

Newsletter



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

December 2018

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Introduction

This is the fourth and final newsletter of 2018. As we in the National Board reflect upon our year's work, a number of matters stand out as significant.

The introduction of the General Data Protection Regulation and the Data Protection Acts 2018 have brought about material changes to the National Board's ability to access data, which in turn has an impact on advice we offer and on how we monitor allegations against clerics and religious.

The World Meeting for Families raised important issues in relation to how the Catholic Church has cared for complainants of abuse. The National Board has taken note of all that was said and written about the historic response of the Church and is using the views reflected during the WMOF as a motivation to develop new and creative ways of reaching out.

A third significant event for the National Board was the organisation and management of the biennial National Safeguarding Conference, which took place in Kilkenny in October 2018.

The Board has trialled the new Methodology for Reviews in a diocese and in a religious community, and the resultant Review Reports, on the Diocese of Kilmore and on the Glenstal Abbey Benedictine community in Murroe, Co. Limerick, can be accessed here <https://www.safeguarding.ie/publications>.

Finally, we have written three Guidance Advice and Practice (GAP) papers, which we have published on the National Board's website; and we plan to continue to produce such papers next year and in future years.

Details relating to all these matters and the following information are referenced in the Newsletter below.

GDPR Information Sharing, MOUs and Data Processing Deeds

The National Board has appointed Niall Moore as its Data Protection Officer. He can be contacted on DPO@safeguarding.ie for all matters relating to the Board's data protection policy; access to data; and storage and retention of data.

The National Board has developed a series of Data Processing Deeds ("Deeds") governing each of the services it offers. These colour-coded documents refer to information the Church authority agrees to share with a member of the National Board's staff. In signing the Memorandum of Understanding ("MOU") and Deeds, the Church authority as Data Controller agrees to share personal sensitive data with the National Board's staff member in accordance with the terms of the Deeds, so that the member of staff can provide the Church authority with best advice, based on the full information provided. These Deeds have been revised by the National Board's lawyers for GDPR compliance purposes.

The specific MOUs and Deeds relate to:

- Adherence to Safeguarding Children, Policy and Standards for the Catholic Church in Ireland 2018, and notification of allegations (anonymised) to the National Board
- Request for advice on case management issues
- Request for advice from the National Case Management Committee
- Assistance with case management records
- Reviews of child safeguarding and case management records

With immediate effect the National Board and the NCMC cannot offer any case management advice without the appropriate Data Processing Deed having been signed. These are therefore being issued to all members of the NCMC ; on a case by case basis following requests for advice; and on a case by case basis when a request for assistance with case management records is made.

In the coming months the National Board will:

- Initiate a process of reviewing all data it holds. We will then contact each Church authority outlining what data we hold, and requesting their consent to continue to hold relevant data.
In the case of the National Board offering advice, we will continue to retain such data in line with article 28 3 (g) of the Data Protection Act 2018.
- Further develop data retention procedures with reference to specific processes and principles of GDPR

Guidance Advice and Practice Papers

This series of papers seeks to provide information on research, advice, and resources which will assist in supporting and developing best practice in safeguarding children.

The first paper in the series, which was produced in May 2018, highlights matters relating to Child Safeguarding and Digital Media. This was written following on from a training event - *Child Safeguarding and Digital Media-Practice and Challenges for Faith Groups in Ireland* - co-hosted with NOTA in October 2017 You can access this paper here

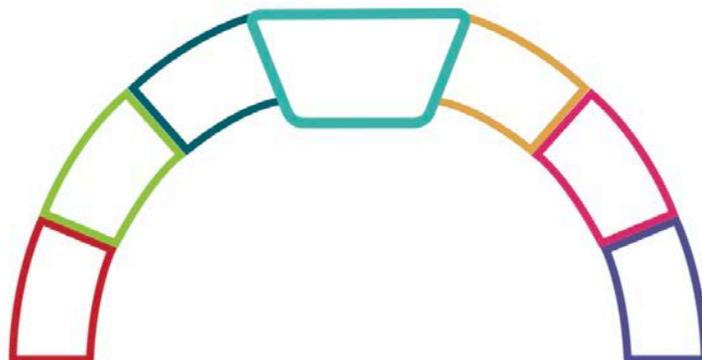
https://www.safeguarding.ie/images/Pdfs/GAP_Papers/GAP%20Paper%201%20Child%20Safeguarding%20and%20Digital%20Media.pdf.

The second paper entitled Compassionate Response to Complainants is developed from experience of case management practice in Ireland and internationally, reading and research, and through listening to those who have shared their experiences of being harmed in the Catholic Church in Ireland. The launching of this paper coincided with a training event which took place in November 2018. You can access the GAP Paper 2 here

https://www.safeguarding.ie/images/Pdfs/GAP_Papers/GAP%20Paper%202%20Compassionate%20Response%20to%20Complainants.pdf.

