

The first report of the Independent Review Group monitoring the
response of the Roman Catholic Church in Scotland to the
McLellan Report recommendations

This is the first report of the Independent Review Group monitoring the response of the Roman Catholic Church in Scotland to the McLellan Report recommendations regarding safeguarding policies, procedures and practice within the Roman Catholic Church in the 6 dioceses and 2 archdioceses of Scotland.

Preface

The Independent Review Group (IRG) was established by the Bishops' Conference of the Roman Catholic Church in Scotland in response to the recommendations of the McLellan Commission. Dr Andrew McLellan, a former Moderator of the Church of Scotland, was asked by the Bishops to review the current safeguarding policies, procedures and practice within the Catholic Church in Scotland.

The Bishops are to be commended for commissioning the McLellan Report and for committing to the full implementation of the recommendations, as are Dr McLellan and the team who worked with him to produce a thorough and practical document.

This report summarises the work of the IRG since its establishment two years ago. We are grateful to all who have helped us reach this stage.

The Church, in Scotland and around the world, has been the focus of considerable criticism in recent years with past failings undermining credibility. It is not relevant whether or not the cause of this massive loss of credibility has any evidence in local example or incident. The problem of how the Church is perceived regarding issues of safeguarding is a universal one and requires comprehensive ownership and action. The vigour with which change is brought about, and is seen to be brought about, will determine whether credibility and trust can ever be restored.

The only route to that is through changes in culture, capacity, and capability through training, learning and reflection, and doing so with the utmost transparency.

Safeguarding children and vulnerable adults is at the heart of what must be achieved.

Safeguarding is a word often used but frequently misunderstood. It is often thought of as a technical term. Good safeguarding is not a question of ticking boxes and assuming that the job is done when all the tasks have been completed. It does require effective policies and procedures, consistently implemented. Safeguarding is, however, only effective when deeply embedded in the culture and theology of the Church. It goes beyond having legally certified systems and procedures. Safeguarding must become a core part of the mission of the Church to protect the vulnerable at every stage of life.

New procedures are being introduced. These are necessary, but not sufficient, to reassure congregations and the wider public and to restore confidence in the Church. Culture is not necessarily the cause of failings in an organisation and cultural change alone is not the remedy. Cultural change is what you are left with after the necessary changes have been introduced.

It is crucial that a loving culture of safeguarding becomes a core part of how the Church behaves, laity and clergy alike. Without that being obvious at every level, it will not be possible to restore credibility. The leadership of the Church must take ownership of driving the change necessary to gain a level of confidence that lessons have been learned.

Monitoring progress is essential, but without cultural change the job will be only half done. It is for the IRG to keep the focus on progress in fulfilling the conclusions of McLellan, but the real task is for the leaders in the Church to nurture that critical cultural change.

In this first report I can conclude that a good start has been made, but there is much more to be done.

The Bishops' Conference of Scotland (BCOS) has shown clear leadership in the publication of "In God's Image". They have been prepared to share their autonomy and in so doing have strengthened it. Now the task is to ensure the implementation of its key commitments.

I am grateful also for the readiness with which they agreed to fund independent audits of two dioceses, Galloway and St Andrews and Edinburgh, by professionals in social care, the Social Care Institute

of Excellence (SCIE) and Children in Scotland (CIS). It has not proved possible to publish the final audit conclusions of the first two audits to coincide with the publication of this report but each will be published on completion with a commentary from the IRG.

This has been a unique exercise for the Roman Catholic Church in Scotland and much has been learned, not least about the need to reinforce the ability of the IRG to act as “honest broker”. Once the audit process is completed, and in advance of the audits of the remaining 6 dioceses, the IRG will submit proposals to BCOS on what is needed to enable the Group to have greater autonomy and the necessary authority in facilitating the audit review.

I commend this report to the Bishop’s Conference of Scotland and I look forward to discussing the recommendations with them.

I am also extremely grateful to the small team of acknowledged and experienced experts who have given of their time freely to the IRG. It has been my pleasure to learn from them.

Helen Liddell
The Rt Hon the Baroness Liddell of Coatdyke

Introduction

1.1. On 24 November 2013 Scotland's Roman Catholic Bishops, known as the Bishops' Conference of Scotland (BCOS), announced that they were instigating a range of safeguarding initiatives.

