



Private and Confidential

Review of Safeguarding Practice

in the

Diocese of Ferns

undertaken by

The National Board for Safeguarding Children in the

Catholic Church in Ireland (NBSCCCI)

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of the Bishop of the Diocese of Ferns**

February 2013

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Background

The National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) was asked by the Sponsoring Bodies, namely the Episcopal Conference, the Conference of Religious of Ireland (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 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 Ferns* undertaken by the NBSCCCI in line with the request made to it by Bishop Denis Brennan. 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 has established with the diocese that all relevant documentation for these cases was passed to the reviewers.

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.

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Introduction

At the request of Bishop Brennan, staff from the NBSCCCI engaged in a review of safeguarding children policy and practice in the Diocese of Ferns on November 13th and 14th, 2012 and on January 22nd and 23rd, 2013. Over the three and a half day fieldwork period, case files were examined, interviews with key personnel in the diocesan safeguarding structure took place and meetings were held with the two relevant committees. Interviews were also held with senior managers of the two statutory child protection agencies, An Garda Síochána and the Health Service Executive.

The fieldwork team acknowledge the kind assistance and cooperation provided by Bishop Brennan and the diocesan safeguarding personnel with the review process. The reviewers were made welcome and received generous hospitality during their two visits to the diocese and are very grateful for this.

Geographical Area

The Diocese of Ferns is in the Archdiocese of Dublin Metropolitan area. It covers an area of 1,158 square miles, comprising Co. Wexford and part of Co. Wicklow. The diocese has approximately 100,000 Catholic residents across 49 parishes. The current bishop, Bishop Denis Brennan was installed on 1st March 2006. His two predecessors served as Bishop of Ferns from April 1984 to April 2002 and from October 1964 to April 1983 respectively. An Apostolic Administrator was appointed to the diocese of Ferns on 6 April 2002 and served until the episcopal ordination of Bishop Brennan in March 2006.

The period covered by this review is from January 1975 to May 2012. Ferns Diocese was the subject of a Government Inquiry, which examined complaints and allegations made against clergy of the Diocese of Ferns prior to April 2002, and the responses of the Church and the civil authorities to these. The Ferns Inquiry Report was presented to the Irish Government on 25th October 2005 and was published on the following day. The current review does not revisit the ground covered by the Ferns Inquiry Report, but references to the findings in the Ferns Inquiry Report are made where relevant.

The NBSCCCI was also aware of the HSE Audit of Safeguarding Arrangements in the Catholic Church in Ireland (Volume 1, Dioceses Report), dated July 2012, but published on October 11th 2012. That audit covers the period to the end of November 2011 and examines safeguarding children practice in the 24 dioceses that are fully or partly in the Republic of Ireland, including the Diocese of Ferns. Safeguarding practices in each diocese are given separate chapters in the HSE audit report.

The purpose of this NBSCCCI 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 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.

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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 who are incardinated into the Diocese of Ferns and against whom a child-safeguarding allegation had been made or about whom a concern had been raised. The reviewers also read some case files case relating to deceased priests about whom concerns had been raised, either while they were alive or after their death. In addition, interviews were held with Bishop Brennan, the Designated Person, the Diocesan Secretary / Chancellor, the person responsible for Victim Outreach, who is also the Safeguarding Coordinator, members of the Advisory Panel, members of the Safeguarding Committee, members of the Interagency Group, including senior managers from An Garda Síochána and the HSE, the person responsible for coordinating training, two Trainers, two Priest Advisers, and three Parish Safeguarding Representatives.

The review also conducted 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*. All other written material provided to the reviewers was evaluated for relevance and accuracy, as was the child safeguarding information contained on the diocesan website.

Reviews into safeguarding have two objectives – to establish how concerns of clerical child sexual abuse have been managed in the past and to evaluate the efforts that have been made to create safe environments for children to ensure their current and future safety. To achieve these two objectives, 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 below discusses the findings of the fieldworkers under each standard. Conclusions are drawn regarding both the effectiveness of diocesan policies and practices in preventing abuse, and the ability of the relevant personnel within the diocese to assess and manage risk to children. Recommendations for improvements are made where considered appropriate.

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 *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 Ferns. 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.

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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 a diocese 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 diocese has a child protection policy that is written in a clear and easily understandable way.	Met fully
1.2	The policy is approved and signed by the Bishop of the diocese	Met fully
1.3	The policy states that all Church personnel are required to comply with it.	Met fully
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.	Met fully
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.	Met fully
1.6	The policy states how those individuals who pose a risk to children are managed.	Met fully
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

Policy & Procedures

The Diocese of Ferns published an Interim Child Protection Policy in 2003, which was produced by the Safeguarding Committee that had been convened in 2002. A copy of this first statement of policy and procedure can still be accessed on the diocesan website, at <http://www.ferns.ie/ChildProtectionArchive.shtml>. The current document is called The Diocese of Ferns *Safeguarding Our Children*, which is a full written policy and procedures document that is consistent with the NBSCCCI's *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*. This document is recently published and makes reference to the *Children First* national guidelines of 2011 and contains individual policies that were iterated in 2012, such as the Policy on Social Networking Sites and the diocesan Code of Conduct for Children, both dated July 2012. The document does not contain an exact date of publication, which oversight should be rectified on the diocesan website. The HSE Audit refers positively to this diocesan policy and procedures document and it was approved by the Interagency Group which has two senior HSE service managers among its membership.