The third and final GAP paper for this year is entitled Caring Pastorally and Managing Respondents. This supports the procedural Guidance detailed in Standard 4 of National Board's Guidance accompanying Safeguarding Children - Policy and Standards for the Catholic Church in Ireland 2016. The paper seeks to address the more human considerations that arise for respondents and their families, their friends and colleagues, as well as for their Church authority and for others who have a responsibility to safeguard children. This Paper can be accessed here

https://www.safeguarding.ie/images/Pdfs/GAP_Papers/GAP%20Paper%203%20Caring%20Pastorally%20and%20Managing%20Respondents.pdf.



Self-Audits

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

The National Board suggests that the self-audit is completed by the end of **December 2018** and that the Church authority notifies us by the end of **January 2019** that the self-audit has been completed.

The National Board will comment on the numbers of self-audits completed in its annual report in May 2019.

National Conference 2018- Be Not Afraid

The National Board's biennial National Conference was held in Kilkenny on October 26th and 27th. It was attended by 200 delegates who heard a range of speakers present on matters relevant to child safeguarding in the Catholic Church in Ireland. Evaluations of the Conference have been overwhelmingly positive, with 99% stating that the Conference venue, speakers and topics were 'very good' or 'excellent'.

Some of the presentations made to the National Conference can be found at

<https://www.safeguarding.ie/component/eventbooking/national-safeguarding-conference-2018>.

The theme of the Conference - *Be Not Afraid* - was chosen to encourage all Church personnel, clerics, religious, lay men, women and children to not allow their fears to impede them in continuing to push the boundaries of safeguarding practice. In doing so, we can grow in confidence that we are promoting good safeguarding of children, caring for those who have been harmed, and supporting respondents and their families.

The National Board would like to acknowledge the significant good safeguarding work that is going on in the Catholic Church in Ireland and wants to encourage those who may feel disheartened at times to keep going: Safeguarding children is relatively new but also an important ministry!

Review Methodology and Timetable for Reviews

The Conference of Bishops in Ireland approved the review methodology in June 2018. AMRI are in the process of considering the methodology. A review memorandum of understanding and data processing deed has been updated in accordance with GDPR.

Next steps:

Recruitment of reviewers - January 2019

Training of reviewers - February-March 2019

Fieldwork of reviews to begin - March 2019

Any Church authority who would like a review of Safeguarding Practice in their Church Body should put a request in writing to Teresa Devlin, CEO

Invitation to apply to become a reviewer with the National Board

The National Board is seeking to recruit reviewers in line with the timeframe above. If anyone is interested in becoming a reviewer please contact teresa.devlin@safeguarding.ie for more information

Training and Support

Ecclesiastical Provincial Area Meetings

Since the last newsletter the National Board has completed four ecclesiastical provincial area meetings and a meeting with AMRI. These were facilitated on:

- 19th September (Armagh)
- 31st October (Cashel)
- 26th November (Tuam)
- 29th November (Dublin)
- 4th December (AMRI)

The purpose of these events is for staff from the National Office to meet with Bishops, Provincials, Superiors, designated liaison people (DLP) and trainers from dioceses, religious congregations and orders across the four ecclesiastical provincial areas of Ireland, to discuss common issues of interest to further develop best practice in relation to safeguarding children. Topics for discussion included:

- GDPR
- Review Methodology
- Mandatory Reporting
- Update on Guidance
- Update on Training

We would like to take this opportunity to thank the four Archbishops and AMRI for hosting these events and to all of those who attended and participated. The PowerPoint presentations for all of these events can be found on the booking page of each event here <https://www.safeguarding.ie/index.php/what-we-do/advice-on-effective-practice/training>.

Training for 2019

All national training for 2018 has now been completed; dates for in 2019 are now available on the website. We will open the bookings for these training events from the start of January 2019. Training events for 2019 include:

- 16/01/2019- Training for New DLPs
- 2,3,9,10/2/2019 and 02/03/2019-Train the Trainers Course
- 13/02/2019- Thresholds for Reporting with An Garda and Tusla
- 27/02/2019- Training for New Church Authorities
- 23/03/2019- Mandatory Trainers Update
- 27/03/2019- Training for Lay Apostolates
- 27/04/2019- Mandatory Trainers Update (Additional Alternative Date)
- 15/05/2019- Care and Support for Church Personnel
- 05/06/2019- International Missionary Work (Additional Date)

Review of Training

2019 will be the final year of the National Board's second Training and Support Strategy. In the coming months we will be engaging with you to seek your views regarding how you would like training to be delivered, in order to assist with writing the next National Training Strategy.

Update to the Training Manual

As with the Guidance, the Training Manual has to be updated from time to time. To make keeping up the change a bit easier the changes will be coordinated in line with the newsletter.

This time, change has come about because of data protection implications around who needs to be informed if an allegation against Church personnel in another Church body is received. This has resulted in a change in the standard flowchart and accompanying guidance.

In essence if Church personnel receive an allegation about Church personnel in another Church body it must be reported to the DLP of the respondent's Church body who will assess whether it meets the required threshold and report it to the statutory authorities. Because of this a number of pieces of guidance in Standard 2 have now changed and therefore the manual needed to change with them.

Trainers should print all the pages detailed on the trainers section of the website which can be accessed with the login information given to them at their registration as trainers. It is important that these pages are printed double sided and use them to replace the existing pages in the manual. The PowerPoint slides have changed as well so these must be downloaded and used to replace the previous versions.

