



Private and Confidential

Review of Safeguarding Practice

in the

Diocese of Clonfert

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 the Bishop of Clonfert**

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

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

Introduction

At the request of Bishop John Kirby, staff from the NBSCCCI engaged in a process of reviewing safeguarding children policy and practice on November 16th and 17th, 2011. Over the two day fieldwork period, case files were examined and interviews with key personnel in the diocesan safeguarding structure took place. The fieldwork team want to acknowledge the commitment of Bishop Kirby to the review process and his cooperation with them. They also want to acknowledge the assistance to the review given by the bishop's secretary, the two designated persons, the two trainers, the members of the Safeguarding Committee and the parish representatives.

Clonfert Diocese is one of the smallest of the 26 Catholic dioceses on the island of Ireland, with 24 parishes across east Galway and parts of Co. Roscommon and Co. Offaly. The Catholic population of the diocese is approximately 36,000.

NBSCCCI is mindful of the anxiety that a diocesan review can cause to individual bishops and their safeguarding personnel, lay and religious, paid and volunteer alike. Bishop Kirby's openness to the review made the task of the fieldwork team very straightforward. His willingness to acknowledge shortcomings in diocesan safeguarding practices make it easier to highlight where immediate developments and improvements can be made so as to ensure better and safer practice.

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 NBSCCCI to all case management and diocesan 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 bishop.

The process involved the fieldwork team reading all case management records of living priests incardinated into Clonfert Diocese against whom a child safeguarding allegation had been made or a concern raised. Given the small number of cases, the reviewers decided to read all other case materials, relating to deceased priests and to religious not incardinated into the diocese, but who may have provided holiday relief. In addition, interviews were held with Bishop Kirby, two designated persons, two trainers, the five members of the Safeguarding Committee and four parish safeguarding representatives.

Following the fieldwork, telephone interviews were held with An Garda Síochána and HSE.

The final part of the review was an assessment of the draft Diocesan Safeguarding Policy and Procedures against the standards set down in *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*.

The focus of reviews into safeguarding in the recent past has concentrated on the management of allegations. NBSCCCI accepts that the huge emphasis placed on this aspect of safeguarding is critical. In addition, NBSCCCI 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 for the Catholic Church in Ireland* as an assessment framework. The report, therefore, highlights the findings by the fieldworkers under each standard and draws conclusions regarding the effectiveness of policies and practices in the diocese to prevent abuse, as well as the ability of the relevant personnel within the diocese 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 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 Clonfert. 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.

Criteria

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

Footnote: *NBSCCCI is satisfied with the development of the new policy and procedure manual in January, 2012, that all these criteria are now met in full.*

Policy & Procedures

The Diocese of Clonfert, at the time of the review, did not have a full written policy and procedures document in place. This was a significant shortcoming that had a knock-on effect on safeguarding structures and practices in the diocese. The Diocesan Safeguarding Committee has been preparing a document since 2010 in line with NBSCCCI's *Safeguarding Children*:

Standards and Guidance Document for the Catholic Church in Ireland and has in recent months produced a draft for review by NBSCCCI. Further guidance has been offered by NBSCCCI and a final draft policy and procedures document will soon be available for submission to Bishop Kirby for his approval, sign off and preparation for circulation.

Somewhat confusingly, the Clonfert Diocese website, www.confertdiocese.ie carries within its News section a Summary Child Safeguarding Policy. This website information is not sufficient to meet the requirement of Standard 1. The fieldwork team does acknowledge that this summary statement includes detailed contact information for HSE services in Counties Galway, Roscommon and Offaly and this is useful. Bishop Kirby stated that he has been following the NBSCCCI *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* since its publication.

Compliance with Standard 1 is only fully achieved when a diocese meets the requirements of all nine criteria against which the standard is measured. However, without any finalised policy and procedures document, Clonfert Diocese does not meet Standard 1 even in a partial way. The absence of a comprehensive policy and procedures document has had an impact on practice as will be identified further in the report. It is now urgent that Bishop Kirby ensures that the production and implementation of the policy and procedures document is progressed. The distribution and implementation by priests and those with responsibilities in safeguarding children must be led by Bishop Kirby and accepted and followed by all without exception.

Recommendation 1.