The diocesan safeguarding personnel informed the reviewers that the policy and procedures were reviewed in 2012 and will be formally reviewed and revised again in 2015, following a process of consultation that will involve all parishes in the diocese. A sub-committee of the Safeguarding Committee will be appointed to conduct the consultations and to draft a revised text. There will then be a process of discussion at the full Safeguarding Committee until a final text from the sub-committee is accepted for recommendation to the bishop and vicars for approval. This has proven to be an efficient and effective review procedure. The current policy document can be accessed on the Diocese of Ferns website at <http://www.ferns.ie/ChildProtection%20Com.shtml>

However, changes may be made to the policy and procedures prior to 2015 if the need arises. The type of circumstances that might prompt such changes are significant changes in diocesan personnel, important changes in legislation, or and if valuable recommendations are brought to the attention of the diocese or to the members of the Safeguarding Committee.

In his Foreword to the Diocese of Ferns *Safeguarding Our Children* document, Bishop Brennan states that:

Each child and young person should be safe when engaging with the Church and should only find an environment where they can flourish as a young Christian. The onus remains on all of us, whether lay, clerical or religious to ensure that this is reality in our parishes, communities and diocese. All Church personnel are expected to comply with diocesan safeguarding children policies and procedures, and this user friendly document can only facilitate the task.

On the first page of the policy and procedures document, the following statement is printed in bold red lettering that is underlined:

All Church Personnel Must Comply With This Policy.

The policy then presents the following statement:

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The Diocese is committed to:

- 1. Creating safe environments for children and young people to participate in Church activities*
- 2. Minimising risks in order to safeguard the interests of children and young people*
- 3. Ensuring that paid employees and volunteer workers are carefully recruited, selected, trained, supported and supervised*
- 4. Supporting victims / survivors of abuse*
- 5. Ensuring that the offenders are held accountable for their actions*
- 6. Reporting all complaints and allegations of abuse to the civil authorities without delay*

This summary statement is commended for its clarity and it establishes the foundations for the sections of the document that follow it. Overall the document is colourful and easy to follow, is uncomplicated and contains all required information.

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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 fully
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 fully
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 Partially
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 fully
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 fully
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

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Table 1

Incidence of safeguarding allegations received within the Diocese of Ferns from 1st January 1975 up to November 2011

1	Number of priests incardinated into the Diocese of Ferns against whom allegations have been made since the 1 st January 1975 up to the date of the review	24
2	Total number of allegations received by the Diocese of Ferns since 1 st January 1975	100
3	Number of allegations reported to An Garda Síochána involving priests of the Diocese since 1 st January 1975 – this figure excludes some allegations that were notified by An Garda Síochána to the Diocese	99
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 - this figure excludes some allegations that were notified by the health services to the Diocese	98
5	Number of priests of the Diocese against whom an allegation was made and who were living at the date of the Review	3
6	Number of priests of the Diocese against whom an allegation was made and who are deceased	13
7	Number of priests of the Diocese against whom an allegation was made and who are in ministry	0
8	Number of priests of the Diocese against whom an allegation was Made and who are out of ministry but remain in the priesthood	3
9	Number of priests of the Diocese against whom an allegation was made and who are retired.	1
10	Number of priests of the Diocese against whom an allegation was Made and who have left the priesthood	3*
11	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	3*

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

** Includes one man who is deceased*

Table 1 above does not detail any situation where a concern may have been raised but where no complaint was forthcoming. The reviewers are satisfied that the diocese did everything possible to follow the leads that were given in such instances and that the threshold for intervention was not reached in any of them.

The Ferns Inquiry examined case management by the Diocese of Ferns in the period up to April 2002 and the Ferns Inquiry Report was very critical of the diocese and of the statutory agencies in relation to how they each responded to concerns about clerical child sexual abuse. “The Inquiry has identified approximately 100 complaints against priests

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operating under the aegis of the Diocese of Ferns. These allegations were made in respect of 21 priests” (The Ferns Inquiry Report, p. 246). The Inquiry Report comments on the responses made to these allegations by the three bishops who held office in the period examined and made the following findings about their management of cases that had been brought to their attention:

Regarding Bishop A (October 1964 to April 1983)

Clearly Bishop A regarded priests who abused children as guilty of moral misconduct. He does not appear to have recognised that the wrongdoing was a serious criminal offence. Neither he nor the medical and health care community appreciated the grave damage which child sexual abuse can cause to its victims.

The Inquiry believes that the bishop felt bound to appoint any priest ordained for his Diocese to a curacy notwithstanding his manifest unsuitability for the position.