Guidance Updates

As is now our practice, the guidance updates are now synchronised with the publication of the newsletter. A full list of guidance updates is available to view here <https://www.safeguarding.ie/guidance>. This month these include:

- Changes to the reporting flowchart in relation to Church personnel from another Church body
- Changes to reporting process for deceased Church personnel
- Additional changes to the Child protection referral form in line with GDPR

Safeguarding Sundays

This is a final request to everyone involved in Safeguarding in the Catholic Church in Ireland to send in any information you can on the holding of a **Safeguarding Sunday** in your local Church – diocese or congregation. We have received some good material from a small number of Church bodies, which describes what they have done in terms of planning and operating a dedicated day or weekend about safeguarding, what media they used, what resources they developed etc. The National Board wants to share examples of good and effective practice; and we will be writing up a piece on holding a **Safeguarding Sunday** or other dedicated event to continue to highlight safeguarding being everyone's responsibility.

Please send your responses to Peter Kieran at the National Office in Maynooth –
peter.kieran@safeguarding.ie



Practice Issue- Supporting Complainants in Criminal Court Proceedings

Standard 3 (Care and Support for the Complainant) of Safeguarding Children, Policy and Standards for the Catholic Church in Ireland, 2016 states

‘Complainants who have suffered abuse as children receive a compassionate response when they disclose their abuse. They and their families are offered appropriate support, advice and pastoral care.’

Church bodies have been developing and improving the ways in which they provide pastoral care to complainants. While this outreach can be challenging at times, being available and caring for complainants of abuse can contribute markedly to their healing and recovery.

While there are relatively few criminal prosecutions of priests and religious for child sexual abuse within the Church, many complainants who have experienced criminal trials have described how vulnerable and unsupported they felt during the criminal trial process. They are a witness on behalf of the State - and apart from receiving a Witness Summons to attend a certain court on a nominated date, they receive no other formal recognition in the process. If they are not called as a witness, they are simply an interested member of the public attending a court case. Even though at a personal level the case is all about them, and they will likely be very affected by it, they do not play a central role in proceedings and can be, and can certainly feel, side-lined and ignored.

The Church authority has no formal standing in the prosecution of their members before the criminal courts and should never seek to influence or interfere with criminal court proceedings. The Church authority however has a responsibility to ensure that supports are made available to both the respondent and the complainant through the criminal prosecution process. The complainant needs to be made aware of and be kept informed about criminal proceedings. Each individual complainant will have particular needs before, during and after criminal trials; and the Church authority should ensure that these are identified and met through the provision of appropriate support.

The following issues should be considered:

- Before a criminal trial:
 - If there is contact with a complainant, the relevant support person should meet with them to give them the opportunity to talk about the impending case, speak of their feelings about it, and receive information about the process if they request this.
 - The support person can check with the complainant if they would like to be accompanied to the trial; and if they do, the support person needs to arrange to be available to do this or to have someone acceptable to the complainant do this.
 - The support person may need to contact the Gardai /PSNI and/or a victim liaison person on behalf of the complainant.
 - If there is not a victim liaison person allocated to the complainant, the support person should consider offering them a pre-trial visit to the Courthouse to get a sense of what it looks and feels like, where each party to the proceedings will be seated etc. This may be agreed with court services and contact can be made with the relevant Court Clerk or Registrar.
 - The complainant may need assistance in making travel arrangements to attend the trial; and the support person can consider whether to offer them transport.



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



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- During the criminal trial:
 - The support person should advise the complainant that they cannot see anyone else's statements in advance; but if they themselves have made a statement to the police, that should be made available to them.
 - In some court proceedings - for example, in cases involving abuse of children or sexual violence - the judge may order the Court to be cleared, so that only those who are involved in the trial are allowed to remain. However, a person or persons accompanying the complainant may be allowed to be present, if a request is made to the judge through the Clerk or Registrar.
 - The support person should be available to the complainant during breaks so they are not left standing alone; and can offer them or accompany them for coffee or lunch.
- After the criminal trial:
 - The support person will need to be available to the complainant if they are angry or distressed, to listen and sit with them in their discomfort.
 - If the complainant does not understand what happened in the trial, the support person can assist them in directing their questions to the relevant personnel.
 - In the situation where the complainant has not been accessing counselling and other supports, the support person can enable them to access these services.

Helpful guidance on support services for victims of crime can be found at:

Republic of Ireland - Crime Victims Helpline
<https://crimevictimshelpline.ie/faqs/courts#4>
Freephone: 116006

Northern Ireland – Victim Support NI
<http://www.victimsupportni.com/help-for-witnesses/>
Belfast Hub Office - 028 9024 3133
Foyle Hub Office - 028 7137 0086

Belfast Hub deals with Armagh City, Banbridge & Craigavon; Belfast City; Lisburn City & Castlereagh; Newry City; Mourne & Down; North Down & Ards
Foyle Hub deals with Antrim & Newtownabbey; Causeway Coast & Glens; Derry City & Strabane; Fermanagh & Omagh; Mid & East Antrim; Mid-Ulster