- **Bishop Kirby must ensure the finalisation of the Clonfert Diocese Safeguarding Policy and Procedures as a matter of urgency. A reader-friendly summary version should accompany the full procedures.**
- **Bishop Kirby, with assistance from his committee, priests of the diocese and those with communications skills in the diocese, should launch, distribute and ensure the implementation of the policy and procedures.**
- **As Clonfert is within the metropolitan Area of the Tuam Archdiocese, Bishop Kirby should consider seeking the support of safeguarding personnel of that Archdiocese in completing this essential work in the shortest possible time.**

Standard 2

Management of allegations

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

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

Criteria

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

Footnote: *NBSCCCI is satisfied with the development of the new policy and procedure manual in January, 2012, that all these criteria are now met in full.*

Table 1

Incidence of safeguarding allegations received within the Diocese of Clonfert against incardinated priests, from 1st January 1975 up to June 2011

1.	Number of priests incardinated into the Diocese of Clonfert against whom allegations have been made, since the 1 st of January 1975 up to June 2011.	3*
2.	Number of allegations reported to An Garda Síochána involving priests of the diocese, since January 1975.	9
3.	Number of allegations reported to the HSE (or the health boards which preceded the setting up of the HSE), involving priests of the diocese, since January 1975.	9 (11)**
4.	Number of priests against whom an allegation was made and who were living at the date of the Review.	2 (1)***
5.	Number of priests against whom an allegation was made and who were deceased at the date of the Review.	1 (2)
6.	Number of priests against whom an allegation was made and who are ‘out of ministry’, or who have left the priesthood.	2 (1)
7.	Number of priests of the diocese who have been convicted of having committed an offence or offences against a child or young person since 1 st January 1975.	1
8.	Number of priests against whom an allegation was made and who are in ministry or retired.	0
9.	Number of priests who are not of the diocese but who reside within it, and who are known to be the subject of an allegation arising from their past ministry.	0

Footnote:

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

** *2 subsequently withdrawn*

*** *1 of these has since died*

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.

Clonfert Diocese does not have written procedures, in relation to the management of allegations. These will be part of the policy and procedures document that is awaited, and is referred to above. In the absence of such written procedures, Clonfert Diocese does not meet Standard 2 even in a partial way. This situation needs to be rectified immediately. **Recommendation 1** above also refers to this issue.

The fieldwork team examined all cases of allegations / complaints / expressions of concern against or about priests from the diocese who are alive, which amounted to three. A fourth (non-incardinated) priest who was a member of a religious order had provided holiday cover for a

priest in a parish of the diocese for a three-week period in 1981. A subsequent complaint of child sexual abuse was made against him (21 years later).

In addition to these four cases, the fieldwork team was made aware of three other priests against whom allegations or complaints of child sexual abuse had been made in the past in relation to their postings elsewhere, i.e. not within the Clonfert Diocese. Each of these priests were members of religious orders, were not incardinated into the Clonfert Diocese, but lived for a time between 1975 and June 2011 within the diocesan area. One of these priests was deceased at the time of the review. The other two priests were living in another part of Ireland at the time of this review. In the case of one of these men, a further historical complaint was made against him prior to his move from the Clonfert diocesan area.

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 diocese responds today to victims of abuse. However, given the small number of cases, the reviewers believed that including the other cases, identified above, would give a better assessment of the management of allegations within the diocese.

When the case records were examined in relation to the three incardinated priests, it was established that they all related to alleged abuse which happened several years ago. These allegations described abusive activities by these priests between 1985 and 1990. However, the diocese also received complaints about alleged abuse - related to one or more of these priests - up to March 2004. Five separate complaints were made against priest 'A' between 1990 and 1997. Two separate complaints were made against priest 'B' between 1993 and 2004. One concern was raised about priest 'C' in 2010. These allegations did not come from directly victims.

