

Private and Confidential

Review of Safeguarding Practice

in the Diocese of

Waterford and Lismore

undertaken by

The National Board for Safeguarding Children in the

Catholic Church in Ireland (NBSCCCI)

**The content of this Report is not to be accessed or shared without the consent of the Bishop
of Waterford and Lismore, Bishop William Lee**

November, 2012

CONTENTS

Background	<i>Page 3</i>
Standard 1 <i>A written policy on keeping children safe</i>	<i>Page 7</i>
Standard 2 <i>Management of allegations</i>	<i>Page 9</i>
Standard 3 <i>Preventing Harm to Children</i>	<i>Page 16</i>
Standard 4 <i>Training and Education</i>	<i>Page 20</i>
Standard 5 <i>Communicating the Church's Safeguarding Message</i>	<i>Page 21</i>
Standard 6 <i>Access to Advice and Support</i>	<i>Page 23</i>
Standard 7 <i>Implementing and Monitoring Standards</i>	<i>Page 25</i>
Recommendations	<i>Page 27</i>
Terms of Reference	<i>Page 28</i>

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

This report contains the findings of the *Review of Safeguarding Practice within the Diocese of Waterford and Lismore* 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 William Lee, along with interviews with selected key personnel who contribute to safeguarding within the Diocese of Waterford and Lismore. The NBSCCCI believes that all relevant documentation for these cases was passed to the reviewers and Bishop Lee has confirmed this.

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

Introduction

The Diocese of Waterford and Lismore is situated in the south east of Ireland. The diocese includes Waterford city and county as well as much of South Tipperary and a small portion of County Cork. There are a total of 45 parishes and 85 churches in the diocese. There are an estimated 44,000 Catholic households in this diocese, with a population of 153,206.

There are 72 priests holding diocesan appointments. 17 priests are retired and 7 priests of the diocese are out of ministry. 22 religious orders have a presence and ministry in the Diocese of Waterford and Lismore with a total of 45 religious community residences. Bishop William Lee has been bishop in the diocese since his ordination there on 25th July, 1993.

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 agreed standards in the Church, both at the time an allegation was received and currently. It is an expectation of the NBSCCCI 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 the 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.

At the request of Bishop Lee, the NBSCCCI staff conducted fieldwork as part of an assessment of safeguarding children practices in the diocese on 30th and 31st October 2012. The reviewers examined case files relating to 12 priests, interviewed Bishop Lee, the designated person, the safeguarding co-ordinator, safeguarding representatives, members of the safeguarding committee and the advisory panel. Interviews were also held with the trainers, the support person for victims of abuse and a priest adviser. Due to conflicting commitments neither the representative from An Garda Síochána or the HSE were able to attend, therefore discussions with them took place on the telephone. Prior to the fieldwork, Bishop Lee posted a notice on his diocesan website notifying interested parties of the review date. There is a protocol between the NBSCCCI and those being reviewed that the NBSCCCI will share with the diocese, An Garda Síochána and HSE as appropriate, any information received as a consequence of being contacted following posting of this notice. On this occasion no contact was made from complainants or victims of abuse. One priest out of ministry did contact the reviewers but did not respond to a request for further communication.

As for all previous reviews, this process involved the fieldwork team reading all case management records of living priests who are incardinated into the Diocese of Waterford and Lismore. In addition a concern in relation to one priest, who retired from another jurisdiction, but who was never given faculties in Waterford and Lismore was also

examined. This case raises national and international issues and this will be referred to later in the report. The second part of the process involved meeting and talking to all who hold safeguarding roles (outlined above) and assessing their contribution to safeguarding children. The final part of the review was an assessment of the diocesan safeguarding policy and procedures against the standards set down in *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* and of other written material provided to the reviewers.

The focus of reviews into safeguarding in the recent past has concentrated on the management of allegations. The NBSCCCI accepts that the huge emphasis placed on this aspect of safeguarding is critical. In addition, the 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.

