



**Private and Confidential**

**Review of Safeguarding Practice**

**in the**

**Diocese of Ossory**

**undertaken by**

**The National Board for Safeguarding Children in the**

**Catholic Church (NBSCCCI)**

**The content of this Report is not to be accessed or shared without the consent  
of Bishop Séamus Freeman, SAC, Bishop of Ossory**

**Date: June 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 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, *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 Ossory* 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 the reviewers by Bishop Freeman, along with interviews with selected key personnel who contribute to safeguarding within the Ossory diocese. The NBSCCCI believes that all relevant documentation held by the diocese for these cases was passed to the reviewers and Bishop Freeman has confirmed this.

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

## **Introduction**

At the request of Bishop Séamus Freeman SAC, staff from the NBSCCCI engaged in a process of reviewing safeguarding children policy, procedures and practice on June 17th, 18th and 19th 2013. Over the three-day fieldwork period, case files were examined and interviews were conducted with key personnel in the diocesan safeguarding structure. The reviewers also read diocesan safeguarding policy and procedures documents and evaluated these against the 2009 national *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*.

Ossory is a diocese of just over 89,429 people in the south-east of Ireland. It has forty-two parishes in the counties of Kilkenny, Laois and Offaly and covers an area of 1,972 square kilometres. There are 60 active priests in ministry in the diocese.

Bishop Séamus Freeman SAC was appointed as Bishop of Ossory by Pope Benedict XVI on 14th September 2007 and was ordained Bishop on 2nd December 2007. Bishop Freeman entered the Society of Catholic Apostolate (Pallottines) in Thurles, Co. Tipperary and made his first profession in 1965. He studied philosophy at the National University of Ireland, University College Dublin and Theology at St. Patrick's College, Thurles. He later completed an M.A. in Psychology in the Catholic University, Washington, D.C., USA. He was ordained a priest on 12th June 1971. Bishop Freeman took over from Bishop Laurence Forristal who was ordained Auxiliary Bishop of Dublin and Titular Bishop of Rotdon on 20th January 1980. He was appointed Bishop of Ossory on 30th June 1981 and retired on 14th September 2007.

This review report references practice from 1975 in relation to the management of cases, therefore decisions by both Bishop Freeman and Emeritus Bishop Forristal will be commented upon.

The review team met all who held important roles in the safeguarding structure within the diocese and spent time over a three day period in mid June 2013 reviewing files, meeting priests, staff and volunteers. This was followed by a period of reflection, critically analysing the findings and reviewing all written safeguarding policy procedures and relevant documentation.

The reviewers would like to thank Bishop Freeman and his personnel for their openness and for the hospitality shown during the fieldwork. In particular the team would like to highlight the significant work undertaken by the diocesan secretary, who demonstrated an amazing knowledge of all matters relating to safeguarding and in addition, demonstrated through her work, her commitment to supporting Bishop Freeman in making Ossory diocese a safe place for children.

## **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 Ossory who signed a Memorandum of Understanding with the NBSCCCI as a sign of their commitment to following the seven standards. In addition in 2012 Ossory diocese joined the National Case Management Reference Group (NCMRG) and signed another legal deed allowing the exchange of information in the interests of receiving safeguarding advice on management of allegations and response to victims of abuse.

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 Ossory diocese meets the requirements of all nine criteria against which the standard is measured.

**Criteria**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>1.1</b>	The Church organisation has a child protection policy that is written in a clear and easily understandable way.	Fully Met
<b>1.2</b>	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).	Fully Met
<b>1.3</b>	The policy states that all Church personnel are required to comply with it.	Fully Met
<b>1.4</b>	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.	Fully Met*
<b>1.5</b>	The policy addresses child protection in the different aspects of Church work e.g. within a church building, community work, pilgrimages, trips and holidays.	Fully Met
<b>1.6</b>	The policy states how those individuals who pose a risk to children are managed.	Not Met
<b>1.7</b>	The policy clearly describes the Church's understanding and definitions of abuse.	Fully Met
<b>1.8</b>	The policy states that all current child protection concerns must be fully reported to the civil authorities without delay.	Fully Met
<b>1.9</b>	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.	Fully Met

**\* Current document was produced in 2012**

Ossory diocese, up to the publication of the *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* in 2009, had a diocesan safeguarding policy, which was reviewed every three years. After the publication of the national standards document, the diocese agreed to adopt *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*, the standards document as its policy. The HSE audit in 2012 advised that they should develop their own localised document based on NBSCCCI's *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* and *Children First*. As a consequence the safeguarding committee produced the current diocesan safeguarding policy and procedures document which was approved by Bishop Freeman in August 2012.

