

**Private and Confidential**

**Review of Safeguarding Practice**

**in the**

**Archdiocese of Tuam**

**undertaken by**

**The National Board for Safeguarding Children in the Catholic  
Church (NBSCCC)**

**The content of this Report is not to be accessed or shared without the  
consent of the Archbishop of Tuam**

**June 2011**

## **CONTENTS**

<b>Background</b>	<i>Page 3</i>
<b>Standard 1</b> <i>A written policy on keeping children safe</i>	<i>Page 6</i>
<b>Standard 2</b> <i>Management of allegations</i>	<i>Page 8</i>
<b>Standard 3</b> <i>Preventing Harm to Children</i>	<i>Page 12</i>
<b>Standard 4</b> <i>Training and Education</i>	<i>Page 14</i>
<b>Standard 5</b> <i>Communicating the Church's Safeguarding Message</i>	<i>Page 15</i>
<b>Standard 6</b> <i>Access to Advice and Support</i>	<i>Page 16</i>
<b>Standard 7</b> <i>Implementing and Monitoring Standards</i>	<i>Page 17</i>
<b>Recommendations</b>	<i>Page 18</i>
<b>Terms of Reference</b>	<i>Page 19</i>

## **Background**

The National Board for Safeguarding Children in the Catholic Church (NBSCCC) was asked by the Sponsoring Bodies, namely the Episcopal Conference, the Conference of Religious of Ireland and the Irish Missionary Union, 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, 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 the archdiocese or other authority.

This report contains the findings of the *Review of Safeguarding Practice within the Archdiocese of Tuam* undertaken by the NBSCCC 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 archdiocese along with interviews with selected key personnel who contribute to safeguarding within the archdiocese. The NBSCCC believes that all relevant documentation for these cases was passed to the Reviewers, and the archdiocese has confirmed this.

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

### ***For Clarification –***

***The National Board for Safeguarding Children in the Catholic Church, NBSCCC, National Board, National Office - all these terms are synonymous with each other and refer to the same entity.***

***Also the term Designated Person is interchangeable with that of Designated Officer or Delegate. A precise definition of the content of the role may be found on Page 55 of Safeguarding Children: Standards and Guidance document.***

## **Introduction**

At the request of Archbishop Michael Neary, staff from the NBSCCC engaged in a process of reviewing safeguarding children policy and practice on June 7th, 2011. The fieldwork took place over a three-day period when case files were scrutinised, and interviews with key personnel in the archdiocesan safeguarding structure took place. The fieldwork team would wish to acknowledge the enthusiasm and commitment of Archbishop Neary, his Designated Persons, his Training Manager, and all other team members, both clerical and lay, involved in the safeguarding of children in the Archdiocese of Tuam, and for their expressed support of the review process.

Exposing a diocese to scrutiny by the National Board can be a daunting challenge for the safeguarding personnel, however the attitude adopted by the archbishop and all his staff was one of complete openness and willingness to recognise and learn from any mistakes made, so as to ensure better and safer practice in the future. It also provided an opportunity for the reviewers to comment favourably on the many examples of good practice that they found, particularly since the installation of the present archbishop in 1995. It should be stated that the commitment to safeguarding children that is evident in the archdiocese today appears not to have existed in previous years. Many of the cases that were managed by the Archbishop's predecessors contain practice that is defensive and internally focused, which would be entirely unacceptable today. These cases showed a lack of awareness of the suffering caused to victims by abusers. It is very much to the credit of those currently involved in safeguarding in the archdiocese that no trace of this practice remains today.

The purpose of the review is set out within the Terms of Reference that are appended to this report. It seeks to examine how practice conforms to expected standards in the Church, both at the time an allegation was received and currently. It is an expectation of the National Board that key findings from the review will be shared widely so that public awareness of what is in place and what is planned may be increased, as well as confidence that the Church is taking appropriate steps to safeguard children.

The review was initiated through the signing of a data protection deed, allowing full access, by staff from NBSCCC, to all case management and Archdiocesan records. This access does not constitute disclosure as the reviewers through the deed were deemed to be nominated data processors of the material for the archbishop.

