

Private and Confidential

Review of Safeguarding Practice

in the

Diocese of Elphin

undertaken by

The National Board for Safeguarding Children in the

Catholic Church in Ireland (NBSCCCI)

The content of this Report is not to be accessed or shared without the consent of the Bishop of Elphin, the Most Reverend Christopher Jones D.D.

February 2013

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Background

The National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) was asked by the Sponsoring Bodies, namely the Irish Episcopal Conference, the Conference of Religious of Ireland (CORI) and the Irish Missionary Union (IMU), to undertake a comprehensive review of safeguarding practice within and across all the Church authorities on the island of Ireland. The purpose of the review is to confirm that current safeguarding practice complies with the standards set down within the guidance issued by the Sponsoring Bodies in February 2009, *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* and that all known allegations and concerns had been appropriately dealt with. To achieve this task, safeguarding practice in each Church authority is to be reviewed through an examination of case records and through interviews with key personnel involved both within and external to a diocese or other authority.

This report contains the findings of the *Review of Safeguarding Practice within the diocese of Elphin* undertaken by the NBSCCCI in line with the request made to it by the Sponsoring Bodies. It is based upon the case material made available to us by the diocese, along with interviews with selected key personnel who contribute to safeguarding within the diocese. The NBSCCCI believes that all relevant documentation for these cases was passed to the reviewers, and the Bishop of Elphin has confirmed this.

The findings of the review have been shared with a reference group in redacted form before being submitted to Bishop Jones, along with any recommendations arising from the findings.

Introduction

The Diocese of Elphin is located in counties Roscommon, Sligo, Westmeath, and Galway. It has 37 parishes, 90 churches, and a catholic population of 80.000 approximately. It has 45 priests incardinated into the diocese and 13 others who are retired, sick, on study leave or working in other dioceses in Ireland or abroad. There are 23 non-diocesan priests in active ministry in the diocese. Bishop Christopher Jones was ordained Bishop of Elphin on 15th August 1994. He was born in 1936 and has therefore passed the age of retirement. He is waiting to be relieved of his current responsibilities and to retire. The bishop was keen that the NBSCCCI undertook a review of safeguarding practice in his diocese before he stood down to make way for a new bishop.

The fieldwork on site for the review was undertaken on the 28th and 29th November 2012. During this time, the existing case records that fell within the terms of reference of the review were read. As well as this, interviews were held with a number of key individuals that are involved within the safeguarding framework that exists within the diocese. This structure was described as comprising the following: The bishop ultimately holds the authority and responsibility for all safeguarding activities that are undertaken in the diocese. He is supported in these tasks by two Designated Persons. One of these is a priest and one is a lay person. The diocese has also created the post of Director of Safeguarding and this post is held by another lay person. The responsibilities carried by the post holder extend to all tasks associated with the creation and maintenance of a safe and nurturing environment for children in the diocese. Importantly, this post holder does not contribute to the management of any cases when concerns arise.

The Director of Safeguarding represents a major investment for the diocese in the area of safeguarding. It is a fulltime post which focuses on the writing of policies and procedures, the provision of training, and the completion of all vetting checks for those involved in work with children.

There are two key groups that also form part of the safeguarding structure within the diocese. They are the Advisory Panel and the Safeguarding Committee. During the fieldwork, the reviewers had the opportunity to meet with representatives of both of these groups.

For clarification purposes, it is important to note that the bishop meets regularly with a small group of his senior priests whom he discusses matters with that he may seek advice about. Although this group plays no formal role in the safeguarding structure of the diocese, the bishop has used it on occasions as a form of support when faced with particularly trying cases. However, it was emphasised to the reviewers that the group has no formal role other than as a support to the bishop.