Page 3 of the diocesan policy document states *to satisfy the implementation of this Policy, the Diocese of Ossory adheres to "Safeguarding Children" Standards and Guidance document for the Catholic Church in Ireland*, in doing so the diocese is making a firm commitment to following the national standards. Within their own policy document, there is clear information on: the diocesan policy statement; how to report a concern and how to create safe environments for children. However because the diocesan policy document is laid out differently than the seven standards, it is harder to identify a number of the other requirements such as access to advice and support; communications policy; training and implementation. It would be helpful therefore that the next diocesan policy document is set out more consistent with the order of the NBSCCCI's standards in *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*.

In addition to having a diocesan policy statement, which identifies who to report to if there is a child safeguarding concern, all parishes have adapted this so that there is a parish specific policy statement on display in all parish property. This statement references the policy of the parish which is in line with the diocesan policy, the commitment to working alongside civil authorities and in addition, it gives the names and contact details of the parish representatives. Both the diocesan and parish posters are displayed in frames which makes them very visible and accessible to the reader. The safeguarding committee advised that there were some early challenges which needed to be addressed around the role of the safeguarding representative. Initially there was some confusion that the safeguarding representative should play a role in managing allegations, this meant that a number of representatives shied away from role and there was reluctance for people to take on this role. Since then the role has been clarified and it is now clear within the diocese that the safeguarding representative's role is in supporting the priest to create safe environments.

The diocese meets all requirements with the exception of Standard 1, Criterion 1.6 which states how individuals who pose a risk to children are managed. This could be explained by the absence of safeguarding allegations within the diocese, however greater clarity on this is required within the written diocesan procedures.

**Recommendation 1: The safeguarding committee should consider in their next revision of diocesan policy and procedures, a template which follows the seven safeguarding standards and which sets out how the diocese manages those who pose a risk to children.**

## 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 Ossory 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).	Fully Met
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.	Fully Met
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.	Fully Met
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.	Fully Met
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.	Partially Met
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.	Fully Met
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.	Fully Met

**Table 1**

**Incidence of safeguarding allegations/suspicious/concerns received within the diocese against Ossory priests, from 1<sup>st</sup> January 1975 up to time of review.**

<b>Name of Diocese : Ossory</b>		
<b>1</b>	Number of diocesan priests against whom allegations* have been made since the 1 <sup>st</sup> January 1975 up to the date of the review.	<b>14</b>
<b>2</b>	Total number of allegations received by the diocese since 1 <sup>st</sup> January, 1975	<b>27</b>
<b>3</b>	Number of allegations reported to An Garda Síochána involving priests since 1 <sup>st</sup> January 1975.	<b>27</b>
<b>4</b>	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 <sup>st</sup> January 1975.	<b>27</b>
<b>5</b>	Number of priests (still members of the diocese) against whom an allegation was made and who were living at the date of the review.	<b>4</b>
<b>6</b>	Number of priests against whom an allegation was made and who are deceased.	<b>7</b>
<b>7</b>	Number of priests against whom an allegation has been made and who are in ministry.	<b>3</b>
<b>8</b>	Number of priests against whom an allegation was made and who are “Out of Ministry”, but are still members of the diocese.	<b>Nil</b>
<b>9</b>	Number of priests against whom an allegation was made and who are retired.	<b>1</b>
<b>10</b>	Number of priests against whom an allegation was made and who have left the diocese/priesthood.	<b>3</b>
<b>11</b>	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 <sup>st</sup> January 1975.	<b>2</b>

