

# GUIDANCE

**THESE PIECES OF GUIDANCE ARE  
TO ASSIST, IF NECESSARY, WITH THE  
IMPLEMENTATION OF THIS STANDARD**



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## L1.A Guidance on Developing a Communications Plan

### Step 1: Reviewing current policies, procedures and practice

Communicating what child safeguarding policies, procedures and practice are in place is a core element of the Church's strategy to safeguard children. Policies and procedures are only effective if everyone, including children, understands their purpose and knows how to use them. To successfully implement the Church standards, effective communication systems must be in place.

Church personnel who are appropriately trained must be available to listen to and communicate with children, their parents/guardians and the lay faithful regarding the Church's safeguarding message.

There must be a range of methods to communicate what the Church is doing to create safe environments for children, and how it is responding appropriately to allegations of child abuse.

It is helpful to identify what current communication practices are in place. The following checklist suggests some ideas for the safeguarding committee to consider.

Does the Church body:

- Have a written communications plan, stating what you wish to communicate, to whom, by whom, and how often?
- Display the name and contact details of the designated liaison person (DLP) during Church-run youth activities?
- Place information on your website about safeguarding children?
- Ensure that communications between the Church body and parents/guardians/carers/children/community leaders take account of language or communication differences?
- Ensure that parents/guardians, children and relevant others know about your child safeguarding and child protection policies and reporting procedures?
- Have a process for enabling people, including children, to make a complaint and ensure that this process is publicised so that everyone knows about it?
- Involve parents/guardians, as well as children, in developing codes of behaviour, e.g. about anti-bullying?
- Devise ways of obtaining feedback from parents/guardians/carers/children/the Church community to find out what you are doing well, and what is not working?

## Step 2: Gathering further information

Using the information in Step 1, the Church body should gather any further information necessary to develop a communications plan that reflects transparency, openness, accountability and responsibility. The aim of this plan is to make information available about all aspects of policy and practice, which keep children safe in Church and related activities.

To develop this plan, the Safeguarding Committee needs to develop information on the following:

- **Who** are the target groups? The Safeguarding Committee should consult with relevant personnel to establish the target audiences for inclusion in the wider safeguarding plan. It is likely that the main target groups with whom a Church body needs to communicate regarding its child safeguarding policy and procedures are:
  - Church personnel;
  - Lay faithful;
  - Children/parents/guardians/carers;
  - Parish staff and volunteers;
  - External organisations, e.g. Tusla, PSNI, An Garda Síochána, HSCT (Health and Social Care Trust);
  - Other relevant external agencies, the general public and the media.
- **What** are the safeguarding messages? Although child safeguarding messages must be consistent, the information needed may change depending on your target audience. Child safeguarding messages may include:
  - Information on what is meant by child safeguarding;
  - Information on the child safeguarding policy;
  - Information on the procedures for reporting allegations, suspicions and concerns;
  - Contact details of the DLP;
  - For children and parents/guardians: how to keep safe; what to do if you, or someone you know, is in danger of being harmed; sources of advice and support; roles of agencies involved in child safeguarding; how the referral process works;
  - For Church personnel: how to deliver best practice; safe recruitment; dealing with allegations; accessing advice and support; availability of training; contact details for relevant child safeguarding personnel.
- **How** are you going to promote child safeguarding? Before deciding how you will do this, it is important to consider the most effective methods for reaching out to key groups of people. Methods could include:
  - **Diocesan/provincial and parish/local congregation websites** that could host material such as the child safeguarding policy, any additional resources developed in relation to child safeguarding, the annual report on child safeguarding within the Church body, the annual training plan, a safeguarding children newsletter, or signposts to other websites such as the National Board or the civil authorities;

# LEADERSHIP, GOVERNANCE AND ACCOUNTABILITY GUIDANCE FOR INDICATOR L1

- **Diocesan/provincial newsletters** providing general information and updates on safeguarding;
  - **Parish/local congregational bulletins** with information on child safeguarding events and key contact details;
  - **Diocesan/provincial printed publications** such as copies of child safeguarding policies, handbooks and information pamphlets, posters for display in the church, bookmarks for children with child safeguarding information and contacts, annual reports, a child-friendly version of the child safeguarding policy, etc.;
  - **National/local press releases** announcing annual reports, updated resources, etc.;
  - **Other innovative methods:** it is important to develop positive messages when promoting child safeguarding within the Church. Use the skills and expertise of key people in the Church body to develop creative ways to put forward the positive child safeguarding message of the Church. This could include suggestion boxes, 'Safeguarding Sundays', meetings of key child safeguarding personnel, questionnaires, and workshops with children and young people.
- **Who** is responsible? Using the information outlined in Step 1 and Step 2, alongside the roles identified in Appendix A, it is important to identify who is responsible for each method of delivery. Once identified and agreed, this should be written into the role description, in line with best practice in recruitment and selection (Guidance S1.A). These roles could include, for example:
    - The child safeguarding committee;
    - The parish priest/local superior/community leader;
    - The DLP and deputy DLP;
    - The local safeguarding representative

It must be understood that within each parish or local congregation, the overall responsibility for implementing the child safeguarding policy remains with the parish priest/local superior/community leader. The overall responsibility for ensuring that each Church body implements effective child safeguarding practice lies with the relevant Church authority.

- **When** will it be achieved? It is important that each plan has clear, realistic and achievable time frames within which each target can be achieved.

### Step 3: Writing the plan

Using the information in Steps 1 and 2, it is the responsibility of the safeguarding committee to write the communication plan using a format such as that outlined in L1. A Template 1. This plan will form part of the overall three-year safeguarding plan (Guidance L2.E).

### Step 4: Review

It is important to remember that communication is a two-way process. Developing mechanisms for consultation and feedback to review the communication plan is critical to ensure that the child safeguarding message is effectively heard, understood and revised in order to meet the needs of the target groups.

**LEADERSHIP, GOVERNANCE AND  
ACCOUNTABILITY  
GUIDANCE FOR INDICATOR L1**

**L1.A: Template 1: Example of a  
Communications Plan for One Target  
Group**

<b>Who</b>	<b>What</b>	<b>How</b>	<b>Who is responsible?</b>	<b>When</b>	<b>Review</b>	
Lay faithful	Diocese safeguarding policy	Printed copies	Diocesan/ congregation office prints hard copies	Annually	Annually	
			LSR checks to ensure that policies are in designated location	Weekly and as part of annual audit	Annually	
		Diocesan/ provincial website	Diocesan/ congregation office updates website to ensure policy is up to date and available	Annually	Annually	
		Name of DLP	Local bulletin	The parish priest/ local superior/ community leader is responsible for ensuring the name of the DLP and contact details are included in the bulletin	Weekly	Biannually
			Diocesan/ provincial website	Diocesan/ congregation office updates website to ensure name of DLP is up to date and available	Annually	Annually
		National Board website	Church authority informs the National Board of new or updated information on DLP	As necessary	As necessary	

## L1.B Guidance on Creating User-Friendly Versions of the Child Safeguarding Policy

Some Church bodies have found it helpful to create shortened or condensed versions of the diocesan/religious order's child safeguarding policy for key audiences. This is done for a number of reasons:

- It makes the policy more attractive;
- It is easier to read and understand by key audiences;
- It makes the policy more relevant for each ministry in which Church personnel are involved;
- Shortened versions are more portable.

However, when developing a condensed version it is important to be mindful of the following points:

- Do not create so many versions of the policy that it dilutes the key messages of child safeguarding;
- Creating multiple versions will mean that updates and revisions will be more difficult to carry out;
- Ensure that the messages contained across the various versions of the policy are consistent and do not contradict each other;
- Make sure that key pieces of information, such as the reporting procedure, are consistent across all of the various versions of the policy, to ensure that allegations or suspicions are reported appropriately.



## L1.C Guidance on Creating a Child Safeguarding Newsletter

Newsletters are a helpful way to keep everyone involved in the safeguarding structure updated on the Church's safeguarding message.

### Questions for consideration

Before creating a newsletter, it is important to consider the following carefully:

- Will the newsletter be electronic or hard copy?
- What resources do you have in terms of producing the newsletter (finances, time and personnel)?
- Do you have a list of postal or email addresses to send the newsletter to?
- Have you gained permission from the owners of the addresses to send them the newsletter?
- How and where are these addresses stored?
- Do you have a procedure in place to allow people to opt out of receiving the newsletter?
- How often will you send the newsletter out?

### Sources of content

In order to make the content of the newsletter as current and relevant as possible, it is important that personnel involved in its creation are informed on recent developments within child safeguarding. Some useful organisations include:

- **National Board:** The National Board for Safeguarding Children in the Catholic Church in Ireland produces a quarterly newsletter that is free to register for. If you would like to receive the newsletter, further details are available on [www.safeguarding.ie](http://www.safeguarding.ie).
- **Tusla:** The Child and Family Agency provide regular newsletters, available through their website [www.tusla.ie](http://www.tusla.ie).
- **Safeguarding Board NI:** There is a range of information that may prove useful to those developing newsletters. This can be accessed on [www.safeguardingni.org](http://www.safeguardingni.org).

### Structure of newsletter

The structure of your newsletter will depend on your target audience. Some useful areas to include are:

- Recent legislative developments;
- Upcoming training or child safeguarding events;
- Information on contact details for key child safeguarding personnel;
- Frequently asked questions.

### Review

To ensure the newsletter is working, it is important to periodically review and evaluate its effectiveness by consulting with the target audience.



## L1.D Guidance on Ensuring that Information Regarding the Church's Child Safeguarding Message is Accessible

A key part of child safeguarding is ensuring that the methods used to communicate information on the Church's child safeguarding message are accessible and appropriate.

Methods of communication on the safeguarding message may include:

- Public posters for adults, with information about what to do if there is a child safeguarding concern, including contact details for appropriate child safeguarding personnel (L1. D Template 1). These posters should be displayed in areas with public access, including residences of priests and religious to which the public have access. There is no requirement to put up child safeguarding posters in private homes connected with the Church body if no public ministry takes place there;
- Child safeguarding leaflets for adults about how the Church responds to child safeguarding concerns, the management of allegations and access to counselling and support
- Leaflets for children about what to do if they have a child safeguarding concern
- Posters for children about what to do if they have a child safeguarding concern, including contact details for appropriate child safeguarding personnel (L1. D Template 2);
- The child safeguarding policy in reader-friendly accessible formats
- The dissemination of regular newsletters that detail child safeguarding practices (Guidance L1. C);
- Relevant sermons and events such as 'Safeguarding Sundays' are incorporated into Church liturgies and activities where child safeguarding information is being shared.

## L1. D Template 1: Example Public Poster for Adults

The Gospel teaches the importance of ensuring that the church community is a warm, welcoming and safe place for children.

‘Let the little children come to me, and do not hinder them, for the kingdom of God belongs to such as these. Truly I tell you, anyone who will not receive the kingdom of God like a little child will never enter it.’ (Mark 10:14-15)

Children are gifts from God, to be cherished and recognised for the joyful contribution they bring as valued members of the Church. Our challenge is to follow the example of Jesus in cherishing children. Safeguarding is key to this important task and should be seen not as a burden but as an opportunity to embrace and encourage children’s ministry, following the example of Christ.

The [INSERT NAME OF CHURCH BODY] pledges to safeguard children from harm and to support them in their development as valued and integral members of the Catholic Church in Ireland. The Church’s ministry will be inclusive and will uphold the rights of children.

Consistent with Gospel values, and with civil and criminal law, those who minister will do so with dignity and integrity, honouring their calling to ensure that children are welcomed, cherished and protected, following the example set by Jesus.

This Safeguarding Children Policy will be honoured and complied with by all ordained clerics, by vowed female and male religious, and by all lay staff and volunteers in the Catholic Church in Ireland.

### Child Safeguarding Statement (ROI Only)

You can read our Child Safeguarding Statement here [INSERT LINK TO CHILD SAFEGUARDING STATEMENT]

### Details of personnel to contact if you are concerned about the welfare and safety of children

Insert below the names and contact details of the relevant designated liaison person (DLP), and statutory authorities (An Garda Síochána or PSNI; Tusla or HSCT), as appropriate.

