

## R1.A Guidance on Reporting Suspicions, Concerns, Knowledge or Allegations of Abuse

Children occupy a central place in the heart of the Christian community. They have a right to be listened to and heard.<sup>1</sup> The paramount consideration in all matters relating to children is their safety and protection from all forms of abuse. To create and maintain a safe environment, Church organisations must respond effectively and ensure all suspicions, concerns, knowledge or allegations of abuse (as defined in Appendix C ) are reported, both within the Church and to statutory authorities. Under the law in Northern Ireland this responsibility is mandatory, similarly in the Republic of Ireland legislation requires mandated persons to report child protection suspicions, concerns, knowledge or allegations. Canon law also requires the reporting of allegations to the statutory authorities in compliance with the obligations under national law.<sup>2</sup>

Clerics should note the requirements under Canon law relating to the sacramental Seal of Confession (Guidance R1.B).

All Church bodies must provide guidance and training on recognition of abuse, and clear procedures on what to do when a child protection concern arises, so that everyone knows how to respond appropriately. This involves knowing who to tell and how to record it. It is important that the local reporting procedures are fully consistent with statutory legislation, regulations and guidance.<sup>3</sup>

Reporting a concern can be a challenging responsibility. The procedure is designed to make sure that everyone is clear what steps to take to ensure that the safety of children is the paramount consideration.

The reporting flow chart below refers to any child protection concern, *including* where the concern is about a situation or person involved in the Church. It is the responsibility of everyone in the Church to ensure that children who may need help and protection are not left at risk of abuse.

Figure R1.A1 on next pages shows flow chart for reporting concerns.

1 United Nations Convention on the Rights of the Child 1989, Article 12.

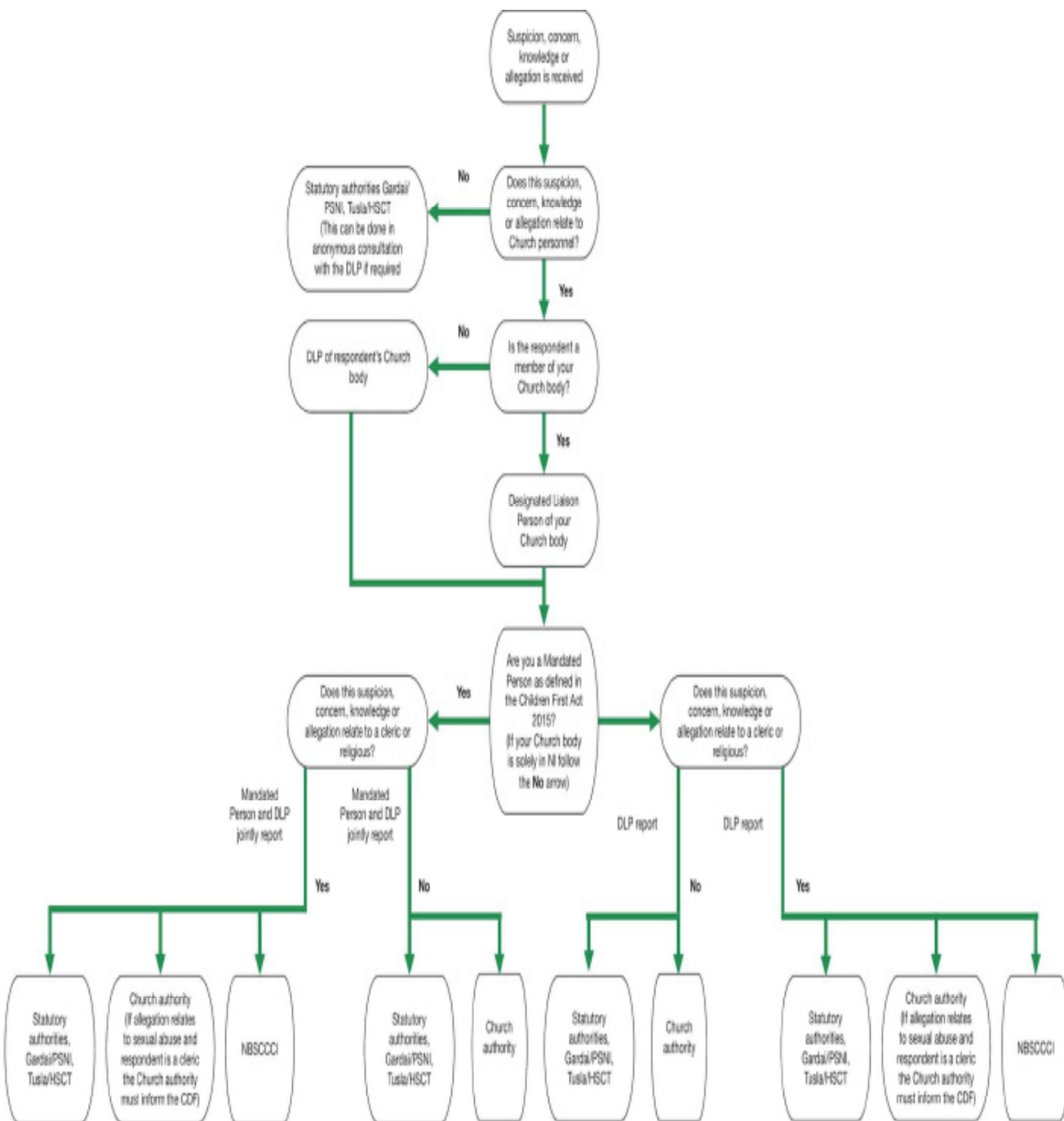
2 Vos estis lux mundi, 2023.