In examining the case records the following issues emerged:

- Before the publication of the *Child Sexual Abuse: Framework for a Church Response* document in 1996, Bishop Kirby did not have any national safeguarding guidance, any training in the management of cases of alleged child sexual abuse, or any diocesan structures that assigned specific case management responsibilities to named post holders. He managed each case and he created the case file records. These records are well constructed and detailed. They clearly evidence Bishop Kirby's decision making and the steps that he took. The two priests involved had come to the Clonfert Diocese from two religious orders and had been incardinated into the diocese following a short period in ministry in their respective religious orders. It is now known that in both cases concerns about these men had arisen prior to them transferring into the Clonfert Diocese. It is not clear from the written records however whether all relevant information was shared with the former bishop (regarding priest 'A'), and with Bishop Kirby (regarding priest 'B') by the two provincials of the religious orders involved. It is essential for the safety of children that all information that indicates that there is a concern about the proclivities and behaviour of a priest is shared on a need-to-know basis. Both bishops of Clonfert had a right to expect that they would be fully informed about any priest who they were

considering for ministry in the diocese. (The former bishop was ordained as bishop in 1979, he was originally coadjutor in Clonfert and became the ordinary in 1982)

- It is worth noting that the two main Clonfert allegations were in 1990 and 1993/5. The 1990 allegation against priest “A” was reported in three days to the Western Health Board. It was not reported to An Garda Síochána (by the W.H.B.) until a year later. The 1993 allegation against priest “B” was not reported at that time. The 1995 allegation, also against priest “B”, was reported in four days and included the 1993 allegation. Reports were made to the W.H.B and separately to An Garda Síochána.
- In both cases, Bishop Kirby moved the priests against whom allegations were made to different parishes. He thought that by separating the priest and the young person he could remedy the situation. With increased awareness of how abusers work, he now realises how naive this perception was and that this was an inappropriate response and provided no protection for children. Bishop Kirby is fully aware that he should have managed these cases in a much more child-centred way.
- Bishop Kirby is now fully clear about his responsibilities in relation to the immediate removal of a priest against whom a credible allegation has been made, as well as the immediate reporting of such an allegation to both An Garda Síochána and the HSE. As part of the review, discussions took place with both the HSE Child Care Manager and the local Garda Superintendent. Both were very positive about the working relationship they have with Bishop Kirby. The HSE Child Care Manager stated that she is confident that Bishop Kirby would immediately contact her if a safeguarding concern were to be raised about a priest. She cited a recent experience of him having taken speedy and appropriate protective action in relation to a lay person about whom there were concerns. Similarly the Garda Superintendent stated that he was very confident that Bishop Kirby would promptly refer any new allegation for investigation. The bishop recently conducted a ‘look-back’ exercise with An Garda Síochána to ensure that there was no concern about any priest’s possible criminal behaviour left un-investigated.
- Clonfert Diocese has never had an Advisory Committee / Group / Panel to which Bishop Kirby could refer reports of a concern, complaint or allegation of child abuse and in the absence of such advice and support, the bishop managed all cases by himself. With hindsight, this was not an adequate arrangement, as it lacked the rigour and support in decision making that he could have received from expert members of such a group.

In Case ‘A’, Bishop Kirby did immediately confront the priest when he received the first allegation, (the priest acknowledged the allegation), and the bishop made a speedy report to the Western Health Board. Bishop Kirby also quickly referred the priest to a therapeutic service. It is not recorded whether Bishop Kirby reported the allegation to An Garda Síochána. However, the allegation was investigated by An Garda Síochána and the priest was successfully prosecuted and was sentenced to imprisonment. The priest was removed from ministry and was subsequently laicised at his own request. He received extensive therapeutic support and following his release from prison, a well-planned supervision and support process was put in place to prevent relapse into further abusive behaviour.

In case 'B', the first complaint was not properly managed, other than priest 'B' being referred for therapy. However, the complaints against this man, which were received in 1995 and later, were more effectively addressed. The priest was removed from ministry in the Clonfert Diocese in 1995. He now lives in another jurisdiction, where he is subject to ongoing supervision. No criminal or civil legal process was initiated against priest 'B'. Priest 'B' has since died.

In case 'C', this matter was brought to the attention of Bishop Kirby by the HSE. As there was however, no identified complainant, no action was taken to restrict the ministry of priest 'C'. The bishop does not believe that the threshold of reasonable concern had been achieved.