Along with all other dioceses who have parishes in the Republic of Ireland, Waterford and Lismore responded to a request for information on safeguarding standards from the HSE as part of its national audit. A report of the HSE's audit can be found on the HSE website. It must be acknowledged that conducting fieldwork on site, meeting personnel and reviewing case files and other relevant documentation provides a much fuller picture than that provided through reviewing papers, policies and procedures only. It is clear from all personnel interviewed in Waterford and Lismore and from all relevant case related papers that there is very strong leadership shown in the area of safeguarding children from Bishop Lee. The culture and practice, which could not easily be ascertained from a paper review alone is reflected in the comments below, and demonstrates that total commitment to ensuring that child safeguarding is a major priority in the diocese.

The review team strongly commends Bishop Lee for his personal commitment, leadership and absolute desire to keep children safe. In addition the review team commends his safeguarding personnel for their energy, maturity and diligence in putting in place good systems and practice in child safeguarding.

The report below, therefore, highlights the findings by the fieldworkers under each standard and draws conclusions regarding the effectiveness of policies and practices in the 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 Waterford and Lismore. 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 the Diocese of Waterford and Lismore meets the requirements of all nine criteria against which the standard is measured.

Criteria

Number	Criterion	Met fully or Met partially or Not met
1.1	The Church organisation has a child protection policy that is written in a clear and easily understandable way.	Fully Met
1.2	The policy is approved and signed by the relevant leadership body of the Church organisation (e.g. the Bishop of the diocese or provincial of a religious congregation).	Fully Met
1.3	The policy states that all Church personnel are required to comply with it.	Fully 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.	Fully Met ¹
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.	Fully Met
1.6	The policy states how those individuals who pose a risk to children are managed.	Fully Met
1.7	The policy clearly describes the Church's understanding and definitions of abuse.	Fully Met
1.8	The policy states that all current child protection concerns must be fully reported to the civil authorities without delay.	Fully Met
1.9	The policy should be created at diocese or congregational level. If a separate policy document at parish or other level is necessary this should be consistent with the diocesan or congregational policy and approved by the relevant diocesan or congregational authority before distribution.	Fully Met

¹ Next date for review is 2013

Policy and Procedures

The Waterford and Lismore Diocesan Child Safeguarding Policy and Procedures were redrafted and launched in 2010. They are compliant with *Children First* and with Church guidance - *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*, which was published in February 2009. The redrafted document was launched publicly at a 2010 diocesan event at which all those who hold safeguarding roles alongside a significant number of diocesan clergy attended and received copies. The policy is detailed on the diocesan website alongside a notice that all diocesan personnel are expected to comply with it.

The Safeguarding Committee advised that they are actively addressing the requirement to undertake the parish self-audits to ensure full implementation of the policy and procedures and to identify if there are any gaps. In addition the committee along with the safeguarding co-ordinator have developed a “*Lourdes pack*” on safeguarding children and vulnerable adults. This pack includes the diocesan policy statement in relation to safeguarding children and vulnerable adults on pilgrimages, recruitment of helpers, codes of conduct, responding to allegations and concerns, consent to participating for child and parent, health information and media permission forms. The diocese is to be commended for this useful pack.

Another recent and commendable initiative by the Co-ordinator and Committee is the development of child friendly literature advising children about how to keep themselves safe and how to report concerns.

The NBSCCCI is satisfied that the Waterford and Lismore policy and procedures meet the expected standards and that diocesan personnel are actively engaged in ensuring full implementation of these important safeguards, as well as identifying how the policies could be improved.

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 Waterford and Lismore 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.	Fully 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 received within the Diocese of Waterford and Lismore from 1st January 1975 up to end October 2012.

1	Number of priests incardinated into the Diocese of Waterford and Lismore and against whom allegations have been made since the 1 st January 1975 up to the end Oct 2012.	15
2	Total number of allegations received by the diocese since 1 st January, 1975.	30
3	Number of allegations reported to An Garda Síochána involving priests of the diocese since 1 st January, 1975	24*
4	Number of allegations reported to the HSE (or the Health Boards which preceded the setting up of the HSE) involving priests of the diocese since 1 st January 1975:	22
5	Number of priests against whom an allegation was made and who were living at the date of the review	12
6	Number of priests against whom an allegation was made and who are deceased	3
7	Number of priests against whom an allegation was made and who are in ministry	3
8	Number of priests against whom an allegation was made and who are out of ministry.	7
9	Number of priests against whom an allegation was made and who are retired.	1
	Number of priests against whom an allegation has been made who have left the diocese/priesthood	1
10	Number of priests who are not of the diocese but who reside within it, and who are known to be the subject of an allegation arising from their past ministry.	1
11	Number of priests of the diocese who been convicted of having committed an offence or offences against a child or young person since 1st January 1975	0