3 Criminal Law Act (Northern Ireland) 1967; Criminal Justice Act 2006; Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012; Children First Act 2015; Criminal Law (Sexual Offences) Act 2017; Safeguarding Board Act (Northern Ireland) 2011; Children's Services Co-operation Act (Northern Ireland) 2015; Protection for Persons Reporting Child Abuse Act 1998; and National Policy (*Children First: National Guidance 2017*; and *Co-operating to Safeguard Children and Young People in Northern Ireland 2017*).

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Figure R1.A1

When an allegation comes to light



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1. Following receipt of an allegation, suspicion or concern, the following steps should be taken.

## **If the respondent is not a member of Church personnel**

- **and the complainant is an adult or child in Northern Ireland-** the person who receives the allegation must report it to the HSCT and PSNI (they can consult the DLP anonymously about this).
- **and the complainant is an adult in ROI-** the person who receives the allegation should complete form [http://www.tusla.ie/uploads/content/Retrospective\\_Abuse\\_Report\\_Form\\_FINAL.pdf](http://www.tusla.ie/uploads/content/Retrospective_Abuse_Report_Form_FINAL.pdf) and forward to Tusla or they can use the web portal <http://www.tusla.ie/children-first/web-portal>. The person who receives the allegation should also report to An Garda Síochána using the email address [nbcj\\_scmu@garda.ie](mailto:nbcj_scmu@garda.ie) (they can consult the DLP anonymously about this).
- **and the complainant is a child in ROI-** the person who receives the allegation should complete form [http://www.tusla.ie/uploads/content/Child\\_Protection\\_and\\_Welfare\\_Report\\_Form\\_FINAL.pdf](http://www.tusla.ie/uploads/content/Child_Protection_and_Welfare_Report_Form_FINAL.pdf) and forward to Tusla or they can use the web portal <http://www.tusla.ie/children-first/web-portal>. The person who receives the allegation should also report to An Garda Síochána using the email address [nbcj\\_scmu@garda.ie](mailto:nbcj_scmu@garda.ie) (they can consult the DLP anonymously about this).