STANDARDS

This section provides the findings of the review. The template employed to present the findings are the seven standards, set down and described in the Church guidance, *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*. This guidance was launched in February 2009 and was endorsed and adopted by all the Church authorities that minister on the island of Ireland, including the diocese of Elphin. The seven standards are:

Standard 1 A written policy on keeping children safe

Standard 2 Procedures – how to respond to allegations and suspicions in the Republic of Ireland and Northern Ireland

Standard 3 Preventing harm to children:

- recruitment and vetting
- running safe activities for children
- codes of behaviour

Standard 4 Training and education

Standard 5 Communicating the Church's safeguarding message:

- to children
- to parents and adults
- to other organisations

Standard 6 Access to advice and support

Standard 7 Implementing and monitoring the Standards

Each standard contains a list of **criteria**, which are indicators that help decide whether this standard has been met. The criteria give details of the steps that a Church organisation - diocese or religious order - needs to take to meet the standard and ways of providing evidence that the standard has been met.

Standard 1

A written policy on keeping children safe

Each child should be cherished and affirmed as a gift from God with an inherent right to dignity of life and bodily integrity, which shall be respected, nurtured and protected by all.

Compliance with Standard 1 is only fully achieved when a diocese meets the requirements of all nine criteria against which the standard is measured.

Criteria

Number	Criterion	Met fully or Met partially or Not met
1.1	The Church organisation has a child protection policy that is written in a clear and easily understandable way.	Met fully
1.2	The policy is approved and signed by the relevant leadership body of the Church organisation (e.g. the Bishop of the diocese or provincial of a religious congregation).	Met fully
1.3	The policy states that all Church personnel are required to comply with it.	Met fully
1.4	The policy is reviewed at regular intervals no more than three years apart and is adapted whenever there are significant changes in the organisation or legislation.	Met fully
1.5	The policy addresses child protection in the different aspects of Church work e.g. within a church building, community work, pilgrimages, trips and holidays.	Met fully
1.6	The policy states how those individuals who pose a risk to children are managed.	Met fully
1.7	The policy clearly describes the Church's understanding and definitions of abuse.	Met fully
1.8	The policy states that all current child protection concerns must be fully reported to the civil authorities without delay.	Met fully
1.9	The policy should be created at diocese or congregational level. If a separate policy document at parish or other level is necessary this should be consistent with the diocesan or congregational policy and approved by the relevant diocesan or congregational authority before distribution.	Met fully

The reviewers were supplied with an impressive range of documentation produced by the diocese in recent years to meet its needs for policy and procedural guidance. This was all of a very high standard, well produced, and easily accessible to the reader. The main

policy document entitled *Safeguarding Children: Policies and Procedures* was produced in December 2009. It is a very comprehensive guidance document that is in ring binder form, which allows updates and additional information to be added to it without a full reprinting. It covers policy and procedures for reporting and responding to abuse allegations. It also includes codes of behaviour and guidance on core procedures for the prevention of abuse. Sample documentation is also included along with a detailed section on resources.

The document is prefaced by a statement of endorsement from the bishop and all the forms as well as the guidance itself, can be downloaded from the diocesan website www.elphindiocese.ie

The work for the policy document was jointly undertaken by Office of Youth Ministry and Safeguarding Children in conjunction with the Safeguarding Committee. Those involved are to be commended for their efforts. In many respects, the documentation represents an excellent example of the standard that should apply across all of the Church in Ireland.

The management of people who may pose a risk to children is always challenging and particularly so within a diocesan context. The guidance is clear with regard to the need for vetting and good recruitment practices. These are referenced very clearly. The reviewers would encourage the diocese to achieve the same level of clarity in the guidance regarding the management of those individuals who are known to the diocese and who are thought to pose a risk to children. If an allegation is received against a named priest and he is asked to take leave from his ministry, the guidance could offer comment on the steps that should be taken to ensure that that situation is properly managed. The reviewers would recommend that this be inserted into the guidance to address this issue.

Recommendation 1

That the bishop should ensure that guidance on how individuals that pose a risk to children are managed will be expanded and inserted in the dioceses Safeguarding Children Policies.