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

**A number of allegations came from An Garda Síochána to the diocese.*

The fieldwork team examined twelve case files of living priests incardinated into the Diocese of Waterford and Lismore and all known case material relating to a priest from outside the diocese, who retired to the diocese, against whom allegations of abuse were made but not notified to the Bishop of Waterford and Lismore until relatively recently by the home diocese.

All case files are maintained in excellent condition, having been reconstructed using the NBSCCCI case file template for recording. The files are enhanced in some instances by

case file summaries and chronologies which clearly set out the response of the diocese to allegations of abuse and church action thereafter in relation to the accused. The following are key findings in relation to Standard 2 and the management of allegations:

- Records are well maintained and reflect in detail the safeguarding actions of the diocese.
- All allegations have been reported to An Garda Síochána; some of the allegations came from An Garda Síochána to the diocese.
- At one stage the diocese notified allegations to An Garda Síochána on the understanding that the 1995 Garda – Health Boards protocol would ensure that An Garda Síochána would inform the Health Board (currently HSE). As that did not consistently happen, the diocese now reports all allegations to An Garda Síochána and HSE.
- The designated person who has been in post since the establishment of the role is also a canon lawyer whose responsibilities involve both the initial management of the allegation, including referral to the statutory authorities and referral for counselling; as well as for later canonical inquiries and notification to the Congregation for the Doctrine of the Faith (CDF) in the Vatican. The designated person's notes reflect a fair and balanced approach to both the complainant and respondent.
- All priests who are out of ministry have written precepts on file. They have all been offered a priest adviser and a supervising priest.
- All complainants are offered a support person and counselling. The services of the support person are rarely taken up.
- Records in relation to risk management need to be more fully developed.
- Records in relation to contact with and support for complainants need to be more fully developed.
- Only one case has resulted in criminal prosecutions
- In some cases where financial settlements have been awarded as a consequence of civil action there were considerable legal costs.

Management of allegations

The designated person, who is a priest of the diocese and a canon lawyer, works very well with Bishop Lee to ensure prompt responses to allegations. The designated person's practice has developed over time and he now has considerable experience, given that he has held this role since 1996. The designated person has served this role very well, often in difficult and complex circumstances when the priest respondent to allegations has challenged the restrictions placed on him. Consideration is now being given to transferring the responsibilities carried by the designated person from the current priest to a lay-person. There may be a requirement for the priest to continue in his role as canon lawyer in child abuse cases, and it will be important for continued close working between the priest and any future designated person. The reviewers would like to positively acknowledge the work undertaken by the current designated person, and his contribution towards the safety and welfare of children.

Notification to the Statutory Authorities

All allegations are reported to both An Garda Síochána and HSE. [Previously all notifications were made through An Garda Síochána.] To support the work of safeguarding children, regular interagency meetings take place between the diocesan personnel, An Garda Síochána and the HSE. The HSE Child Care Manager initiated these. He had experienced the value of the interagency meetings that had been introduced following the report into the Diocese of Ferns when he had previously served in Co. Wexford.

Discussions took place with the local Garda Superintendent about the diocese's reporting arrangements, relationships and the management of priests out of ministry. The Superintendent stated that the diocese is very proactive about sharing information in relation to allegations of abuse and risk to children. He added that relationships have developed positively since the introduction of the interagency meetings which take place at least quarterly if not more frequently each year. In particular the Superintendent cited the Bishop and the designated person's co-operation around the management of priests who did not meet the threshold for criminal prosecution, but against whom there were concerns about continuing risk to children. He concluded by saying that the Bishop is an honest and genuine man who welcomes support around all safeguarding issues.

A similar discussion took place with the Principal Social Worker for HSE. He acknowledged that reporting is prompt, that relationships are good between the diocese and the HSE and that the interagency meetings are effective in terms of sharing information.

