

Newsletter



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

December 2019

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Introduction

Welcome to our Christmas edition of our Newsletter. On behalf of the National Board, the National Office staff and the National Case Management Committee (NCMC) can I take this opportunity to thank you all for your work on ensuring the safety of children in Catholic Church ministry. Christmas provides an opportunity and time for reflection and for thanksgiving. The National Board acknowledges the significant efforts made by all in the Church, Church leaders, safeguarding personnel, volunteers and the lay faithful to prioritise the well-being of children and to promote best practice. In a recent article in the Irish Catholic, (to read article follow this link <https://bit.ly/34wHLrW>) we reflected on developments since the publication of the Murphy Report in 1999; we now believe that the policy and guidance, structures and practice are all well developed. As always we offer a note of caution around apathy and complacency and 'safeguarding fatigue'.

This newsletter will provide updates on the following issues:

- Developments relating to *Vos estis lux mundi*
- Data protection, information sharing and data destruction
- Reviews of child safeguarding practice
- Training and Support
- National Board Guidance
- GAP papers
- Lay Apostolates
- Safeguarding Sunday and Sunday for survivors
- National Board's biennial conference
- Practice issue- Mandated Persons



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

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Developments Relating to Vos estis lux mundi (VELM)

Pope Francis promulgated his apostolic letter, *Vos estis lux mundi* in June 2019. The expectation is that within one year of publication Bishops' Conferences must establish '...one or more public, stable and easily accessible systems for submission of reports, even through the institution of a specific ecclesiastical office.' The expectation is that other requirements contained within VELM are also in place. In terms of the delicts and requirements around children, changes have been made to the National Board guidance to ensure compliance as outlined below:

VELM Article	Issue	Existing Guidance	Additional actions completed
1.1 (a)	Definitions of delict in relation to pornography	2.1A 4.3C Appendix C	<ul style="list-style-type: none"> Updated wording in Appendix C to reflect wording in Article 1 Added in reference to Canon Law in 2.1A and reference to Appendix C Written a separate piece of guidance under Standard 2 on allegations regarding child pornography 4.3C and associated templates updated in line with VELM
1.1b	Retrospective application of Motu Proprio	Guidance 2.1I	<ul style="list-style-type: none"> Included loving mother reference regarding application of Motu Proprio after 2016 in Guidance 2.1I
4	Protection of persons submitting report	New Guidance	<ul style="list-style-type: none"> New piece of guidance under Standard 2 written to deal with this specifically.
5.1 a, b and c	Care for persons	Indicators 3.1, 3.2 and 3.3. Spiritual support covered in template 3.1A and Guidance 3.3A Medical and psychological assistance covered in Guidance 3.1 and 3.3 2.1H	<ul style="list-style-type: none"> Guidance 3.1A redrafted to include references to Towards Peace alongside Towards Healing. Redrafted Guidance 2.1H following VELM
5.2	Confidentiality and privacy of complainant	New Guidance Appendix B	<ul style="list-style-type: none"> New guidance under Standard 2 written and Appendix B updated.

The initial critique of VELM has now been expanded into a Guidance and Practice Paper (GAP) which will be available on the National Board's website by January 2020.

Reviews of Child Safeguarding Practice

Reviews are initiated through a letter of invitation from the Church authority to Teresa Devlin. Following the signing of a Memorandum of Understanding and a Data Processing Deed, the data controller (Church authority) agrees to give full access to all records to National Board reviewers (data processor). The purpose of the review is to assess compliance against the Church's child safeguarding standards. The overall aim is to ensure good child safeguarding, timely reporting of allegations, compassionate response to complainants and fair and just processes for respondents. These reviews are a learning opportunity, building on the findings of previous reviews, amendment to *Safeguarding Children Policy and Standards for the Catholic Church in Ireland 2016* and subsequent guidance. Reviewers have been recruited as independent of National Office staff, and therefore will not have offered advice or been part of any Church advisory service.

A number of reviews are currently underway.

