant service shall ensure, as far as practicable, that each child availing of the service from the provider is safe from harm while availing of that service’

Therefore, within the Catholic Church those Church bodies that have ministry with children would be providing a relevant service, and have a legal obligation to fulfil the child safeguarding requirements. Section 11 of the Act outlines the requirements on service providers to undertake risk assessment and produce child safeguarding statements as highlighted below:

‘11. (1) where a person proposes to operate as a provider of a relevant service, he or she shall, within 3 months from the date on which he or she commences as such a provider—

a. undertake an assessment of any potential for harm to a child while availing of the service (in this section referred to as a “risk”),

b. prepare, in accordance with subsection (3), a written statement (in this Act referred to as a “child safeguarding statement”) specifying the service being provided and the principles and procedures to be observed to ensure as far as practicable, that a child, while availing of the service, is safe from harm, and

c. appoint a relevant person for the purposes of this Part.<sup>14</sup>

The National Board has provided Guidance (6.2D Template 1) on the creation of a child safeguarding statement which can be found at <https://www.safeguarding.ie/images/Pdfs/Standards/Standard%206.pdf>

<sup>4</sup> Children First Act, 2015 (Republic of Ireland).

<sup>5</sup> Children’s Services Co-operation Act (Northern Ireland) 2015 (Northern Ireland).

<sup>6</sup> Northern Ireland Department of Education (2017) *Children and Young People’s Strategy 2017-2027*. Belfast: Department of Education.

## B. Northern Ireland

In Northern Ireland, the Children’s Services Co-operation Act (Northern Ireland) 2015 (the CSCA) came into effect in December 2015 and is designed to improve co-operation amongst Departments and agencies as they deliver services aimed at improving the well-being of children and young people. The purpose of the Act is ‘...to require co-operation among certain public authorities and other persons in order to contribute to the well-being of children and young persons; to require the adoption of a children and young persons’ strategy; and for connected purposes’.<sup>5</sup>

The Act describes children’s well-being across eight parameters or outcomes:

1. physical and mental health;
2. the enjoyment of play and leisure;
3. learning and achievement;
4. living in safety and with stability;
5. economic and environmental well-being;
6. the making by them of a positive contribution to society;
7. living in a society which respects their rights;
8. living in a society in which equality of opportunity and good relations are promoted between persons who share a relevant characteristic and persons who do not share that characteristic.

The Children’s and Young People’s Strategy<sup>6</sup> that followed from the Act illustrates the interconnection of these parameters of well-being.



The diagram demonstrates how a positive outcome in one area of well-being will lead to further positive outcomes, just as a negative outcome in one area could lead to further negative outcomes. For example, a child who feels safe and respected will go out and play more, feel healthier and be happier in school and ready to learn; or, a child who does not experience economic well-being and lives in poverty will be more likely to have poor health, will face barriers to play, can feel isolated and this will affect their education.

The National Board has provided Guidance on the creation of a child safeguarding statement which can be found at <https://www.safeguarding.ie/images/Pdfs/Standards/Standard%206.pdf> (6.2D Template1).

### 3. What we mean by Child Safe Environments

As can be ascertained from Public Inquiries and National Board reviews of child safeguarding practice in dioceses and religious orders, the history of ministering to children in the Catholic Church in Ireland is chequered with episodes of poor and negligent care, abuse and cover up of that abuse.

Children who were placed in the care of Church bodies for education, care, support and nurture were not always treated well or with dignity and respect. In learning from past failures, Church personnel must now commit to ensuring that anywhere there are children, the physical, emotional, personal and spiritual surroundings will have children's well-being at their core. As demonstrated in the *Safeguarding Children Policy and Standards for the Catholic Church in Ireland 2016*:

'As a constituent member of the Catholic Church in Ireland, we recognise and uphold the dignity and rights of all children, are committed to ensuring their safety and well-being, and will work in partnership with parents/guardians to do this. We recognise each child as a gift from God, and we value and encourage the participation of children in all activities that enhance their spiritual, physical, emotional, intellectual and social development.