1.2. These initiatives included a professional external review of safeguarding protocols and procedures to evaluate the suitability and robustness of safeguarding arrangements. The review group was chaired by Dr. Andrew McLellan and the review group's report subsequently became known as the McLellan Report.

1.3. BCOS accepted the McLellan recommendations in full and responded with a detailed action plan. The overview of the McLellan report, as provided in the original document, is attached as Appendix A.

1.4. Inter alia, the McLellan Report strongly recommended the establishment of an appropriate independent body to monitor and audit the implementation of the recommendations and to produce regular reports on the progress achieved.

1.5. In December 2016 the Bishops invited Helen Liddell to convene an autonomous group to scrutinise the action plan. The group met for the first time on 27 May 2017. The group members serve at the invitation of Baroness Liddell. Membership details are set out in Appendix B together with background information on the work of the Group to date. The Group is known as the Independent Review Group (IRG).

Remit

2.1. The remit set for the IRG is as follows:

- To review the output of each of the working groups established to progress the recommendations contained in the McLellan Report and provide feedback to the BCOS
- To review the safeguarding work of the 2 archdioceses and 6 dioceses in Scotland
- To inform the BCOS of conclusions in relation to the implementation of the McLellan Report as reflected in safeguarding audits.

2.2. At points it has been suggested to the IRG that the McLellan recommendations have been superseded by the Church's own safeguarding action plan. It is, however, the view of the IRG that the McLellan recommendations remain the basis of scrutiny and it is against these recommendations that improvement will be measured. This should not be interpreted as a criticism of the Church's action plan or any associated activity. It merely reflects the commitment of the IRG to remain focused on the recommendations of the McLellan Report.

2.3. This first review is arranged under the eight headings used in the McLellan report overview summary viz:

- Support for survivors of abuse to be an absolute priority for the Roman Catholic Church in Scotland in the field of safeguarding
- The policy and practice manual "Awareness and Safety in our Catholic Communities" to be completely revised and rewritten
- External scrutiny and independence in the safeguarding policies and practices of the Church
- Effectiveness and improvement to be measured at every level of safeguarding in the Church
- A consistent approach to safeguarding across different parts of Scotland and all parts of the Church

- Justice to be delivered and seen to be delivered for those who have been abused and for those against whom allegations of abuse have been made
- Regular high-quality training and continuous professional development in safeguarding to be undertaken by all involved
- A theology of safeguarding to be set out in coherent and compelling detail.

2.4. To facilitate the work of the IRG there has been regular contact with the BCOS and their representatives. Further information on the membership and the work of the IRG is contained in Appendix B. The IRG is grateful to the Church representatives for their responses and openness.

2.5. Clarity of role and expectation is essential in any improvement programme. The IRG is clear that its role is to monitor and advise. It is for the Church and its representatives to implement and improve.

Report

3. Support for survivors of abuse

3.1. The issue of support for survivors of abuse is one of the most challenging for any organisation. Reaching out with regret and humility to those who have been harmed is essential. Moreover, providing strong evidence of effective support for survivors is central to restoring the credibility of the Church in this area as survivors appear not to have been the priority in the past.

3.2. Awareness of abuse can and does evoke a sense of institutional shame. This has too often led to a general feeling of helplessness, and a deep repentance has been inhibited by organisations taking the path of denial and defensiveness. The Church is aware of its legacy in this regard. The Church is putting in place stronger safeguarding arrangements with the aim that they are fully fit for purpose and it is the work of the IRG to monitor these arrangements. The remit of the IRG does not cover the investigation of past events. However, the IRG acknowledges that abuse is not an historic event for the victim but has consequences that continue to damage and disrupt and cannot be forgotten or ignored.

3.3. The IRG is also of the view that the impact of abuse and the failure in the past to respond appropriately are issues that have affected all Church members as well as the very specific and inexcusable hurt caused to those abused.

3.4. The IRG is aware of the difficulty of speaking to individuals who have suffered abuse to fully represent their experiences, insight and wisdom. The IRG has not been contacted by all bodies claiming to represent victims of clerical abuse but has met and benefited from the perspectives and compassion of a number of individuals directly affected.