In terms of the management of allegations, Bishop Kirby inappropriately dealt with them by attempting to manage everything himself. The reviewers note that although he appointed a senior priest as Designated Person in Clonfert Diocese, Bishop Kirby did not brief him about his management of any cases. Neither the original Designated Person nor the more recently appointed second Designated Person (a lay woman) have been involved in any case management role. However, as responsible case managers they should be aware of all historical allegations and manage current and future responses to survivors and respondents, as well as acting as liaison persons with the statutory authorities.

Recommendation 2.

- **Bishop Kirby should divest himself of the responsibility for dealing with allegations alone by ensuring that all new allegations are referred to the Designated Persons for them to notify the statutory authorities, respond to complainants and put in place any risk management plans for respondents.**
- **New cases should all be recorded using the NBSCCCI case file template.**

Recommendation 3.

Clonfert Diocese should join the new National Case Management Advisory Group (NCMRG) established by the NBSCCCI and seek advice from them on all future reports of a concern, complaint or allegation of child abuse.

There is a named counsellor in the role of Support Person for Victims in Clonfert Diocese, but there is no written record of his services being offered to complainants. In some cases, Bishop Kirby has provided financial support to victims to assist complainants with educational costs, and/or to pay for counselling services.

Recommendation 4.

Bishop Kirby should appoint a Support Person for victims at the point of disclosure. Were the Support Person to attend all initial interviews with complainants alongside the Designated Person, this would allow the complainant to meet the Support Person and initiate a relationship.

Recommendation 5.

In all cases Bishop Kirby should write to complainants upon receipt of a credible allegation offering support and counselling.

An important step to safeguarding children following receipt of an allegation is to put in place supervision and risk monitoring plan. This was done in the case of priest 'A' referred to above.

Recommendation 6.

It is recommended that following the removal of a priest from public ministry, Bishop Kirby set down in writing the restrictions imposed on the respondent and the relevant supervision, management and reporting arrangements that will apply.

Standard 3

Preventing Harm to Children

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

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

Criteria – safe recruitment and vetting

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

Criteria – Codes of behaviour

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

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

Criteria – Operating safe activities for children

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

Footnote: *NBSCCCI is satisfied with the development of the new policy and procedure manual in January, 2012, that all these criteria are now met in full.*

People and Structures

(i) Safeguarding Committee

The Clonfert Diocese Safeguarding Committee was first established in 2007. It was suspended in 2008 while the status of *Our Children, Our Church* was being clarified, and it was reactivated in 2009 under the terms set out in the *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*. Originally the committee had eight members, which included Bishop Kirby. However, in May 2010 there was a difference of approach between some of the committee members – five in all – and the bishop. The dispute led to Bishop Kirby standing down the committee. Following an attempt at mediation, the bishop reinstated the committee but resigned from it himself and two other members of the committee resigned, being unhappy with the manner in which the bishop was being challenged. It is not within the remit of this review to

comment on the substantive issue that led to five members of the Safeguarding Committee being in conflict with Bishop Kirby. It is to be regretted that this situation arose.

The fieldwork team met with the five members Safeguarding Committee. This was a lengthy meeting during which the committee members presented in detail their views on the matter over which they were in disagreement with Bishop Kirby. They also expressed their clear view that they and they alone would decide when the policy and procedures document on which they were working, would be completed and they stated that Bishop Kirby's role would simply be to accept and sign their finished document.

The committee members believed that they have at all times acted out of concern for children. They expressed frustration that when they brought their concerns to the attention of Bishop Kirby and then to NBSCCCI, they did not receive the responses that they believed were required.

For his part, Bishop Kirby acknowledges that he at times asked for advice from the committee that was in fact outside its remit.

It is the reviewers' assessment that relationships between the Safeguarding Committee and Bishop Kirby have broken down irreparably. This should be accepted by the bishop who should seek to create a new Safeguarding Committee drawn from suitably experienced and interested people within the diocese.

Recommendation 7.