All Church personnel (including clergy, religious, staff and volunteers) have a responsibility to safeguard children through promoting their welfare, health and development in a safe and caring environment that supports their best interests and prevents abuse.<sup>7</sup>

External to Ireland, there are now many inquiry reports into the management of child abuse by Catholic Church authorities across the world. From all inquiries important learning has taken place. One of the most

recent inquiries, The Royal Commission<sup>8</sup> was concluded in Australia in 2018. The Commission defined a child safe institution as one that 'creates cultures, adopts strategies and takes action to prevent harm to children, including child sexual abuse. ....one that consciously and systematically creates conditions that reduce the likelihood of harm to children, creates conditions that increase the likelihood of identifying and reporting harm, and responds appropriately to disclosures, allegations or suspicions of harm'<sup>9</sup>. The Royal Commission identified ten elements of a child safe institution as follows:

1. Child safety is embedded in institutional leadership, governance and culture;
2. Children participate in decisions affecting them and are taken seriously;
3. Families and communities are informed and involved;
4. Equity is promoted and diversity respected;
5. People working with children are suitable and supported;
6. Processes to respond to complaints of child sexual abuse are child focussed;
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training;
8. Physical and online environments minimise the opportunity for abuse to occur;
9. Implementation of child safe standards is continuously reviewed and improved; and
10. Policies and procedures document how the institution is child safe.<sup>10</sup>

Similarly in Ireland in the Catholic Church there are seven interlinked standards which combine together to form the response needed to safeguard children and respond to allegations of abuse.<sup>11</sup>

7 NBSCCCI (2016) *Safeguarding Children Policy and Standards for the Catholic Church in Ireland*. Dublin: Veritas, p. 8.

8 The Royal Commission into Institutional Responses to Child Abuse

9 Royal Commission into Institutional Responses to Child Sexual Abuse (2017) *Making Institutions Safe*. Available at [https://www.childabuse-royalcommission.gov.au/sites/default/files/final\\_report\\_-\\_volume\\_6\\_making\\_institutions\\_child\\_safe.pdf](https://www.childabuse-royalcommission.gov.au/sites/default/files/final_report_-_volume_6_making_institutions_child_safe.pdf) (Accessed 25th November 2019).

10 Royal Commission into Institutional Responses to Child Sexual Abuse (2016) *Creating Child Safe Institutions*. Available at <https://www.childabuseroyalcommission.gov.au/sites/default/files/file-list/Research%20Report%20-%20Creating%20Child%20Safe%20Organisations%20-%20Prevention.pdf> (Accessed 29th October 2019).

11 NBSCCCI (2016) *Safeguarding Children Policy and Standards for the Catholic Church in Ireland*. Dublin: Veritas.



From the National Board's experience of conducting reviews of child safeguarding practice a number of key themes have emerged which combined together effectively lead to environments that are safe for children as follows:

- Respect for the rights of all children.
- Children are valued and encouraged to participate, and so reach their full potential.
- An atmosphere which is child friendly.
- Children feel they have a voice in decisions which affect them; they feel listened to and heard.
- Risks are understood, assessed and managed.
- Accessible and easily understood written information is provided for children and their parents/carers about how their well-being will be promoted, how any risks will be minimised and how children and their parents can raise concerns.

#### A. What is risk?

A dictionary definition of risk is the 'chance of injury, damage, or loss; dangerous chance; hazard'.<sup>12</sup>

Within a Church context there is potential for risk in all ministries with children; so, the aim is to create environments where ministry with children is safe and can flourish, and engages children in the development of their faith.

Risks to children can include emotional harm caused through bullying or peer abuse; physical injury through accidents; or abuse (physical, emotional or sexual) from adults who are not appropriate carers or who are poor role models.

The Church should be a place of shelter and comfort. It is important that we develop an inclusive culture which values and safeguards all children, where kindness is modelled, and in which children feel they have a role to play and are able to articulate their hopes, dreams and fears. We want children to *feel safe and to be safe*.

This paper will look at the key elements of a safe environment, and at how to assess and manage risk. It will also provide a range of resources to assist those who want to excel in creating a child safe church.

#### 4. Principles for ensuring the minimisation of risk and the creation of safety for children in the Church

The foundations identified in *Safeguarding Children, Policy and Standards for the Catholic Church in Ireland 2016* are Gospel values; Children's Rights; international and national law; and the lessons learned from the past. In addition, there are principles which should guide our ministry with children such as:

- **Leadership, governance and a culture which all recognise the importance of child safety and children's wellbeing**

Child safety and wellbeing are more likely to become established where there is a strong commitment from the top to safeguarding and protecting children. Those in leadership roles within the Church should demonstrate through both their words and their actions that they believe in children's rights as they are enshrined in the UNCRC. This can be evidenced by the character and practices they develop in welcoming children into the Church; in supporting and developing Church personnel who espouse the same values; in promoting the teachings of the Gospel of care, compassion and support in their interactions with people; and in ensuring accountability, while also recognising the achievements of others. The exemplary model of Catholic Church leadership is one of service to the people of God: In child safeguarding terms, this is demonstrated with compassion, through example, and by the clarity of their expectations.

<sup>12</sup> Collins Dictionary (2019) *Definition of Risk*. Available at <https://www.collinsdictionary.com/dictionary/english/risk> (Accessed 29th October 2019).