Regarding Bishop B (April 1984 to April 2002)

By the late 1980s, Bishop B accepted that the appropriate response to an allegation of child sexual abuse was to have the accused priest to step aside from active ministry pending a determination of the allegation made against him. Bishop B consistently failed to achieve this objective. In the majority of cases the failure to achieve the desired result was due to the conviction of the Bishop that it would be unjust, if it were possible, to remove even temporarily a priest on the basis of an allegation which was not corroborated or substantiated by what he considered to be convincing evidence. In the nature of the alleged criminal activity, evidence of that nature was unlikely to be obtained. Indeed Bishop B recognised that he did not have the resources of the expertise to carry out investigations into what were serious criminal offences. The particular and inconclusive investigations conducted by Bishop B were an inappropriate and inadequate response to serious allegations. The bishop was rightly conscious of the need to protect the good name and reputation of his clergy but he failed to recognise the paramount need to protect children as a matter of urgency, from potential abusers.

Regarding Bishop C – Apostolic Administrator (April 2002 to March 2006)

Bishop C told the Inquiry that he would be prepared to require a priest to step aside from active ministry where he had a “reasonable suspicion” that the offence of child sexual abuse had been committed. He said that a rumour or suspicion emanating from a single source might not in itself be sufficient grounds for acting against a priest, but that he would note it and if he received any further information or untoward behaviour on the part of that priest, he would act immediately. In practice Bishop C has not invoked his powers under Canon law to stand aside from active ministry any priest of the Diocese. Seven out of the eight priests whom Bishop C asked to stand aside agreed to do so. One further priest so requested has been the subject of a dismissal from Rome following an application by Bishop C. This approach and the response to it may reflect a more efficient management of

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the Diocese in combination with a clearer understanding on the part of members of the clergy of the need to respond promptly and effectively to allegations of child sexual abuse. Notwithstanding the hardship and embarrassment which this must cause to innocent members of the clergy, the responses made by the Diocese since the appointment of the Apostolic Administrator have been adequate and appropriate.

[The Inquiry did not examine the full period in office of Bishop C]

It is obvious that historical case management practices in the Diocese of Ferns were poor and inadequate, but began to improve in 2002 when the Apostolic Administrator was appointed with the remit of implementing a robust case management approach.

The Apostolic Administrator issued a Statement at a Press Conference following the publication of the Ferns Inquiry Report in October 2005, in which he said that:

There are no excuses for what has happened in the past. However, the most effective response to what we cannot change in the past is what we are doing today, and what we will do in the future.

The Diocese is committed to ensuring that Ferns is as safe an environment for children as is possible. Today it is important to state that no priest about whom there are child protection concerns are, or will be, permitted to minister in the Diocese.

Where concerns have arisen, priests have been asked to step aside and their behaviour is governed by a Precept which is a detailed Code of Behaviour determined by recommendations received from therapists and professional assessments. These recommendations are then discussed by the Advisory Panel and at the Inter-Agency Review Meetings organized by the Diocese with representatives of the Gardaí and Health Board.

Where priests have been dismissed, ongoing contact and review is maintained at the level of quarterly meetings with the Delegate and monthly meetings with the monitoring support of a Supervisor. Adherence to a Code of Behaviour, as existed prior to dismissal, is required.

This description of case management practices in the Diocese of Ferns indicates the significant developments that had taken place since April 2002 under his stewardship. This is the approach to case management that Bishop Brennan inherited when he was appointed in March, 2006 and he has continued the improvements in Child Safeguarding, which are evidenced in this review report.

Of the ten cases of alleged abusers who were alive at the time of the current review, eight had been previously examined by the Ferns Inquiry. Indeed, that Inquiry team had notified Ferns Diocese of two of these cases. It is important to note that a total of twelve allegations against six of these eight priests were received by the Diocese of Ferns after

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the publication of the Ferns Inquiry Report, although the abuse complained of allegedly took place prior to April 2002 in all cases.

Of the ten cases that were reviewed, none of the priests involved was in ministry. Seven had been dismissed from the clerical state, two at their own request. One had retired and had no active ministry and two had stepped aside while investigations are on-going, in the case of one of whom a determination by the Congregation for the Doctrine of the Faith (CDF) is awaited.

The reviewers examined an additional case of a priest who died before the investigation of a complaint against him had been completed.

Three priests of the Diocese of Ferns therefore were the subject of allegations that had not been examined by the Ferns Inquiry and the reviewers closely examined their case files, as these cases had arisen since the current bishop came into office. In all three cases the priests were asked to step aside once a named complainant made an allegation of child sexual abuse against them. The allegations against these three priests were received by the Diocese of Ferns in 2011 and 2012. It is clear from a review of these cases that Bishop Brennan took every appropriate action in the cases of allegations against diocesan priests that have arisen since he was appointed.

The reviewers spoke at length with the bishop and the diocesan secretary about the standard of proof that existed in the three cases that had arisen since 2011. The reviewers accept that the bishop had received sufficient evidence of concern to ask each priest to step aside while the complaints against them were being investigated by the statutory authorities, and subsequently, while the appropriate canonical procedures were being followed.