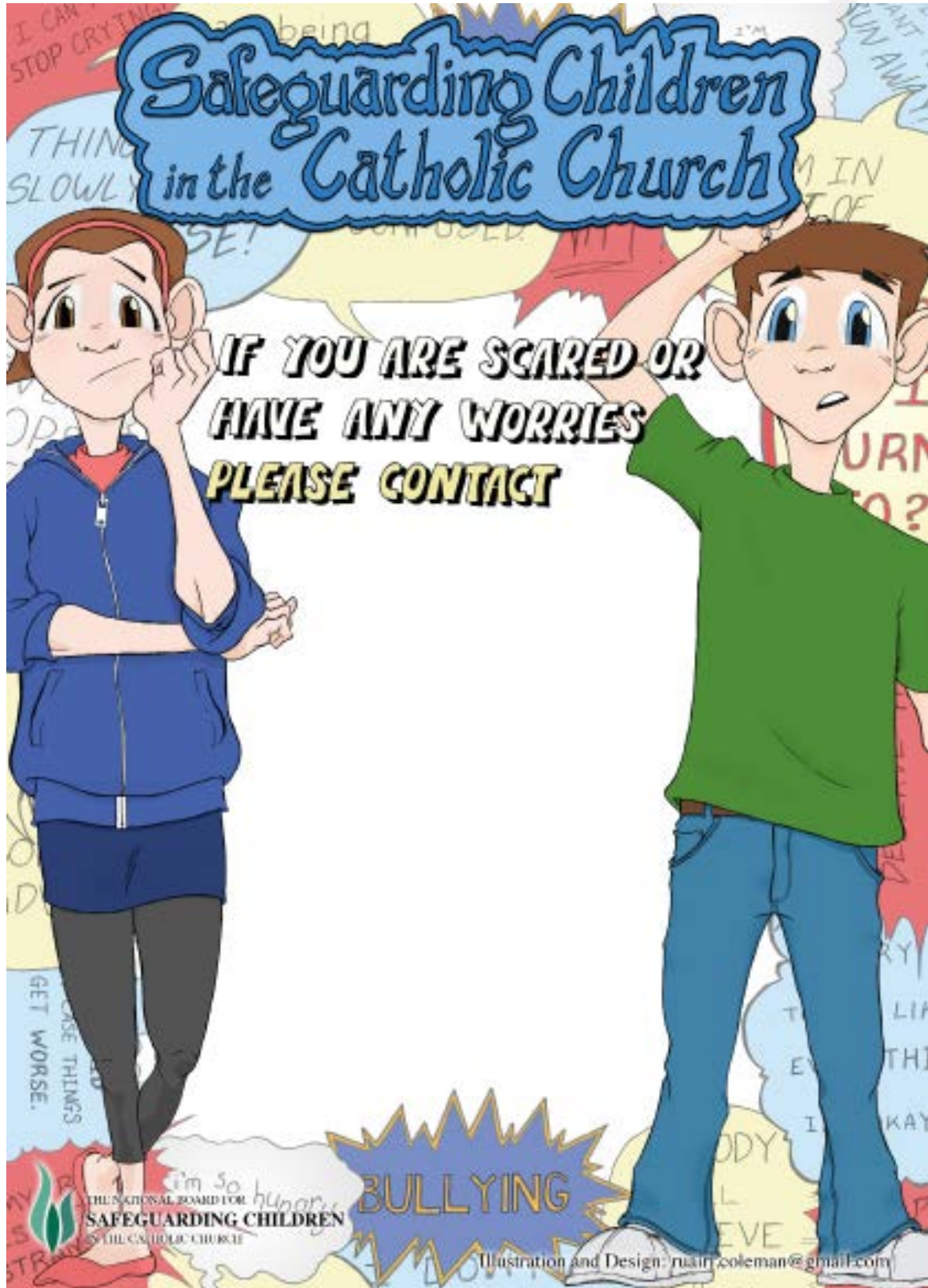
DLP:

POLICE FOR ISSUES NOT RELATING TO CLERICS OR RELIGIOUS

POLICE FOR ISSUES RELATING TO CLERICS OF RELIGIOUS

CHILD PROTECTION SERVICE:

L1.D Template 2: Example Safeguarding Poster  
for Children



## L1. D Template 3: Example Public Poster for Adults in Irish

Múineann an Soiscéal dúinn go bhfuil sé fíor-thábhachtach a chinntiú gur áit theolaí fháilteach shábháilte an pobal eaglasta do leanaí.

‘Ligigí do na leanaí teacht chugam; ná coiscigí iad, óir is lena leithéidí seo ríocht Dé. Deirim libh go fírinneach, cibé nach nglacfaidh ríocht Dé ar nós linbh, ní rachaidh sé isteach inti choíche.’ (Marcas 10:14-15)

Is bronntanais ó Dhia leanaí nach miste a mhuirniú agus ómós a thabhairt dóibh as ucht a dtugann siad chugainn mar bhaill den Eaglais a bhfuil ard-mheas orthu. Is é an dúshlán atá romhainne aithris a dhéanamh ar shampla Chríost agus cion ar pháistí dá thaispeáint againn. Tá an chosaint fíor-thábhachtach sa ngnó suntasach seo agus ba cheart breathnú uirthi ní h-ea mar ualach ach mar dheis le ministreacht leanaí a ghlacadh chugainn féin agus a chothú, agus sampla Chríost dá leanacht againn.

Geallann [CUIRTEAR ISTEACH AINM AN FHORAIS EAGLASTA] leanaí a chosaint ar dhochar agus tacaíocht a thabhairt dóibh agus iad ag teacht in inmhe mar bhaill dhílse den Eaglais Chaitliceach in Éirinn. Beidh ministreacht na hEaglaise cuimsitheach agus dearbhófar cearta leanaí.

Faoi réir luachanna an tSoiscéil, agus an dlí shibhialta agus choiriúil, gníomhóidh ministrí le dínit agus le h-ionracas, dílis dá ngairm lena chinntiú go gcuirtear fáilte roimh leanaí, go léirítear cion orthu agus go gcosnaítear iad ar an nós a rinne Íosa.

Tabharfaidh gach uile bhall den chléir, gach uile bhall baineann agus gach uile bhall fireann faoi mhionn, agus gach uile bhall foirne tuata agus gach uile oibrí deonach san Eaglais Chaitliceach in Éirinn ómós don Pholasaí Cosanta Leanaí seo.

### Ráiteas faoi Chosaint Leanaí (Poblacht na hÉireann amháin)

Féadfaidh tú an Ráiteas Cosanta Leanaí seo againne a léamh anseo [CUIRTEAR ISTEACH AN NASC DON RÁITEAS COSANTA LEANAÍ]

### Dintiúirí pearsanra nach miste teagmháil a dhéanamh leo má tá imní ort faoi leas agus faoi shábháilteacht leanaí

Cuirtear isteach anseo thíos ainmneacha agus dintiúirí teagmhála an idirghabhálaí ainmnithe (IA), agus na n-údarás stáitiúideach (An Garda Síochána nó SPTÉ; Tusla nó HSCT / Iontaobhais Sláinte agus Cúraim Shóisialta), de réir mar a fheileas.

IDIRGHABHÁLAÍ AINMNITHE (IA):

AN GARDA SÍOCHÁNA I gCOMHAIR GNÓTHAÍ NACH MBAINNEANN LEIS AN gCLÉIR NÁ LEO SIÚD IN ORD CRÁBHAIÐH:

AN GARDA SÍOCHÁNA I gCOMHAIR GNÓTHAÍ A BHAINNEAS LEIS AN gCLÉIR NÓ LEO SIÚD IN ORD CRÁBHAIÐH:

SEIRBHÍS COSANTA LEANAÍ:

## L1. D Template 4: Example Public Poster for Adults in Irish/ English

The Gospel teaches the importance of ensuring that the church community is a warm, welcoming and safe place for children.

Múineann an Soiscéal dúinn go bhfuil sé fíor-thábhachtach a chinntiú gur áit theolaí fháilteach shábháilte an pobal eaglasta do leanaí.

‘Let the little children come to me, and do not hinder them, for the kingdom of God belongs to such as these. Truly I tell you, anyone who will not receive the kingdom of God like a little child will never enter it.’ (Mark 10:14-15)

“Ligigí do na leanaí teacht chugam; ná coiscigí iad, óir is lena leithéidí seo ríocht Dé. Deirim libh go fírinneach, cibé nach nglacfaidh ríocht Dé ar nós linbh, ní rachaidh sé isteach inti choíche.” (Marcas 10:14-15)

Children are gifts from God, to be cherished and recognised for the joyful contribution they bring as valued members of the Church. Our challenge is to follow the example of Jesus in cherishing children. Safeguarding is key to this important task and should be seen not as a burden but as an opportunity to embrace and encourage children’s ministry, following the example of Christ.

Is bronntanais ó Dhia leanaí nach miste a mhuirniú agus ómós a thabhairt dóibh as ucht a dtugann siad chugainn mar bhaill den Eaglais a bhfuil ard-mheas orthu. Is é an dúshlán atá romhainne aithris a dhéanamh ar shampla Chríost agus cion ar pháistí dá thaispeáint againn. Tá an chosaint fíor-thábhachtach sa ngnó suntasach seo agus ba cheart breathnú uirthi ní h-ea mar ualach ach mar dheis le ministreacht leanaí a ghlacadh chugainn féin agus a chothú, agus sampla Chríost dá leanacht againn.

The [INSERT NAME OF CHURCH BODY] pledges to safeguard children from harm and to support them in their development as valued and integral members of the Catholic Church in Ireland. The Church’s ministry will be inclusive and will uphold the rights of children.

Geallann [CUIRTEAR ISTEACH AINM AN FHORAIS EAGLASTA] leanaí a chosaint ar dhochar agus tacaíocht a thabhairt dóibh agus iad ag teacht in inmhe mar bhaill dhílse den Eaglais Chaitliceach in Éirinn. Beidh ministreacht na hEaglaise cuimsitheach agus dearbhófar cearta leanaí.

Consistent with Gospel values, and with civil and criminal law, those who minister will do so with dignity and integrity, honouring their calling to ensure that children are welcomed, cherished and protected, following the example set by Jesus.

Faoi réir luachanna an tSoiscéil, agus an dlí shibhialta agus choiriúil, gníomhóidh ministrí le dínit agus le h-ionracas, dílis dá ngairm lena chinntiú go gcuirtear fáilte roimh leanaí, go léirítear cion orthu agus go gcosnaítear iad ar an nós a rinne Íosa.

This Safeguarding Children Policy will be honoured and complied with by all ordained clerics, by vowed female and male religious, and by all lay staff and volunteers in the Catholic Church in Ireland.

Tabharfaidh gach uile bhall den chlér, gach uile bhall baineann agus gach uile bhall fireann faoi mhionn, agus gach uile bhall foirne tuata agus gach uile oibrí deonach san Eaglais Chaitliceach in Éirinn ómós don Pholasaí Cosanta Leanaí seo



## Child Safeguarding Statement (ROI Only)

### Ráiteas faoi Chosaint Leanaí (Poblacht na hÉireann amháin)

You can read our Child Safeguarding Statement here [INSERT LINK TO CHILD SAFEGUARDING STATEMENT]

Féadfaidh tú an Ráiteas Cosanta Leanaí seo againne a léamh anseo [CUIRTEAR ISTEACH AN NASC DON RÁITEAS COSANTA LEANAÍ]

### Details of personnel to contact if you are concerned about the welfare and safety of children

#### Dintíúirí pearsanra nach miste teagmháil a dhéanamh leo má tá imní ort faoi leas agus faoi shábháilteacht leanaí

Insert below the names and contact details of the relevant designated liaison person (DLP), and statutory authorities (An Garda Síochána or PSNI; Tusla or HSCT), as appropriate.

Cuirtear isteach anseo thíos ainmneacha agus dintíúirí teagmhála an idirghabhálaí ainmnithe (IA), agus na n-údarás stáitiúideach (An Garda Síochána no SPTÉ; Tusla nó HSCT / Iontaobhais Sláinte agus Cúraim Shóisialta), de réir mar a fheileas.

DESIGNATED LIAISON PERSON (DLP):

DIRGHABHÁLAÍ AINMNITHE (IA):

POLICE FOR ISSUES NOT RELATING TO CLERICS OR RELIGIOUS

AN GARDA SÍOCHÁNA I gCOMHAIR GNÓTHAÍ NACH MBAINNEANN LEIS AN gCLÉIR NÁ LEO SIÚD IN ORD CRÁBHUIDH:

POLICE FOR ISSUES RELATING TO CLERICS OF RELIGIOUS

AN GARDA SÍOCHÁNA I gCOMHAIR GNÓTHAÍ A BHAINNEAS LEIS AN gCLÉIR NÓ LEO SIÚD IN ORD CRÁBHUIDH:

CHILD PROTECTION SERVICE:

SEIRBHÍS COSANTA LEANAÍ:

## L1. D Template 5: Example Public Poster for Adults in Polish

Ewangelia uczy nas jak ważne jest zapewnienie by społeczność kościelna była ciepłym, otwartym i bezpiecznym miejscem dla dzieci.

«Pozwólcie dzieciom przychodzić do Mnie, nie przeszkadzajcie im; do takich bowiem należy królestwo Boże. 15 Zaprawdę, powiadam wam: Kto nie przyjmie królestwa Bożego jak dziecko, ten nie wejdzie do niego». (Mk, 10, 14-15)

Dzieci są darami Boga, które należy pielęgnować i doceniać za radosny wkład, jaki wnoszą jako cenni członkowie Kościoła. Naszym wyzwaniem jest naśladowanie przykładu Jezusa w kochaniu dzieci. Ochrona jest kluczem do tego ważnego zadania i nie powinna być postrzegana jako ciężar, ale jako szansa na podjęcie i zachęcanie do posługi dzieciom, naśladowując przykład Chrystusa.