It is important to emphasise that the practice of the diocese with regard to this Standard 1 is of a high quality and those directly involved should be commended. It reflects the investment that the bishop has made in appointing a full time officer to the post of Director of Safeguarding and the support that he receives from a number of enthusiastic and committed volunteers.

Standard 2

Management of allegations

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

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

Criteria

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

Table 1

Incidence of Safeguarding allegations received within the diocese of Elphin from 1st January 1975 up to 30th November 2012

1	Number of priests incardinated into the diocese against whom allegations have been made since the 1 st January 1975 up to the date of the review	16
2	Number of allegations reported to An Garda Síochána involving priests of the diocese since 1 st January 1975 – this figure includes some allegations that were notified by An Garda Síochána to the diocese	19
3	Number of allegations reported to the HSE (or the Health Boards which preceded the setting up of the HSE) involving priests of the diocese since 1 st January 1975: This figure includes some allegations that were notified by the health services to the diocese	21
4	Number of priests against whom an allegation was made and who were living at the date of the review	9
5	Number of priests against whom an allegation was made and who are deceased	7
6	Number of priests against whom an allegation was made and who are out of ministry or who have left the priesthood	5
7	Number of priests of the diocese who have been convicted of having committed an offence or offences against a child or young person since the 1 st January 1975	0
8	Number of priests against whom an allegation was made and who are in ministry, or retired.	8
9	Number of priests who are not of the diocese but who reside within it, and who are known to be the subject of an allegation arising from their past ministry.	1

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

The overall incidence of abuse allegations within the diocese is not unusually high. They do contain a significant number of allegations which upon investigation were shown to be unfounded.

There are two diocesan Designated Persons, one of whom is a member of the diocesan clergy and one a lay person. The work undertaken on the safeguarding side with regard to policies and procedures was very impressive and supported by a great deal of documentation. In general, allegations when they were received were reported promptly to the statutory authorities. There are some examples however of delays which arose through a belief that it had already been reported, or through a misunderstanding that another Church authority had already done so. The impression gained by the reviewers was that practice in this area has become much tighter in recent years.

The diocese does have a number of religious working within its boundaries. Attention is paid by the diocese to ensuring that all of these priests are in good standing with their leadership. A checking process is undertaken each year to confirm this is the case. It is recommended that the guidance should be strengthened concerning any religious priests that minister within the diocesan boundaries. This should include the production of a valid celebret for any visiting priest engaged in ministry.

Recommendation 2

That the bishop should ask the Safeguarding Committee to produce a specific protocol which sets down the expectation of the diocese concerning the standing of any religious priest engaged in ministry within the diocese.

The bishop is supported by a Case Management Committee which has been in place since November 2005. Since then, it has met on thirty six occasions and has provided advice to the bishop on the cases that he has had to deal with. He also makes use of a small group of colleague priests with whom he meets regularly. This is referred to in documentation as the Bishop's Advisory Group. This group is not part of the formal structure of the diocese in respect of the management of safeguarding concerns but these have been discussed in that forum. The need for a clear division between the formal safeguarding structure and any other informal group that the bishop seeks to make use of when deciding what course of action to follow in cases, must be emphasised.

Recommendation 3

That the bishop should ensure that he makes full use of the formal safeguarding structure that he has developed within the diocese when deciding what actions to take in the management of cases.

The diocese has made an effort to establish and maintain a good working relationship with the statutory authorities who operate within its boundaries. In 2010, the diocese initiated a series of meetings with the HSE with a view to improving mutual understanding and practice. A total of four meetings took place and were thought to be successful. Similarly, attempts were made to ensure that a good working relationship is maintained with An Garda Síochána.

Standard 3

Preventing Harm to Children

This standard requires that all procedures and practices relating to creating a safe environment for children be in place and effectively implemented. These include having safe recruitment and vetting practices in place, having clear codes of behaviour for adults who work with children and by operating safe activities for children.