The Review Methodology is available on the National Board's website on page 46 of the Guidance on Standard 7, at www.safeguarding.ie/images/Pdfs/Standards/Standard%207.pdf

Invitations to conduct a Review should be submitted by letter from a Church authority to Teresa Devlin, CEO NBSCCI, New House St. Patrick's College, Maynooth.

Data Protection Issues

The process of data destruction in relation to notification of allegations is almost complete. Church authorities will receive a letter inviting them to collect data from the National Office. The destruction of notification information will henceforth take place annually following the publication of the National Board's annual report.

The National Board will retain a record of advice it has offered.

Training and Support

Since the last newsletter the following training events have been facilitated; the links beside each provide access to more information about the event and where to access the power point slides from the day:

- Annual update days for trainers (<https://bit.ly/2OV1sTV>)
- Help for the helper (<https://bit.ly/2L17INy>)
- Self-audit training for category 3 church bodies (<https://bit.ly/35KVxYr>)

National Training for 2020

All training dates for next year are displayed on the National Board's website which you can access at this link <https://bit.ly/33ua3SA>.

The first of these national training courses will be facilitated on the 29/01/2020 and is targeted at those who are new DLPs or Deputy DLPs or who have never been able to attend this role specific training before. To book your place, follow this link <https://bit.ly/2Dqc6g4>.

SAVE THE DATES – Friday 16th and Saturday 17th October 2020

Please note the National Board's safeguarding conference for 2020 will take place in the **Hillgrove Hotel, Monaghan** commencing with Mass in St Macartan's Cathedral (a 3 to 4 minutes' walk from the hotel) and followed by the opening address/dinner on Friday evening, **16th October 2020**.

A full day's conference will take place the following day, **Saturday 17th October 2020**.

Further details of the Conference (Agenda, Key Note Speakers, fees to attend (1) both dinner on the 16th and Conference (17th) or (2) Just the Conference (17th), along with details of how to book your place to attend, will be sent to you in due course.

In the meantime, on your behalf, we have reserved an allocation of bedrooms for the night of the 16th of October 2020 at a special rate of

110Euro for a single room b/b

140euro for a twin room b/b (with 2 people sharing).

These rooms are available for you to book *on a first come – first served basis*.

If you wish to book/pay for a room and to avail of the special rates above, please contact the Hillgrove Hotel directly and state you are attending the Conference. There is also a range of Bed and Breakfasts close by and the hotel can give you details of these. The National Board is not in a position to reserve any rooms on your behalf.

<https://www.hillgrovehotel.com>

Tel: [+353 \(47\) 81 288](tel:+3534781288) E-mail: hello@hillgrovehotel.com

Address: Old Armagh Road, Co. Monaghan, H18 RK15

Training and Support Strategy

A new Training and Support Strategy is now available. Thank you to all who contributed ideas to the strategy. You can read the strategy by following this link www.safeguarding.ie/index.php/what-we-do/advice-on-effective-practice/training.

Training Manual

Work is progressing on the new training manual, many thanks to all of those who have contributed to its development. Following design and print, the manual will be distributed to trainers during their attendance at the annual update days in 2020. At the request of trainers there are two dates available (you only have to attend one) these are the 07/03/2020 and 18/03/2020.

Ecclesiastical Provincial Area Meetings

The last of the ecclesiastical Provincial Area Meetings for 2020 was facilitated in Tuam on the 5th of December 2020.

Topics discussed included:

- GDPR, data protection and information sharing
- Updated Tusla child safeguarding statements
- Guidance for respondents wishing to attend Church services
- Reviews of child safeguarding practice

To view the presentations from any of the ecclesiastical provincial area meetings click on the relevant event under Training for 2019 at this link <https://bit.ly/37JEqYx>.



Guidance Updates

Since the last newsletter there have been 7 changes to National Board Guidance these include:

- Changes to the audit templates and letter to inform the National Board, following training with category 3 Church bodies
- Finalised guidance on Church authorities facilitating probation placements
- New guidance on managing respondents who wish to practice their faith
- Updated Tusla child safeguarding statement.

For a full page-by-page list of all of the changes to the Guidance and to access the new Guidance, please follow this link

www.safeguarding.ie/guidance.