\* This includes allegations, suspicions and concerns

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

### **Allegations**

Since January 1975 there have been allegations made against 14 priests from Ossory diocese. Most of these occurred under the tenure of Bishop Birch and then Bishop Forristal. Bishop Freeman was ordained Bishop in 2007 and has dealt with allegations against two living priests since then. The two allegations that have been received within the last 6 years (under Bishop Freeman) have been appropriately managed with timely notifications to the civil authorities. Neither case proceeded to a canonical investigation as one allegation was withdrawn and the other was considered not to be an allegation of child abuse. The diocese appropriately sought advice from a diocesan Advisory panel in one case and the National Case Management Reference Group (NCMRG) in another. The reviewers are satisfied that in both cases the status of the priests, in full ministry, is appropriate and that all matters have been addressed based on the information that was available to Bishop Freeman and his designated people.

The case files of fourteen priests were examined, these included cases against four living priests, three who have since been laicised and seven deceased priests.

Most of the case files which were constructed prior to Bishop Freeman taking up office contained handwritten illegible notes with significant gaps in recording, making the records difficult to follow. The diocese had previously consulted NBSCCCI to establish if the files should be reconstructed prior to review, but NBSCCCI had advised against this, as experience elsewhere when old records were reconstructed into the NBSCCCI case file template meant a significant duplication of records. Having read the original records the reviewers would now urge Bishop Freeman to reorganise all old records in chronological order, ensuring that all handwritten notes are typed with the original records held in an appendix. It is noted and commended that that all new files have been developed using the NBSCCCI template with narrative accounts which supports all action taken.

**Recommendation 2: Bishop Freeman must ensure that old case management files are reorganised using a chronological system. The practice of using the NBSCCCI case file template should continue for all new cases.**

There were allegations against seven priests who are still alive, all of whose case files were examined. Of these seven, three have left the priesthood and have been laicised, and a further three are in ministry and one has retired. Two of these four cases (priest A and B) have already been referenced above as being appropriately managed under Bishop Freeman and the recording reflects the considerable work which took place in relation to both priests.

In the case of Father A, the complainant withdrew the allegation. Bishop Freeman had asked the priest to withdraw from ministry during the initial stages of the complaint so that the matter could be referred to the civil authorities and any internal Church process

initiated. The complainant did not proceed with making an allegation to An Garda Síochána and later withdrew his allegation. The HSE did not conduct any assessment in this case. In this case a support person was offered to the complainant but that offer was not accepted.

Father B was also managed by the designated person reporting to Bishop Freeman. In this case there was a lack of clarity around whether the concern was an allegation of child abuse. However the matter was referred to the civil authorities who in turn judged (both An Garda Síochána and HSE) that there was not an allegation of child abuse which required investigation. Bishop Freeman did consult a diocesan Advisory panel and concluded that there was no allegation and therefore no need to restrict the priest's ministry.

The other two cases of priests who are currently in ministry were dealt with by Bishop Forristal and the following issues emerged.

In relation to priest C there was a third party allegation where there was no victim who came forward either to the diocese or to the civil authorities. The diocese did conduct inquiries and established that there was no semblance of truth to the allegations.

In the final case, there was a third party allegation that a priest had abused two boys. The conclusion of Bishop Forristal in 2005 was that he 'investigated this claim [the CSA allegation] and procured psychological assessment for (named priest) and I am now convinced that there is no substance to the allegations'. It is unclear from the written records whether this matter was notified to the civil authorities and the reviewers were uncertain what Bishop Forristal was basing his judgement on that the allegations had been investigated. As a consequence of the reviewers' concerns about the thoroughness of the management of this case, it was referred back to Bishop Freeman for him to review the case and try and establish if there currently exists any concern, about the respondent priest. At the end of the fieldwork, Bishop Freeman appointed an appropriate person to review the records and conduct inquiries to satisfy himself that all safeguarding action had been taken and to check whether there were any outstanding risk issues which may need to be addressed. In addition he consulted the NCMRG who were satisfied that all appropriate steps had now been taken.