The Diocese of Ferns has a Designated Person, who is a female counsellor and a Deputy Designated Person, who is a priest. The Designated Person also works in the Diocesan Family Life Service as an ACCORD relationship counsellor. She was appointed as Designated Person in April 2006, and reports to the Diocesan Advisory Panel. She also attends meetings of the Inter-agency Review Group, The Designated Person has quarterly meetings with priests who are out of ministry due to allegations of child sexual abuse and she keeps close contact with Priest Advisers who support these priests.

As the Safeguarding Coordinator had been appointed prior to the Ferns Inquiry, she had been very involved in the maintenance of case management files in the diocese and when the Designated Person was appointed, she was also given a role in the upkeep of case management files. When the Safeguarding Coordinator retires in the near future, this division of responsibility for the maintenance of case management files should be reviewed. The case management files are securely kept in a walk-in safe in the diocesan offices.

The responsibilities of the Designated Person are described in the Ferns *Safeguarding our Children* policy and procedures under Standard 6.

Recommendation 1:

That on the retirement of the Safeguarding Coordinator, the Designated Person would take full responsibility for the upkeep of all case management files.

The reviewers spoke with Bishop Brennan about the supports that he has with the onerous responsibilities for child safeguarding in his diocese. He spoke very positively of all of his safeguarding staff, the Diocesan Advisory Panel and the Interagency Group.

The reviewers read 11 case management files as part of the review. The files of the cases that have occurred since Bishop Brennan came into post are structured according to the guidance provided by the National Board. Within the older files there is an absence of good narrative recording, in that not all decisions, actions, contacts and developments in these cases are chronicled with the level of detail that would be expected. The more recent files contain much fuller information and follow the NBSCCCI's recommended case file format, making them easier to read and understand decision making. Diocesan personnel use internal email correspondence in place of more detailed file notes. The reviewers have a concern about the amount of sensitive information that is routinely communicated by diocesan safeguarding personnel through email, which the reviewers would not consider a sufficiently secure medium. The Diocese provided advice from an IT consultant which supports their position that e-mail exchanges are secure.

In preparing for the Ferns Inquiry and for the 2002 preliminary investigation conducted by Mr. George Birmingham SC that preceded it, the Diocese of Ferns had to adopt a particular structure for case management files that separated case notes and correspondence from records of canonical processes and from legal material. This was a major and expensive task that created a large number of historical case management files which, while complete and comprehensive, are not in an easily read format. As a result the reviewers made arrangements to return for an additional day's reading of some of these older files in order to obtain a clear understanding of how cases had been managed prior to Bishop Brennan's appointment. The reviewers are completely satisfied that the historical case management files are intact and they note that the diocese's files were commended by the Fern Inquiry.

Recommendation 2

That Bishop Brennan ensures that all case management narrative records are maintained in line with the NBSCCCI template for case file recording.

The Diocese of Ferns provided evidence of significant efforts to keep safeguarding personnel up to date on relevant legislation, including the Criminal Justice Act 2006, the Data Protection Act 2003 and the Freedom of Information Act 2003. Superintendent Pat Burke of the Garda Vetting Unit has addressed the Diocesan Safeguarding Committee, along with all Parish Safeguarding Representatives, in March 2004 and again in December 2011. The Safeguarding Coordinator, who has responsibility for developing safeguarding children policy in the diocese is fully conversant with the *Children First*,

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2011 National Guidelines, and with the National Vetting Bureau (Children and Vulnerable Persons) Bill 2012, which is going through the Houses of the Oireachtas.

The diocese reports all allegations of abuse to the civil authorities without delay, as it is expected to do. The Interagency Review Group that operates in Co. Wexford is an excellent example of best practice in child safeguarding. This group, which is comprised of a Garda Chief Superintendent, a HSE Child Care Manager, a HSE Principal Social Worker, Bishop Brennan, the Diocesan Secretary, the Designated Person, the Deputy Designated Person and the Safeguarding Coordinator, was initially convened by the Apostolic Administrator in 2003, and it has held 22 meetings since then. This model was strongly commended by Mr. Justice Murphy, the Chairperson of the Ferns Inquiry. (The Safeguarding Coordinator also acts as the Diocesan Outreach Support Person and provides support to complainants).

The reviewers met with the Interagency Review Group and were impressed by the open, relaxed and professional working relationships that exist between the members. Information is shared in this forum to ensure that the three participating organisations, An Garda Síochána, the HSE and the Diocese of Ferns each has the same detail about all concerns and allegations of clerical child sexual abuse. Cases are reviewed and advice and guidance is provided to the diocesan child safeguarding staff by the two statutory agencies. Bishop Brennan has organised that the Diocesan Advisory Panel meets in the afternoon following a morning meeting of the Interagency Review Group, so that it can have up to date information available to its members.