The process involved the fieldwork team reading all case management records of living priests incardinated into the diocese against whom a child safeguarding allegation had been made or a concern raised. In addition, interviews were held with Archbishop Neary, two Designated Persons, Training Manager and Safeguarding Co-ordinator; Archbishop's Secretary; the Chairperson and two other members of the Safeguarding Committee; Support Person for Victims; two Parish Safeguarding Representatives and the Advisory Panel. In addition, we had the opportunity to meet the former secretary to the archbishop who had played a key role in the management of allegations prior to his taking up a new post in the archdiocese. The final part of the review was an assessment of the Archdiocesan Safeguarding Policy and Procedures against the Standards set down in *Safeguarding Children: Standards and Guidance*.

The focus of reviews into safeguarding has concentrated on the management of allegations. NBSCCC accepts that the huge emphasis placed on this aspect of safeguarding is critical. In addition, NBSCCC recognises that in order to prevent abuse happening in future, the investment in creating safe environments for children must be great and open to scrutiny. It is for this reason that the review process uses the seven Standards outlined within *Safeguarding Children: Standards and Guidance* document as an assessment framework. The report below, therefore, highlights the findings by the fieldworkers under each standard and draws conclusions regarding the effectiveness of policies and practices in the archdiocese to prevent abuse, as well as the ability of the relevant personnel within the archdiocese to assess and manage risk to children. Where appropriate, recommendations for improvements are made.

## **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*. This guidance was launched in February 2009 and was endorsed and adopted by all the Church authorities who minister on the island of Ireland, including the Archdiocese of Tuam.

### **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.*

### **Policy & Procedures**

In February 2010, Tuam Archdiocese produced an updated policy statement in relation to its commitment to ensuring the paramouncy of the welfare of the child in all its work. To support that explicit commitment, the archdiocese produced a reader friendly document outlining its procedures. Included within these procedures are: a *Diocesan Code of Conduct* for adults, procedures for the recruitment of staff and volunteers; procedures for making a complaint and how to report child protection concerns.

It is evident from the case management records, since the installation of Archbishop Neary in 1995, that all allegations of child abuse have been passed to An Garda Síochána. In the past it was understood by the archdiocese that a protocol existed between An Gardaí and the Health Board, which meant that in referring matters to the Gardaí, they would be passed on to the local social worker. This protocol between the Gardaí and the HSE was never implemented. As a consequence, a number of backdated referrals have been made to the HSE Child Care Manager. Currently and for the past number of years, all allegations and concerns are passed promptly to both An Garda Síochána and HSE. Tuam Archdiocese uses a standard HSE referral form to share allegations and concerns with the civil authorities.

The archdiocesan *Policy and Procedure* document, along with leaflets and a poster advising how to report a concern, has been circulated to all parishes. It is the role of the Parish Safeguarding Representatives to ensure that the poster is on display in their parish church and that the procedures are available. Feedback from the two safeguarding representatives interviewed indicates support throughout the archdiocese for adherence to the procedures. The representatives stated that significant attitudinal change has taken place amongst the clergy and volunteers, which recognises the rights of children to a safe environment within all parishes across Tuam.

In order to assess compliance with the archdiocesan policy and procedures, the Safeguarding Committee plan to carry out an audit on a two yearly basis, and review the need for corrective action. Two audits have already taken place, the more recent

of which was the more comprehensive and had to be completed by the parish priest and safeguarding representative together. There is 100% compliance across the archdiocese's 56 parishes with the appointment of parish safeguarding representatives and their attendance at training events.