[INSERT NAME OF CHURCH BODY] zobowiązuje się chronić dzieci przed krzywdą i wspierać je w rozwoju jako cenionych i integralnych członków Kościoła katolickiego w Irlandii. Służba Kościoła będzie inkluzywna i będzie stać na straży praw dzieci.

Zgodnie z wartościami ewangelicznymi, oraz prawem cywilnym i karnym, ci którzy będą pełnić tę posługę, będą to czynić z godnością i uczciwością, honorując swoje powołanie do dbania o to, aby dzieci były mile widziane, pielęgnowane i chronione, naśladowując przykład dany przez Jezusa.

Niniejsza Polityka ochrony dzieci będzie honorowana i przestrzegana przez wszystkich wyświęconych duchownych, osoby zakonne i zakonnice ślubowane, a także przez cały personel świecki i wolontariuszy Kościoła katolickiego w Irlandii.

Oświadczenie o ochronie dzieci (tylko ROI)

Tutaj możesz przeczytać nasze Oświadczenie dotyczące ochrony dzieci[LINK....]

Dane personelu, z którym należy się skontaktować, jeśli obawiasz się o dobro i bezpieczeństwo dzieci

Wpisz poniżej nazwiska i dane kontaktowe odpowiedniej wyznaczonej osoby łącznikowej (DLP) oraz organów ustawowych (An Garda Síochána lub PSNI; Tusla lub HSCT), stosownie do przypadku.

DLP:

POLICJA W SPRAWACH NIE DOTYCZĄCYCH KLERYKÓW ANI OSÓB ZAKONN:

POLICJA DO SPRAW DOTYCZĄCYCH KSIĘŻNYCH:

INSTYTUCJA OCHRONY DZIECI:



## L1.D Template 4, Public Poster for Adults in Ukrainian

### Шаблон 1: Приклад публічного плаката для дорослих

Євангеліє наголошує на важливості забезпечення того, щоб церковна спільнота була теплим, гостинним та безпечним місцем для дітей.

“Хай діти приходять до мене, і не перешкоджайте їм, бо Царство Боже належить таким. Поправді кажу вам, хто не прийме Царства Божого, як дитина, той ніколи не увійде в нього.”  
(Марк 10:14-15)

Діти — це дар від Бога, яких треба берегти та визнавати за радісний внесок, який вони приносять як цінні члени Церкви. Наше завдання — наслідувати приклад Ісуса в бережливому ставленні до дітей. Захист дитинства є ключовим у цьому завданні і повинен розглядатися не як тягар, а як можливість прийняти та заохотити дитяче служіння Церкві, наслідуючи приклад Христа.

[ВСТАВИТИ НАЗВУ ЦЕРКОВНОГО ОРГАНУ] обіцяє забезпечити захист дітей від шкоди та підтримувати їх у розвитку як цінних та невід’ємних членів Католицької Церкви в Ірландії. Наше служіння буде інклюзивним, підтримуючи права дітей.

У відповідності до цінностей Євангелія, а також цивільного та кримінального законодавства, ті, хто служить, повинні робити це з гідністю та чесністю, виконуючи своє покликання, щоб забезпечити дітям доброзичливе ставлення, плекання та захист, за прикладом Ісуса Христа.

Політику захисту дітей повинні поважати і дотримуватися всі висвячені священнослужителі, монахи і монахині, а також всі миряни і волонтери Католицької Церкви в Ірландії.

Заява про забезпечення безпеки дітей (лише для ROI):

Ви можете прочитати нашу заяву про забезпечення безпеки дітей тут: [ВСТАВИТИ ПОСИЛАННЯ НА ЗАЯВУ ПРО ЗАБЕЗПЕЧЕННЯ БЕЗПЕКИ ДІТЕЙ].

Деталі персоналу для звернення у разі турботи про добробут та безпеку дітей:

Нижче наведено імена та контактні дані відповідної особи зв’язку (DLP) та законних органів (An Garda Síochána або PSNI; Tusla або HSCT), якщо це потрібно.

DLP (Призначена контактна особа):

ПОЛІЦІЯ З ПИТАНЬ, ЩО НЕ СТОСУЮТЬСЯ СВЯЩЕННОСЛУЖИТЕЛІВ ТА РЕЛІГІЙНИХ ОРГАНІЗАЦІЙ

ПОЛІЦІЯ З ПИТАНЬ, ЩО СТОСУЮТЬСЯ СВЯЩЕННОСЛУЖИТЕЛІВ ТА РЕЛІГІЙНИХ ОРГАНІЗАЦІЙ

СЛУЖБА ЗАХИСТУ ДІТЕЙ:

## L1.E Guidance on Supports to Parishes and Others Affected When a Priest has Taken Leave from Sacred Ministry

### Introduction

When a priest leaves a parish in which he has lived and worked for some time, there is usually a period of advance notice during which he can take his leave and parishioners can say their goodbyes. The pastoral relationship between a priest and parishioners can be very close and mutually satisfying, so when it is drawing to a close it is to be expected that there will be some sense of loss and sadness, but there is also an opportunity to mark the priest's departure with liturgy and other celebrations.

However, when a priest has to step aside at short notice because a concern has arisen about a possibility that he may have abused a child, a crisis situation arises for him and for the parishioners who are given no time to prepare for his leaving. The feelings that can arise for parishioners in these circumstances can be varied, and can include shock, disappointment, anger and confusion. People can feel abandoned, especially if they had been working closely with the priest in some element of parish life.

### Affected parties

Cradock and Gardner<sup>1</sup> describe the different 'target populations' in a parish that can be adversely affected by the sudden departure of their priest. These include:

- Complainants and their families;
- Potential complainants and their families;
- The respondent priest's family and friends;
- The other priests and religious in the parish;
- Lay ministers;
- Parish and parochial school staff;
- Parish leadership teams;
- Parish council members;
- The wider parish community.

Cradock and Gardner speak of the allegation, or concern, as being the precipitating event that triggers needs in these various target populations. The challenge to the parish and the diocese in which it is located is to identify and bring together the resources that are required to effectively address these needs.

<sup>1</sup> Cradock, C. and Gardner, J., 'Psychological Intervention for Parishes Following Accusations of Child Sexual Abuse', *Slayer of the Soul: Child Sexual Abuse and the Catholic Church*, Rossetti, S., ed. (Connecticut: Twenty-Third Publications, 1990).

# LEADERSHIP, GOVERNANCE AND ACCOUNTABILITY GUIDANCE FOR INDICATOR L1

## General principles for interventions

Cradock and Gardner suggest that there are three general principles that should guide the responses to be made:

1. The Church, through the Church authority, must take the initiative in this situation in reaching out to, rather than retreating from, the members of the parish community;
2. Opportunities must be established in which relevant groups of parishioners can air their fears and concerns, and obtain the information that they need;
3. It is always best to use the parish's natural networks and leadership, with other professionals providing consultation, education, guidance and support as needed.

It is the Church authority's prerogative to decide, in consultation with the respondent priest and other key parties, if an announcement or other form of explanatory statement will be made to parishioners concerning their departing priest. A decision regarding the composition and issuing of a press release may also be required.

Some obvious sensitivities need to be addressed, not least the fact that the priest is innocent by law, at least until some future time when a full investigation of concerns has been concluded, and so his name and reputation must be protected. In some situations, the respondent priest remains living in the parish with the permission and support of his Church authority.

Confidentiality is required, and advice will be needed on what can be shared, by whom and with whom. Parishioners cannot be told everything, but they do need an explanation for the sudden unavailability of the priest for a period. What they are told should be the truth.

## Appropriate interventions

The parish community will need the support and assistance of the diocesan safeguarding team, as the situation is too emotionally challenging and complex for parishes to deal with on their own. The availability of the diocesan DLP to meet with concerned parishioners provides an important opportunity for people to share any child safeguarding concerns they may have.

An action plan needs to be devised by members of the safeguarding team, in consultation with the Church authority and key people in the parish, including the other priests ministering there.

Cradock and Gardner suggest that the method for devising an action plan involves three steps:

1. Assessing the target groups and needs;
2. Determining resources and interventions;
3. Assigning roles and a timetable. Who are the vulnerable individuals and groups? What problems are anticipated? Who is in the best position to deal with these? What context or setting would be most effective for doing so? In what order should the steps be taken, and when? These are the kinds of questions that will lead to a systematic plan of action.

# LEADERSHIP, GOVERNANCE AND ACCOUNTABILITY GUIDANCE FOR INDICATOR L1

According to Cradock and Gardner, parishioners in this situation need:

- Assistance in managing feelings; their strong and potentially ambivalent feelings need to be normalised for them. These may include for some a sense of betrayal, and for some a crisis of faith;
- Information and education about an unusual and distressing event that will be outside their previous experience. Some may have a lot of questions or worries and anxiety about the unknown.

Some parishioners may want to pray together about their concerns, and consideration can be given to how this can be facilitated.

It can happen that parishioners are divided in their attitude and loyalties, with some expressing compassion towards the priest and disbelief about what is being suggested, while others may blame the priest or the Church authority, and may express strong anger towards one or other. It is not unusual for people to come together to support and advocate on behalf of the respondent priest.

Particular stress can be experienced by other priests of an affected parish who, in the short term, have an increased workload as they take up the duties of the respondent priest. They do so at the same time they are coming to terms with their own feelings about what has happened, while also trying to support and assist the parishioners. It is important that they have someone from whom they can draw support and encouragement.

Without any undue haste, a return to regular parish routines as soon as is practicable should be supported, as people are reassured by familiar routines.

## **Practical Steps**

It may be appropriate for the Church authority to attend in person to listen and talk to the people of the parish. The Church authority should:

- Consider inviting another person to accompany him such as the DLP or another priest to provide additional support for the parishioners and for him.
- Explain to parishioners that the aim of the meeting is to be available to listen to their anxieties.
- Respond honestly to questions. As far as possible providing parishioners with facts without breaching any data protection rights of individuals.
- Invite anyone who has a safeguarding concern to come forward and report.
- Highlight the needs of anyone who has been harmed and recognise their right to receive support from the Diocese.
- Make himself personally available to meet people on an individual basis.
- Advise the parish about the safeguards that are in place and working today, including the manner in which you respond to suspicions, concerns, knowledge or allegations.
- Invite people to pray with him.

## L2. A Guidance on Ensuring Compliance with the Safeguarding Standards at Local Level

Quality assurance procedures are a systematic method of assessing the extent to which the child safeguarding standards are implemented at all levels within the Church body. This is an important method of ensuring that a process of continuous improvement takes place, and of demonstrating accountability and transparency.

Quality assurance is done by applying four methods:

1. Assessing compliance by the Church authority during systematic visits to parishes or community houses (Guidance L2.B);
2. Annual self-audit scheme (Guidance L2.C) carried out locally, but coordinated by the safeguarding committee;
3. Annual report by the DLP to the Church authority on Responding Pastorally and Reporting in Line with Civil and Canon Law (if managing cases) (Guidance L2.D).
4. Using the above points to produce a three year plan (if required) (Guidance L2.E).

All of the documents produced are internal to the Church organisation and **do not need to be sent to the National Board.**

## L2. B Guidance on Compliance visits by the Church Authority.

Each Church authority should regularly visit parishes/community houses/ministries to ensure that there is an awareness of child safeguarding, and that effective practice is being implemented. It is important that these visits are outlined in the annual three-year child safeguarding plan (L2. E Template 1).

It is advised that the Church authority has a checklist of items to examine during these visits. This list may include, for example:

- The attendance register (S5.A Template 2);
- Safeguarding posters (L1.D Template 1);
- Codes of conduct for groups of children (Guidance S3.B);
- A copy of the previous year's annual child safeguarding audit from the local area (Guidance L2.C).

This visit should, as far as possible, involve local people such as LSRs, alongside the parish priest or local superior, to allow the Church authority the opportunity to recognise good practice, and to thank those involved for their work in maintaining the child safeguarding standards.

## L2. C Guidance on Annual Self Audit

“The Church authority puts in place a system of governance that identifies clear procedures, accountability structures and quality assurance, in which roles and responsibilities are explicit”

This requirement under the Church’s Child safeguarding policy A Safe and Welcoming Church; Safeguarding Children Policy and Standards for the Catholic Church in Ireland, 2024 requires that each Church Authority completes a yearly audit. Each authority may choose to build their own auditing system that will provide assurances to your congregation, the wider community, the Church Leader, Provincial, Bishop or Superior that every measure to promote the welfare of Children, protect them from abuse or maltreatment and to enable them to have the best outcomes when involved in activities within the church have been taken. The National Board has created a template audit in excel that will help you to identify any gaps that might, if left open allow for risk to a child to develop. The audit will ensure effective, robust and time bound action plans are in place to address the deficits.

The excel template can be found at this link

<https://www.safeguarding.ie/policy-guidance/view-word-versions-of-the-guidance>

## L2. D Guidance on the Annual Report Made by DLP to the Church Authority (If managing cases)

One of the primary methods (alongside the local safeguarding audit ) of ensuring compliance with the safeguarding standards is by means of an annual report written by the DLP on Responding Pastorally and Reporting in Line with Civil and Canon Law. This standard contains a list of indicators, which give details of the steps that a Church organisation needs to take to meet the standard, and advises on ways to provide evidence that the standard has been met.