These specific issues raised in relation to this case include:

- The importance of good record keeping.
- The need to have written confirmation that all allegations have been notified to An Garda Síochána and that both civil and church inquiries have taken place.

There was in addition, further learning from a review of this case, which is relevant to the wider Church and includes:

- The requirement to share information between Church authorities where there is a need to know, in the interests of safeguarding children.

- The necessity of an incoming bishop fully apprising himself of all safeguarding allegations relating to living priests. (This is a recurring theme that has been highlighted in other safeguarding reports).
- The obligation of annually checking that priests, who are from the diocese, but not ministering in the diocese are indeed in good standing before issuing a celebret.

**Recommendation 3: Bishop Freeman, having reviewed the case referred by the reviewers must now ensure that the recommendations of the National Case Management Reference Group (NCMRG) have been followed.**

**Recommendation 4: Prior to issuing celebrets and/or letters of good standing for priests from the diocese, but not ministering in the diocese, Bishop Freeman should read all relevant records and make appropriate enquiries from the Church authority of where the priest is ministering to ensure that there are no matters of concern relating to priests of his diocese.**

Of the remaining priests, who are either now deceased or who are no longer priests, there were two prolific abusers who have been convicted of child abuse and who have since been laicised. Both are being monitored by the state authorities. In both these cases, Bishop Forristal took immediate steps to remove the men from ministry as soon as he learned of the allegations. However in one case he received legal advice in 1994 (prior to any Church guidance) that he did not need to notify An Garda Síochána of the allegation. Therefore following legal advice the information regarding the allegation was not given to An Garda Síochána at the time but was given to them in 2005.

In the other case An Garda Síochána informed Bishop Forristal of the allegations in 1994 and the priest was immediately removed from ministry. There were successful prosecutions in both the above cases.

### **Response to Victims**

There is limited evidence of a pastoral response to victims in the past.

In the more recent case where there was an identified complainant, an appropriate offer of counselling and support was made. Some victims have been awarded compensation which has been as a result of legal action pursued by the complainant.

It is possible that in one of the cases above that there are a number of other victims who have not yet come forward to the diocese. The diocese when cross referencing information with An Garda Síochána, as part of the HSE audit process in 2012, discovered that An Garda Síochána had more names of alleged victims on their files relating to the above men than the diocese had. The diocese has stated that this is due to

the fact that some victims, as part of their civil claims, informed An Garda Síochána but did not notify the diocese. The reviewers note from the records that the offending priest himself suggested that there were more victims than known to any agency.

**Recommendation 5: As part of restructuring of old files into chronological order, Bishop Freeman should ask his designated person to detail all information relating to named victims and ensure that all these details are passed to the civil authorities for their investigations.**

### **Safety Plans**

There has not been a need to develop any new safety plans for priests out of ministry in the diocese under the stewardship of Bishop Freeman. Bishop Forristal pursued laicisation of one priest in 1985. Bishop Freeman pursued laicisation of two priests by travelling to Rome with submissions in 2009.

In the case referred back to Bishop Freeman for examination, there was a judgement made that the priest did not present a risk to children, the reviewers believed that should be re-examined and if required a safety plan put in place. This has now happened.

### **Personnel**

There are currently four designated people who could respond to allegations of abuse on behalf of Bishop Freeman. Two of these are priests, one of whom has held this challenging portfolio for a very long period and his deputy who dealt with the more recent cases. Both priests talked of the heavy burden of having to deal with allegations against fellow priests. The two lay people have been engaged to offer complainants a choice of whether to report to a priest or lay person. One is a man and the other a woman. Neither has had to deal with an allegation against a priest since taking on the role. One of the lay people has had to notify the civil authorities of allegations against a lay employee but as this person was no longer employed by the diocese at the time of the allegation, there were no safeguarding matters for the diocese to address.

Following discussions with the priest designated persons and Bishop Freeman, the reviewers conclude that it is now appropriate for Bishop Freeman to employ a lay designated person on a part-time basis to review and reorganise all case files and to take on the roles of reporting and responding to allegations and pursuing any Church investigations thereafter required.