Compliance with Standard 3 is only fully achieved when a diocese meets the requirements of all twelve criteria against which the standard is measured. These criteria are grouped into three areas, safe recruitment and vetting, codes of behaviour and operating safe activities for children.

Criteria – safe recruitment and vetting

Number	Criterion	Met fully or Met partially or Not met
3.1	There are policies and procedures for recruiting Church personnel and assessing their suitability to work with children.	Met fully
3.2	The safe recruitment and vetting policy is in line with best practice guidance.	Met fully
3.3	All those who have the opportunity for regular contact with children, or who are in positions of trust, complete a form declaring any previous court convictions and undergo other checks as required by legislation and guidance and this information is then properly assessed and recorded.	Met fully

Criteria – Codes of behaviour

Number	Criterion	Met fully or Met partially or Not met
3.4	The Church organisation provides guidance on appropriate/ expected standards of behaviour of, adults towards children.	Met fully
3.5	There is guidance on expected and acceptable behaviour of children towards other children (anti-bullying policy).	Met fully
3.6	There are clear ways in which Church personnel can raise allegations and suspicions about unacceptable behaviour towards children by other Church personnel or volunteers (‘whistle-blowing’), confidentially if necessary.	Met fully

3.7	There are processes for dealing with children's unacceptable behaviour that do not involve physical punishment or any other form of degrading or humiliating treatment.	Met fully
3.8	Guidance to staff and children makes it clear that discriminatory behaviour or language in relation to any of the following is not acceptable: race, culture, age, gender, disability, religion, sexuality or political views.	Met fully
3.9	Policies include guidelines on the personal/ intimate care of children with disabilities, including appropriate and inappropriate touch.	Met fully

Criteria – Operating safe activities for children

Number	Criterion	Met fully or Met partially or Not met
3.10	There is guidance on assessing all possible risks when working with children – especially in activities that involve time spent away from home.	Met fully
3.11	When operating projects/ activities children are adequately supervised and protected at all times.	Met fully
3.12	Guidelines exist for appropriate use of information technology (such as mobile phones, email, digital cameras, websites, the Internet) to make sure that children are not put in danger and exposed to abuse and exploitation.	Met fully

The essence of Standard 3 is the creation of a range of good policies and procedures that underpin practice regarding the establishment of a safe environment for children within the Church. This is an area of the review where the diocese has excelled. They have produced a range of guidance and policy documents that are generally of a very high quality. They have also made efforts to ensure that everyone who contributes to the care of children in the diocese has access to that documentation and is familiar with its content.

An example of the comprehensiveness of the policy guidance is the fact that they have devised and included guidance on the support that young disabled people may need when seeking to participate in Church activities. This section is very useful and well written. Those who have produced it deserve to be commended.

Standard 4

Training and Education

All Church personnel should be offered training in child protection to maintain high standards and good practice.

Criteria

Number	Criterion	Met fully or Met partially or Not met
4.1	All Church personnel who work with children are inducted into the Church's policy and procedures on child protection when they begin working within Church organisations.	Met fully
4.2	Identified Church personnel are provided with appropriate training for keeping children safe with regular opportunities to update their skills and knowledge.	Met fully
4.3	Training is provided to those with additional responsibilities such as recruiting and selecting staff, dealing with complaints, disciplinary processes, managing risk, acting as designated person.	Met fully
4.4	Training programmes are approved by National Board for Safeguarding Children and updated in line with current legislation, guidance and best practice.	Met fully

Training is a priority in the diocese and this has been the case for some years. The reviewers were provided with detailed training records for each priest in the diocese as well as all the parish safeguarding representatives. The training that the Designated Persons received was also detailed. The records make impressive reading and testify to a sustained investment on the part of the diocese stretching back a number of years.