- **Children and young people are informed about their rights, participate in decisions affecting them, and are taken seriously.**

Children are an integral part of the Church and as such should be actively invited and encouraged to become involved in the life of their Church. If they experience a warm, caring and supportive Church, they will feel nurtured and engaged. The energy produced through engagement with children can be powerful; for example, at his general audience on August 21st 2019, when the Pope saw a young child with autism running across the stage he told his security detail to “let her be – God speaks through children”, in response to which the crowd applauded.<sup>13</sup> He had previously spoken at some length about the importance of including children:

“Our generation will show that it can rise to the promise found in each young person when we know how to give them space. This means that we have to create the material and spiritual conditions for their full development; to give them a solid basis on which to build their lives; to guarantee their safety and their education to be everything they can be; to pass on to them lasting values that make life worth living; to give them a transcendent horizon for their thirst for authentic happiness and their creativity for the good; to give them the legacy of a world worthy of human life; and to awaken in them their greatest potential as builders of their own destiny, sharing responsibility for the future of everyone. If we can do all this, we anticipate today the future that enters the world through the window of the young.”<sup>14</sup>

The Australian Institute of Family Studies, among others conducted research<sup>15</sup> on the benefits of actively involving children in their own protection. This was verified in studies commissioned by the Australian Royal Commission into Institutional Responses to Child Sexual Abuse by. The Commission established a programme of case studies to

13 America Magazine (2019) *Pope Francis allows girl with autism to run around stage undisturbed at weekly audience*. Available at: <https://www.americamagazine.org/faith/2019/08/21/pope-francis-allows-ill-girl-run-around-stage-undisturbed-weekly-audience> (Accessed 29th October 2019).

14 Pope Francis (2013) *Address of Pope Francis on the occasion of the 28th World Youth Day, Rio de Janeiro, Monday 22 July 2013*. Available at: [http://w2.vatican.va/content/francesco/en/speeches/2013/july/documents/papa-francesco\\_20130722\\_gmg-cerimonia-benvenuto-rio.html](http://w2.vatican.va/content/francesco/en/speeches/2013/july/documents/papa-francesco_20130722_gmg-cerimonia-benvenuto-rio.html) (Accessed 29th October 2019).

15 Moore, T. (2018) *Protective Participation: The Voices of Young People on Safety*. Institute of Child Protection Studies, Australian Catholic University: Melbourne.

16 Australian Institute of Family Studies (2017) *Protection through participation: Involving children in child-safe organisations*. Available at: <https://aifs.gov.au/cfca/publications/protection-through-participation> (Accessed 29th October 2019).

generate insights into children’s and young people’s views about safety, as a contribution to the development of new preventative strategies.

In summarising the findings of this research initiative, Dr. Tim Moore stated that:

- ‘Children and young people value being helped to better understand risks and to make better judgements on when to trust and when to be wary.
- Because children and young people understand and experience safety differently from adults, organisations need to understand what safety means to kids and act to respond to their fears.
- Including children in the development of strategies and responses for their own safety results in a greater likelihood that children will utilise and feel positive about them.
- Children and young people want organisations to provide safe physical environments: places that are bright and cheerful, where kids are able to move around, to play and to “hang out” with friends and people they trust.
- For children’s participation to be successful it needs to be supported by the whole organisation, and dialogue about safety needs to be on-going and built into as many interactions between adults and children as possible.
- Children and young adults need adults and peers they can trust, and these adults must be accessible, physically present and available when needed.
- Raising concerns with an adult can be difficult, potentially embarrassing, shameful or uncomfortable.
- Adults need to respond respectfully and in ways that allay children’s fears and discomfort’.<sup>16</sup>

- **Respect for views of the child**

Participatory processes enabling children to identify and collaboratively develop strategies to respond to risks can be invaluable. In the past children were silent and afraid to speak out. By informing children of their right to be safe from harm, and by giving them the words and confidence to speak out, positive outcomes can arise, both in deterring abuse and in responding quickly if a child feels at risk.

Dr Tim Moore from the ACU Institute of Child Protection Studies subsequently developed a tool-kit entitled *Protective Participation: The Voices of Young People on Safety*<sup>17</sup>, in which he translates the key messages from the research generated to support the Royal Commission into a 'how to' guide for professionals working with children and young people. He describes Protective Participation as '...processes that provide opportunities for children and young people to inform, shape and provide feedback on strategies to promote their safety, prevent abuse and appropriately respond when they are harmed'.<sup>18</sup>

The NSPCC *Speak out, Stay safe* schools' programme was evaluated in 2017-2018, leading to the publication of a report in October 2018 entitled, *Understanding children's and teachers' views of the NSPCC's Speak out Stay safe programme*.<sup>19</sup> This evaluation concluded that children told them they knew more about bullying, abuse and neglect following participation in the *Speak out Stay safe programme*. They also learnt more about who their trusted adults are, and of the importance of speaking out if something is wrong.