**Recommendation 6: Bishop Freeman should consider appointing a part-time lay person to the role of designated person and case manager to ensure there is no conflict of interest and to deal with cases from start to finish.**

### **Relationship with Civil Authorities**

The reviewers held an interview with the local Garda Sergeant and a telephone conversation with the HSE Area Manager, Children & Family Services, Carlow/Kilkenny & South Tipperary. An Garda Síochána stated that there is a good

working relationship with the diocese and have confidence in Bishop Freeman and the designated liaison people notifying them of all allegations of abuse. The HSE person also reflected that following a period of working together to build the relationship, it is now a positive relationship. Bishop Forristal met with the Area Manager, Children & Family Services, Carlow/Kilkenny & South Tipperary on six occasions between 20.4.02 and 6.6.06 to share information and report allegations. The HSE representative stated that there are annual HSE, An Garda Síochána and diocesan meetings and that she has contact with Bishop Freeman and the two priest designated people on safeguarding and other child related matters. In 2008 the first safeguarding co-ordinator was appointed, the HSE were informed of this appointment and worked alongside the co-ordinator to deliver training. The HSE Area Manager, Children & Family Services, Carlow/Kilkenny & South Tipperary reflected that in her opinion there have been steady improvements in policy and training since and the appointment of the current safeguarding co-ordinator in 2012 is another welcome development.

### **Conclusion in relation to Standard 2**

Notwithstanding the limited number of allegations made during Bishop Freeman's tenure of office, it is fair to state that the two cases managed by him have been well managed and that all the correct procedures have been followed. It was more difficult to assess if all risk has been identified from the older records and the reviewers believe that there is work to be done in relation to one particular case which has now been actioned.

On a wider note, the reviewers believe that as part of becoming aware of all safeguarding matters in a diocese, all new bishops should read all case files of living priests and understand what safeguarding action has taken place so that they are satisfied that correct procedure has been followed, risks identified and managed.

As already stated the layout of the policy document could be improved to allow greater clarity around reporting timescales and follow-up church action; under 2.4 there are gaps in the case records of the old files which make them difficult to follow; and under 2.5 the current policy document does not specify timeframes for resolving complaints. All these issues will be addressed following the implementation of Recommendations 1, 2 and 5.

### **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 Ossory 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**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>3.1</b>	There are policies and procedures for recruiting Church personnel and assessing their suitability to work with children.	Fully Met
<b>3.2</b>	The safe recruitment and vetting policy is in line with best practice guidance.	Fully Met
<b>3.3</b>	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.	Fully Met

#### **Criteria – Codes of behaviour**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>3.4</b>	The Church organisation provides guidance on appropriate/ expected standards of behaviour of, adults towards children.	Fully Met
<b>3.5</b>	There is guidance on expected and acceptable behaviour of children towards other children (anti-bullying policy).	Fully Met
<b>3.6</b>	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.	Not Met

<b>3.7</b>	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.	Partially Met
<b>3.8</b>	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.	Partially Met
<b>3.9</b>	Policies include guidelines on the personal/ intimate care of children with disabilities, including appropriate and inappropriate touch.	Partially Met

### **Criteria – Operating safe activities for children**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>3.10</b>	There is guidance on assessing all possible risks when working with children – especially in activities that involve time spent away from home.	Fully Met
<b>3.11</b>	When operating projects/ activities children are adequately supervised and protected at all times.	Fully Met
<b>3.12</b>	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.	Partially Met

The current diocesan policy and procedure document was developed and produced in 2012 and contains some of the information required under Standard 3 to ensure that children are safe when involved in Church activities. There are however, a number of gaps which require further attention by the safeguarding co-ordinator in consultation with the safeguarding committee. The diocese does not appear to have detailed in their policy document a whistle blowing policy, how a child's difficult behaviour is managed or the management of discriminatory behaviour or language.

In addition, further work needs to take place to ensure that the procedure for managing intimate care gives greater clarity to the provider of that service. It may be that the policy of the diocese is for a parent/carer only to provide intimate care. If that is the case that should be specified in the procedure document.

Similarly while there is some guidance on the use of information technology, it lacks details about the use of photography and mobile phones.