### Process

1. The DLP, or a person appointed by the Church authority, will analyse all allegations and case files that have been reported within the year, using L2. D Template 1 as a guide.
2. An annual report is prepared for the Church authority, with a review of compliance and recommendations for further action and improvement.
3. Recommendations for change are incorporated into the three-year child safeguarding plan, if appropriate (Guidance L2. E).
4. All documents produced will be in compliance with data protection requirements.



## L2. D Template 1: Guide on Completing a Review of Allegations and Case Files for the Annual Report to the Church Authority (For those Managing Cases)

### Introduction

This template is designed to formally update the Church authority on an annual basis (to cover January-December) as to the current status of cases. This is particularly important when a changeover of personnel or leadership occurs.

Active case files and associated documents for the year being reviewed contain the information needed to answer the questions below.

### NEW ALLEGATIONS FOR THE YEAR BEING REVIEWED

Please complete the table below by entering the appropriate number of allegations received **this year** in each box (enter zero if no allegations have been received for a category)

Respondent Type	Number by Respondent	Number Reported to Garda/PSNI	Number Reported to Tusla/Social Services	Number Reported to the National Board
Clerics				
Non Ordained Religious				
Lay Church Personnel				N/A
Non Church Personnel				N/A

### Report on Liaison Meeting with Statutory Authorities

How many liaison meetings have taken place with the statutory authorities this year?

### Complaints from complainants who are dissatisfied with how their allegation has been handled

How many complaints from complainants who are dissatisfied with how their allegation has been handled have been received this year?

- How many of these complaints have been resolved?
- How many of these complaints have been referred to the National Board for investigation?

# LEADERSHIP, GOVERNANCE AND ACCOUNTABILITY GUIDANCE FOR INDICATOR L2

## ONGOING ACTIVE CASES

Total number of active cases (Including new allegations for this year) that have been received that relate to clerics/religious?

- How many of these allegations have been reported to the statutory authorities?
- How many of these allegations have been reported to the National Board?

For each complainant relating to allegations against a cleric/religious:

- How many times has the support person(s) had contact with the complainant(s) over the year?
- What organisations have been used to provide support to the complainant(s) over the year?

### For clerics

Detail the answers to the questions below for each respondent:

- How many times has the advisor(s) met with the respondent(s) over the year?
- How many cases are there canonical procedures in process or complete?
- How many cases have resulted in a permanent management plan?
- Of the respondents who are subject to a permanent management plan, how many monitoring visits have been carried out over the year?

### For religious (non-ordained)

Detail the answers to the questions below for each respondent:

- How many times has the advisor(s) met with the respondent(s) over the year?
- How many cases have resulted in dismissal?
- How many cases have resulted in a permanent management plan?
- Of the respondents who are subject to a permanent management plan, how many monitoring visits have been carried out over the year?

## L2. E Guidance on Developing a Three-Year Child Safeguarding Plan

The Church organisation must develop a child safeguarding plan to assess the effectiveness of the steps it is taking to keep children safe.

The purpose of this internal child safeguarding plan is to set out **what, how, who and in what time frame** key elements of child safeguarding practices and procedures are going to be met by the Church body.

A child safeguarding plan should include the following:

- **Specific objectives linked to each of the safeguarding standards.** It is important that specific objectives are set in line with the child safeguarding standards, any previous annual audit recommendations and any review recommendations by the National Board. These objectives can be broken down into set actions.
- **Resources.** The achievement of this child safeguarding plan is fully dependent on the availability of sufficient resources. In order to successfully implement the three-year strategy, it is important to set specific and realistic objectives linked to identified allocated resources.
- **Implementation.** The Church authority, through the safeguarding committee, should identify clear time frames for implementation, which should take account of the completion of the local safeguarding audits (Guidance L2. C).
- **Review and evaluation.** It is important that the three-year plan sets clear dates for review of each specific objective outlined in the plan. These review dates should be achieved on an annual basis, and reviews should take account of the outcomes of the annual local safeguarding audits (Guidance L2. C), and, if appropriate, of the annual report made by the DLP to the Church authority (Guidance L2. D).

**LEADERSHIP, GOVERNANCE AND  
ACCOUNTABILITY  
GUIDANCE FOR INDICATOR L2**

## L2.E: Template 1: Example of a Three-Year Child Safeguarding Plan

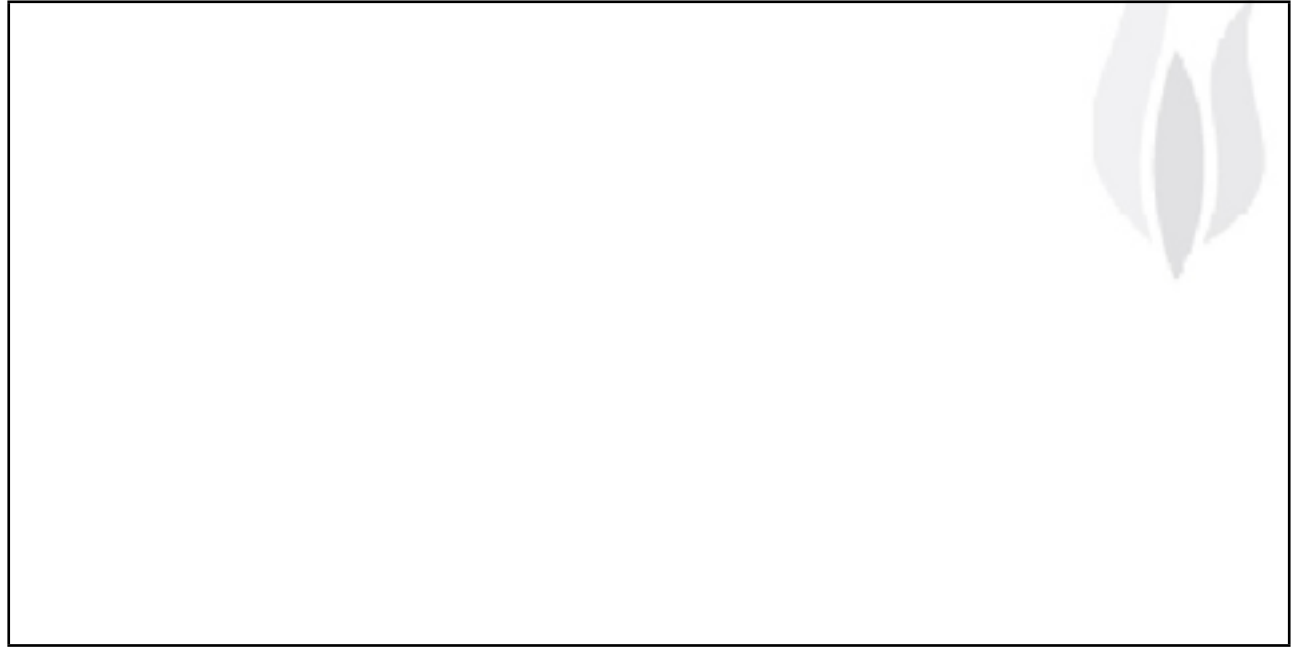
**Church Body:**

**Date:**

Standard	Specific Objective	Action	Responsibility	Implementation Date	Review Date
Nurturing a Culture of Safeguarding	Ensure that all new groups using Church facilities have insurance and a safeguarding policy in place	LSR to complete checks on all new and existing groups using Church property (identified through the local safeguarding audits)	LSRs	01/01/2024	01/12/2024
	Ensure that Church personnel have been vetted in accordance with guidance on vetting	Those requiring vetting are identified through local safeguarding audits  Copies of vetting forms provided to identified personnel  Completed forms sent to vetting coordinator	LSR  LSR  Authorised signatory	01/01/2024	01/12/2024
Responding Pastorally and Reporting According to Civil and Canon Law	Ensuring that written records reflect all safeguarding actions are taken.	Ensure a case file is commenced and maintained which includes all communication and actions.	Safeguarding committee	01/01/2024	01/12/2024
			Safeguarding committee	01/01/2024	01/11/2024
Leadership, Governance and Accountability	Ensure that the Church's safeguarding message is communicated to identified audiences	Develop annual communications plan  Deliver annual communications plan	Safeguarding committee	01/01/2024	01/12/2024
			Safeguarding committee	01/01/2024	01/12/2024

**LEADERSHIP, GOVERNANCE AND  
ACCOUNTABILITY  
GUIDANCE FOR INDICATOR L2**

What resources are needed to carry out the child safeguarding plan?



Signed \_\_\_\_\_

Review date \_\_\_\_\_

## L2.F Guidance on Mandated Persons (only applies in the Republic of Ireland)

Mandated persons (as defined in the Children First Act 2015) 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. Mandated persons include professionals working with children in the education, health, justice, youth and childcare sectors. Certain professionals who may not work directly with children, such as those in adult counselling or psychiatry, are also mandated persons. The list also includes registered foster carers and members of the clergy or pastoral care workers of a Church or other religious community.

Each Church body should consult the full list of categories who are classified as mandated persons under Schedule 2 of the Children First Act 2015 to establish which members of Church personnel are classified as mandated persons. To assist with this task it should be understood that:

- All clerics and religious are to be considered mandated persons.
- 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.

On completion of this process the Church authority must retain a list of all mandated persons, and ensure this is kept up to date. In developing this list Tusla have advised that there should be a clear statement of the type of roles that a Church body are listing as mandated persons, then a number of mandated persons that are in the Church body should be included against each role (i.e Clerics (25), Pastoral Workers (50), Religious (15) etc).

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.<sup>1</sup>

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<sup>1</sup> This piece of guidance has been adapted from the Children First Guidance documents published by DCYA, 2017.

## L3.A Guidance on Managing Child Protection Allegations, Suspicions, Concerns or Knowledge about Bishops or their Equivalents<sup>1</sup>

### A. Context for this guidance

Those in a position of power in the Church have additional responsibilities to safeguard children. In his Apostolic Letter, *“As a loving Mother”*, Pope Francis stated, “This duty of care and protection devolves upon the whole Church, yet it is especially through her Pastors that it must be exercised. Therefore, diocesan Bishops, Eparchs and those who have the responsibility for a Particular Church must pay vigilant attention to protecting the weakest of those entrusted to her care.”

In a further Apostolic letter, *Vos Estis Lux Mundi (VELM)*, Pope Francis states that in order for the crimes of the past not to be repeated, action must be taken:

‘... This responsibility falls, above all, on the successors of the Apostles, chosen by God to be pastoral leaders of his People, and demands from them a commitment to follow closely the path of the Divine Master. Because of their ministry, in fact, Bishops, “...as vicars and legates of Christ, govern the particular churches entrusted to them by their counsel, exhortations, example, and even by their authority and sacred power, which indeed they use only for the edification of their flock in truth and holiness, remembering that he who is greater should become as the lesser and he who is the chief become as the servant.” (Second Vatican Council, Dogmatic Constitution *Lumen Gentium*, 27).

To put this Letter into context, reference should be made to the important *motu proprio*, *Sacramentorum Sanctitatis Tutela (SST)* promulgated by Saint Pope John Paul II on 30 April 2001. This papal document clarified and updated the list of canonical crimes that had traditionally been dealt with by the DDF.

This guidance sets out the requirements of *Vos Estis Lux Mundi* and should be read and considered alongside L3.C<sup>2</sup> and L3.B<sup>3</sup>.

It should be understood that any Church leader<sup>4</sup>, against whom an allegation of abuse has been made would be subject to the same criminal and civil processes as all other Church personnel.

Separate guidance outlines the canonical process that has now been established to ensure that Bishops or equivalents are held accountable for actions or omissions intended to interfere with or avoid the criminal or civil investigations (See Guidance L3.C).

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1 Vos Estis Lux Mundi also includes reference to delicts against the sixth commandment with a vulnerable person. However, these allegations are outside of the remit of the National Board.

2 L3.C Guidance on Managing Child Protection Allegations, Suspicions, Concerns, Knowledge made against Church Authorities or those who hold or have held leadership within Institutes of Consecrated Life and Societies of Apostolic Life (both Men and Women)

3 L3.B Guidance on Conduct consisting of Actions or Omissions by Bishops and their equivalents intended to interfere with or avoid a criminal or canonical investigation.

4 For definitions see Vos Estis Lux Mundi Article 6.

# LEADERSHIP, GOVERNANCE AND ACCOUNTABILITY GUIDANCE FOR INDICATOR L3

## B. What is covered by this guidance?

National Board guidance in relation to reporting allegations relating to all Church Personnel is set out in Guidance S1.A.