It is important to remember that those Church bodies who have not taken the National Board's Guidance as their child safeguarding procedures, the changes outlined above should be incorporated where applicable into the procedures that are in place within that Church body.

Self –Audits

We would like to remind each Church authority that there is a requirement to annually conduct a self-audit of its safeguarding practice in line with, Indicator 7.1 of Safeguarding Children 2016.

The National Board suggests that the self-audit is completed by the end of December 2019 and that the Church authority notifies us by the end of January 2020 that the self-audit has been completed.

GAP Papers

The National Board has produced a series of Guidance and Practice papers (GAP) to provide you with research, commentary and practice guidance on current issues of importance. Two additional papers are now available for you to read and review: *Creating a Safe Church*, and *Communicating the Church's Safeguarding Message*. To read these GAP papers follow this link www.safeguarding.ie/publications.

Lay Apostolates

Lay Apostolates regularly minister with children and contribute significantly to embedding the Gospel messages with children and families.

Their work is greatly appreciated. In an effort to ensure that the lay apostolates follow best child safeguarding practice, an exercise was undertaken earlier in 2019 to identify whether any needed additional support around policy development, and training. The National Board has now guidance on how lay apostolates should be supported in their ministries (<https://bit.ly/2XUmSEz>). The National Board has put a proposal to the Irish Bishops' Conference to consider some national and international lay apostolates as "associate" members of the National Board. If approved, the National Board can offer more formal advice and support on child safeguarding matters to these apostolates. Relevant lay apostolates will be contacted when a decision regarding associate membership is made early in 2020.

Practice Issue- Mandated Persons (ROI Only)



THE NATIONAL BOARD FOR
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IN THE CATHOLIC CHURCH IN IRELAND



Mandated persons are people who have contact with children and/or families and who, because of their qualifications, training and/or employment role, are in a key position to help protect children from harm.

The full list of people who are classified as mandated persons under the Children First Act 2015 is in **Schedule 2**.

Within a Church context “mandated person” includes all clerics and religious and any member of staff whose role is covered by the categories in Schedule 2 of the Act.

Volunteers are not mandated persons under the Children First Act 2015. However, DLPs or Deputy DLPs who are volunteers are classed as mandated persons under Church standards.

Mandated persons have two main legal obligations under the Children First Act 2015.

These are:

1. To report to Tusla harm to children that is above a defined threshold;
and
2. If requested, to assist Tusla in assessing a concern which has been the subject of a mandated report.

Under the legislation a mandated person is required to report any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed. The Act defines harm as ‘assault, ill-treatment, neglect or sexual abuse’, and covers single and multiple instances.

The four types of abuse are described in Chapter 2 of Children First Guidance 2017: And the threshold of harm for each category of abuse at which mandated persons have a **legal** obligation to report concerns is detailed in Children First Guidance 2017 in Chapter 3, page 21 onwards.

The approach agreed between the National Board and both the Department of Children and Youth Affairs and Tusla, is that allegations received by mandated persons within the Catholic Church (about Church personnel) can be jointly notified with the relevant DLP.

National Board trainers have been trained to deliver training for mandated persons. All mandated persons should attend this training to understand their legal obligations to report. It should be understood that the Children First Act 2015 does not impose criminal sanctions on mandated persons who fail to make a report to Tusla. However, there are possible consequences for a failure to report. There are a number of administrative actions that Tusla could take if, after an investigation, it emerges that a mandated person did not make a mandated report and a child was subsequently left at risk or harmed.

Tusla may:

- Make a complaint to the Fitness to Practice Committee of a regulatory body of which the mandated person is a member.
- Pass information about the mandated person’s failure to make a report to the National Vetting Bureau of An Garda Síochána. This information could therefore be disclosed to current or future employers of the mandated person when they are next vetted.

The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 requires that any person who has information about a serious offence against a child, which may result in charges or prosecution, must report this to An Garda Síochána. Failure to report under the Act is a criminal offence under that legislation. This obligation is in addition to any obligations under the Children First Act 2015. To read more about mandated persons please follow this link to the guidance provided by the National Board here <https://bit.ly/2Or2sQE> .

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