This GAP paper is not primarily focussed on the benefits of children's participation in Church life, or in their own protection. However, it is important to highlight the empowerment of children as one part of the multifaceted jigsaw that makes up a child safe environment.

We all need to be particularly vigilant around the safety and well-being of children taking part in Church activities. The Guidance which supports the implementation of *Safeguarding Children, Standards Policy and Standards for the Catholic Church in Ireland 2016*, details the full range of issues that must be considered when creating environments that are safe for children (<https://www.safeguarding.ie/images/Pdfs/Standards/Standard%201.pdf>)

The National Board engaged in a consultative process with children and young people when drafting the 2016 Policy document and associated Guidance material. Young people engaged with National Office staff to write a workshop which was then delivered to other young people seeking their views on matters relating to creating and maintaining safe environments for children. At the end of the process, two young person shared their experiences of being involved at the National Board's first conference in 2016. Some of the lessons learned through that engagement include:

- The importance of explaining to young people, at the outset of the process, what they will achieve by their participation and more importantly what will not be achieved.
- The need to be honest and realistic; many consultations which claim to be child friendly and engaging with children on the surface, fall far short of the mark set out by Article 12, and in reality are adults window dressing a workshop with young people to tick a box.
- Set rules and boundaries.
- Remember the importance of really listening to children and young people; the need to use age appropriate language; report back the successes of the engagement and why some matters have not been taken on board.

<sup>17</sup> Moore, T. (2018) *Protective Participation: The Voices of Young People on Safety*. Institute of Child Protection Studies, Australian Catholic University: Melbourne.

<sup>18</sup> Moore, T. (2018) *Protective Participation: The Voices of Young People on Safety*. Institute of Child Protection Studies, Australian Catholic University: Melbourne, p. 8.

<sup>19</sup> NSPCC(2018)*Understanding Children's and Teachers' Views of the NSPCC's Speak out Stay Safe Programme*. Available at: <https://learning.nspcc.org.uk/media/1556/understanding-childrens-teachers-views-nspcc-soss.pdf> (Accessed 29th October 2019).

Full realisation of Article 12 of the United Nations Convention on the Rights of the Child (UNCRC) means that new techniques aimed at allowing children to express their views have emerged. Hart<sup>20</sup> attempts to convey these participatory levels of engagement in a ladder with the top step representing child initiated shared decisions with adults and the lowest rung representing non genuine participation through manipulation.

Whilst this is helpful, the validity of a ‘... hierarchy with the objective of striving for the topmost rung’<sup>21</sup> has been questioned. Theorists such as Shier would argue that, participation exists as a series of tensions and the goal ‘...is to navigate... steering a path around the constraints imposed by different social, organisational and political contexts’.<sup>22</sup>

This understanding of children’s participation existing in relation to other macro powers has been commented on by Freeman who stated that ‘...as agents, rights bearers can participate. They can make their own lives rather than having their lives made for them’<sup>23</sup>. This idea is closely linked to sociological theories of structure versus agency<sup>24</sup> (Giddens, 1984; Hays, 1994; King, 2007).

These theories question the extent to which children have the ability to bring about change in the power balances involved in the structure of society, ‘particularly change that is lasting.’<sup>25</sup>

The Committee on the Rights of the Child has commented that ‘the Convention requires that children be respected as persons in their own right.’<sup>26</sup> For children to be seen as citizens in their own right requires a shift towards thinking of children as social agents for change, which may be brought about through participative methods.

However, to do this requires an understanding of Article 12 of the UNCRC as an indivisible part of the Convention, as put forward by Lundy<sup>27</sup> who states that four factors need to be present to fully implement Article 12. Space, to allow children the safe environment to put forward their views; Voice, to give children the appropriate information to allow even the most vulnerable to contribute; Audience, to take their views seriously; and Influence, to make sure the view is acted upon and that children are given feedback on how their voice has been considered. Understanding Article 12 in this way truly reflects the preamble of the UNCRC as it clearly links this article with others in the Convention, to reflect the indivisibility and inalienability of rights.