This guidance, as distinct from Guidance S1. A relates to the reporting and management of allegations against those who fall within the following categories:

- a) Cardinals, Bishops and Legates of the Roman Pontiff;
- b) Clerics who are, or who have been, the pastoral heads of a particular Church or of an entity assimilated to it, for the acts committed *durante munere* ; e.g. Vicars Apostolic, Prefects Apostolic, Apostolic Administrators and Diocesan Administrators.
- c) Clerics who are or who have been in the past leaders of a Personal Prelature, for the acts committed *durante munere*; (in Ireland Opus Dei is the only Personal Prelature).
- d) Those who are, or who have been, supreme moderators of Institutes of Consecrated Life or of Societies of Apostolic Life of Pontifical right, as well as of monasteries sui iuris, with respect to the acts committed *durante munere*.
- e) Leaders of international Catholic lay associations of the faithful which are recognised by the Holy See

As no distinction has been made in *Vos Estis Lux Mundi*, it should be noted that this guidance applies to men and women as identified in Article 6 *Vos Estis Lux Mundi*.

For allegations against other Church leaders other than those listed above, see Guidance L3.C.

## C. Provisions

The norms relevant to the management of allegations relating to Bishops or their equivalents are contained in:

- Code of Canon Law 1983 Revised 2021 - Book VI Penal Sanctions in the Church.
- *Sacramentorum Sanctitatis Tutela* (2001);
- *Normae de Gravioribus Delicta* (2010);
- Motu Proprio – *As a Loving Mother* (2016); and
- Motu Proprio - *Vos Estis Lux Mundi* (2023).

### Code of Canon Law (Revised 2021)

Canon 1395

§2. A cleric who has offended in other ways against the sixth commandment of the Decalogue, if the offence was committed in public, is to be punished with just penalties, not excluding dismissal from the clerical state if the case so warrants.



## LEADERSHIP, GOVERNANCE AND ACCOUNTABILITY

§3. A cleric who by force, threats or abuse of his authority commits an offence against the sixth commandment of the Decalogue or forces someone to perform or submit to sexual acts is to be punished with the same penalty as in §2.

Canon 1398

§1. A cleric is to be punished with deprivation of office and with other just penalties, not excluding, where the case calls for it, dismissal from the clerical state, if he

1° commits an offence against the sixth commandment of the Decalogue with a minor or with a person who habitually has an imperfect use of reason or with one to whom the law recognises equal protection;

2° grooms or induces a minor or a person who habitually has an imperfect use of reason or one to whom the law recognises equal protection to expose himself or herself pornographically or to take part in pornographic exhibitions, whether real or simulated;

3° immorally acquires, retains, exhibits or distributes, in whatever manner and by whatever technology, pornographic images of minors or of persons who habitually have an imperfect use of reason.

§2. A member of an institute of consecrated life or of a society of apostolic life, or any one of the faithful who enjoys a dignity or performs an office or function in the Church, who commits an offence mentioned in §1 or in can. 1395 §3 is to be punished according to the provision of can. 1336 §§ 2-4, with the addition of other penalties according to the gravity of the offence.

### SST

While the whole of SST is relevant, two articles are of particular note:

SST Art 4 §1. Reservation to the Congregation for the Doctrine of the Faith is also extended to a delict against the sixth commandment of the Decalogue committed by a cleric with a minor below the age of eighteen years.

SST Art 4 §2. One who has perpetrated the delict mentioned in §1 is to be punished according to the gravity of the offence, not excluding dismissal or deposition.

Normae de Gravioribus Delicta

Article 4

§1. The more grave delicts against the sanctity of the Sacrament of Penance reserved to the Congregation for the Doctrine of the Faith are:

4° the solicitation to a sin against the sixth commandment of the Decalogue in the act, on the occasion, or under the pretext of confession, as mentioned in canon 1387 of the Code of Canon Law, and in can. 1458 of the Code of Canons of the Eastern Churches, if it is directed to sinning with the confessor himself.

Article 6

§1. The more grave delicts against morals which are reserved to the congregation for the Doctrine of the Faith are:

1° the delict against the sixth commandment of the Decalogue committed by a cleric with a minor below the age of eighteen years; in this number, a person who habitually has the imperfect use of reason is to be considered equivalent to a minor.

## LEADERSHIP, GOVERNANCE AND ACCOUNTABILITY GUIDANCE FOR INDICATOR L3

2°the acquisition, possession or distribution by a cleric of pornographic images of minors under the age of fourteen, for the purpose of sexual gratification, by whatever means or using whatever technology;

§2. A cleric who commits the delicts mentioned above in §1 is to be punished according to the gravity of his crime, not excluding dismissal or deposition.

Articles 8-31

These reference the procedural norms concerning the constitution and competence of the tribunal.

### **As a Loving Mother**

Article §1: The diocesan Bishop or Eparch, or one who even holds a temporary title, and is responsible for a particular Church, or other community of faithful that is its legal equivalent, according to can. 368 CIC or can. 313 CCEO can be legitimately removed from this office if he has through negligence committed, or through omission facilitated, acts that have caused grave harm to others, either to physical persons or to the community as a whole. The harm may be physical, moral, spiritual, or through (the use of) patrimony.

Article §2. The diocesan Bishop or Eparch can only be removed if he is objectively lacking in a very grave manner the diligence that his pastoral office demands of him, even without serious moral fault on his part.

Article §3. In the case of the abuse of minors and vulnerable adults, it is enough that the lack of diligence be grave.

Article §4. The Major Superiors of Religious Institutes and Societies of Apostolic Life of Pontifical Right are equivalent to diocesan Bishops and Eparchs.

### **Vos Estis Lux Mundi (2023) (note this is not retroactive)**

#### **Article 1 sets out the scope and definition of the norms as:**

§1. These norms apply to reports regarding clerics or members of Institutes of Consecrated Life or Societies of Apostolic Life and Moderators of international associations of the faithful recognized or erected by the Apostolic See concerning:

a)\* a delict against the sixth commandment of the Decalogue committed through violence or threat or through abuse of authority, or by forcing someone to perform or submit to sexual acts;

\*\* a delict against the sixth commandment of the Decalogue committed with a minor or with a person who habitually has imperfect use of reason or with a vulnerable adult;

\*\*\* the immoral acquisition, possession, exhibition or distribution, in any way or by any means, of pornographic images of minors or of persons who habitually have imperfect use of reason;

\*\*\*\* the recruitment or inducement of a minor or of a person who habitually has imperfect use of reason or of a vulnerable adult to pose in a pornographic manner or to participate in real or simulated pornographic exhibitions;

b) conduct carried out by the subjects referred to in art. 6, consisting of actions or omissions intended to interfere with or avoid civil investigations or canonical investigations, whether administrative or penal, against one of the subjects indicated in §1 regarding the delicts referred to in letter a) of this paragraph.

## LEADERSHIP, GOVERNANCE AND ACCOUNTABILITY

§2. For the purposes of these norms,

- a) “minor”: means any person under the age of eighteen; equivalent to a minor is a person who habitually has imperfect use of reason;
- b) “vulnerable adult”: means any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist the offence;
- c) “child pornography”: means any representation of a minor, regardless of the means used, involved in explicit sexual activities, whether real or simulated, and any representation of sexual organs of minors for lewd purposes or for profit.

Article 1, §1 a) does not constitute new law and is therefore applicable even if committed by any cleric or religious before the VELM (ad experimentum) came into force on June 1, 2019.

Article 1, §1 b) is a new law and is not retroactive and can only be applied to those referred to in Article 6 followed upon date of enactment of VELM (ad experimentum) (June 1, 2019).

Conduct consisting of actions or omissions intended to interfere with or avoid civil or canonical investigations against a cleric or Bishop or their equivalent is dealt with in Guidance L3.B.

Allegations can be received from a variety of sources including from the complainant themselves, a third party or anonymous source. In all situations regardless of the source of the allegation, action should be taken to consider whether the threshold for reporting to the statutory authorities has been reached and whether canonical investigations are required.

**When initiating action against a Bishop or equivalent, it is important that the correct canon law procedure be applied.**

### **D. Receiving, reporting and responding to an allegation against Bishops and their equivalents**

Civil law in both jurisdictions requires the reporting of child protection allegations, knowledge, suspicions and concerns to the statutory authorities. This requirement takes priority over canonical processes.

This guidance cannot account for every situation, which will depend on a number of factors including:

- To whom the allegation was made
- The person appointed by the competent dicastery to manage and investigate the allegation
- Data protection considerations

If at any point it is unclear whether an allegation meets the threshold for reporting, a consultation with the statutory authorities should take place.

At any stage throughout this process the Metropolitan, Suffragan Bishop, Supreme Moderator or Papal Nuncio can consult their nominated advisor or group (this could be DLP, the National Case Management Committee (NCMC), or dedicated advisory panel or any person or group deemed to have suitable skills).

## Process of Receiving and Reporting

- When an allegation is received, depending on the status of the respondent, it should be reported to the Metropolitan/Suffragan Bishop/Supreme Moderator and the Papal Nuncio, who will in turn inform the competent dicastery,
- If the report concerns a former Supreme Moderator then it is referred to the current Supreme Moderator, if it concerns the current Supreme Moderator it is referred to the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life.
- If the allegation relates to a Metropolitan, the senior Suffragan Bishop may be appointed.
- For allegations against a Bishop, the metropolitan or if the metropolitan See is vacant, the senior Suffragan Bishop may be appointed.
- In the case of a Supreme Moderator, (for abusive behaviour, or actions of omission committed while in office) the relevant dicastery will appoint the investigator.
- It should be understood that *Vos Estis Lux Mundi* requires in the first instance that all communication to the Holy See must be carried out via the Papal Nuncio; unless the allegation relates to the Papal Nuncio, and in this instance, communication would go to the Secretariat of State.
- *Vos Estis Lux Mundi* (Article 7) establishes that the competent dicastery is in the first instance the DDF for delicts that are reserved to it. To ensure efficient coordination, the DDF will liaise with other dicasteries and the Secretariat of State of the Holy See as appropriate.
- A report should be made to the statutory authorities if it meets the threshold. If a DLP has been informed about an allegation relating to a Bishop or equivalent in another Church body in addition to the notifications made above they can inform their own Church authority of their actions, without providing identifying information.
- The National Board should be informed without providing identifying information.

## Responding

The canonical investigation can only proceed once the statutory authorities have advised that their investigations have concluded.

- If it is clear from the information received, that the concern is manifestly false, (depending on the status of the respondent), the Metropolitan, Suffragan Bishop, Supreme Moderator or Papal Nuncio will consult with the competent dicastery, and the respondent should be confirmed as being in good standing. Otherwise, the next part of the canonical investigation must take place as outlined below.
- The competent dicastery will appoint a relevant Church authority to manage the case; this Church authority will appoint relevant personnel to assist in managing the case.
- It is not recommended that a DLP conduct inquiries into their own Church authority. However, the DLP may be contacted by the person appointed by the competent dicastery, to access information or records relating to the respondent.
- The person will be appointed by the competent dicastery to inform the respondent and advise them of their rights to access canon and civil law support. When the allegation is put to the respondent, he should be advised that he does not have to respond, but that anything he says will be recorded and may be used in civil or canonical proceedings.

# LEADERSHIP, GOVERNANCE AND ACCOUNTABILITY GUIDANCE FOR INDICATOR L3

- The respondent should be offered the services of an advisor, or other supports that the respondent requests or that the investigating Church authority may determine.
- Precautionary measures in relation to a respondent's ministry will have to be considered at the point of receipt of an allegation. A decision about restricting the ministry of a Cardinal, Archbishop or Bishop will be taken by the Holy Father on the advice of the competent dicastery. A decision about restricting the ministry of a Supreme Moderator will be made by the competent dicastery.

## **E. Process following conclusion of statutory authorities if a concern is not manifestly false**

This process will begin with the Metropolitan or suffragan Bishop requesting appointment as an Investigator by the competent dicastery or with the appointment of some other suitable investigator by the competent dicastery.

The Investigator must declare any conflict of interest and is obliged to recuse themselves and report the circumstance to the competent dicastery (c.f. VELM Art 12 §6) whereby the dicastery will appoint an uncompromised Investigator.

In each case, the appointed investigator may further appoint someone (e.g. DLP/canon lawyer) to conduct inquiries on their behalf, but the appointed investigator is the person who liaises with the competent dicastery.

Within thirty days of receipt of the first report by the Pontifical Representative or the request for the assignment by the metropolitan, the competent dicastery will advise how the case will proceed.

Every thirty days, the investigator will send a status report on the state of the investigation to the competent dicastery

## **F. Carrying out the investigation**

The Investigator will take their instructions from the competent dicastery.

Vos Estis Lux Mundi sets out relevant information in Article 12, and the Investigation Report will usually include the following:

- Collection of relevant information regarding the facts including:
  - Complainant and witness statements.
  - Corroborating information.
  - Relevant information from records.
- A statement from the respondent.
- Evidence from civil inquiries if this exists.

The investigation should be completed within the term of ninety days or within a term otherwise provided in the instructions from the competent dicastery.