**Standard 2**

**Table of the incidence of Safeguarding allegations received within  
The Archdiocese of Tuam  
from 1<sup>st</sup> January 1975 up to June 2011**

<b>1</b>	<b>Number of priests incardinated into the Archdiocese of Tuam against whom allegations have been made since the 1<sup>st</sup> January 1975 up to the date of the Review</b>	<b>18</b>
<b>2</b>	<b>Number of allegations reported to An Garda Síochána involving priests of the archdiocese since 1<sup>st</sup> January 1975</b>	<b>25</b>
<b>3</b>	<b>Number of allegations reported to the HSE (or the Health Boards which preceded the setting up of the HSE,) involving priests of the archdiocese since 1<sup>st</sup> January 1975</b>	<b>26</b>
<b>4</b>	<b>Number of priests against whom an allegation was made and who were living at the date of the Review</b>	<b>8</b>
<b>5</b>	<b>Number of priests against whom an allegation was made and who are deceased</b>	<b>10</b>
<b>6</b>	<b>Number of priests against whom an allegation was made and who are “Out of Ministry” or who have left the priesthood</b>	<b>8</b>
<b>7</b>	<b>Number of priests of the archdiocese who have been convicted of having committed an offence or offences against a child or young person since the 1<sup>st</sup> January 1975</b>	<b>2</b>
<b>8</b>	<b>Number of priests against whom an allegation was made and who are in ministry or retired.</b>	<b>0</b>
<b>9</b>	<b>Number of priests who are not of the archdiocese but who reside within it, and who are known to be the subject of an allegation arising from their past ministry.</b>	<b>5</b>

*Footnotes:* The difference between the numbers in 2 and 3 can be explained by the fact that in one case the name of the complainant was never made known to the archdiocese.

***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.*

The fieldwork team examined all cases of allegations against priests from the archdiocese who are alive, which amounted to eight; and two cases involving deceased priests were examined. The rationale for examining live cases was to assess current risk. It was also thought that in examining current cases, a judgement could be made as to how the archdiocese responds today to victims of abuse.

In examining the case records a number of common themes emerged.

a) It is evident from reading all case management records that the priority of the current archbishop and his designated persons is the safety of children. All cases were complex and challenging in terms of trying to establish the credibility of the allegation. Like all Church authorities, it is not Archbishop Neary's role to investigate the allegation; that is the responsibility of the civil authorities. However, it is often the case that once an allegation is forwarded to these authorities, there is a significant delay in establishing if a crime has been committed and if there is any risk to children. It is also true that in the past the civil authorities took little or no action, with the result that the archdiocese was required to carry out its own investigations. In the absence of civil and/or criminal action, Archbishop Neary has had to make judgements about the credibility of some allegations so that he can put in place restrictions on the activities of certain priests in order to limit their contact with and risk to children. What was striking from examination of the case records was the considerable interrogation of information by the designated persons. It is clear from the excellent records that a genuine effort was made to gather evidence from victims and their families during the Church inquiry stage. Such thoroughness is to be commended.

b) As stated above the cases examined were complex. It must be put on record that serious harm was done to children by a few priests of the archdiocese. The records demonstrate that since the installation of Archbishop Neary the archdiocese has met allegations with a steadily serious approach, taking appropriate action under existing guidelines, and rapidly assimilating the lesson of the necessity for the removal of the priest, where there is a credible allegation, pending investigation. Prior to Archbishop Neary's tenure, there were on occasions delay in taking such action. It is also a fair reflection to say that the archbishop has met resistance in asking a priest to step aside from public ministry. It is to his credit that in spite of opposition, Archbishop Neary has maintained his authority and kept some men out of ministry where there is evidence to suggest that they should be viewed as dangerous and should not have access to young people. His designated persons and archdiocesan secretaries have significantly supported him in all actions related to the management of allegations. The fieldwork team has been impressed by the archbishop's quiet resolve to do what is right, and by his industrious and diligent case management team.

c) The recording of case management files is detailed and presents the reader with a comprehensive view of action taken by the archdiocese.

Some memos and other documents in the older files are not signed and dated, and identifying the author can, at times, be difficult. That said, the files are significantly enhanced by very comprehensive case summaries at the beginning of each file.