In both jurisdictions on the island of Ireland there are formal consultative structures in place through which children and young people can give their views and opinions on matters that affect them and in doing so, to contribute to policy making. In Northern Ireland, the Office of the Northern Ireland Commissioner for Children and Young People (NICCY) is tasked with safeguarding and promoting the rights and best interests of children and young people. It advises government, monitors the implementation of policies to see what impact they have on children and young people, and holds government to account in cases where not enough is being done to improve the situation for children and young people. A central element of how it functions is to listen to children and young people:

20 Hart, A. (1992) *Children’s participation: From tokenism to citizenship*. UNICEF International Child Development Centre: Florence, p. 9.

21 Sinclair, R. (2004) Participation in Practice: Making it Meaningful, Effective and sustainable. *Children and Society*, 18, 106-118, p.109.

22 Shier, H. (2010) Children as Public Actors: Navigating the Tensions. *Children and Society*, 24, 24-37, p.35.

23 Freeman, M. (2007) Why it Remains Important to Take Children’s Rights Seriously. *The International Journal of Children’s Rights*, 15, 5-23, p. 8.

24 For Fuller discussion see: Giddens, A. (1984) *The constitution of society: Outline of the theory of structuration*. University of California Press: Berkeley; Hays, S. (1994) Structure and Agency and the Sticky Problem of Culture. *Sociological Theory*, 12:1, 57-72; King, M. (2007) The Sociology of Childhood as Scientific Communication: Observations from a Social Systems Perspective. *Childhood*, 14, 193-213.

25 Sinclair, R. (2004) Participation in Practice: Making it Meaningful, Effective and Sustainable. *Children and Society*, 18, 106-118, p.106.

26 United Nations Committee on the Rights of the Child (2005) *General Comment No.7 Implementing Child Rights in Early Childhood*. United Nations: Geneva, paragraph 5.

27 Lundy, L.(2007) ‘Voice’ is Not Enough: Conceptualising Article 12 of the United Nations Convention on the Rights of the Child. *British Educational Research Journal*, 33, 927-942.

‘The UNCRC is very clear that children’s views must be heard, and inform decisions which affect their lives. NICCY asks children and young people what they think is important, and what they would like to see changed. The Commissioner has a group of young people (Youth Panel) who help with specific pieces of work. This includes advising on the best ways to communicate with children and young people.’<sup>28</sup> There are many documents produced by NICCY with the input of young people<sup>29</sup>, additionally NICCY recognise public bodies that actively practice and promote the participation of young people in their work through the NICCY Participation Awards.<sup>30</sup>

In the Republic of Ireland, the Department for Children and Youth Affairs (DCYA) has over the last 11 years conducted consultations with children and young people through the structures of Dáil na nÓg, a national youth parliament for 12-17 year olds, and Hub na nÓg, young voices in decision-making, which is ‘...a national centre of excellence and coordination. It supports Government Departments, State agencies and non-government organisations to give children and young people a voice in decision-making on issues that affect their lives, with a particular focus on those that are seldom-heard’.<sup>31</sup> These consultations can be found on the Dáil Na Nóg website<sup>32</sup> and include the consultation with young people to develop questions on sexual behaviour and health to inform the Growing Up in Ireland study (2015); the consultations with children and young people on the Digital Strategy for Schools (2014); and the consultations with children and young people in the care of the State (2010).

The Guidance on Standard 1 of the *Safeguarding Children Policy and Standards for the Catholic Church in Ireland 2016* which is accessible at <https://www.safeguarding.ie/images/Pdfs/Standards/Standard%201.pdf> includes Guidance on Creating a Code of Behaviour with Children, and Example Workshop on Creating a Code of Behaviour with Children respectively.

28 NICCY (2015) *General Information Leaflet*. Available at: <https://www.niccy.org/media/1510/niccy-general-leaflet-july-15.pdf> (Accessed 29th October 2019).

29 For more information see <https://www.niccy.org/publications/>.

30 For more information see <https://www.niccy.org/professionals-practitioners-policy-makers/participation/participation-awards/>.

31 Hub na nóg (2019) *What is Hun na nOg*. Available at: <https://www.hubnanog.ie/what-is-hub-na-nog/> (Accessed 29th October 2019).

32 <https://www.comhairlenanog.ie/who-we-are/whats-new/>

33 For fuller discussion see Zuck, R. (2012) *Precious In His Sight: Childhood and Children in the Bible*. Wipf and Stock: Oregon, p. 14.

Both are provided to assist children and young people to participate in the creation of a safe environment for their Church activities.

The National Board has had the opportunity through conducting reviews to see the successful application by diocesan personnel of this Guidance with children involved in sacramental preparation, and with adolescents participating in youth ministry.