## **G. Conclusion of the investigation**

At the conclusion of the investigation, the Investigator:

## LEADERSHIP, GOVERNANCE AND ACCOUNTABILITY GUIDANCE FOR INDICATOR L3

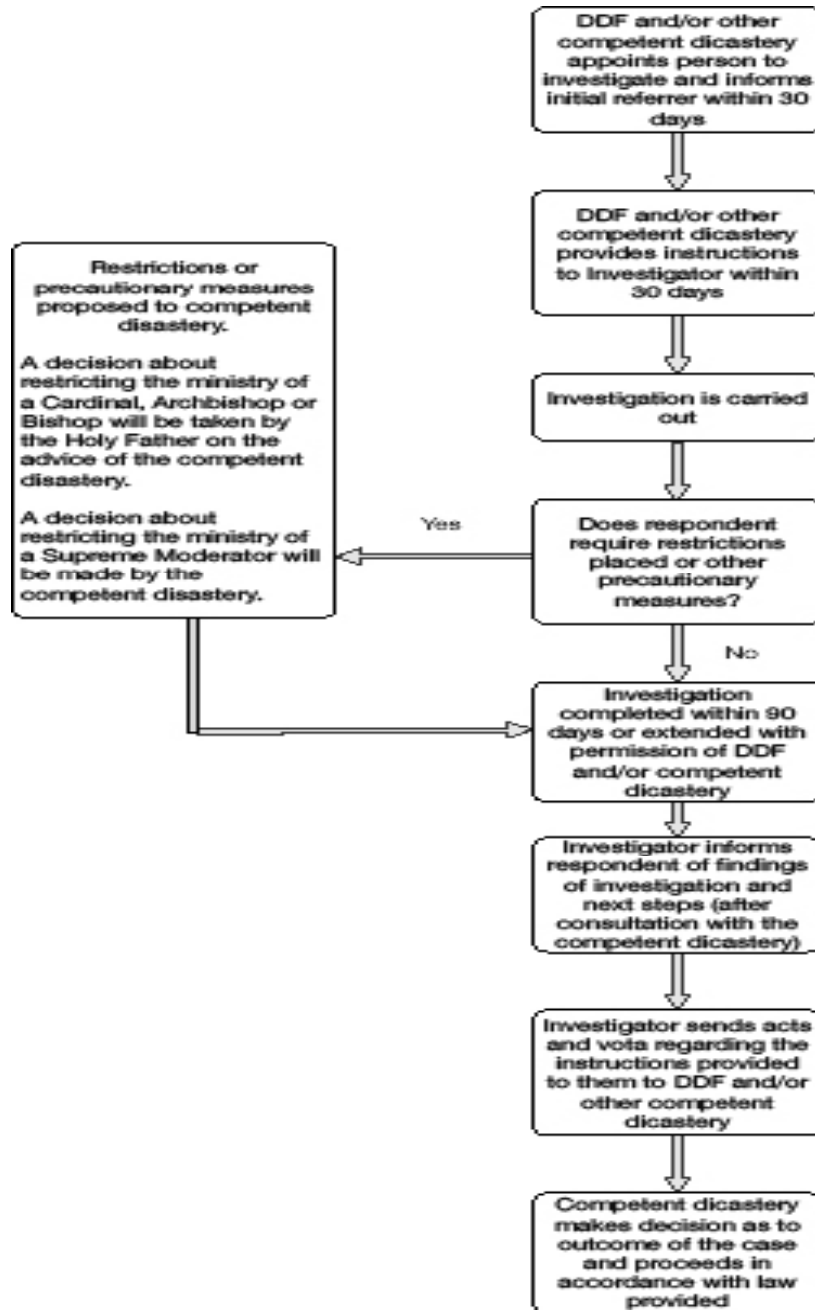
- Produces a detailed report setting out the allegation against the Bishop or equivalent, inquiries that have been undertaken and an opinion about the allegation of abuse by the Bishop or equivalent.
- Consults with the competent dicastery about next steps.
- Consults with the competent dicastery about who should inform the bishop or equivalent about the findings of the inquiry.

Once these tasks are completed, the Investigator has no further part in the proceeding.

The competent dicastery then makes a decision as to next steps as outlined in Figure L31 below.

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Steps following the conclusion of an investigation



## L3. B Guidance on Conduct Consisting of Actions or Omissions by Bishops and their Equivalents Intended to Interfere with or Avoid a Criminal or Canonical Investigation against a Cleric or a Religious Regarding the Delicts Against the Sixth Commandment.

### A. What this guidance covers

This guidance outlines the canonical process that has now been established to ensure that Bishops or equivalents are held accountable for actions or omissions intended to interfere with or avoid the criminal or civil investigations against a cleric accused of child sexual abuse.

It is derived from the *Motu Proprio, Vos Estis Lux Mundi (VELM)* (note this is not retroactive) and should be read and considered alongside Guidance L3.A and L3.C.

### B. What this guidance is not

This guidance does not cover situations where complainants are unhappy with how their allegation has been processed by the Church body. This is available under Guidance R4.C.

### C. What is meant by an action or omission?

Actions or omissions are defined within Article 1 b) of the *Motu Proprio, Vos Estis Lux Mundi* as the following:

‘...conduct carried out by the subjects referred to in Article 6 (See Section 3), consisting of actions or omissions intended to interfere with or avoid civil investigations or canonical investigations, whether administrative or penal, against a cleric or a religious regarding the delicts against the sixth commandment of the Decalogue.’

Some examples of actions or omissions may include:

#### Civil law:

- Failure to report child protection allegations, suspicions, knowledge or concerns (which meet the threshold) to the statutory authorities or Church authorities;
- inappropriate or unauthorised destruction of records relating to allegations, suspicions or concerns;
- Failing to act in line with law and guidance in relation to managing child protection allegations, suspicions, concerns or knowledge of child abuse;
- Failing to co-operate with criminal or civil investigation;
- Failing to assess risk or to take action to minimise risk in the management of respondents under the authority of the Church leader;
- Interfering with a criminal investigation.



# LEADERSHIP, GOVERNANCE AND ACCOUNTABILITY GUIDANCE FOR INDICATOR L3

There is legislation in place in both jurisdictions, which governs some of the examples given above. These are:

## Republic of Ireland legislation

- Reckless endangerment of Children

As defined in the Criminal Justice Act 2006, (176:2) reckless endangerment of a child is committed by a person having authority or control over a child or abuser, who intentionally or recklessly endangers a child by—

(a) causing or permitting any child to be placed or left in a situation which creates a substantial risk to the child of being a victim of serious harm or sexual abuse, or

(b) failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation.

- Withholding of Information on Offences against Children and Vulnerable Persons

As defined in the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012, a person shall be guilty of the offence of failing to report if:

3.1 (a) he or she knows or believes that an offence, that is a Schedule 2 offence, has been committed by another person against a vulnerable person, and

(b) he or she has information which he or she knows or believes might be of material assistance in securing the apprehension, prosecution or conviction of that other person for that offence.

- Children First 2015 - Mandated persons

As outlined in Section 14 (1) of the Children First Act 2015, a mandated person includes all of those listed in Article 6 of Vos Estis Lux Mundi; and this section requires that

‘...where a mandated person knows, believes or has reasonable grounds to suspect, on the basis of information that he or she has received, acquired or becomes aware of in the course of his or her employment or profession as such a mandated person, that a child –

(a) has been harmed,

(b) is being harmed, or

(c) is at risk of being harmed,

he or she shall, as soon as practicable, report that knowledge, belief or suspicion, as the case may be, to the Agency.’

Failure to report under the Children First Act (2015) is not an offence in criminal law, but may have civil law repercussions. For more information, see Guidance L2.F.

- Perverting the Course of Justice

This is a common law crime, which occurs where a person fabricates or disposes of evidence or intimidates or threatens a judge, witness or juror.

### Northern Ireland legislation

- Criminal Law Act 1967

Section 5 of the Criminal Law Act (Northern Ireland) 1967 reads in relevant part as follows:

“Penalties for concealing offences etc.

(1) Subject to the succeeding provisions of this section, where a person has committed a relevant offence, it shall be the duty of every other person, who knows or believes—

(a) that the offence or some other relevant offence has been committed; and

(b) that he has information which is likely to secure, or to be of material assistance in securing, the apprehension, prosecution or conviction of any person for that offence; to give that information, within a reasonable time, to a constable and if, without reasonable excuse, he fails to do so he shall be guilty of an offence.

- Co-operating to Safeguard Children and Young People in Northern Ireland

Outlines the requirement that anyone with a concern about the safety and welfare of a child or young person must report it to the HSCT and/or the PSNI.

- Perverting the course of Justice

This is a common law crime, which occurs where a person fabricates or disposes of evidence or intimidates or threatens a judge, witness or juror.

### Canon Law

- Failure to follow canon law requirements in relation to reporting and managing suspected delicts.
- Interfering with a canon law inquiry.
- Inappropriate destruction of records relating to suspected delicts or Canonical investigations.

Article 1, §1 (b) VELM is a new law and is not retroactive, and it can only be applied to those referred to in Article 6 followed upon date of enactment (1st of June 2019).

### D. To whom does this guidance apply?

As outlined in Article 6 of VELM, those covered by this guidance as it relates to Ireland are:

a) Cardinals, Bishops and Legates of the Roman Pontiff;

b) clerics who are, or who have been, the pastoral heads of a particular Church or of an entity assimilated to it, for the acts committed *durante munere*; e.g. Vicars Apostolic, Prefects Apostolic, Apostolic Administrators and Diocesan Administrators;

c) clerics who are or who have been in the past leaders of a Personal Prelature, for the acts committed *durante munere*; (in Ireland Opus Dei is the only Personal Prelature);

## LEADERSHIP, GOVERNANCE AND ACCOUNTABILITY GUIDANCE FOR INDICATOR L3

d) those who are, or who have been, supreme moderators of Institutes of Consecrated Life or of Societies of Apostolic Life of Pontifical right, as well as of monasteries *sui iuris*, with respect to the acts committed *durante munere*;

For allegations against other Church leaders other than those listed above, see Guidance L3.C.

### E. Process of responding to allegations of actions or omissions

Reporting and responding to allegations of actions or omissions, which may constitute offences in both civil and criminal law in both the Republic of Ireland and Northern Ireland, must take priority over pursuing the canonical process.

This guidance cannot account for every situation, which will depend on a number of factors including:

- To whom the allegation was made.
- The person appointed by the competent dicastery to manage and investigate the allegation.
- Data protection considerations.

If at any point it is unclear whether an allegation meets the threshold for reporting, a consultation with the statutory authorities should take place.

At any stage throughout this process the Metropolitan, Suffragan Bishop, Supreme Moderator or Papal Nuncio can consult advisors (this could be DLP, NCMC, or dedicated advisory panel, or any person or group deemed to have suitable skills).

### F. Process of Receiving and Reporting:

- When an allegation is received, depending on the status of the respondent, it should be reported to the Metropolitan/Suffragan Bishop/Supreme Moderator and the Papal Nuncio, who will in turn inform the competent dicastery.
  - If the report concerns a former Supreme Moderator, then it is referred to the current Supreme Moderator; if it concerns the current Supreme Moderator, it is referred to the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life.
  - If the allegation relates to a Metropolitan, the senior Suffragan Bishop may be appointed.
  - For allegations against a Bishop, the Metropolitan, or if the Metropolitan See is vacant, the senior Suffragan Bishop may be appointed.
  - In the case of a Supreme Moderator, (for abusive behaviour, or actions of omission committed while in office) the relevant dicastery will appoint the investigator.
  - It should be understood that *Vos Estis Lux Mundi* requires in the first instance that all communication to the Holy See must be carried out via the Papal Nuncio; unless the allegation relates to the Papal Nuncio himself, and in this instance, communication would go to the Secretariat of State.
  - *Vos Estis Lux Mundi* (Article 7) establishes that the competent dicastery is in the first

## LEADERSHIP, GOVERNANCE AND ACCOUNTABILITY GUIDANCE FOR INDICATOR L3

- instance the DDF for delicts that are reserved to it. To ensure efficient coordination, the DDF will liaise with other dicasteries and the Secretariat of State of the Holy See as appropriate.
- If an allegation that a failure to act, cover up, or through negligence a child has been exposed to risk and could constitute a criminal offence, is made against a Bishop or equivalent, this should be reported to An Garda Síochána/PSNI for their investigation. If a DLP has been informed about an action or omission relating to a Bishop or equivalent in another Church body, in addition to the notifications made above, they can inform their own Church authority of their actions, without providing identifying information.
- The National Board should be informed without providing identifying information.

### G. Responding

The canonical investigation can only proceed once the statutory authorities have advised that their investigations have concluded.

- If it is clear from the information received, that the concern about an action or omission is manifestly false (depending on the status of the respondent), the Metropolitan, Suffragan Bishop, Supreme Moderator or Papal Nuncio will consult with the competent dicastery, and the respondent should be confirmed as being in good standing. Otherwise, the next part of the canonical investigation must take place as outlined below.
- The competent dicastery will appoint a relevant Church authority to manage the case; this Church authority will appoint relevant personnel to assist in managing the case.
- It is not recommended that a DLP conduct inquiries into their own Church authority. However, the DLP may be contacted by the person appointed by the competent dicastery, to access information or records relating to the respondent.
- The person will be appointed by the competent dicastery to inform the respondent and advise them of their rights to access canon and civil law support. When the allegation is put to the respondent, he should be advised that he does not have to respond, but that anything he says will be recorded and may be used in criminal, civil or canonical proceedings.
- The respondent should be offered the services of an advisor, or other supports that the respondent requests or that the investigating Church authority may determine.
- Precautionary measures in relation to a respondent's ministry will have to be considered at the point of receipt of the concern about an action or omission. A decision about restricting the ministry of a Cardinal, Archbishop or Bishop will be taken by the Holy Father on the advice of the competent dicastery. A decision about restricting the ministry of a Supreme Moderator will be made by the competent dicastery.