## **If the respondent is a member of Church personnel but is not a cleric or religious (lay personnel)**

- **and the complainant is an adult or child in Northern Ireland-** the person who receives the allegation must report it to the DLP of the respondent's Church body who will then assess if it meets the threshold for reporting and make the referral to the HSCT and PSNI. They will also report it to the Church authority.
- **and the complainant is an adult in ROI-** The person who receives the allegation must report it to the DLP of the respondent's Church body who will assess if it meets the threshold for reporting, and complete this form for Tusla [http://www.tusla.ie/uploads/content/Retrospective\\_Abuse\\_Report\\_Form\\_FINAL.pdf](http://www.tusla.ie/uploads/content/Retrospective_Abuse_Report_Form_FINAL.pdf) or use the web portal <http://www.tusla.ie/children-first/web-portal>. The person who receives the allegation should also report to An Garda Síochána using the email address [nbcj\\_scmu@garda.ie](mailto:nbcj_scmu@garda.ie). If the person who received the allegation is a mandated person they will complete the Tusla form jointly with the DLP of the respondent's Church body. The DLP of the respondent's Church body will also report it to the Church authority.
- **and the complainant is a child in ROI-** The person who receives the allegation must report it to the DLP of the respondent's Church body who will assess if it meets the threshold for reporting and complete this form for Tusla [http://www.tusla.ie/uploads/content/Child\\_Protection\\_and\\_Welfare\\_Report\\_Form\\_FINAL.pdf](http://www.tusla.ie/uploads/content/Child_Protection_and_Welfare_Report_Form_FINAL.pdf) or use the web portal <http://www.tusla.ie/children-first/web-portal>. The person who receives the allegation should also report to An Garda Síochána using the email address [nbcj\\_scmu@garda.ie](mailto:nbcj_scmu@garda.ie). If the person who received the allegation is a mandated person they will complete the Tusla form jointly with the DLP of the respondent's Church body. The DLP of the respondent's Church body will also report it to the Church authority.

## **If the respondent is a member of Church personnel and is a cleric or religious**

- **and the complainant is an adult or child in Northern Ireland-** the person who receives the allegation must report it to the DLP of the respondent's Church body who will then assess if it meets the threshold for reporting and make the referral to the HSCT and PSNI. They will also

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- report it to the Church authority (who will inform the DDF if the allegation relates to sexual abuse and the respondent is a cleric who is not deceased using 2.1A Template 2) and the National Board using 2.1A Template 1.
- **and the complainant is an adult in ROI-** The person who receives the allegation must report it to the DLP of the respondent's Church body who will assess if it meets the threshold for reporting, and complete this form for Tusla [http://www.tusla.ie/uploads/content/Retrospective\\_Abuse\\_Report\\_Form\\_FINAL.pdf](http://www.tusla.ie/uploads/content/Retrospective_Abuse_Report_Form_FINAL.pdf) or use the web portal <http://www.tusla.ie/children-first/web-portal>. The person who receives the allegation should also report to An Garda Síochána using the email address [nbcj\\_scmu@garda.ie](mailto:nbcj_scmu@garda.ie). If the person who received the allegation is a mandated person they will complete the Tusla form jointly with the DLP of the respondent's Church body. The DLP of the respondent's Church body will also report it to the Church authority (who will inform the DDF if the allegation relates to sexual abuse and the respondent is a cleric who is not deceased using R1. A Template 2) and the National Board using R1. A Template 1.
- **and the complainant is a child in ROI-** The person who receives the allegation must report it to the DLP of the respondent's Church body who will assess if it meets the threshold for reporting and complete this form for Tusla [http://www.tusla.ie/uploads/content/Child\\_Protection\\_and\\_Welfare\\_Report\\_Form\\_FINAL.pdf](http://www.tusla.ie/uploads/content/Child_Protection_and_Welfare_Report_Form_FINAL.pdf) or use the web portal <http://www.tusla.ie/children-first/web-portal>. The person who receives the allegation should also report to An Garda Síochána using the email address [nbcj\\_scmu@garda.ie](mailto:nbcj_scmu@garda.ie). If the person who received the allegation is a mandated person they will complete these forms jointly with the DLP of the respondent's Church body. The DLP of the respondent's Church body will also report it to the Church authority (who will inform the DDF if the allegation relates to sexual abuse and the respondent is a cleric who is not deceased using R1. A Template 2) and the National Board using R1. A Template 1.

**Please note the steps outlined above are the procedures to be followed if the respondent is alive. The statutory authorities to be informed in the Republic of Ireland may differ if the respondent is deceased.**

If there is any uncertainty about whether the allegation/concern meets the threshold for reporting, a consultation should take place with the relevant DLP (anonymously if required) who may consult with the statutory authorities, who will advise on the requirements for notification. It is important to remember that the web portal is only for Tusla, and will not allow you to print out forms. It is therefore advisable to complete the form manually so it can be forwarded to An Garda Síochána and retained in the case file (Guidance R3.A).