#### **Recommendation 1.**

**The designated person, who has responsibility for managing allegations, should record all information using the case file template recommended by NBSCCC.**

d) There was limited evidence in the written record of a support person being offered to complainants. In discussion with the designated persons and the support person, they clarified that while this service is always offered, the offer has yet to be taken up by any complainant. This is not unusual, as victims of clerical abuse may not find it easy to accept the services of a Church support person. Barriers to accepting a

Church support person may include the complainant not knowing who the support person is and not understanding their role, as well as a fear of having to repeat their account of abuse again to another person. The current support person undertakes two other roles in safeguarding within the archdiocese.

**Recommendation 2.**

**The archdiocese might wish to consider an arrangement whereby the Support Person attends all initial interviews with the Designated Person. This approach would allow the complainant to meet the Support Person and “break the ice” for future contact.**

**Recommendation 3.**

**The archbishop should consider writing to all complainants upon receipt of a credible allegation offering support and counselling.**

**Recommendation 4.**

**The archbishop, in consultation with the existing Support Person, might consider whether it would be appropriate to appoint a Support Person whose sole responsibility would be the support of complainants.**

e) An important step to safeguarding children following receipt of an allegation is to put in place a supervision and risk monitoring plan. In Tuam, all men out of ministry are appointed a support “supervisor”. It is unclear however, from the records, if a written plan is put in place by the archdiocese, and if there is a requirement for the support supervisor to report back to Archbishop Neary on a regular basis about the management of risk.

**Recommendation 5.**

**We recommend that following the removal of a priest from public ministry that the archbishop sets down in writing the restrictions imposed on the respondent and the supervision, management and reporting arrangements.**

f) Archbishop Neary established an Advisory Committee in 1996. Most members have continued in their role since then. The committee’s life and strong membership allows it to provide solid and invaluable support to the archbishop. The committee offers advice on new allegations, as well as regularly reviewing the management of men out of ministry. This is a very positive aspect of the archdiocese’s safeguarding structure.

g) There are currently two designated persons in the archdiocese who support each other when receiving and handling allegations of abuse. One is a priest and the other a lay woman. Another priest of the archdiocese previously supported this important role, in his capacity as the diocesan secretary. The fieldwork team were hugely impressed by the commitment and sensitivity of the two designated persons and the former diocesan secretary. They have handled very difficult allegations with great care, for which they are to be commended.

h) The fieldwork team noted that a disproportionate number of allegations were made against priests working in one local second level school. This school had in the past acted as the Archdiocesan Junior Seminary. This raised concerns about the historical

lack of safeguarding mechanisms within the school. However, all allegations were referred to the statutory authorities. These incidents took place over twenty years ago and considerable change has taken place since then within the school. It is understood that great importance is given, by the current school leadership team, to developing a strong pastoral care policy and practice. Attempts have been made to encourage an active dialogue between students and staff through the existence of a student's council. Such developments are to be welcomed.

**Recommendation 6.**

**Archbishop Neary, as Patron of the local secondary school, should continue to support strong safeguarding policies, procedures and practice within the school.**

i) Within the case records, there is evidence of advice received from different sources. It is important that full use of all the sources of expert advice available continues to be drawn upon in the management of cases.

**Recommendation 7.**

**Archbishop Neary and his case management team should ensure that they make full use of all the sources of expert advice available to them on the management of allegations. In particular, they may draw on the resources available within the National Office or from social workers in statutory child protection or probation services.**

j) A very positive relationship has developed between the archdiocese and HSE, with regular interagency meetings taking place to discuss all aspects of safeguarding, including case management. The archbishop and his team feel supported and reassured by this relationship.

k) Finally, in spite of the statements above, the overwhelming assessment of the fieldwork team is of a solid case management team, led by a strong archbishop. It is his leadership, which has laid the path for allegations to be dealt with promptly and appropriately. We are confident in his decision-making and in the support he gives to those responsible for dealing with allegations as they emerge.