3.5. The Social Care Institute for Excellence (SCIE) and Children in Scotland (CIS) have been commissioned to conduct independent professional audits of, initially, two dioceses: the Archdiocese of St Andrews and Edinburgh and the Diocese of Galloway. It is the intention of the IRG that two dioceses should be

audited in this way each year. These independent audits will be an important component allowing evaluation of Church support for survivors by identifying good practice to be shared and gaps that require immediate improvement.

Recommendations

- i) Each diocese should have a clear policy statement on access and support for survivors.
- ii) Each diocese should identify an independent person to whom survivors can turn for information and advice.
- iii) The annual safeguarding action plan in each diocese should respond to the evaluation of the effectiveness of services and support for survivors as described in the annual audit.
- iv) Each diocese should consider how it can incorporate survivor perspectives and experiences into the development of its safeguarding work including survivor representation on decision making bodies.

4. The policy and practice manual to be completely revised and rewritten

4.1. On 19th March 2018 each of the 8 Bishops in Scotland signed a new set of safeguarding standards, “In God’s Image”. These guidelines replaced the manual “Awareness and Safety in our Catholic Communities”. “In God’s Image” is an instruction on safeguarding for all canonical jurisdictions in Scotland and subject to the full canonical authority of the Catholic Church, based on best international practice. It was produced following a brief period of consultation and has been introduced for an initial period of three years.

4.2. “In God’s Image” served as the foundation for the revised 2018 self-administered audit to be analysed in 2019 and to be reflected in the annual improvement plan in each diocese.

Recommendation

v) The BCOS should review the effectiveness and impact of “In God’s Image” based on a fully collated analysis of the 2018 audit.

5. External independent scrutiny of the safeguarding policies and practices of the Church

5.1. The Church established the McLellan Commission and the IRG thereafter in recognition of it being time to act, to be held accountable, to work consistently and to be transparent in all its safeguarding work.

5.2. The process by which the BCOS commissioned “In God’s Image” and facilitated the signed commitment of each bishop provided a strong statement of intent, not least the preparedness to work together to strengthen authority by sharing autonomy. These important steps towards the restoration of credibility need to be built on by working further together in response to audit findings. It is equally important to provide an independent mechanism to consider complaints and to investigate openly matters of concern, sometimes referred to as whistleblowing. This should include involvement from outwith each individual diocese.

5.3. The IRG reviewed the 2017 audit returns and provided feedback to the BCOS. In summary, it was the view of the IRG that the 2017 audit was limited and provided some quantitative information but little context, analysis or qualitative comment. The absence of detailed reflection allowed little or no basis to identify good practice or areas in need of improvement regarding safeguarding procedures and practice. Many returns gave the appearance of being completed in order to comply rather than to collate, learn, act and improve. There were also a number of information gaps.

5.4. Among the feedback provided to the BCOS the following observations were made:

- An awareness of the need to meet basic compliance standards but little evidence of reflection on the requirements of a safer culture
- An apparent lack of clarity regarding the needs of, and support for, the victims of abuse
- Very little use of the opportunity to comment
- No description of good practice
- Comparisons were problematic as percentages were not provided and therefore the scale of any anomalies was difficult to identify
- There did not appear to be any mandatory diocesan overview nor action plan
- Not all audits were signed
- A significant number of questions were left blank
- Data accuracy had not been checked
- There was a lack of clarity regarding training take-up
- In most cases, diocesan evaluators' comments lacked an evidence base.

5.5. The audit was substantially revised for 2018:

- Taking into account the need to improve 2017 arrangements
- Reflecting the publication of "In God's Image"
- Supported by the use of an electronic survey to collect the basic quantitative information.

5.6. The 2018 audit demonstrates a number of improvements with clearer consistency in the description of data relating to the standards introduced through "In God's Image". In addition, anomalies have been raised with each diocese in order that information is as complete as possible.

5.7. The layout of the 2018 audit is more professional than in previous years and it is to be commended that there is a significant increase in qualitative comment and identification of points for action.

5.8. Not all dioceses have submitted an action plan relating to the findings of the 2018 audit. One diocese has presented an impressive action plan template although, even here, there is a need to be far more precise in listing the points for attention and the steps taken to achieve improvement.