**Recommendation 7: The safeguarding co-ordinator must review all procedures within the diocese to ensure they have detail which sets out how each aspect of Standard 3 is met.**

The initial safeguarding co-ordinator, who was appointed in April 2008, was an employee of the Ossory youth service, had responsibility for garda vetting, ensuring recruitment processes were followed, training and support of parish representatives. The current safeguarding co-ordinator, who was appointed in 2012, took up post in a newly established diocesan safeguarding office and was provided with dedicated resources for safeguarding. She has taken on responsibility for all aspects of safeguarding including vetting and ensuring that all parishes have in place all policy and procedures for the creation of safe environments. The reviewers reviewed the vetting processes and are satisfied that these are all in order. Bishop Freeman, all priests, staff and volunteers in parishes have been Garda vetted. The reviewers were advised that over 60 priests and over 600 staff/volunteers have been vetted in the diocese.

In addition, the safeguarding co-ordinator is in a process of engaging with all priests and parishes to offer support and monitor the implementation of diocesan policy at local level. The reviewers believe that this oversight support and monitoring role is a good development and provides an opportunity for the diocese to refresh its policy and procedures as well as ensure compliance with the standards. In addition the role holder should meet Bishop Freeman on a regular basis to develop plans for the diocese in relation to all aspects of prevention and to ensure that the requirements of the diocesan policy are being adhered to at parish level.

The reviewers also met two safeguarding representatives whose responsibility it is to promote safeguarding at local level. The reviewers were advised by the safeguarding committee of earlier misunderstandings and some lack of clarity around the role of the safeguarding representative. While this is now clearer in the diocese, the reviewers believe that further clarity through regular support meetings with the representatives on a deanery basis would assist with a greater understanding of their role.

**Recommendation 8: The safeguarding co-ordinator should continue to meet all safeguarding representatives and parish priests on a regular basis to provide them with a written role description for the safeguarding representative and offer support for their role as safeguarding representatives.**

The reviewers also met the safeguarding committee who have recently completed their work on devising the diocesan policy and procedures document. Recently new members have been appointed to the safeguarding committee. This could provide the committee with an opportunity to review their role and function. To assist with this task it would be appropriate for them to devise a constitution with terms of engagement, (NBSCCCI may be able to assist with this task) so that they have clarity of purpose and enable them to produce a work plan year on year.

**Recommendation 9: The chair of the safeguarding committee should, alongside all committee members draft a committee constitution and annual work plan for presentation to Bishop Freeman.**

The reviewers acknowledge the significant contribution made by the committee and safeguarding representatives who volunteer willingly to support the work of safeguarding in Ossory diocese.

#### Standard 4

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

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

##### **Criteria**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
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.	Fully Met
4.2	Identified Church personnel are provided with appropriate training for keeping children safe with regular opportunities to update their skills and knowledge.	Fully Met
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.	Fully Met
4.4	Training programmes are approved by National Board for Safeguarding Children and updated in line with current legislation, guidance and best practice.	Fully Met

Ossory diocese has had two trainers since 2006 who work within the diocesan youth service. This mix brings a good blend of practice and experience of working with children alongside training and awareness raising in relation to safeguarding and child protection. The trainers clearly have expertise in working and communicating with children and young people. The trainers have delivered a number of training sessions to priests, lay staff and volunteers, previously under *Keeping Safe* and now as part of NBSCCCI's training programme. Both trainers are registered as NBSCCCI trainers. The manager of the trainers who is also a manager within the Ossory diocesan youth service also sits on the safeguarding committee and therefore has a good oversight knowledge of the diocese's needs in relation to training. While there is no direct training with children and young people, the trainer and manager interviewed as part of the NBSCCCI review, discussed how an increasing awareness amongst children of their rights to protection, as taught in schools, filters across positively to Church related youth activities.