### **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.*

#### **People and Structures**

##### **(i) Safeguarding Committee**

Three out of an eight member Safeguarding Committee were met as part of the review of the archdiocese, including the chair, the training manager and one of the designated persons. These members reflected that their committee was very hard working and that following a review of their policy; they have developed and circulated new policy and procedures in 2010, in line with *Safeguarding Children: Standard and Guidance* and *Children First*. The committee, under the direction of the training manager, drives all the training in the archdiocese. They enjoy a very positive working relationship with the HSE Children First Information and Advice Officer. All safeguarding representatives and priests have participated in the standard HSE 9-hour *Keeping Safe* training programme.

The training manager also takes a key role in disseminating and ensuring adherence to the policy and procedures. To that end, along with other members of the Safeguarding Committee, he developed and carried out an audit of practice in parishes. The committee expressed delight in receiving a full return, and take this as an indication of priests and parishioner's serious approach to safeguarding children. Where the responses to the audit indicated the need for more support in parishes, this was offered.

The training manager's enthusiasm is infectious, and this along with good support from his colleagues on the committee ensures that the culture of creating safe environments is a live issue in Tuam.

The lay member of the committee interviewed hugely impressed the reviewers; she also takes on the role as Support Person for Victims, and sits on the Advisory Committee. This person has a full time job outside diocesan work, but does not appear to be at all fazed by the many roles she holds. She is a grounded pleasant lady who clearly offers great support to the work of safeguarding children within the archdiocese.

##### **(ii) Parish Representatives:**

Two parish representatives reflected in interview a clear understanding of their role – one is in place for over five years, while the other is relatively recently appointed. Both felt supported by their parish priests, and by the training manager and by the training undertaken. Each of the representatives oversees the recruitment of personnel engaged with children in their parish, ensures the sacristy register is filled in, and that

parental consent is sought for child related activities. One of the representatives raised an issue about having a CCTV camera in the sacristy, but was unclear of the procedures around videoing children.

**Recommendation 8.**

**The Safeguarding Committee should ensure that there is a diocesan procedure on the use of video cameras, which includes viewing, storing and destruction of the video record in accordance with data protection requirements. These procedures would need to be followed by all.**

As with members of the Safeguarding Committee, there is a strong sense of commitment from the parish representatives; any anxieties they have relate to the possibility of receiving disclosures, but they understood their roles in relation to this, should it happen.

#### **Standard 4**

##### ***Training and Education***

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

Training is regarded as a serious matter and priority is given to it within the archdiocese. The training manager combines the role with other responsibilities including those of being a parish priest. He is due to take up his role as parish priest later in the summer but feels that he will be able to handle covering his parish duties without diminishing his input in this vital area of safeguarding practice.

The training manager outlined the history of the approach to training since he took up his post. The archdiocese is moving from a total reliance upon the HSE to the adoption of the new training programme that has been developed by the NBSCCC. He viewed this development positively and looked forward to taking this forward over the coming months.

It is clear that a positive relationship exists with the local HSE representatives who have been very helpful and supportive to the archdiocese. It was emphasised by the reviewers that this positive relationship should be retained and if opportunities to access additional training offered by the HSE came along in the future these should be availed of.

It is also evident that a positive and supportive relationship exists between those involved in training and the rest of the safeguarding team. There is a sense of mutual support and respect for the contribution that each makes to the overall aim of creating and maintaining a safe environment for children in the Church within the archdiocese.

## **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.*

#### **(i) Child Protection Policy Display and Availability**

We have already noted that the Safeguarding Committee has produced a colourful and reader-friendly booklet, leaflets and a poster for display in Churches.

The archdiocesan website, which is organised and maintained by the archdiocesan secretary, has a dedicated section on safeguarding where the diocesan policies and procedures are displayed and where information on making a complaint is available.

In the case management records, there was evidence of public statements by the archbishop following the removal from ministry of a priest(s) accused of child abuse. Worthy of note was a statement by the archbishop asking people who might be victims, but had not yet come forward, to make contact with pastoral support services.

There was some discussion with the Safeguarding Committee about developing a safeguarding newsletter, to keep the laity and priests up to date with developments. One such newsletter has been developed and distributed, and the training manager provided the reviewers with a copy. The Safeguarding Committee plan to issue further newsletters in the future.