5.9. Inevitably the introduction of revised standards will be an iterative process and not achieved in a single year. The introduction of self-evaluation scores requires further attention as it is difficult to assume that the scores have been standardised at all and the basis of the scoring for each standard is not explained. A problem with scoring is not only the potential for inconsistency but the tendency to evoke unhelpful comparisons.

5.10. There is far more evidence of engagement with the 2018 audit than in 2017. However, the most important element can be peer or similar scrutiny of the information provided and the supportive, yet rigorous, examination of the associated action plan. It is not yet clear to the IRG how these processes of examination, on behalf of the BCOS, are carried out and by whom.

5.11. As reported elsewhere, the IRG has commissioned external audits of safeguarding policy, procedures and practice and in 2019 the first two dioceses, Saint Andrews and Edinburgh, and Galloway were reviewed by SCIE and CIS. The reports on these audits are currently subject to accuracy checks and will be published by the IRG as soon as each is available. It is intended that all dioceses will be externally audited over the next few years in order that they can benefit from an external perspective and assistance with the identification of good practice and areas for improvement.

Recommendations

- vi) Audit arrangements should continue to be refined, building on the improvements introduced in 2018.
- vii) Each audit should lead to a revision of the existing action plan, the monitoring of which should be central to the following year's audit.
- viii) If a scoring system is to be continued then a methodology is required to ensure consistency and enable viable comparisons.
- ix) It is essential that there is independent scrutiny of each diocesan audit by the IRG in order that it is a valid step towards "repairing the damage, attaining justice and preventing, by all means possible, the recurrence" of abuse reflecting the statement by Pope Francis on the 22 March 2014.

6. Effectiveness and Improvement to be measured.

6.1. The diocesan responses to the detailed observations carried out by IRG on the 2017 audits were interesting. There was some concern raised regarding the accuracy of the information provided, although the IRG's comments simply reflected the information made available by each diocese. In addition, the IRG was conscious that by providing detailed feedback there was a danger of role confusion. Consequently, there were productive discussions with representatives from the BCOS and initial indications are that many of the suggestions from the IRG have been taken into account. There remains, however, the need for professional feedback on each self-audit from each diocese and this is not the remit of the IRG.

6.2 The BCOS needs to review again the role and function of the Scottish Catholic Safeguarding Service (SCSS), which were changed in 2018. An empowered and independent mechanism is required to standardise the self-evaluation being introduced and to offer unconditional mutual support and scrutiny to each diocese's examination of its safeguarding practice and culture.

6.3. Further revisions of the audit arrangements require feedback loops which promote the measurement of improvement. This needs to be established and resourced beyond the level of administration and training arrangements, currently the remit of the SCSS. Without such a mechanism full accountability rests with the BCOS without any mediating agency or professional support.

6.4. Consideration should be given to the ways in which safeguarding support for the Church in Ireland have evolved in recent years. In Ireland, arrangements do not challenge the autonomy and authority of each diocese but the National Safeguarding Office is established as an independent body and, as such, is an invaluable source of information, guidance and support.

6.5. Evidence is required for Church members and the wider community that the Church is at all times a safe place. As independent enquiries and reviews in various parts of the globe reinforce past scandal and cover-up, the Church faces a hugely demanding challenge to its credibility and therefore needs to take all possible steps to ensure complete transparency and for effective action to be taken but also to be seen to be taken. It is an essential part of the audit activity, the associated action plan and the monitoring arrangements that the whole process is seen as supportive and dynamic rather than a routine business of information gathering.

Recommendations

x) The BCOS should give detailed and urgent consideration to the creation of a strengthened, resourced and independent SCSS with appropriate professional support as a crucial step to promote transparency and restore credibility.

xi) A strengthened, revitalised SCSS should also be commissioned to recommend a safe system for dealing with complaints and establishing a confidential method for the receipt of concerns.

7. A consistent approach to safeguarding

7.1. The establishment of the IRG demonstrates the commitment of the BCOS to transparency. The publication of the revised standards within “In God’s Image” highlights a determination to be accountable. The crucial element is to make sure that implementation is consistent across the whole country and in each diocese, congregation and church organisation.