In addition to the standard training programme delivered by the diocesan trainers, the safeguarding co-ordinator has adapted the training and information session for local delivery at deanery level. The current safeguarding co-ordinator has been in post since February 2012 and alongside her other roles, which facilitate the creation and maintenance of safe environments, she engages locally with priests and deanery representatives to ensure an increase in knowledge and awareness of child abuse and how to report a concern. The introduction of a central

safeguarding office is a welcome initiative in the diocese and the current co-ordinator has initiated a number of commendable steps to strengthen safeguarding at parish level. These include attending parish meetings to support the priests and lay faithful involved in safeguarding work. The co-ordinator and trainers discussed some of the anxieties held at parish level by safeguarding representatives who had misunderstandings that their roles were to manage allegations on behalf of the parish and diocese. In addition the co-ordinator spoke of her perception of some priests who feel quite weary following the child abuse scandals within the church. Her job has been to work positively to build up a very significant collaboration with priests and that of the lay faithful so that children taking part in church activities are safe and free from harm. While the work of the co-ordinator is evolving, her appointment already has brought improvements to the processes, including training within the Diocese of Ossory.

**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**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>5.1</b>	The child protection policy is openly displayed and available to everyone.	Fully Met
<b>5.2</b>	Children are made aware of their right to be safe from abuse and who to speak to if they have concerns.	Partially Met
<b>5.3</b>	Everyone in Church organisations knows who the designated person is and how to contact them.	Fully Met
<b>5.4</b>	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.	Fully Met
<b>5.5</b>	Church organisations establish links with statutory child protection agencies to develop good working relationships in order to keep children safe.	Fully Met
<b>5.6</b>	Church organisations at diocesan and religious order level have an established communications policy which reflects a commitment to transparency and openness.	Not Met

The current (2012) safeguarding policy and procedures and posters are all available in parishes and on display in all church property. Children are made aware of their right to be safe through school related programmes; as yet the diocese has not developed any child friendly leaflets or literature specific to children.

The website contains information on the policy and procedures and on all appropriate forms required as part of the procedures. In preparation for the review by NBSCCCI, Bishop Freeman posted a notice on his website advising of the forthcoming review and

inviting anyone who had an allegation or concern to come forward. To date there have not been any new allegations as a consequence of this notice.

In discussion with the safeguarding co-ordinator there was recognition of the need to develop a communications plan for the diocese so that information is widely available on how the diocese seeks to safeguard children.

**Recommendation 10: The safeguarding co-ordinator, in consultation with Bishop Freeman and the safeguarding committee should develop a communications plan stating how safeguarding will be promoted throughout the diocese. Consideration should be given to having a safeguarding newsletter, identifying one Sunday in the year to highlight the importance of Safeguarding in the Church, and by issuing regular pastoral letters.**

## 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.	Fully Met
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.	Fully Met
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.	Fully Met
6.4	Information is provided to those who have experienced abuse on how to seek support.	Fully Met
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.	Partially Met

The diocesan policy and procedures document could be developed further in relation to how the diocese delivers on Standard 6. In practice, there is an appointed support person, who is offered to complainants and priests are offered priest advisers. Given the few allegations that have occurred since Bishop Freeman was ordained bishop, it is not surprising that these support and advisory roles are not well developed. The support person for complainants offered her continuing support to Bishop Freeman in relation to any future complainants. However she stated that there needs to be a better structure and training for anyone who takes on this role across the Church.

The reviewers also interviewed the priest support person, who reported in a coherent way how challenging a role it is for a priest to support a fellow priest who has been accused of

child abuse. Nevertheless he took on the role and recounted that for a period of 6/7 months he was intensively involved in supporting an accused priest. This priest adviser voiced the need for greater clarity around the role and referred the role to that as “anam cara” rather than someone who reports to the bishop. The reviewers agree that the adviser does not have any role in monitoring or reporting to the bishop and that these responsibilities should be specified in the precept outlining the restrictions on ministry and allocated to the designated person who has responsibilities around case management.

**Recommendation 11: Bishop Freeman in consultation with his designated persons should clarify role descriptions for those involved in the management of allegations and the subsequent safety plans.**

## 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**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
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.	Not Met
7.2	The human or financial resources necessary for implementing the plan are made available.	Fully Met
7.3	Arrangements are in place to monitor compliance with child protection policies and procedures.	Fully Met
7.4	Processes are in place to ask parishioners (children and parents/ carers) about their views on policies and practices for keeping children safe.	Partially Met
7.5	All incidents, allegations/ suspicions of abuse are recorded and stored securely.	Fully Met

As with the other safeguarding standards there is work required in the written policy documents and in practice to ensure that all aspects of Standard 7 are met.