## **H. Process following conclusion of statutory authorities if a concern is not manifestly false**

The Metropolitan or suffragan Bishop requests appointment as an Investigator by the competent dicastery.

The Investigator must declare any conflict of interest and is obliged to recuse himself and report the circumstance to the competent dicastery (c.f. VELM Art 12 §6) whereby the dicastery will appoint an uncompromised Investigator.

In each case, the appointed Investigator may further appoint someone (e.g. DLP / canon lawyer) to conduct inquiries on their behalf, but the appointed Investigator is the person who liaises with the competent dicastery.

Within thirty days of receipt of the first report by the Pontifical Representative, or the request for the assignment by the Metropolitan, the competent dicastery will advise how the case will proceed.

Every thirty days, the Investigator will send a status report on the state of the investigation to the competent dicastery.

## **I. Carrying out the investigation**

The Investigator will take their instructions from the competent dicastery.

Vos Estis Lux Mundi sets out relevant information in Article 12, and so the following will usually be included in the Investigation Report:

- Clarification of what is being alleged.
- Statement from the person alleging an action or omission which caused a child to be at risk
- Statements from third parties who may have relevant information about alleged abuse, which was not acted upon.
- Corroborating information such as civil or criminal law inquiries.
- Relevant information from records such as chronology from case files, letters etc.
- A statement from any complainant who made an allegation to ascertain what response was made by the Bishop or equivalent.
- Statement from any respondent to clarify what action the Bishop or equivalent took once the allegation against him was made.

The investigation should be completed within the term of ninety days or within a term otherwise provided in the instructions from the competent dicastery.

# LEADERSHIP, GOVERNANCE AND ACCOUNTABILITY GUIDANCE FOR INDICATOR L3

## j. Conclusion of the investigation

At the conclusion of the investigation, the Investigator:

- Produces a detailed report setting out the allegation against the Bishop or equivalent, inquiries that have been undertaken, and an opinion about whether there has been an action or omission by the Bishop or equivalent.
- Consults with the competent dicastery about next steps.
- Consults with the competent dicastery about who should inform the Bishop or equivalent about the findings of the inquiry.

Once these tasks are completed, the Investigator has no further part in the proceeding.

The competent dicastery then makes a decision as to next steps as outlined in Figure L32.

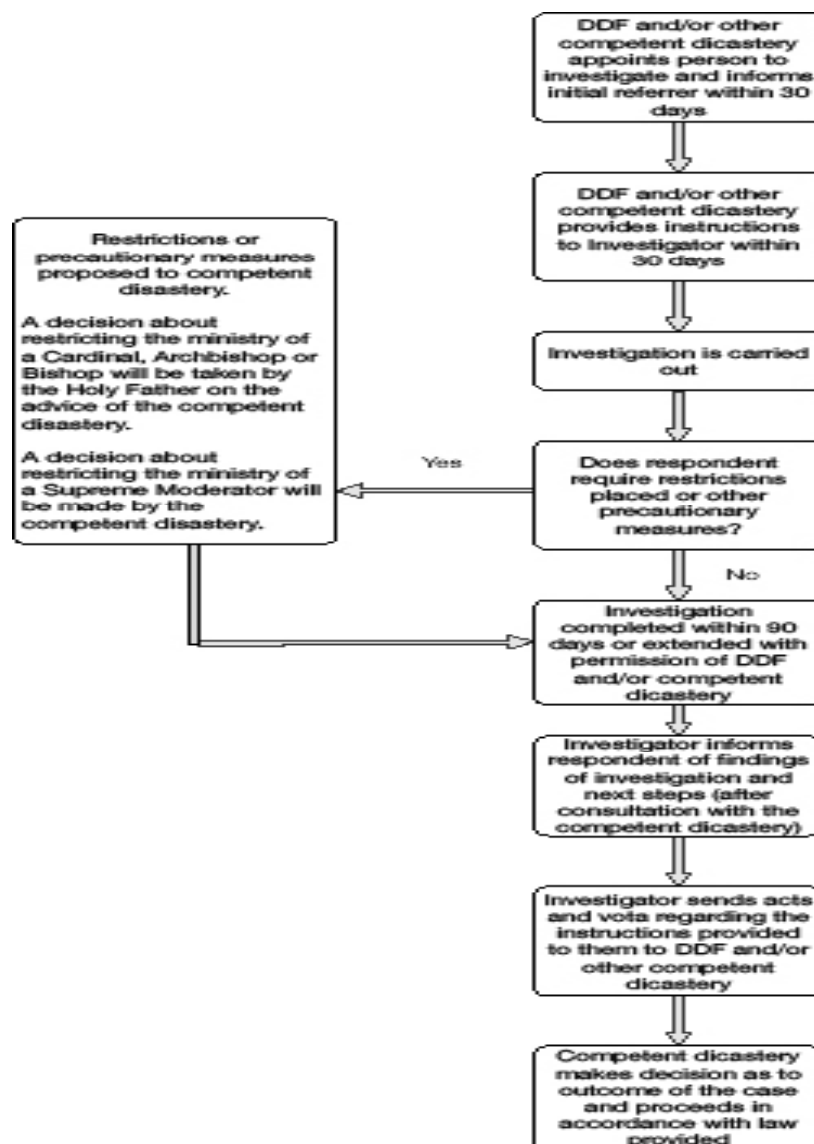



Figure L32

## L3.C Guidance on Managing Child Protection Allegations, Suspicions, Concerns, Knowledge, Acts or Omissions of Church Authorities or those who hold or have held leadership within Institutes of Consecrated Life and Societies of Apostolic Life (both Men and Women)



### What is covered by this guidance?

This guidance relates to the reporting and management of allegations against those in a position of authority – i.e. Major Superiors (Provincial) (men and women) or whoever is representing him or her (e.g.) Regional Leader if the Provincial's base is outside of Ireland. This guidance also covers supreme moderators of institutes or societies of diocesan right and their equivalents.

### Types of Allegations

The possible allegations that can be made against a Church authority as defined above include:

- Abuse of children and vulnerable adults.
- Production, exhibition, possession or distribution of child pornography.
- Sexual activity with another by force, by violence or threat or through abuse of authority.
- Acts or omissions intended to interfere with or avoid civil or canonical investigations against a cleric or religious.

The role of the Designated Liaison Person (DLP) is to listen to all child safeguarding concerns and to pass on to the statutory authorities those that reach the threshold of reporting, in accordance with Guidance S1.A. For other religious Church authorities this guidance should be followed.

### Step 1: Reporting

If the allegation is against a Major Superior (Provincial) or the one representing him or her (e.g. Regional Leader), and the threshold for reporting has been reached, the DLP of the respondent's Church body should inform the following:

- The statutory authorities;
- The National Board for Safeguarding Children in the Catholic Church in Ireland (without identifying information).
- The Supreme Moderator of the relevant Institute of Consecrated Life or Society of Apostolic Life.
- Person representing the Major Superior.

## Step 2: Responding

Any allegation relating to a Major Superior must be forwarded to the Supreme Moderator.

Following receipt of an allegation, if it meets the threshold for reporting, the Supreme Moderator must ensure that the statutory authorities are informed and that their consent is sought prior to taking any canonical action or informing the respondent that an allegation has been made (so as not to interfere with any criminal or civil law investigations).

Depending on the nature of the allegation, the Supreme Moderator will have to consider:

- What restrictions if any are placed on the Provincial's ministry?
- Who to share information with.
- The appropriate person to conduct any inquiries.
- How to respond to the complainant.

The Supreme Moderator may consult the Pontifical Representative and the relevant Dicastery for direction, or seek the advice of the National Board's Case Management Committee (NCCMC).

Action following the conclusion of any statutory inquiry investigation

The Church process, which will have been paused to allow the statutory inquiries to proceed, must be restarted and the respondent informed of the process to be followed.

If it is clear that the concern is manifestly false, the respondent should be informed and confirmed as being in good standing; if a Dicastery has been consulted they should be informed that there will be no further action.

Otherwise the next part of the canonical investigation must take place.

### **a) Procedure for responding canonically to allegations against a clerical Church authority**

Follow the canon law process as outlined in the Guidance under Responding Pastorally and Reporting in Line with Civil and Canon Law (preliminary investigation).

The Supreme Moderator should appoint an appropriate person to conduct inquiries and produce a report

The Supreme Moderator should send their votum, based on that report to the relevant dicastery for direction on the next stage of the process.

### **b) For non-ordained religious Church authority**

The Supreme Moderator should appoint an appropriate person to conduct inquiries and produce a report.

The Supreme Moderator, in consultation with his General Council which should be composed of at least four members (not including the Supreme Moderator) will consider the report, in line with the constitution of the Order.

Together, all must seriously and attentively study the material with a view to verifying the existence of the offence, the imputability of the respondent, the impact on the one abused



## LEADERSHIP, GOVERNANCE AND ACCOUNTABILITY GUIDANCE FOR INDICATOR L3

(justice), and the impact on the wider community of the faithful (scandal). After weighing up all these dimensions, the council must vote collegially.

For dismissal process follow Canons 694-704.

The Supreme Moderator and General Council may vote to dismiss the member as they believe, based on the evidence, that the allegation is proven. An absolute majority of those voting is required and sufficient.

The Supreme Moderator, along with the General Council, may decide that the allegation is not credible and therefore the respondent should be returned to ministry as a member in good standing.

Or,

The Supreme Moderator and the General Council may decide that the allegation is credible but due to circumstances they may allow the respondent remain part of the congregation.

a. If the respondent is dismissed and the Church retains no responsibility for them, the decree of dismissal must then be drawn up in accordance with Canon 700 and communicated at once to the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life. If there are doubts or anxieties at any stage of the procedure, the congregation may be consulted, but, unlike the case for clerics, there is no authorisation needed to initiate this process.

b. If the respondent remains a part of the congregation, a permanent management plan is created, including the provision of monitoring (Guidance 4.4A).

## L3.D Guidance on Crisis Management

Crisis management is the application of strategies designed to help a Church body deal with a sudden and significant negative event. In terms of safeguarding this can be a range of things including removal of a cleric or religious from ministry, the resignation of a Church authority or exposure of poor practice through an audit or media investigations

This guidance is designed to assist Church authorities and personnel manage a crisis situation which ensures:

- Children are safeguarded
- Risk is assessed and managed
- Communication is clear, open and honest
- Action required to manage all aspects of the crisis is taken

This guidance is not designed to be an exhaustive list (as each crisis is different) but to provide a guide to the areas that should be addressed.

Each crisis will require a different approach with different personnel involved in the management, so that damage to children, the lay faithful and Church personnel is limited. The priority must always be to ensure that the well-being of children is safeguarded.

### Step 1 - Preparation

The Church authority should consider with a 'critical friend' the best approach to adopt by scoping:

- The nature of the current crisis and how it might be managed
- Who will be in a crisis management team
- Who might coordinate of responses to the crisis
- Church authority responsibilities and redlines.

The term critical friend can be defined as 'a trusted person who asks provocative questions, provides data to be examined through another lens and offers critique of the person's work as a friend. A critical friend takes the time to fully understand the context of the work presented and the outcomes of the person or group is working toward. The friend is an advocate for the success of that work'<sup>1</sup>.

Within a child safeguarding setting in the Church, such a person could be available to reflect ideas and honestly assist in analysing a situation with a focus on safeguarding children and not the reputation of the Church or the Church authority.

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<sup>1</sup> Costa & Kallick, 1993, Through the Lens of a Critical Friend. Educational Leadership

With this in mind it is important that the Church authority selects someone who will offer them honest advice and will balance an appropriate blend of support and challenge, to enable the Church authority to reflect on the issues outlined above.

### **Step 2- Convene Crisis Management Team**

The Church authority convenes the Crisis Management Team. The makeup of this team will depend on the nature of the crisis.

Depending on the nature of the crisis, the team should be selected from role holders within the safeguarding structure (Appendix B). For example if the crisis relates to case management it would not be appropriate to involve the chair of the safeguarding committee due to confidentiality.

Examples of those involved in the Crisis Management Team may include

- Church authority
- Communications person
- DLP
- Canon lawyer
- Civil lawyer
- Support for both complainant and respondent
- Chair of safeguarding committee
- Critical friend

At all times confidentiality and data protection requirements must be respected. If the crisis relates to a situation where personal sensitive data is shared, all members of the crisis management team should sign a confidentiality agreement (S1.A Template 5). This will apply in situations eg where a respondent is asked to step aside from ministry.

The purpose of convening a group of people is to identify the Church Authority's response and communication approaches so that there is clarity around what is happening; who is taking responsibility for actions and to ensure that all those potentially impacted by the crisis are responded to appropriately.