When the NBSCCCI produced its training programme specifically for use in the Church, the diocese committed to delivering it. To that end, two trainers went for accreditation and gained that status. From October of last year the diocese has run in-service training for modules 1-4 from the NBSCCCI programme. The plan for 2013 involves the full programme being delivered on three occasions and modules 2 and 3 also on four occasions.

The commitment and effort given to training is very impressive and will pay dividends to those involved in the safeguarding of children in the diocese.

Within the safeguarding structure, the role of the bishop is critical. Bishop Jones has provided resources and sought to encourage and endorse safeguarding developments when they have been organised. It is recognised that he is waiting to be relieved of his present responsibilities but it is crucial that when a new bishop is appointed, that person

must continue the good work that has been undertaken in the diocese. The experience and competence that now exists within the diocese, with particular reference to the prevention of abuse, should be drawn upon by the new bishop. The reviewers would recommend that consideration be given to preparing an induction programme for the new bishop which is aimed at providing for him an understanding of the many safeguarding activities that are taking place within the diocese.

Recommendation 4

That the bishop should ask that an induction programme should be prepared which will seek to provide a new bishop with an understanding of what safeguarding activities take place in his diocese.

Standard 5

Communicating the Church's Safeguarding Message

This standard requires that the Church's safeguarding policies and procedures be successfully communicated to Church personnel and parishioners (including children). This can be achieved through the prominent display of the Church policy, making children aware of their right to speak out and knowing who to speak to, having the Designated Person's contact details clearly visible, ensuring Church personnel have access to contact details for child protection services, having good working relationships with statutory child protection agencies and developing a communication plan which reflects the Church's commitment to transparency.

Criteria

Number	Criterion	Met fully or Met partially or Not met
5.1	The child protection policy is openly displayed and available to everyone.	Met fully
5.2	Children are made aware of their right to be safe from abuse and who to speak to if they have concerns.	Met fully
5.3	Everyone in Church organisations knows who the designated person is and how to contact them.	Met fully
5.4	Church personnel are provided with contact details of local child protection services, such as Health and Social Care Trusts / Health Service Executive, PSNI, An Garda Síochána, telephone helplines and the designated person.	Met fully
5.5	Church organisations establish links with statutory child protection agencies to develop good working relationships in order to keep children safe.	Met fully
5.6	Church organisations at diocesan and religious order level have an established communications policy which reflects a commitment to transparency and openness.	Met fully

The reviewers were supplied with a copy of the safeguarding notice that is on display in each of the churches in the diocese. They also saw a copy of the safeguarding newsletter that was produced by the diocese and circulated to every parish for distribution at Mass. Both were impressive documents which contained relevant and important information.

Similarly, the website for the diocese has a great deal of accessible safeguarding information on it which provides answers to all the critical questions that someone with a safeguarding concern may have.

There is recognition amongst those involved in safeguarding that the policies and procedures that are being used have to be kept up to date and revised or added to regularly. As change takes place, this creates a challenge for the volunteers to ensure that knowledge of that change is distributed in the diocese. It would appear to the reviewers that they have succeeded very well in doing this and keeping both the lay faithful and the volunteers up to speed with what is happening. For that reason, they should be commended.

Standard 6

Access to Advice and Support

Those who have suffered child abuse should receive a compassionate and just response and should be offered appropriate pastoral care to rebuild their lives.

Those who have harmed others should be helped to face up to the reality of abuse, as well as being assisted in healing.