- **Bishop Kirby should stand down the current Safeguarding Committee.**
- **A new Safeguarding Committee should be appointed to implement the new policy and procedures and to monitor safeguarding practice across the diocese.**

(ii) Parish Representatives:

The fieldwork team met with four safeguarding representatives from three parishes. These lay people have been in post for approximately one year. These local parish representatives represented all three deaneries within the diocese. They have all been trained and they spoke very positively about the training they received. They all cited good working relationships with their local priests and they explained what activities they have been involved in at parish level. However, without a Clonfert Diocese Child Safeguarding Policy and Procedures document, the effectiveness of parish representatives is severely limited. They stated that they have no link with the Safeguarding Committee, that their activities are not being coordinated by anyone and that they cannot at this stage conduct an audit of parish compliance with the criteria of Standard 3. This is a matter of some concern to the reviewers. There is a clear need to appoint a suitably experienced person to co-ordinate safeguarding tasks and activities within the diocese.

Recommendation 8

Bishop Kirby should appoint an overall Safeguarding Co-ordinator to ensure that all personnel are aware of their roles and responsibilities, that they are supported and monitored in carrying out their responsibilities.

Standard 4

Training and Education

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

Criteria

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

Training in the Clonfert Diocese is well developed. The two trainers (a woman and a man, both lay people) have been in post for three years. In that time they have trained a total of 178 people, including all the priests of the diocese, local parish representatives, sacristans and a variety of volunteers, including directors of choirs and the Lourdes pilgrimage group. The trainers spoke of having a close working relationship with HSE Information and Advice Officers and they had done their own training in the *Keeping Safe programme* with the HSE.

The Diocese of Clonfert has signed up to engaging with NBSCCCI in rolling out the new Church specific training. To that end, both trainers have registered their interest in becoming NBSCCCI trainers and will undergo induction and assessment by tutors early in 2012. Both trainers are looking forward to the launch on the new Catholic Church safeguarding training programme that is at an advanced stage of development.

The trainers also suggested that communication with the NBSCCCI could be improved as they were unaware of some of the developments in this vital area initiated by the Board.

Unfortunately, while the trainers can use both the *Keeping Safe* and *Safeguarding Children* materials when presenting training, they cannot integrate the Clonfert Diocese Policy and Procedure document into their training programmes until this is published and circulated. The absence of diocesan policy and procedures means that Clonfert Diocese only partially meets the criteria of Standard 4.

Standard 5

Communicating the Church's Safeguarding Message

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

Criteria

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

Footnote: *NBSCCCI is satisfied with the development of the new policy and procedure manual in January, 2012, that all these criteria are now met in full.*

Child Protection Policy Display and Availability

There are no written diocesan policy and procedures at the point of writing this report. As mentioned earlier, the diocesan website has in its News section a summary document on Safeguarding.

The two designated persons could not tell the fieldwork team whether all churches in the diocese have displayed their contact details, although Bishop Kirby confirmed that the appropriate publicity posters are displayed in all churches across the diocese.

Clonfert Diocese has not developed a communication plan on Child Safeguarding.

As stated above, NBSCCCI contacted both the HSE and An Garda Síochána as part of the review process. Personnel in both agencies were very complimentary about Bishop Kirby, stating that the working relationships were good, regular and focussed on safeguarding children. They had limited experience of working on the management of allegations against priests, as there have not been any in recent years. Both representatives expressed their confidence in Bishop Kirby's interest in referring allegations and in taking action to ensure the safety of children.

The absence of diocesan policy and procedures means that Clonfert Diocese only partially meets the criteria of Standard 5.

Standard 6

Access to Advice and Support

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

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

Criteria

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

Footnote: *NBSCCCI is satisfied with the development of the new policy and procedure manual in January, 2012, that all these criteria are now met in full.*

As stated previously, the designated persons have not been involved in any way in the management of allegations within the diocese (although the senior priest who is now one of the designated persons had prior to this appointment been part of the support and supervisory group for priest 'A').

Bishop Kirby has met with all complainants who wished to meet with him. There is evidence in the case files that he has been compassionate towards victims and has readily provided financial assistance to allow them to access counselling. It is Bishop Kirby's view that there may be other victims of priests 'A' and 'B', he has made some attempts to reach out, but not all have welcomed this. It would be appropriate for Bishop Kirby to issue a Pastoral Letter at the time of the launch of the new policy and procedures within which he could invite any unidentified victims to come forward.

There is detailed information on the files of priests 'A' and 'B' that they have been provided with assessment and therapeutic services in an attempt to control their abusive behaviour.

Clonfert Diocese cannot hope to meet the requirements of Standard 6 until such time as all of the recommendations made within this report are acted on.