Response to complainants

A support person has been appointed to offer support and act as an intermediary with the bishop and designated person during and following disclosures of abuse. The support person has been given a dedicated phone and the number is given to complainants. The post holder is an experienced and compassionate woman who is keen to offer support, but her services have rarely been taken up. This is not unusual in the experience of the

reviewers, and it may be because complainants find it difficult to tell their stories again after having already disclosed to the designated person.

Bishop Lee himself offers significant support and help to victims of abuse. He takes a personal interest and is generous in terms of his time and the counselling help he offers. However, he does not record sufficiently well the significant interaction that he has had with victims of abuse, and unfortunately the absence of good records does not do justice to his positive contribution to responding to victims.

Recommendation 1:

Bishop Lee should review the role of the support person to ensure that those who need her help do avail of this. Consideration might be given to the support person accompanying the designated person at the initial meeting with the complainant.

Recommendation 2:

Bishop Lee, the designated person and the support person must record all contacts with the complainants in order to both reflect their views and the support offered.

Management of offenders

Case files were read in relation to 12 priests of the diocese against whom allegations were made. All allegations relating to these priests had been notified to the civil authorities. Of these 12 priests, 3 are currently in ministry: the allegation against 1 of these priests was acknowledged by the complainant to be false; concerns in relation to the other 2 priests were thoroughly investigated and the priests were deemed fit to continue in ministry. Of the remaining priests, 1 has sought and been granted laicisation; 1 is retired; and the other 7 are not in ministry. The last known recorded alleged offence took place in 1999. Some of the cases were complex, with the offending priest presenting in a very challenging way, in an effort to thwart the restrictions placed upon him by the Bishop. It is notable that in spite of strenuous opposition, Bishop Lee maintained his focus on restricting priests' ministry where he felt there were risks to children.

It is concerning to note that some assessments commissioned and paid for by the diocese, contained advice that the reviewers believed would not have reduced risk to children. Bishop Lee deserves praise for interrogating this advice further before making decisions about a priest's return to ministry and ensuring that all risk was assessed properly.

The case files also evidenced delays by the Congregation for the Doctrine of the Faith (CDF) in the Vatican in processing some canonical procedures. This is clearly frustrating for Bishop Lee and his case management personnel.

All priests who are accused of abuse are offered a priest adviser. There is a panel of three priest advisers in the diocese and one was interviewed as part of this review. As was the

case with other personnel in the diocese, this priest adviser demonstrated considerable compassion and maturity. The NBSCCCI recognises the considerable challenges involved in supporting a priest accused of child abuse, who is normally on leave from ministry. The NBSCCCI believes that whoever undertakes this role should avail of all training and support offered. This priest adviser reflected that it is not his role to make moral judgements, but to 'walk the journey' with the respondent priest and to offer support to him and his family.

In addition, Bishop Lee appoints priest supervisors to assist in any risk management plan. This is a very good initiative, which could be further improved by having formal written arrangements around risk management. While there are precepts on file that outline the restrictions placed on the respondent priest, these need to be enhanced through supervision agreements/covenants of care. These documents should set out the restrictions, support and supervision plans.

Recommendation 3:

Bishop Lee must ensure that all priests who are stepped aside from ministry have written supervision plans, which are reviewed by the bishop and the supervising priest at regular intervals.

Advisory Panel

The Diocese of Waterford and Lismore has had an Advisory Panel since 1997. Two members - including the chair of the panel - attended for interview as part of the review. These members were clear about their role as offering advice to the bishop on the management of allegations and on the monitoring of priests against whom allegations were made. The panel also has a role in offering advice on the care of victims.

The designated person presents cases in redacted form to the Advisory Panel meeting which the bishop also attends. No written case records are shared with the panel. A record of the discussion is taken by the designated person and stored in the case file. There is evidence on the files of regular meetings of the panel and of sensible advice being offered. One example noted was when Bishop Lee was commissioning an assessment, the panel offered guidance on the specific questions that needed to be addressed by the assessor. Bishop Lee has worked very positively with his advisory panel, which he sees as a source of great support in stressful and complex cases.