- **A positive value base**

Inquiries and investigations into the history of child abuse in the Catholic Church and into how allegations were managed have generated fear for many who wish to take part in ministry with children. National Board staff have often heard the statement that “the only way to deal with child safeguarding in the Church – is – to have nothing to do with children”. It is our strong view that the engagement of children in the Church is life-giving and central to the mission of the gospels. Children, and ministry with them, are to be valued, welcomed, encouraged and cherished.

In the Gospel of Mark, (10:13-16) the disciples were dismissive of children, but Jesus had a different view:

‘And they were bringing children to him that he might touch them, and the disciples scolded them. But when Jesus saw it, he was indignant and said to them, “Let the little children come to me; do not hinder them, for to such belongs the kingdom of God. Truly, I say to you, whoever does not receive the kingdom of God like a child shall not enter it.” And he took them in his arms and blessed them, laying his hands on them’.

In fact the Bible includes hundreds if not thousands of references to children;<sup>33</sup> the positivity evidenced in these references should guide those ministering in the Church to respect children as precious gifts from God.

Their value and worth must be the starting point in our attempts to ensure that all ministries with children have their safety and welfare at their centre.

- **People are required to demonstrate their aptitude and commitment to keeping children safe**

While we might hope that everyone who ministers to children would not present a risk, the reality has been different. The history of children being physically, sexually and emotionally abused within the Church is well documented; and the Catholic Church in Ireland has been attempting to manage the response to this abuse in a coordinated way since the 1990s.

In light of Edmund Burke's quote that *Those who don't know history are doomed to repeat it*, the Church has to ensure that those who minister with children must undergo assessment so that we can be confident that they do not present a risk to children. At a minimum, clerics, religious, staff and volunteers should be vetted against criminal records checks (Garda National Vetting Bureau in ROI; and Access NI). Not only is this a legal requirement (National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 in ROI; and Police Act 1997 in NI), it is a Church requirement. This examination of police records is a method of checking both criminal conviction and soft intelligence information, so that those who have a history of abusing a child or who have come to the attention of the police as being a person of concern, should be deterred from entering into any Church ministry with children.

For full recruitment requirements see the Guidance on Standard 1 of *Safeguarding Children Policy and Standards for the Catholic Church in Ireland 2016*, at <https://www.safeguarding.ie/images/Pdfs/Standards/Standard%201.pdf> (Pages 9 to 32).

Systems to recruit, train and support adults to ensure the safety of children send a strong message that the welfare of children is prioritised in the Church. The process of recruitment is part of the wider assessment of risk that the Church body should constantly be engaged in. Assessing those who wish to minister with children involves vetting, references, declaration forms, and commitment

to upholding the values of the Catholic Church. Often Church personnel view Garda/Access NI as the most important part of a recruitment process, when in reality it forms one small part of the bigger assessment of suitability. The NSPCC describes safe recruitment as:

'...a set of practices to help make sure your staff and volunteers are suitable to work with children and young people. It's a vital part of creating a safe and positive environment in your organisation and keeping children safe from harm. Safer recruitment should be a continuing process of improvement...'<sup>34</sup>

The Canadian Anglican Diocese of New Westminster has developed a helpful *Screening in Faith Policy*<sup>35</sup> which contains a list of sequential steps to screen for risk, as follows:

Step 1 - List all the ministry activities and positions.

Step 2 - List all the duties and responsibilities for each ministry activity or position.

Step 3 - Assess the risk for potential harm.

Step 4 - Reduce the risk for potential harm.

Step 5 - Assign appropriate screening standards for each ministry position.

Step 6 - Finalize the ministry descriptions.

Step 7 - Establish appropriate training and supervision.

Step 8 - Apply the screening standards.

Step 9 - Make a selection decision based on the screening information.

Step 10 - Evaluate and enforce the screening standards.

This Canadian document contains some very well drafted and useful Guidance, along with pro-forma risk assessment forms and it is well worth accessing for ideas on how to do this in a comprehensive fashion.

It is important to constantly remember that 'it is people who harm children', so getting the right people in all positions of trust in the Church is critical.

34 NSPCC(2019) *What is Safe Recruitment*. Available at: <https://learning.nspcc.org.uk/safeguarding-child-protection/safer-recruitment> (Accessed 29th October 2019).

35 Diocese of Westminster(2019) *HR Screening in Faith*. Available at: <https://www.vancouver.anglican.ca/resources/hr-screening-in-faith> (Accessed 29th October 2019).

- **People in ministry recognise the need to understand how to keep children safe through training**

Clerics, religious, staff and volunteers need to receive induction, support and training to ensure they have a good understanding of how to keep children safe. While it is a great responsibility and a great honour to be entrusted with the care of a child, we all need to know the expectations, boundaries and rules around safe practices. Everyone who has a role with children should undergo training every three years in order to stay in touch with updated practice and to refresh their attitude and commitment to safeguarding.