The reviewers raised a number of issues in their discussions with the Interagency Review Group, including credibility assessment of allegations, risk assessment of priests, and the challenge of reinstating priests following the investigation of allegations against them. It was clear that the two statutory agencies would seek a very robust Risk Assessment Report from Bishop Brennan before they would countenance the return of a suspended priest to ministry. The representatives of the two statutory child protection agencies did accept that they can only advise and cannot direct Bishop Brennan to either stand down or to reinstate a priest. The diocesan safeguarding personnel were equally clear that they would be unlikely to act against the advice of either statutory agency, while Bishop Brennan is well aware that he and the Diocese of Ferns has to take full responsibility for its own independent case management decisions and actions.

The Diocese of Ferns has a written Case Management Protocol, which while just 10 points set out on a single page, is a good guide for safeguarding personnel.

The Diocesan Advisory Panel

There have been 37 meetings of the Ferns Advisory Panel up to and including 02/10/2012. The membership of the panel is comprised of two solicitors, a father and son, who act as alternate chairperson, depending on each person's availability, a canon lawyer, an educational psychologist, a HSE Social Work Team Leader, a local businessman, and the Safeguarding Coordinator, who takes the minutes. The reviewers met with the panel on the second visit to the diocese, as it had not been possible to meet a

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sufficient number of members during the November visit. All members bar one were in attendance and there was an excellent discussion about the work of the panel and how it approaches its task. Bishop Brennan, the Diocesan Secretary, the Designated Person, the Deputy Designated Person and the Safeguarding Coordinator all attend the meetings of the Advisory Panel. The Chairperson attends an hour or so in advance of the meetings for a briefing with the Designated Person and the Safeguarding Coordinator. While cases are presented in an anonymous manner, with priests identified by pseudonyms, the panel members spoke of a full sharing of information with them and detailed discussions of all relevant issues. The panel works to reach a consensus view and as well as advice being shared with the bishop and the safeguarding personnel at the meeting, this is also communicated via the written minutes of meetings. The Chairperson spoke of the need to advise on whether a concern or allegation has reached the threshold of having ‘a ring of truth’. Bishop Brennan formally acknowledges receipt of the panel’s advice in writing. Each member of the panel has their own file, but these files remain in the diocesan offices after the meeting and are held securely.

The Advisory Panel members stated that all active case management files are regularly reviewed by them. Individual members described the supervision arrangements that they have through their professional practice agencies and all members were of the view that they have sufficient supports to deal with the emotional demands of their work on the panel. The atmosphere in which they work was described as ‘collegiate and supportive’. After the formal work is completed, the members of the panel stay on to share a meal with the Bishop and his safeguarding staff.

While each member spoke of the training that they have received in child safeguarding in their workplace, the Advisory Panel has not undertaken any formal training together in relation to their specific tasks or their role within the Diocese of Ferns.

Recommendation 3

That Bishop Brennan, in consultation with the NBSCCCI , would arrange an annual training session for the Advisory Panel on some relevant aspect of their roles and responsibilities.

Outreach Support Person

One way in which the Diocese of Ferns stands out is that the person tasked with responsibility for outreach to people who have complained of clerical child sexual abuse has worked with 31 complainants over the 10 years that she has been in post. This is an exceptional degree of engagement and is an indication of the dedication, perseverance and empathic nature of this woman. It is unfortunate that she is due to retire this year, and it is clear that it will be very hard to find someone to undertake this important work as successfully as she has. Her work, as well as the provision of counselling services and the financial settlements made with victims, is evidence of a complainant-centred approach being adopted by the Diocese of Ferns.

Bishop Brennan had made Church members aware of the impending review and he invited people to come forward who wished to make a complaint or to make the

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reviewers aware of any child safeguarding concern that otherwise they may not have discovered. One adult person contacted the Designated Person to make her aware of an incident that happened in the 1970's, when they were a child of primary school age. This person spoke of being sexually abused by a priest who was a member of a named religious order (and not incardinated in to the Diocese of Ferns). They wanted to speak about this matter, which had in fact been dealt with at the time by An Garda Síochána. They said that their parents had been very supportive of them when this happened and they also reported that they has been to counselling as an adult about these events. They explained that her reason for making contact in response to the bishop's invitation was so that they could have a sense of standing up for themselves and they explained that it had taken some time to build up the courage to make the call. This person said that they wanted this to be reported in the review report.

Priest Advisers

The reviewers met with two priest advisers. One of these is supporting a man who has been laicised and the other is supporting a priest who is out of ministry. These two priests spoke insightfully about the role that they play in supporting these two respondents and about the human need to remain in relationship with these two men, irrespective of what they have or have not done. This is a burdensome task and one that has to be carried out with sensitivity and discretion and the reviewers were very impressed by the two priests who are doing this in a quiet, committed and effective way on behalf of the diocese.

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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 fully
3.2	The safe recruitment and vetting policy is in line with best practice guidance.	Met fully
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 fully
3.5	There is guidance on expected and acceptable behaviour of children towards other children (anti-bullying policy).	Met fully
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 fully

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

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 fully
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 fully

The Diocese of Ferns *Safeguarding our Children* policy and procedures document fully meets the criteria that are set out under Standard 3. This document is written in a very easy to follow way and it is available to be downloaded from the diocesan website. The document has been widely distributed across the diocese and a substantial training initiative has ensured that it is used as a living document to be read, understood and applied. The diocese deploys four trainers who are registered by the NBSCCCI. These trainers have also undertaken training specific to people with special needs, which has equipped them for training personnel who accompany children on the annual pilgrimage to Lourdes. Their efforts are supported by the work of a network of Parish Safeguarding Representatives and the overall safeguarding project is coordinated by the Safeguarding Committee.