More recently Bishop Lee has joined his diocese to the National Case Management Reference Group (NCMRG). This group was established by the NBSCCCI in 2012 to offer case-management advice to constituent dioceses and religious orders, and operates under a data protection deed, which allows the sharing of full information. Bishop Lee has maintained his own panel whilst also referring to the NCMRG. Not having a protocol in place for dealing with cases that are referred to the local advisory panel and those referred to the National Case Management Reference Group may give rise to possible confusion.

Recommendation 4:

Bishop Lee should develop a protocol for deciding which cases are referred to his local Advisory panel and which cases are forwarded to the National Case Management reference group.

Retired Priests

Reference has already been made in the Introduction to the national and international implications around priests returning from other jurisdictions against whom allegations have been made. The reviewers found a case of very poor practice by a diocese in another country whose priest now resides in Waterford and Lismore. This particular priest had returned to Ireland and had very occasionally been concelebrating public masses before it emerged that in fact the home diocese of the priest had received an allegation about him in 2002. Neither the respondent priest nor Bishop Lee had been informed of the allegation until 2011, at which time Bishop Lee directed him to cease any public ministry forthwith. To prevent a re-occurrence of this situation, Bishop Lee should develop a protocol around retired priests seeking one-off or regular ministry in his diocese.

Recommendation 5

Bishop Lee currently requires that all visiting priests who wish to minister in the diocese produce a celebret. In addition Bishop Lee should draft a protocol which ensures that all priests who are not incardinated into the Diocese of Waterford and Lismore, but who chose to retire to the diocese, prior to taking up residence (in the diocese) produce a current letter from their Ordinary/Superior indicating that they are in good standing, before being allowed to minister in the Diocese of Waterford and Lismore.

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 Waterford and Lismore 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.	Fully Met
3.2	The safe recruitment and vetting policy is in line with best practice guidance.	Fully Met
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.	Fully Met

Criteria – Codes of behaviour

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

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.	Fully Met
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.	Fully Met
3.9	Policies include guidelines on the personal/ intimate care of children with disabilities, including appropriate and inappropriate touch.	Partially Met*

** Diocesan personnel’s involvement in the provision of intimate care arises only in relation to diocesan pilgrimages. The diocese has a clear position on this and restricts any intimate care activities to trained medical and nursing personnel. In addition the code of conduct excludes involvement of youth helpers in intimate care.*

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.	Fully Met
3.11	When operating projects/ activities children are adequately supervised and protected at all times.	Fully Met
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.	Partially Met

The safeguarding structure in the diocese includes a part-time safeguarding co-ordinator, safeguarding representatives in every parish and a safeguarding committee. Members of all these groups were interviewed during the fieldwork. The most striking aspect of all these personnel was their maturity and commitment to working alongside Bishop Lee in order to safeguard children.

The safeguarding co-ordinator, who is also a trainer for the diocese and a national tutor, has oversight and managerial responsibilities for all aspects of policy and practice relating to prevention of harm. It is clear that the co-ordinator, representatives and committee members work well together, and that the latter hold the safeguarding co-ordinator in high regard. The review team were equally impressed by her positive contribution and attitude towards creating a culture of safeguarding in the Diocese of Waterford and Lismore.

The committee has been in operation since 2006. By members' own admission, there was a lack of clarity about the role of the committee in the early days. They stated that since the co-ordinator came into post, there is greater structure to and support for their work. As national policies have developed and with the appointment of a co-ordinator, the members have come together with renewed purpose and enthusiasm. The committee and co-ordinator have redrafted the diocesan policy and procedures and are currently updating these in light of new national guidance, training and the HSE Audit. The co-ordinator and committee also actively support the safeguarding representatives and organise cluster meetings to share experience and good practice.

Recruitment is an important aspect of safeguarding in the diocese, with a lot of emphasis placed on vetting. Garda vetting forms are securely stored in the bishop's house, with other confidential records stored in parish offices in locked cabinets. The diocese needs to ensure that vetting is supported by all other aspects of safe recruitment.