Criteria

Number	Criterion	Met fully or Met partially or Not met
6.1	Church personnel with special responsibilities for keeping children safe have access to specialist advice, support and information on child protection.	Met fully
6.2	Contacts are established at a national and/ or local level with the relevant child protection/ welfare agencies and helplines that can provide information, support and assistance to children and Church personnel.	Met fully
6.3	There is guidance on how to respond to and support a child who is suspected to have been abused whether that abuse is by someone within the Church or in the community, including family members or peers.	Met fully
6.4	Information is provided to those who have experienced abuse on how to seek support.	Met fully
6.5	Appropriate support is provided to those who have perpetrated abuse to help them to face up to the reality of abuse as well as to promote healing in a manner which does not compromise children's safety.	Met fully

The provision of advice and support to those who have either experienced abuse or committed abuse, is a critical standard. It is frequently the case that the response made in these situations is influenced by legal considerations rather than a desire to be compassionate. It is good to note that the diocese has sought ways of reaching out to those who have been abused to offer them help and support. In respect of those who are accused of causing harm, the diocese has also established the post of priest advisor. The take up in respect of support for the victims has not been great which reflects the experience that most other Church authorities will have.

The other aspect of advice given for the diocese relates to the bishop in deciding on the management of cases. He relies upon his Case Management Committee to provide this and would express confidence in their ability in this regard.

In response to the recognition that particularly difficult and challenging cases arise from time to time in different Church authorities and that bishops and religious leaders should have access to a panel of experts to help them deal with those cases, the NBSCCCI has established the National Case Management Reference Group (NCMRG), which has operated very successfully for the last year. Over time and through their regular experience with cases presented to them, the members of the NCMRG have built up cumulative learning and competence that can prove to be useful particularly for very demanding or difficult cases that may arise. Although no cases of that nature currently exist within the diocese, consideration should be given by the bishop to joining the NCMRG initiative in the event that one may emerge at any time.

Recommendation 5

That the bishop should consider joining the NCMRG as an additional support in the event of being faced with a case management situation that he finds very difficult or demanding.

Standard 7

Implementing and Monitoring Standards

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

Criteria

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

The diocese records safeguarding activities in each parish annually. These are returned and monitored by the Safeguarding Committee and the Director of Safeguarding. They produce an annual diocesan report which details the activities that have taken place over the past twelve months. Also importantly they note the events that are planned for the coming year.

The diocese has a training plan for the year ahead. It also has a communications plan. It has targets that it is seeking to achieve and progress towards them is regularly monitored. In interview, the Director of Safeguarding confirmed that he submits a budget annually to the bishop in which he sets out what is needed in order to deliver the plans that have been prepared. This is signed off by the bishop enabling him to concentrate on ensuring that the objectives contained in the plan are met.

The overall impression that one gains is of great enthusiasm and commitment. There are a lot of different activities taking place and a lot of people contributing time and effort to make them happen.

The one area in relation to monitoring practice about which there appeared to be a lack of clarity is the means by which parents and children can give feedback on the safeguarding activities in the diocese. There did not seem to be any specific channel through which this

could occur. It is recommended that the Safeguarding Committee give consideration to how this can be encouraged and facilitated as an aid to monitoring the work of safeguarding in the diocese.

Recommendation 6

That the bishop should ask the Safeguarding Committee to establish a means by which parents and children can encourage and facilitate feedback to them on the safeguarding activities that take place in the diocese.

Recommendations

Recommendation 1

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Recommendation 2

That the bishop should ask the Safeguarding Committee to produce a specific protocol which sets down the expectation of the diocese concerning the standing of any religious priest engaged in ministry within the diocese.

Recommendation 3

That the bishop should ensure that he makes full use of the formal safeguarding structure that he has developed within the diocese when deciding what actions to take in the management of cases.

Recommendation 4

That the bishop should ask that an induction programme should be prepared which will seek to provide a new bishop with an understanding of what safeguarding activities take place in his diocese.

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Recommendation 6

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Review of Safeguarding in the Catholic Church in Ireland

Terms of Reference

(which should be read in conjunction with the accompanying Notes)

1. To ascertain the full extent of all complaints or allegations, knowledge, suspicions or concerns of child sexual abuse, made to the Diocese by individuals or by the Civil Authorities in the period 1st January 1975 to 1st June 2010, against Catholic clergy and/or religious still living and who are ministering/or who once ministered under the aegis of the Diocese and examine/review and report on the nature of the response on the part of the Diocese.