The reviewers were impressed by the focus maintained in the Diocese of Ferns on the dissemination of the safeguarding message at diocesan and at parish level.

Safeguarding Committee

The Safeguarding Coordinator convenes this committee and takes minutes of its meetings. The committee was formed in 2002 and first drew up a safeguarding policy and code of behaviour. This was reviewed following the publication of the 2009 *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*. To maximise its effectiveness, the Safeguarding Committee operates sub-committees as required to work on discrete tasks. The committee has visited all parishes in the diocese over a two year period as part of parish information sessions and this exercise cemented good communication and working relationships. Safeguarding Committee members have received relevant training to support them in their work.

The members see the role of the committee as drafting policies and ensuring that these are in place, supporting Parish Safeguarding Representatives and ensuring that training is being provided to those who need it. The committee provides information on safeguarding to priests and to parishes. They have written two safeguarding newsletters and another is being finalised. They have advised on the use of a dedicated Child Safeguarding notice board in each church porch.

The committee also conducts annual audits of compliance, two of these have been completed in the past four years. The first audit return sheet was sent to the priests for completion, while the second one was sent out to Parish Safeguarding Representatives who had to liaise with parish priests in completing the returns. This change led to opportunities for communication and cooperation at parish level and the returns gave evidence of improved practice on the ground. The Safeguarding Committee submits a report on the diocesan safeguarding audit to the four pastoral vicars, one in each of the four deaneries in the diocese.

Safeguarding Committee members said that they feel that children give life to the Church and so the more they do to safeguard children, the better for the children and for the Church. They said that they found the Ferns Inquiry painful but also life giving in its effects. They said that they recognise that they are all accountable for what they are doing. They want to continue to move on beyond simply apologising for past wrongs and said that they believe that safeguarding should become a way of life and not be seen as 'an added extra'. They believe that there is now a 'huge awareness' of safeguarding in the diocese and reported that others outside the Church sometimes come to them for advice. They are of the view that young people are more open and aware of abuse and the need to keep themselves safe and raise concerns, post the Ferns Inquiry report.

Local Parish Safeguarding Representatives

The reviewers met with three Parish Safeguarding Representatives, two women and one man, who represented three different parishes in the diocese, one a big and busy suburban parish on the outskirts of Wexford town with a lot of activities involving children and two rural parishes.

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One of the representatives first undertook this voluntary role three and a half years ago, while the other two have each been doing it for five years. They described their responsibilities as including the promotion of good safeguarding practice, bringing issues to the attention of parish clergy, being always available when there are children's activities being run in their parishes, being sure that the safeguarding notices are always prominently displayed in the churches and are easily visible, ensuring that all adults who engage with children in Church related activities are properly Garda vetted, keeping an eye on the sacristy registers to make sure that everyone is signing in and out as required, visiting all groups involving children (altar servers, youth groups, youth choirs etc.), making sure everything is in place and generally to be aware and observant. All three have received relevant safeguarding training. All three representatives spoke of the positive support that they receive from the Designated Person and from the Safeguarding Coordinator. They see their work as ministry and find it rewarding. As a consequence of the Ferns Inquiry they said that they are more conscious of the importance of their role.

In relation to 3.6 above, it is noteworthy that the Diocese of Ferns has worked out a protocol for how '*Church personnel can raise allegations and suspicions about unacceptable behaviour towards children by other Church personnel or volunteers*'. In the event of someone having such a concern, they would be invited to meet with the local Parish Safeguarding Representative who in turn would pass on the information to the Designated Person. When she receives and considers the complaint she reports it to the Bishop without delay, and if warranted, also reports it to HSE and to An Garda Síochána.

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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 and updated in line with current legislation, guidance and best practice.	Met fully

Training was addressed in discussing Standard 3 above. In having four registered trainers, the Bishop Brennan has shown a commitment of resources to the training needs of its safeguarding personnel at all levels within the diocese. The trainers maintain good contacts with the NBSCCCI and Ferns personnel attend NBSCCCI's training events when these are held. A recommendation has been made above in relation to the benefits for the Advisory Panel of training together.

As the diocesan safeguarding personnel all work out of the diocesan offices, Bishop Brennan might also arrange annual training for himself and the safeguarding team, to continue to develop their skills levels and to maintain the well established group cohesion. In the near future the diocese will be losing its Safeguarding Coordinator who is due to retire. The arrival of her replacement will provide an opportunity for such a training event.