Three safeguarding representatives attended a meeting with one of the reviewers and spoke positively about their work on safeguarding children. The only negative comment during the discussion was about the absence of children in church life in the diocese. They talked about there being some commitment from children around taking on roles such as altar serving, but that their participation was less likely when parents failed to complete the required consent forms, or did not attend with their children either in church or at training events. Given the history of child abuse in the church and reduction in attendance at church events by younger people, it is understandable that there can be apathy and conscientious objection to children participating in church life. Clearly this is a national issue, but one which also needs to be addressed locally in Waterford and Lismore, given the huge effort the diocese is making to safeguard children in their care.

The safeguarding co-ordinator referenced the development of an annual faith based children's day camp, which she believes is positively engaging children. She has worked with the organiser of this camp to ensure that all safeguarding policies and procedures are in place.

There are some gaps in procedures relating to prevention, for example there is no whistle blowing policy and the anti-bullying policy needs further development. The diocesan safeguarding handbook provides summary information, while a more comprehensive set of procedures are located on the website. A review by the co-ordinator and committee is now required to ensure that all necessary procedures are in place, are easily accessible and are presented in reader friendly ways for both adults and children. There are good initiatives, for example, the recent development of child-friendly material, is to be applauded. These could be built upon and further developed with assistance from children involved in church activities and in the faith based summer camp. It would also be very good if the diocese canvassed the views of parishioners around the effectiveness of their safeguarding policies and procedures as well as engaging them in creative ways of involving children safely and more fully in church life.

Recommendation 6:

The Safeguarding Co-ordinator and Committee should review all policies and procedures, identify gaps and develop new procedures accordingly, in line with the requirement for a full revision of their policy and procedures by 2013.

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.	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

Waterford and Lismore have worked closely with the NBSCCCI to develop and pilot the Church’s training materials. Previous to that they were part of the Munster Initiative’s *Keeping Safe* training programme. There are three trainers in the diocese, all of whom presented their work to the review team. These trainers deliver training on a regular basis and take-up is very good. They indicated that training is strongly supported by Bishop Lee and by the priest chair of the safeguarding committee. It was also clear from the safeguarding representatives that training is highly valued in the diocese and they expressed their gratitude for the training and support that is offered and the lead shown by the safeguarding co-ordinator. In addition to the regular safeguarding training (1-day programme), which all priests, representatives and safeguarding personnel undergo, there is an annual Safeguarding Conference held in the diocese. This is a popular event that is attended by a large number of priests and is recognised as a way of networking and learning best practice in relation to safeguarding children.

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.	Fully Met
5.2	Children are made aware of their right to be safe from abuse and who to speak to if they have concerns.	Fully Met
5.3	Everyone in Church organisations 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 Health and Social Care Trusts / Health Service Executive, PSNI, An Garda Síochána, telephone help lines and the designated person.	Fully Met
5.5	Church organisations establish links with statutory child protection agencies to develop good working relationships in order to keep children safe.	Fully Met
5.6	Church organisations at diocesan and religious order level have an established communications policy which reflects a commitment to transparency and openness.	Fully Met

While there is no overall written communications strategy in the diocese, in practice there is considerable activity invested in communicating the diocesan policy on safeguarding children. The NBSCCCI were advised that the Safeguarding Policy and contact information are displayed in all Church porches for those who wish to raise a concern. Developments in relation to child friendly posters are at an advanced stage and will add to the practices in place around communicating to children their right to be safe within Church activities.

The diocesan website has an easily accessible and significant section on safeguarding. In addition, the safeguarding co-ordinator sent out information on safeguarding over 4 week period starting on the 23rd October, 2011 for insertion into parish newsletters. As not all parishes have newsletters the information was given to parishes as a handout for distribution after Mass.

As already referenced, the diocese holds an annual Safeguarding Conference at which information on safeguarding is shared, the diocesan policy and developments are highlighted, and new learning is facilitated.

Finally there are regular meetings between the diocese, the HSE and An Garda Síochána, to ensure good sharing of information on safeguarding related issues in general and on case management issues in particular. The NBSCCCI were advised that there were six of these meetings during 2011.

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 help lines 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.	Fully Met

Bishop Lee has put in place appropriate personnel to offer support to victims of abuse. Counselling for victims is provided through *Towards Healing*. While no survivors contacted the reviewers, there is evidence in the case management records that those who have come forward to the diocese have received a compassionate response from personnel, including Bishop Lee himself.