7.2. Survivors of abuse and those accused of abuse must be treated consistently and in line with appropriate procedures which should always be adhered to. They must also have equal access to information, guidance and the support and services which meet their individual needs. Only then can the reassurance go out that the highest quality and most suitable responses are being provided on each occasion. Thus, monitoring arrangements need to be in place and sufficiently independent to ensure valid judgments.

7.3. As well as promoting the revised standards there is a need to develop mechanisms to make sure that the standards are being applied consistently and uniformly across Scotland. If there is variation in implementation as a consequence of scale or geography then the transparent and independent process of quality assurance becomes all the more important.

7.4. During 2018 the role and remit of the SCSS was revised by the BCOS. In addition to a role for a national office to promote improvement as detailed above, there is a need for a national office with the professionalism, resources and authority to undertake a comprehensive quality assurance role. The IRG is committed to supporting this process through publishing the independent audits and facilitating the sharing of good practice as well as the identification of areas in need of improvement.

7.4. The IRG has not reviewed the effectiveness of the SCSS and the proposals here are not a commentary on what they are doing but they focus on the tasks, resources and expertise that are required if safeguarding standards are to be uniformly applied and of the highest standard. Any national office should be resourced to provide well informed advice regarding best safeguarding practice and all associated legislative developments. Thus, additional resources and expertise are required.

7.5. In considering the development of the SCSS, the BCOS are also required to consider issues of governance and whether or not it is possible to design an approach which reinforces the independence of what is proposed while at the same time recognising the autonomy of each diocese and congregation. The IRG was impressed by the Irish approach and commends it to the BCOS for consideration. A summary of the Irish model is attached in Appendix C.

Recommendation

xii) The BCOS should develop a governance arrangement for a national resource that underlines the independence of the monitoring arrangements through the reinforcement of shared autonomy and peer support within the BCOS.

8. Clarity regarding fairness and justice

8.1 Chapter 4 and Recommendation 6 of the McLellan Commission Report identified the need for justice to be done and, more importantly, to be seen to be done, for both those who have been abused and for those against whom allegations of abuse are made. Other than to have received representation from a number of groups and organisations representing survivors, the IRG has not yet had the opportunity to explore this aspect of the BCOS' response in the detail it deserves. This will be a priority for the next phase of work. However, the IRG notes that the introduction of "In God's Image" and the focus on regular and more effective audit of safeguarding activity provide some comfort that the need for fairness and justice is recognised and is being addressed.

8.2 "In God's Image" acknowledges that it is expected that professionals and others should meet certain standards of ethical conduct, policy and practice and, for most, this is 'regulated' to one extent or another. The IRG sees no reason why the Church should be different in this respect. Public trust in those who care for the vulnerable is contingent on knowing that standards of care are being adhered to by those who have taken on these

responsibilities and all in the Church must hold themselves to higher standards of conduct. The Church must be seen to strive to re-build trust that has been broken by past failures in this regard.

8.3 The Group has also welcomed very recent developments from His Holiness, Pope Francis, following the publication on 9th May of an Apostolic Letter in which he declared that:

“The crimes of sexual abuse offend Our Lord, cause physical, psychological and spiritual damage to the victims and harm the community of the faithful. In order that these phenomena, in all their forms, never happen again, a continuous and profound conversion of hearts is needed, attested by concrete and effective actions that involve everyone in the Church, so that personal sanctity and moral commitment can contribute to promoting the full credibility of the Gospel message and the effectiveness of the Church’s mission.”

8.4 His Holiness identified that “...*this responsibility falls, above all, on the successors of the Apostles, chosen by God to be pastoral leaders...*”. The conduct proscribed by His Holiness specifically includes “...*conduct carried out by [pastoral leaders] consisting of actions or omissions intended to interfere with or avoid civil investigations or canonical investigations, whether administrative or penal, against a cleric or a religious regarding the [conduct] referred to.*”

8.5 Article 19 of the Apostolic Letter specifically states that the procedure proposed applies without prejudice to the rights and obligations established by state laws, particularly those concerning any reporting obligations to the competent civil authorities. Thus, the importance of adherence to and compliance with relevant secular law and proper involvement with statutory authorities is recognised as paramount to providing the reassurance that justice is an integral part of the Church’s approach to improving its record on dealing effectively with safeguarding matters.