The Diocese of Ferns has arranged many training sessions since 2003. Priests, all of whom have responsibility for recruiting and selecting both paid staff and volunteer workers have received training from the diocesan trainers. In addition to Child Safeguarding training, conferences have also been held on Child Safeguarding issues, which have raised the overall level of awareness among diocesan personnel and volunteer

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staff, as well as in the wider community. All the safeguarding personnel including priest advisers in the diocese have attended seminars relating to their roles which have been organised by the NBSCCI. Recruitment and selection of staff, dealing with complaints, disciplinary procedures, managing risk, and understanding the role of the Designated Person are an integral part of the training offered by the diocesan trainers.

The diocesan trainers have provided Child Safeguarding Information Sessions in every parish in the diocese and in some cases, second and third visits have been made by trainers to parishes to update information. This is a 'rolling' initiative that is on-going in Ferns Diocese.

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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.	Met fully
5.2	Children are made aware of their right to be safe from abuse and who to speak to if they have concerns.	Met fully
5.3	Everyone in the diocese knows who the designated person is and how to contact them.	Met fully
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.	Met fully
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.	Met fully

Child Protection Policy Display and Availability

The Ferns diocesan policy document has been widely circulated and significant efforts have been made to explain its contents to the people of the diocese. It is available on the diocesan website and the policy statement is prominently displayed in all churches in the diocese.

Anyone who works with children in Church related activities in the Diocese of Ferns must agree to uphold the diocesan policy and procedures, to comply with the Diocesan Code of Conduct and must attend a training course. Children are advised and encouraged

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that if they feel uncomfortable with an adult they should speak with a parent about this. Parents in turn are advised and encouraged to speak with their parish priest who has overall responsibility for the safeguarding of children in the parish. The diocese outlines how complaints are dealt with under Standard 3 of the *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*.

As has been mentioned under Standard 4 above, information sessions have been given in every parish in the diocese and second and third sessions have been held in some of the parishes as part of an ongoing information sharing initiative. Diocesan safeguarding personnel have given interviews on local radio and a further radio interview had been arranged for December 2012.

The Diocese of Ferns' commitment to transparency and openness is evidenced by the public induction of all new Parish Safeguarding Representatives in their local parish during which their role is explained to the congregation. These inductions also underline that these lay people perform an important ministry within their local church.

The Diocese of Ferns was subject to very close political and media scrutiny during the Ferns Inquiry and in response to this it developed a policy of open engagement with the media. One statistic shared with the reviewers was that there were over 100 communications with one national newspaper, the Irish Independent in clerical child sexual abuse related matters in the diocese over a period of five years. Child Safeguarding personnel understand that they have a responsibility to be accountable and this is expressed by on-going communications work at local, national and at times international level about safeguarding issues.

Ferns has produced and distributed a number of diocesan safeguarding newsletters, each with a print run of 10,000 copies.

The bishop has encouraged parishes to insert a photograph of their Parish Safeguarding Representative in their parish newsletters alongside their contact details. These details are printed at regular intervals in the newsletters.

Bishop Brennan has published all diocesan clerical child sexual abuse statistics annually. He has also published the financial figures related to legal costs, the cost of settlements with victims and of counselling for victims and the costs associated with the treatment of offending priests that are incurred each year. To date these costs have exceeded €10 million.

As has been mentioned under Standard 2 above, Ferns has a very strong and well established inter-agency group that meets regularly and where open sharing of information with An Garda Síochána and HSE occurs. The representatives of both statutory authorities interviewed by the reviewers spoke very highly of the communication and cooperation that they enjoy with the Diocese of Ferns. The diocese has ensured that contact details for both statutory authorities are clearly indicated in diocesan child safeguarding literature and notices.

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The Diocese of Ferns implementation of Standard 5 is well detailed in their policy and procedures document. The diocese has requested a specific input from the NBSCCCI on Standard 7 at the next national meeting of Diocesan Communications Officers with a view to discerning practices elsewhere and to continue to improve its own performance under this standard.

Child Safeguarding is a standing agenda for every meeting of the diocesan Council of Priests. The Chairperson of the Safeguarding Committee attends these meetings in order to outline developments and to give updates on safeguarding to the priests of the diocese.

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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 fully
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 fully
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 fully
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 fully

The Diocese of Ferns has well established Advisory Panel, Interagency Group, Safeguarding Committee and four trainers at its disposal. It also has a close knit Child Safeguarding team within the diocesan offices that meets regularly to discuss concerns which arise.

The diocese regularly contacts members of the NBSCCCI for advice and all reports are copied to that office. Because of good working relationships, diocesan Child Safeguarding personnel can readily contact An Garda Síochána and HSE professional staff for advice and guidance.

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Mention has been made of the excellent work that has been done by the person who has responsibility in the diocese for Outreach Support to victims and survivors of clerical abuse. It is essential that there is a handover period when this person retires so that her successor can learn as much as possible about how to successfully approach the challenging outreach task.

Bishop Brennan has been committed to ensuring that priests about who there are concerns receive professional risk assessments and appropriate therapy, supervision and support as required. The reviewers saw evidence on case management files of good practices in this area.