At the meeting of the Crisis Management Team the crisis should be discussed from a range of perspectives to help identify issues that need to be addressed. These perspectives could include:

- Children and Young people
- Lay faithful
- Complainants and families
- Respondent and their families
- Church personnel (Pope, Papal Nuncio, Metropolitan, Superior General, Clerics, religious and lay)

- National Board
- General public
- Media

Once the discussion has taken place, the Crisis Management Team should then:

- Advise on priorities – safeguarding of children, responding to complainant etc
- Identify actions based on these priorities
- Identify roles based on these actions
- Using these actions produce a crisis management plan (this can be updated and revised throughout the crisis management process)
- Identify coordinator to ensure the plan is completed



### **Step 3: Crisis Management Plan**

The Crisis Management Plan is developed based on the priorities agreed by the Crisis Management Team; this will differ for each crisis and may change throughout the process of managing the crisis. The agreed plan should provide a clear outline of the actions required, date to be completed and personnel assigned to these actions. The actions within the Plan need to include clear targets to:

- Ensure statutory obligations are met
- Ensure canonical obligations are met
- Ensure there is no risk to children
- Ensure support is being offered as appropriate
- Develop communications plan
- Outline when the plan will be reviewed or updated
- Conduct a serious incident review (Guidance L3.E) after the process, to identify future learning and improved practice

### **Step 4: Communications**

Throughout the process clear and appropriate communication is vitally important. To assist with this a communications plan should be developed as part of the Crisis Management Plan. This will include information to answer the following questions:

- What decisions need to be made early in the process that will not change? These need to be agreed and communicated to all so that there is absolute clarity about the Church Authority's position in relation to agreed actions.
- Who are the audiences you want to target?
- What are the messages you want to send to these audiences?

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- How are you going to send these messages to the audiences identified?
- Who will take responsibility?

In developing the communications plan it is helpful to consider the following:

### DOs

- Be honest and apologise if an error has obviously been made
- Appropriately share information
- Anticipate and prepare
- Get to the truth quickly and effectively
- Ensure that public information is current and correct (check own social and other media outlets)
- Maintain control- plan when you want to release information and only comment on what you are being asked about
- Be humble
- Take responsibility

### DON'Ts

- Panic
- Minimise or relativise
- Allow emotion, vanity or ego to cloud your judgement
- Don't breach confidentiality
- Don't be dishonest and cover up

### **Step 5: Serious Incident Review**

Once the crisis has passed, an important part of the Crisis Management Plan is to conduct a Serious Incident Review (Guidance L3.E) to identify and distil future learning to prevent the crisis happening in the future.



## L3.E Guidance on Serious Incident Reviews

### What is this guidance?

A key part of safeguarding and effective practice is evaluating and learning from previous practice. This is particularly important when a safeguarding concern is raised (not an allegation of abuse), this could for example be a crisis (Guidance L3.D) a first aid accident (Guidance S5.E) or dealing with a breach of a code of behaviour (Guidance S3.C).

The pieces of guidance listed above outline the process of dealing with each of these situations.

### What this guidance is not

This guidance is not a process to deal with allegations of abuse (Guidance S1.A), Complaints (Guidance S9.B) or Whistleblowing (Guidance S9.A).

### Process

Once the incident has occurred, it is important to review what happened, what procedures were in place before, during and after the incident, so as to assess if mistakes were made in order to improve future practice.

Listed below is a suggested approach which is not exhaustive but provides a framework to be adapted depending on the particular incident being reviewed.

#### 1. Set Terms of Reference for the Review

The Church authority should outline in writing the following:

- Brief Background to the Incident being reviewed
- The purpose of the review- which sets out the rationale for a review and what the review is required to examine
- The scope of the review- which sets out the limits of the review and defines clearly what the review is and is not about.
- Membership of the Review Team- once the Church authority has appointed the Review Team their names should be listed in this section; consider the need for independence
- Timeframe for completion of the review
- Who should be consulted during the review
- Revision of the terms of reference- the documents may change depending on the process of the review, if the Review Team feel they need to change the terms of reference this needs to be agreed by the Church authority

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- Data protection- This section should outline how personal sensitive data will be managed, stored, retained and destroyed in line with data protection principles (Appendix B). This should include a clear statement that the data generated through the review belongs to the Church body not the Review Team
- Commitment to follow the recommendation and learning from the review
- If any child safeguarding allegations are raised during the review, there must be a commitment to reporting these to the statutory authorities

### 2. Appointment of the Review Team

Once the terms of reference have been agreed the Church authority should appoint a person or number of people to carry out the review. The people appointed should:

- Be suitably experienced in carrying out similar reviews
- Have a clear understanding of the type of incident being investigated
- Have a working knowledge of the safeguarding policy and procedures of the Catholic Church in Ireland
- Be independent of involvement in the incident.

Once appointed the Church authority should:

- Name the individuals in the Terms of Reference Document
- Require the individuals to sign a confidentiality agreement form (S1.A Template 5)
- Go through the Terms of Reference document and answer any questions the individuals may have.

### 3. Carrying out the Review

The assessment of the incident will vary depending on the circumstances but should include the following areas:

#### Preparation

The practice of the Church body should be examined to ensure that all preparation work was conducted according to the policy and procedures of the Church body. For example:

- If the incident related to the management of a respondent or case management, the Guidance under Responding Pastorally and Reporting According to Civil and Canon Law may be helpful.
- If the incident related to a safeguarding concern in relation to working safely with children and young people, the Guidance under Nurturing a Culture of Safeguarding may be helpful.

### Concern

This phase aims to examine the practice during the incident/concern. The review team should use the terms of reference to develop questions for interview, and then carry out interviews with relevant people involved in the incident. This could include:

- The Church authority
- Members of Church personnel
- Those present during the incident
- Other relevant parties who may be experts in the field or have a link to the incident



### Aftermath

This phase of the review process seeks to assess everything that happened after the incident and should examine all responses so as to ensure that statutory responsibilities were discharged; parents/carers were informed; children were supported and that risk was addressed and managed

In carrying out all of the above it is important consent is gained from all relevant children, parents, carers, staff and volunteers to participating in the review and a commitment given to ensuring that personal details are anonymised (if appropriate) in the final report. As always if those interviewed raise anything of a safeguarding nature this must be passed using the reporting process (Guidance S1.A).

## 4. The Report

Using the three areas listed above, the Review Team should complete a report for the Church authority which provides:

- An assessment of the planning leading up to the incident
- An assessment of the incident itself and how it occurred, and response afterward
- A list of recommended actions from the findings of the review.

## 5. Implementing Actions

Once the report is presented the Church authority should implement the recommendations of the review these should form part of the Child Safeguarding Plan (Guidance L2.E).



## L4.A Guidance on Carrying out a Training Needs Analysis

A training needs analysis should be carried out in order to provide specific and concrete information to assist the Church authority, via the child safeguarding committee, to make informed decisions about the particular needs and skills within the Church body. It is a critical step that will help the child safeguarding committee to create a training plan for the year ahead. This plan will form part of the overall three-year child safeguarding plan (Guidance L2.E).

### **A training needs analysis will help to:**

- Identify any gaps between the current and required levels of knowledge and skills;
- Identify who needs training and what training they need;
- Identify gaps in training provision in particular regions, parishes or other Church communities;
- Identify what the content of training should be;
- Ensure that appropriate and relevant training is identified and delivered;
- Form the foundation of a training plan;
- Enhance skill levels to ensure the implementation of best practice in child safeguarding and child protection;
- Assist in the evaluation of a training plan;
- Ensure that resources are used effectively and efficiently.

### **A training needs analysis should address some of the following questions:**

- What level and type of training are members currently participating in?
- What are the specific training needs of Church personnel in the Church body?
- Who needs to be trained and what level of training is needed, e.g. basic or specific?
- Who are the target groups that need training?
- What methods of delivery should be used, e.g. lecture style, participatory, online training, etc.?
- What are the key roles where training needs to be considered?
- What are the skills gaps?
- How many people need to be trained?
- What is the time frame within which this needs to happen?
- Can the training needs be met locally?
- Can these training needs be met by the National Board via the National Board Training Strategy?

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- Are there local initiatives that could provide this training?
- Can the training be delivered locally/nationally?
- Which training programmes should be given priority?
- What additional/external support, if any, is needed to deliver this training?

### Collecting data for a training needs analysis

Consultation is important before undertaking a training needs analysis. The best people to help the child safeguarding committee to identify what training is required include members of local community/parish councils, local safeguarding representatives, safeguarding trainers, safeguarding tutors, leaders of ministries, Church authorities, DLPs, advisory panels, the National Board, statutory partners, parents/guardians and young people involved in Church activities.

Consultation with these individuals and groups will assist with the identification of training needs. This can be done in a variety of ways, which include:

- **Training:** as part of the basic awareness training that all Church personnel are required to do, participants are asked to identify key areas in which they require further development opportunities. This information should be fed back to the child safeguarding committee by the registered trainer;
- **Evaluation:** as part of any training programme, evaluation (both written and verbal) is critical. It is important that evaluation processes allow participants to reflect on their training needs and that these are communicated to the child safeguarding committee;
- **Meetings with local safeguarding representatives:** opportunities should be provided that allow the safeguarding representatives to share their training needs with the child safeguarding committee;
- **Parish/congregational and diocesan audits:** the annual audit should provide detailed information to allow the child safeguarding committee to identify the training needs of each ministry.

If, during this process, a training need is identified that is not addressed in the National Board Training Strategy, contact should be made with the Director of Training and Support at the National Board to assess whether that training will be delivered nationally.

If, after contacting the Director of Training and Support, the training need will not be delivered nationally, a specific trainer who can provide the required training will need to be identified in discussions with local agencies.

Following completion of this plan, the safeguarding committee should consult with the Church authority to agree a training budget and to prioritise the training needs.

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L4.A Template 1: Training Plan

Church body \_\_\_\_\_  
Years covered by training plan from \_\_\_\_\_ to \_\_\_\_\_

Target group	Training required	Delivery by local personnel (yes/no)	Delivery by National Board (yes/no)	When	Location	Cost

## **L4.B Guidance on Providing Training, Care and Support for those in Safeguarding Ministry through Initial and Ongoing Formation for Clerics, Male and Female Religious and Lay Personnel.**

The role of the Church authority across all standards is outlined in Appendix A  
The Church authority is responsible for ensuring that:

### **1. There is a training strategy in place for the Church body which sets out:**

- The responsibility of the safeguarding committee to conduct a training needs analysis (Guidance L4.A)
- Identification and training of trainer who can deliver basic awareness training within the Church body (Guidance S2.A)
- Induction for all Church personnel in child safeguarding (Guidance S2.B)
- Role specific training for role holders.
- Reporting annually to the National Board on training delivered by registered trainers.

The minimum requirement for the Church authority in terms of training is set out in the National Board Training Strategy. This can be found at [www.safeguarding.ie](http://www.safeguarding.ie)

### **2. Clerics and religious are able to access appropriate pre-ordination/vowed training through participation in the National Board's Head to Heart programme for seminarians and deacons.**

### **3. Professional supervision opportunities is provided for those who have safeguarding responsibilities.**

## L5.A Guidance on the Church Authority Demonstrating Commitment to Training, Taking Appropriate Advice and Personal Development



### 1. Personal commitment to Training through:

- Ensuring the Church authority receives a hand over in relation to safeguarding upon taking up office from the outgoing Church leader (Guidance L5.B)
- Attending the leadership Induction programme organised annually by the National Board.
- Attending leadership training events organised by the National Board, appropriate ecclesial bodies or relevant external organisations.

### 2. Seeking advice on safeguarding matters

- Establishing and attending the Church body's Safeguarding Committee to ensure a three year safeguarding plan (Guidance L2.E) is in place which includes all aspects of training needs analysis and delivery of training.
- Having access to an Advisory Panel or NCMC to consult on case management matters.
- Consulting the National Board and other experts on case management matters.

### 3. Personal development

- Ensuring access to supervision for safeguarding matters.
- Obtaining spiritual direction.

## L5.B Guidance on Safeguarding Handover and Induction of a New Church Authority or DLP

All aspects of safeguarding children are the responsibility of the Church authority. Most of the functional roles are delegated to others, but the responsibility to ensure all necessary child safeguarding actions have been taken rests with the Church authority.

It is therefore essential that Church authorities, upon coming into office, familiarise themselves with their child safeguarding policy and procedures, the child safeguarding structure, personnel, and case management records.

Where possible, the incoming Church authority should:

- Meet with the outgoing Church authority in person to share all relevant issues;
- Meet with the chair of the safeguarding committee to familiarise themselves with the processes that are in place to create safe environments, including training and communication;
- Meet with the DLP to receive a briefing on all cases against living priests or members of the religious order, which includes the status of inquiries, Church investigations, management plans and responses to complainants.

### **New DLPs**

- New DLPs should receive an induction for their role.
- New DLPs should review all case files of living priests or members of the religious order against whom there are allegations.
- Where possible, the outgoing DLP should meet with the incoming DLP to share issues of significance in relation to case management.