The NSPCC<sup>36</sup> recommend that ‘Safer recruitment should be a continuing process of improvement’; and that the commitment to safeguarding children should be an on-going process with a high profile in organisations and services dealing with children.

Equipped with the correct information, and adopting the right attitude, all staff and volunteers should feel both a personal and a shared responsibility for creating a culture of safety and they should be encouraged through training and support to speak out if they have concerns. In fact, a safe culture is one in which speaking out is seen positively and in which the atmosphere is one of respect, collegiality and transparency.

- **There are clear safety measures in place which are understood and followed**

Practices for creating and maintaining safe environments are described in the Guidance of the National Board on Standard 1.<sup>37</sup> These include: Codes of behaviour; encouraging positive behaviour; effective practice for those with specific needs; hazard assessment; safe use of information technology; complaints procedures; and whistleblowing procedures. All these are a critical part of the safeguarding jigsaw and none should be overlooked.

In particular, every child should be encouraged to participate in all Church activities as cherished and valuable members of the Church who have views which they can share freely. The inherent dignity and equal worth of all children must be respected in Church activities, so that their rights are upheld and protected, and their needs met. Processes for responding to complaints and concerns should be child focused and written in language that children understand; and they should have confidence to use these processes without fear of punitive consequences. Every activity with children should be risk assessed and conducted in a way that promotes good and effective safeguarding practice.

- **Information about the steps being taken to safeguard children is communicated openly and extensively**

Children, parents and communities need to be informed of and involved in promoting child safety and wellbeing. In Ireland, we are acutely aware of the silence that has historically shrouded child abuse. Survivors still express their concern that society and the Church do not really want to hear of the harm that they have suffered.<sup>38</sup>

We also know that information can empower us and by doing so, can reduce risk happening. It is crucial therefore that Church leaders ensure that the safeguarding message is widely shared through all available communications media, including websites, posters, newsletters and Safeguarding Sundays at parish and diocesan level.

Within the current Catholic Church structures in Ireland, Safeguarding Committees are well positioned to carry out appropriate risk screening, assessment and interventions to reduce likelihood of harm to children. Many undertake this task as a matter of routine and from it develop the annual Safeguarding Plan.

<sup>36</sup> NSPCC(2019) *What is Safe Recruitment*. Available at: <https://learning.nspcc.org.uk/safeguarding-child-protection/safer-recruitment> (Accessed 29th October 2019).

<sup>37</sup> NBSCCI(2016) *Guidance for Standard 1*. Available at: <https://www.safeguarding.ie/images/Pdfs/Standards/Standard%201.pdf> (Accessed 29th October 2019).

<sup>38</sup> Department of Education and Skills (2019) *Consultations with Survivors of Institutional Abuse on Themes and Issues to be addressed by a Survivor Led Consultation Group*. Available at <https://www.education.ie/en/Publications/Education-Reports/consultations-with-survivors-of-institutional-abuse-on-themes-and-issues-to-be-addressed-by-a-survivor-led-consultation-group.pdf> (Accessed 29th October 2019)

In 2017, HSE<sup>39</sup> produced an integrated Risk Management Policy, including a practice guide for managers which framed risk management under four headings:

Anticipate - Do we anticipate and plan to prevent harm occurring?

Vigilance - Are we safe today?

Respond - What does past performance tell us about risk?

Learn and improve – How do we improve practice from our past learning?

The practice guide suggests that “The systematic delivery of safe and reliable care therefore requires developing a culture within the workplace where staff put quality and safety at the centre of their work. Such a culture does not develop in the absence of strong leadership and commitment from you as a Manager. You therefore need to be seen to prioritise quality and safety as a primary goal for your service.”

Likewise in a Church setting, a recognition that risk exists and that all steps will be taken to assess and manage those risks, needs to be embedded from the leadership through to all those whose aim it is to create a place of safety in the Church for children. There is a requirement when engaging in ministry with children that an assessment of potential risk is carried out and that appropriate steps are taken to minimise those risks.<sup>40</sup>

One area of increasing risk is the area of digital media. We are constantly learning of the challenges around safeguarding children through the use of technology.

The National Board has already produced a detailed paper on ensuring children’s safety on line, *Child Safeguarding and Digital Media*, in May 2018,<sup>41</sup> and this references significant international literature on how to keep children safe on line, as well as on how to engage safely with children through digital media. As with all communications, it is critical that we recognise the risks, assess how these can be managed and ensure that all activities using digital media are in the best interests and safety of children in the Church.<sup>42</sup>

These electronic media are now the communication methods of choice for the under 18s, so they should be employed as a positive means of communicating the Gospel message to this important constituency; and rather than shy away from their use, we can confidently utilise them by following good practice Guidance.