Standard 7

Implementing and Monitoring Standards

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

Criteria

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

Footnote: NBSCCCI is satisfied with the development of the new policy and procedure manual in January, 2012, that all these criteria are now met in full.

No monitoring of compliance is possible until Clonfert Diocese has a diocesan Child Safeguarding Policy and Procedures document to assess practice against. Similarly, parishioner feedback has to await the publication of these policies and procedures.

The case files are managed by the bishop and kept in folders, which are held in a safe in his house. The case files would be significantly improved by utilising the NBSCCCI recording template.

Clonfert Diocese does not meet the requirements of Standard 7 at the date at which the review took place. It is a matter of concern that the absence of safeguarding policies within the diocese has not been prioritised. This is an important deficit within this diocese and we would urge Bishop Kirby to implement the recommendations that have already been listed within this review report without further delay.

Recommendations

Recommendation 1.

- **Bishop Kirby must ensure the finalisation of the Clonfert Diocese Safeguarding Policy and Procedures as a matter of urgency. A reader-friendly summary version should accompany the full procedures.**
- **Bishop Kirby, with assistance from his committee, priests of the diocese and those with communications skills in the diocese, should launch, distribute and ensure the implementation of the policy and procedures.**
- **As Clonfert is within the Metropolitan Area of the Tuam Archdiocese, Bishop Kirby should consider seeking the support of Safeguarding personnel of that Archdiocese in completing this essential work in the shortest possible time.**

Recommendation 2.

- **Bishop Kirby should divest himself of the responsibility for dealing with allegations alone by ensuring that all new allegations are referred to the Designated Persons for them to notify the statutory authorities, respond to complainants and put in place any risk management plans for respondents.**
- **New cases should all be recorded using the NBSCCCI case file template.**

Recommendation 3.

Clonfert Diocese should join the new National Case Management Advisory Group (NCMRG) established by the NBSCCCI and seek advice from them on all future reports of a concern, complaint or allegation of child abuse.

Recommendation 4.

Bishop Kirby should appoint a Support Person for victims at the point of disclosure. Were the Support Person to attend all initial interviews with complainants alongside the Designated Person, this would allow the complainant to meet the Support Person and initiate a relationship.

Recommendation 5.

In all cases Bishop Kirby should write to complainants upon receipt of a credible allegation offering support and counselling.

Recommendation 6.

It is recommended that following the removal of a priest from public ministry, Bishop Kirby set down in writing the restrictions imposed on the respondent and the relevant supervision, management and reporting arrangements that will apply.

Recommendation 7.

- **Bishop Kirby should stand down the current Safeguarding Committee.**
- **A new Safeguarding Committee should be appointed to implement the new policy and procedures and to monitor safeguarding practice across the diocese.**

Recommendation 8

Bishop Kirby should appoint an overall Safeguarding Co-ordinator to ensure that all personnel are aware of their roles and responsibilities, that they are supported and monitored in carrying out their responsibilities.

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 / religious congregation by individuals or by the Civil Authorities in the period 1st January 1975 to date of Review against Catholic clergy and/or religious still living and who are ministering/or who once ministered under the aegis of the diocese / religious congregation and examine/review and report on the nature of the response on the part of the diocese / religious congregation.
2. If deemed relevant, select a random sample of complaints or allegations, knowledge, suspicions or concerns of child sexual abuse, made to the diocese / religious congregation by individuals or by the Civil Authorities in the period 1st January 1975 to date of Review against Catholic clergy and/or religious now deceased and who ministered under the aegis of the diocese / religious congregation and examine/review and report on the nature of the response on the part of the diocese / religious congregation.
3. To ascertain all of the cases during the relevant period in which the diocese / religious congregation:
 - 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 / religious congregation.
4. To consider and report on the following matters:
 - child safeguarding policies and guidance materials currently in use in the diocese / religious congregation and an evaluation of their application;
 - communication by the diocese / religious congregation with the Civil Authorities;
 - current risks and their management.

Accompanying Notes

Note 1

Definition of Child Sexual Abuse:

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

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

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

Note 2

Definition of Allegation:

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

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

Note 3

False Allegations:

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

Note 4

Random sample:

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

Note 5

Civil Authorities:

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