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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.	Met fully
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.	Met fully
7.4	Processes are in place to ask parishioners (children and parents/ carers) about their views on policies and practices for keeping children safe.	Met fully
7.5	All incidents, allegations/ suspicions of abuse are recorded and stored securely	Met fully

The reviewers were provided with a one-page Five Year Plan 2012 – 2017 for Child Safeguarding in the Diocese of Ferns. This has been developed by the diocesan Safeguarding Committee. The plan has seven objectives and since the November fieldwork, the reviewers have been provided with an update on the implementation of each of the stated objectives. This is commended. In order to support this good practice, the reviewers make the following recommendation:

Recommendation 4:

That Bishop Brennan request the Safeguarding Committee to further develop the Five Year Plan, to include the date on which he has approved and adopted it, clear time targets for implementation of each objective, clear allocation of responsibilities for actions to named personnel, and review and revision arrangements.

Bishop Brennan has allocated all resources necessary for the development of Child Safeguarding in his diocese. Child Safeguarding has clearly been developed as a diocesan priority.

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Parish Safeguarding Representatives have been engaged with all priests in the second diocesan Child Safeguarding audit and a report has been produced and circulated. The diocese has a stated commitment in its Policy and Procedures, *Safeguarding our Children* to completing an audit every two years to monitor compliance with Child Safeguarding procedures across the parishes of the diocese.

The Diocese of Ferns has been audited by HSE as part of its national audit of dioceses and religious orders.

In relation to consultation arrangements, the diocese has invited feed-back from parishes on the occasion of each review of the diocesan Policy and Practice. Safeguarding personnel canvass people's views at Information Sessions. Parish Safeguarding Representatives regularly bring suggestions and/or criticisms to the safeguarding team in the diocesan offices. The reviewers were provided with the example of a recent concern around the level of information being sought by the diocese in the Volunteer Application Form. Pastoral Councils / Parish Councils also provide feed-back to Parish Safeguarding Representatives, which they in turn bring back to the diocesan safeguarding team.

It is clear that the Diocese of Ferns has developed a number of channels for consultation and feed-back. The next stage in this open approach could involve planned consultation with children and young people about their experiences of being involved in Church related activities and ideas about keeping themselves safe. However, a methodology for such consultation, as well as training for diocesan and parish safeguarding personnel in appropriate ways of consulting with children, first need to be developed in association with the NBSCCCI.

The fieldwork team were provided with evidence of a commitment to maintaining and secure filing of all concerns, suspicions and allegations about the abuse of children and young people by priests.

Recommendations

Recommendation 1:

That on the retirement of the Safeguarding Coordinator, the Designated Person would take full responsibility for the upkeep of all case management files.

Recommendation 2

That Bishop Brennan ensures that all case management narrative records are maintained in line with the NBSCCCI template for case file recording.

Recommendation 3

That Bishop Brennan, in consultation with the NBSCCCI, would arrange an annual training session for the Advisory Panel on some relevant aspect of their roles and responsibilities.

Recommendation 4

That Bishop Brennan request the Safeguarding Committee to further develop the Five Year Plan, to include the date on which he has approved and adopted it, clear time targets for implementation of each objective, clear allocation of responsibilities for actions to named personnel, and review and revision arrangements.

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Terms of Reference

(which should be read in conjunction with the accompanying Notes)

1. To ascertain the full extent of all complaints or allegations, knowledge, suspicions or concerns of child sexual abuse, made to the Diocese by individuals or by the Civil Authorities in the period 1st January 1975 to 1st June 2010, against Catholic clergy and/or religious still living and who are ministering/or who once ministered under the aegis of the Diocese and examine/review and report on the nature of the response on the part of the Diocese.

2. If deemed relevant, select a random sample of complaints or allegations, knowledge, suspicions or concerns of child sexual abuse, made to the Diocese by individuals or by the Civil Authorities in the period 1st January 1975 to 1st June 2010, against Catholic clergy and/or religious now deceased and who ministered under the aegis of the Diocese and examine/review and report on the nature of the response on the part of the Diocese.

3. To ascertain all of the cases during the relevant period in which the Diocese:

- knew of child sexual abuse involving Catholic clergy and/or religious still living and including those clergy and/or religious visiting, studying and/or retired;
- had strong and clear suspicion of child sexual abuse; or
- had reasonable concern;

and examine/review and report on the nature of the response on the part of the Diocese.

4. To consider and report on the following matters:

- Child safeguarding policies and guidance materials currently in use in the Diocese and an evaluation of their application;
- Communication by the Diocese with the Civil Authorities;
- Current risks and their management.

Accompanying Notes

Note 1

Definition of Child Sexual Abuse:

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

“While definitions of child sexual abuse vary according to context, probably the most useful definition and broadest for the purposes of this Report was that which was adopted by the Law Reform Commission in 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.

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 2 Definition of Allegation:

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

Note 3 False Allegations:

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

Note 4 Random sample:

The random sample (if applicable) must be taken from complaints or allegations, knowledge, suspicions or concerns of child sexual abuse made against all deceased Catholic clergy/religious covering the entire of the relevant period being 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.