There is also evidence that respondent priests have access to a priest adviser, canon lawyer and civil lawyers. It is also clear that assessments and therapeutic interventions have been provided to enable offending priests to lead offence free lives as far as possible. While it is clear that anyone who has offended against a child will not have

ministry in the diocese, Bishop Lee feels a responsibility to offer specialist support and therapeutic interventions so that risk to children is reduced.

Reference has already been made to the reviewers concerns however about the quality of some of the assessments commissioned and paid for by the diocese but not accepted by the Diocese. Some of the reports were simply a psychological profile of the respondent priest without any evidence in the written report provided to the Diocese that there was any real assessment of offending behaviour and future risk. Clearly our knowledge and expertise in the area of risk assessment has significantly developed over time. The NBSCCCI would therefore advise on there being a need for greater clarity around the type and purpose of assessment being sought, as well as better standards being achieved in the assessments provided. There are now recognised best practice assessment models, which should be commissioned from quality skilled personnel.

The final comment in relation to access to advice and support is the willingness of Bishop Lee and his designated person to seek advice on case management issues. They recognise their need for skilled experienced personnel to support their work in assessing and managing risk. The advice sought comes from a range of people including statutory personnel in An Garda Síochána and HSE. Bishop Lee welcomes the support and experience provided by his colleagues in An Garda Síochána and HSE.

The NBSCCCI would caution however against any blurring of boundaries in relation to decision making about a priest's ministry. There is also a need to distinguish between good and poor advice. Having too many sources of advice can be a difficulty and emphasis should be placed on critically evaluating advice to ensure that it is appropriate.

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.	Partially 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

The child safeguarding co-ordinator expressed her view that the annual audit is an extremely helpful monitoring tool. This enables both herself and Bishop Lee to assess if the required policy and procedures are in place and more importantly, are being put into practice across the diocese. The co-ordinator also advised that as part of parishioner feedback, parents and guardians of altar servers are asked their views on the safeguarding measures that are in place. Children also offer their voice when developing the codes of conduct for the various church related activities they are involved in. These efforts at consultation could be extended to other parishioners and church personnel as part of any future redrafting of the policy and procedures.

Conclusion

The fieldwork team would wish to conclude by acknowledging the very positive work in child safeguarding that is taking place in the Diocese of Waterford and Lismore. This is in large part down to the strong leadership by Bishop Lee and the personal interest he takes in all aspects of this work. He has an intimate knowledge of all cases and ensures that in responding to allegations the victim's welfare is taken into consideration and that future risk to children is minimised. Likewise in relation to prevention, he leads from the front, attending all training, setting up structures and putting in place good personnel who have taken on their roles with great enthusiasm. Bishop Lee is supported by a good team of interested priests and lay people and the NBSCCCI commend them all for all they do to keep children safe in their diocese.

Recommendations

Recommendation 1:

Bishop Lee should review the role of the support person to ensure that those who need her help do avail of this. Consideration might be given to the support person accompanying the designated person at the initial meeting with the complainant.

Recommendation 2:

Bishop Lee, the designated person and the support person must record all contacts with the complainants in order to both reflect their views and the support offered.

Recommendation 3:

Bishop Lee must ensure that all priests who are stepped aside from ministry have written supervision plans, which are reviewed by the bishop and the supervising priest at regular intervals.

Recommendation 4:

Bishop Lee should develop a protocol for deciding which cases are referred to his local Advisory panel and which cases are forwarded to the National Case Management reference group to avoid potential confusion and conflict of advice.

Recommendation 5

Bishop Lee currently requires that all visiting priests who wish to minister in the diocese produce a celebret. In addition Bishop Lee should draft a protocol which ensures that all priests who are not incardinated into the Diocese of Waterford and Lismore, but who chose to retire to the diocese, prior to taking up residence (in the diocese) produce a current letter from their Ordinary/Superior indicating that they are in good standing, before being allowed to minister in the Diocese of Waterford and Lismore.

Recommendation 6:

The Safeguarding Co-ordinator and Committee should review all policies and procedures, identify gaps and develop new procedures accordingly, in line with the requirement for a full revision of their policy and procedures by 2013.

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 1990² 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).

² 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.