## 5. Review and re-assessment

In line with Standard 7 (Quality Assuring Compliance with the Standards), there is an expectation that Church bodies will review their ministries with children annually, ensuring that risk is assessed and managed as part of the annual self-audit.<sup>43</sup> *The Guidance on Local Safeguarding Audit* is contained in the overall Guidance for Standard 7, pages 8 to 29.

This audit exercise should not be approached as a ‘tick-box’ task to be completed only to fulfil a National Board requirement; but rather, it should be a genuine assessment of what is working well in terms of creating and maintaining safe environments, and should be evidence of sincere commitment to improving safety measures for children.

39 HSE (2017) *HSE Integrated Risk Management Policy*. Available at: <https://www.hse.ie/eng/about/qavd/riskmanagement/risk-management-documentation/hse%20integrated%20risk%20management%20policy%20part%201.pdf> (Accessed 29th October 2019).

40 For NBSCCI Guidance on hazard assessment see <https://www.safeguarding.ie/roles2?task=document.viewdoc&id=252>

41 NBSCCI (2018) *Child Safeguarding and Digital Media*. Available at: [https://www.safeguarding.ie/images/Pdfs/GAP\\_Papers/GAP%20Paper%201%20Child%20Safeguarding%20and%20Digital%20Media.pdf](https://www.safeguarding.ie/images/Pdfs/GAP_Papers/GAP%20Paper%201%20Child%20Safeguarding%20and%20Digital%20Media.pdf) (Accessed 29th October 2019).

42 NiDirect (2019) *Internet Safety*. Available at: <https://www.nidirect.gov.uk/information-and-services/your-childs-health-and-safety/internet-safety> (Accessed 29th October 2019).

43 NBSCCI (2016) *Guidance for Standard 7*. Available at: <https://www.safeguarding.ie/images/Pdfs/Standards/Standard%207.pdf> (Accessed 29th October 2019).



## 6. Organisations and individuals who can help

There are many organisations that can offer help and direction on the creation of child safe environments. The Church's *Safeguarding Children Policy and Standards for the Catholic Church in Ireland 2016* has detailed under Standard 1 many of the key elements which assist in creating and maintaining safe environments; and the National Board's accompanying Guidance offers support for the implementation of that standard.

Other organisations which can assist through providing standards and resources include

- The Ombudsman for Children.
- The Northern Ireland Commissioner for Children and Young People.
- National Youth Council of Ireland.
- Tusla, Child and Family agency.
- HSCT.
- NSPCC.
- ISPCC.

## 7. Summary

The National Board frequently cautions against complacency. Increasingly, the suggestion is being made that “the worst is over” in the child abuse crisis in the Catholic Church in Ireland. If we adopt such a mistaken attitude however, the quality of practice will slip, and risk will increase, with the potential for children to be abused. Following the child safeguarding standards of the Catholic Church contained in *Safeguarding Children, Policy and Standards for the Catholic Church in Ireland (2016)* can and will ensure that children's well-being remains a priority. Colette O'Doherty<sup>44</sup> has suggested that the Church may have lost perspective in regarding safeguarding as burdensome; and she has offered the metaphor of child safeguarding as a seat-belt, initially unfamiliar, but quickly becoming something that provides both comfort and safety for the journey to be taken.

Establishing and maintaining children's safety and wellbeing as a priority can only be achieved through:

- Strong leadership and commitment to keeping children safe;
- A clear value base which recognises the inherent value of children, respects their rights and honours the teachings about children in the Gospels;
- Ensuring that the right people are recruited and assessed for ministry with children;
- Risk assessing all ministries so as to ensure that potential for harm is identified and minimised;
- Involving children, young people and their families in the life of the Church in a way which is meaningful and respects children's rights; and
- Review, reassessment and constant vigilance.

## 8. Conclusion

What this paper has sought to achieve is an exploration of the components necessary to enable children to feel safe and be safe in the ministries of the Catholic Church in Ireland. There is now significant international evidence from inquiries that show that the abuse of children went unchecked for years. Lessons have been learned along the way, but in order to safeguard children, the adults in the Church need to pro-actively promote children's well-being through clear standards of practice which recognise that children have rights – to be protected from harm, and to participate in matters that affect them.

In the words of Pope Francis

“A population that does not take care of (the elderly and of) children and the young has no future, because it abuses (both its memory) and its promise.”

<sup>44</sup> O'Doherty, C. (2019) *Let Go and Let God - Formation with Young People*, presentation to the Anglophone Conference, Rome.