It is clear that there is considerable activity taking place in relation to safeguarding, but this is not written down in terms of a coherent plan which can be reviewed and modified. The reviewers have been assured that all the required resources will be available to implement the plan.

The safeguarding co-ordinator has completed an annual audit of parishes and is in the process of meeting priests and safeguarding personnel to review the findings and support action plans where gaps have been identified. It would be in the interests of good safeguarding practice if the bishop, the designated person and the safeguarding co-ordinator met frequently to draft a safeguarding plan for the diocese with timeframes and identification of personnel to carry out actions as required in relation to all seven standards. This plan should include the requirement for an annual report on the state of safeguarding for Bishop Freeman as assessed through the parish audits, as well as a review of the effectiveness of work of safeguarding representatives, training and any communication plans.

**Recommendation 12: Bishop Freeman should establish a diocesan safeguarding strategic group comprising himself, his designated people, the safeguarding co-ordinator and others as required to develop a three year safeguarding plan and an annual review of safeguarding in the Diocese of Ossory.**

## **Recommendations**

### **Recommendation 1:**

**The safeguarding committee should consider in their next revision of diocesan policy and procedures, a template which follows the seven safeguarding standards and which sets out how the diocese manages those who pose a risk to children.**

### **Recommendation 2:**

**Bishop Freeman must ensure that old case management files are reorganised using a chronological system. The practice of using the NBSCCCI case file template should continue for all new cases.**

### **Recommendation 3:**

**Bishop Freeman, having reviewed the case referred by the reviewers must now ensure that the recommendations of the National Case Management Reference Group (NCMRG) have been followed.**

### **Recommendation 4:**

**Prior to issuing celebretts and/or letters of good standing for priests from the diocese, but not ministering in the diocese, Bishop Freeman should read all relevant records and make appropriate enquiries from the Church authority of where the priest is ministering to ensure that there are no matters of concern relating to priests of his diocese.**

### **Recommendation 5:**

**As part of restructuring of old files into chronological order, Bishop Freeman should ask his designated person to detail all information relating to named victims and ensure that all these details are passed to the civil authorities for their investigations.**

### **Recommendation 6:**

**Bishop Freeman should consider appointing a part-time lay person to the role of designated person and case manager to ensure there is no conflict of interest and to deal with cases from start to finish.**

### **Recommendation 7:**

**The safeguarding co-ordinator must review all procedures within the diocese to ensure they have detail which sets out how each aspect of Standard 3 is met.**

### **Recommendation 8:**

**The safeguarding co-ordinator should continue to meet all safeguarding representatives and parish priests on a regular basis to provide them with a written role description for the safeguarding representative and offer support for their role as safeguarding representatives.**

**Recommendation 9:**

**The chair of the safeguarding committee should, alongside all committee members draft a committee constitution and annual work plan for presentation to Bishop Freeman.**

**Recommendation 10:**

**The safeguarding co-ordinator, in consultation with Bishop Freeman and the safeguarding committee should develop a communications plan stating how safeguarding will be promoted throughout the diocese. Consideration should be given to having a safeguarding newsletter, identifying one Sunday in the year to highlight the importance of Safeguarding in the Church, and by issuing regular pastoral letters.**

**Recommendation 11:**

**Bishop Freeman in consultation with his designated persons should clarify role descriptions for those involved in the management of allegations and the subsequent safety plans.**

**Recommendation 12:**

**Bishop Freeman should establish a diocesan safeguarding strategic group comprising himself, his designated people, the safeguarding co-ordinator and others as required to develop a three year safeguarding plan and an annual review of safeguarding in the Diocese of Ossory.**

## **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 the time of the review, 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 the time of the review, 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”.

### ***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).

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<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 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 1<sup>st</sup> January 1975 to the time of the review 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.