2. If deemed relevant, select a random sample of complaints or allegations, knowledge, suspicions or concerns of child sexual abuse, made to the Diocese by individuals or by the Civil Authorities in the period 1st January 1975 to 1st June 2010, against Catholic clergy and/or religious now deceased and who ministered under the aegis of the Diocese and examine/review and report on the nature of the response on the part of the Diocese.

3. To ascertain all of the cases during the relevant period in which the Diocese:
 - knew of child sexual abuse involving Catholic clergy and/or religious still living and including those clergy and/or religious visiting, studying and/or retired;
 - had strong and clear suspicion of child sexual abuse; or
 - had reasonable concern;and examine/review and report on the nature of the response on the part of the Diocese.

4. To consider and report on the following matters:
 - Child safeguarding policies and guidance materials currently in use in the Diocese and an evaluation of their application;
 - Communication by the Diocese with the Civil Authorities;
 - Current risks and their management.

Accompanying Notes

Note 1

Definition of Child Sexual Abuse:

The definition of child sexual abuse is in accordance with the definition adopted by the Ferns Report (and the Commission of Investigation Report into the Catholic Archdiocese of Dublin). The following is the relevant extract from the Ferns Report:

“While definitions of child sexual abuse vary according to context, probably the most useful definition and broadest for the purposes of this report was that which was adopted by the Law Reform Commission in 1990¹ and later developed in Children First, National Guidelines for the Protection and Welfare of Children (Department of Health and Children, 1999) which state that ‘child sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal or that of others’. Examples of child sexual abuse include the following:

- exposure of the sexual organs or any sexual act intentionally performed in the presence of a child;
- intentional touching or molesting of the body of a child whether by person or object for the purpose of sexual arousal or gratification;
- masturbation in the presence of the child or the involvement of the child in an act of masturbation;
- sexual intercourse with the child whether oral, vaginal or anal;
- sexual exploitation of a child which includes inciting, encouraging, propositioning, requiring or permitting a child to solicit for, or to engage in prostitution or other sexual acts. Sexual exploitation also occurs when a child is involved in exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, video tape, or other media) or the manipulation for those purposes of the image by computer or other means. It may also include showing sexually explicit material to children which is often a feature of the ‘grooming’ process by perpetrators of abuse”.

Note 2

Definition of Allegation:

The term allegation is defined as an accusation or complaint where there are reasonable grounds for concern that a child may have been, or is being sexually abused, or is at risk of sexual abuse, including retrospective disclosure by adults. It includes allegations that did not necessarily result in a criminal or canonical investigation, or a civil action, and allegations that are unsubstantiated but which are plausible. (NB: Erroneous information does not necessarily make an allegation implausible, for example, a priest arrived in a parish in the Diocese a year after the alleged abuse, but other information supplied appears credible and the alleged victim may have mistaken the date).

¹ This definition was originally proposed by the Western Australia Task Force on Child Sexual Abuse, 1987 and is adopted by the Law Reform Commission (1990) *Report on Child Sexual Abuse*, p. 8.

Note 3

False Allegations:

The National Board for Safeguarding Children in the Catholic Church in Ireland wishes to examine any cases of false allegation so as to review the management of the complaint by the diocese / religious congregation.

Note 4

Random sample:

The random sample (if applicable) must be taken from complaints or allegations, knowledge, suspicions or concerns of child sexual abuse made against all deceased Catholic clergy/religious covering the entire of the relevant period being 1st January 1975 to 1st June 2010 and must be selected randomly in the presence of an independent observer.

Note 5

Civil Authorities:

Civil Authorities are defined in the Republic of Ireland as the Health Service Executive and An Garda Síochána and in Northern Ireland as the Health and Social Care Trust and the Police Service of Northern Ireland.