**Remember – it is not your role to investigate.**

1. Whenever possible and practical, take notes during the conversation. Always ask permission to do this and explain the importance of recording all information. Where it is not appropriate to take notes at the time, make a written record as soon as possible afterwards or before the end of the day. Record the time, date, location, persons present and how the allegation was received, e.g. by telephone, face-to-face conversation, letter, etc. This initial recorded information will be transferred to the appropriate forms and will become the first entry in a file of information about the case that will be retained by the relevant DLP. Please always sign and date the record.
2. The record would also normally include:
  - Accurate identifying information of the complainant, as far as it is known. This should include the name, address and age of the complainant when the alleged abuse occurred;
  - Where the person who has raised a concern/allegation is a child, details of parents/guardians should also be given;
  - Name of the individual against whom the concern/allegation is being raised, and any other identifying

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- information;
- Dates when the concern arose, or when the incident occurred;
- The person's own words they used to describe the event or incident. Do not make assumptions about the intended meaning of the words used;
- Details of any action already taken about the incident/concern/allegation;
- Do not be selective. Include details that to you may seem irrelevant. This may prove invaluable at a later stage in an investigation. All original records, including rough notes, should be passed immediately to the relevant DLP. Any copies of retained records should be kept secure and confidential.

In cases of emergency (and/or outside normal business hours), where a child appears to be at immediate and serious risk, an urgent report must be made to Tusla/HSCT, as well as to the DLP of the respondent's Church body. Where the appropriate Tusla/HSCT staff are not available, An Garda Síochána/PSNI must be contacted to ensure that **under no circumstances a child is left in a dangerous situation pending Tusla/Health and Social Services intervention** (see emergency option in Figure R1. A1).

1. In all cases, consideration should also be given as to whether an immediate referral is necessary in order to preserve and safeguard against the possibility of any loss, deterioration or destruction of forensic or other potential evidence (see emergency option arrow in Figure R1.A1).
2. Explain to the person raising the concern what will happen next. You should inform the person making the suspicion, concern or allegation that their identity and the identity of the respondent and complainant will be shared with the statutory authorities. The incident/concern should not be shared with anyone other than those who need to know, apart from the statutory authorities and appropriate Church authorities detailed in these procedures.
3. Written confirmation should be given to the person making the referral to the DLP of the respondent's Church body that the information has been passed on to the statutory authorities. If this has not happened, an explanation should be recorded (this will not be possible when dealing with anonymous allegations).

The appropriateness of the response given to a complainant is vital to ensure that they feel heard and taken seriously.

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**R1. A Template 1: Child Protection Referral Form**

When completing this form any information which you feel would directly identify the respondent or complainant should be removed.

Date allegation received by Church body:	
Date reported to Garda/PSNI	
Date reported to Tusla/HSC	
Type of abuse alleged	
Date or year of alleged abuse	
Age of complainant at time of alleged abuse	
Church body respondent belongs/belonged to	
Is respondent alive, dead, former, in prison? Specify	
If alive is the respondent in ministry?	
If alive, is there a risk management plan in place?	

Completed by .....

Name of Church Body .....

Role in Church body.....

Date.....

For National Board use only

Date acknowledged by the National Board	
Signature of staff member	

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**GUIDANCE FOR INDICATOR R1**

**R1.A Template 2 : Template Letter to DDF for  
Referring Sexual Abuse Allegations Against  
Clerics who are alive**



Promoter for Justice

Dicastery for the Doctrine of the Faith

Palazzo del Sant'Uffizio

00120 Città del Vaticano

Your Excellency

This is to advise you, in line with Article 26 of the Vademecum, 2020, that I have received an allegation of child sexual abuse on [INSERT DATE].

The allegation relates to Father [INSERT NAME] who was born on [INSERT DATE OF BIRTH]..

The allegation was received from [INSERT NAME OF PERSON WHO RECEIVED THE ALLEGATION] and states that on [INSERT DATE] Father [INSERT NAME OF RESEPONDENT] sexually abused them.

I have reported the allegation to the Police and civil authority agencies in this jurisdiction. I have also reported the matter to the National Board for Safeguarding Children in the Catholic Church (without identifying information, in line with data protection legislation)

Fr [INSERT NAME] is alive and as active investigations are in process restrictions have/have not [DELETE AS APPROPRIATE] been placed on his public ministry.

I will notify you further once the preliminary investigation under canon 1717 is complete.

Yours Sincerely

[INSERT SIGNATURE OF CHURCH AUTHORITY]