## **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.*

On the whole, the reviewers found that appropriate information is in place to ensure that specialist advice, support and information on safeguarding issues is accessible throughout the archdiocese. It is important that this information is continually updated and is easily accessible.

The manner in which Archbishop Neary and the designated persons - including the previous diocesan secretary - responded to complainants is to be commended. The designated persons generally meet the complainant together and offer the services of the support person. As noted above, unfortunately, this offer is rarely taken up. The person who holds the support portfolio in the archdiocese is open to finding alternative ways of offering support to victims of abuse. Archbishop Neary indicated that a reconciliation service was held in Castlebar during the period of the Apostolic Visitation. He expressed some disappointment at the small attendance at this service by victims of abuse, but he recognised the challenges of engaging with victims of clerical abuse.

In terms of offering support to respondents, the priest is offered an adviser, and if placed on administrative leave, then he is also offered a support person. Earlier in this report we have detailed recommendations to make the supervision and monitoring of accused priests more robust.

In discussion with all role holders we asked what emotional support was provided to them in managing challenging situations. The priests stated that they rely on the support of their spiritual advisers, while the lay people said that they look to the training manager. One of the priests indicated that the last few years have been very challenging for all the priests of the archdiocese, and that while they have the Association of Catholic Priests, perhaps the fear and stress they feel needs to be further addressed by the archdiocese.

## **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.*

#### **(i) Monitoring Compliance**

In order to ensure compliance with safeguarding standards on self-auditing, as set down in Section 3 of the *Safeguarding Children: Standards and Guidance*, an annual review of practice is required. The Safeguarding Committee have carried out two audits of parishes and plan to do this every two years. The requirement under *Safeguarding Children: Standards and Guidance* is to conduct an annual audit and to compile the responses into a diocesan audit for forwarding onto the NBSCCC.

#### **(ii) Parishioner Feedback on Policies**

Parishioners have access to relevant Church personnel and appropriate information, including the archdiocesan website. It is suggested that these are further promoted and that feedback be encouraged from parishioners.

#### **(iii) Recording / Storage of Allegations**

All case files are managed by the archdiocesan secretary and kept in folders, which are held in a secure room in Archbishop Neary's house. The case files were in good order but could be further enhanced by utilising the NBSCCC recording template.

## **Recommendations**

**It is recommended that:-**

- 1. The Designated Person, who has responsibility for managing allegations, should record all information using the case file template recommended by NBSCCC.**
- 2. The archdiocese might wish to consider an arrangement whereby the Support Person attends all initial interviews with the Designated Person. This approach would allow the complainant to meet the Support Person and “break the ice” for future contact.**
- 3. The archbishop should consider writing to all complainants upon receipt of a credible allegation offering support and counselling.**
- 4. The archbishop, in consultation with the existing Support Person, might consider whether it would be appropriate to appoint a Support Person whose sole responsibility would be the support of complainants.**
- 5. We recommend that following the removal of a priest from public ministry that the archbishop sets down in writing the restrictions imposed on the respondent and the supervision, management and reporting arrangements.**
- 6. Archbishop Neary, as Patron of the local secondary school, should continue to support strong safeguarding policies, procedures and practice within the school.**
- 7. Archbishop Neary and his case management team should ensure that they make full use of all the options available to them on the management of allegations. In particular, they may draw on the resources available within the National Office or from social workers in statutory child protection or probation services.**
- 8. The Safeguarding Committee should ensure that there is a diocesan procedure on the use of video cameras, which includes viewing, storing and destruction of the video record in accordance with data protection requirements. These procedures would need to be followed by all.**

## **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 1<sup>st</sup> January 1975 to 1<sup>st</sup> 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 1<sup>st</sup> January 1975 to 1<sup>st</sup> 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 1990<sup>1</sup> 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.

---

<sup>1</sup> 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 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).

*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.

*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 1<sup>st</sup> January 1975 to June 2011 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.