8.6 The IRG expects the Church's approach to ensure that Canon Law is not permitted to obstruct or delay the speedy and appropriate reporting to Police Scotland and other statutory authorities under Scots Law. The Church should promote the proper understanding and use of the civil standard of proof reflecting the balance of probabilities, the use of precautionary suspension from roles when appropriate and ensuring that abuse victims are properly supported where this is requested.

Recommendation

xiii) The IRG requests an update on this area of work and current discussions to balance the range of interests involved when an allegation of abuse is made.

9. Training and Development

9.1 The McLellan Report emphasised the need for the Church to undertake regular high-quality training and continuous professional development in safeguarding and that this must be understood and accepted by all those involved in safeguarding at every level.

9.2 The report requires this training to ensure relevant awareness and knowledge and skills, encompassing both specific and generic themes. At the core is the need to ensure that 'everyone must know the law; everyone must know the paramountcy principle and everyone must know what abuse is. In addition, each person must know the particular responsibilities belonging to his or her role.'

9.3 "In God's Image" provides a clear description of key roles and responsibilities within the Church. In addition, the eight standards contained within the document provide clarity on the expectation for consistency and compliance across all clergy, including the Bishops and Religious, and lay members. Standard 7 commits the Church to quality, relevant and continuous development reflecting identified need.

9.4 In 2019, the SCSS revised its training programmes. The IRG has not yet had the opportunity to evaluate the impact of this training in ensuring that it fully meets the expectations of McLellan and “In God’s Image”. The revised focus on annual audits at parish and diocesan level is increasingly encouraging the production of diocesan and Religious action plans, although they have yet to inform specific training requirements.

Recommendations

xiv) Each diocese should accompany its annual improvement plan with a training plan which will ensure appropriate continuous and compulsory training for all clergy, religious and those lay members with key roles within the Church.

xv) There should be a clear national training plan based on a thorough diocese by diocese needs analysis to ensure that training provides appropriate risk assessment skills and fully meets the requirements of the different roles and functions within the Church.

xvi) The annual audits should be used to identify not only areas for improvement and requirements for support but also good practice to be shared as part of the process of mutual dependency.

10. A Theology of Safeguarding

10.1. A statement on the theology of safeguarding has been produced. There has not been any reference to it in the responses to the national audit. It remains to be seen whether or not there is an awareness of this development and its impact on underpinning the Church’s fundamental commitment to putting the welfare of children and vulnerable adults first.

11. Conclusion

11.1. A commendable start has been made in response to the McLellan recommendations, particularly with regard to the production of and commitment to the revised standards in “In God’s Image”. This has resulted in a more effective audit. There is now an urgent need to build on these foundations and ensure appropriate momentum towards a culture of safeguarding and a capacity to reflect and respond to past abuse with humility and discretion.

11.2. New procedures alone are, however, not enough. They are necessary but insufficient if the Church membership and wider society are to be reassured. This is essential to restore credibility and to promote healing based on the central tenets of Church doctrine. Safeguarding will never be fully in place if it is regarded solely as a set of procedures to be complied with. It should be viewed as a set of natural and protective behaviours.

11.3. An inappropriate culture is not necessarily the sole cause of the failure in the past to face up to evidence of abuse and cultural change is not a stand-alone remedy. Cultural change is, however, required and can be achieved by the agreed reforms being introduced, accepted and implemented consistently.

11.4 As has been documented in the above, having effective safeguarding policies and practice is seen as being increasingly important by the BCOS. This has been fuelled in part by the formation of the IRG in 2017 and with it a renewed focus to succeed in implementing the McLellan Commission’s recommendations. However, there has also been a strong external push for change from outside of the Church as attitudes towards support and recognition of victims have changed and safeguarding of vulnerable people has become more widely understood by the general public.

11.5. The IRG welcomes the publication of new safeguarding guidance in “In God’s Image”, and improvements to safeguarding training for all those working with vulnerable people. Evidence that culture is starting to change can be seen through openness to engage in dialogue around annual audit findings and the willingness of Galloway and St Andrews and Edinburgh Dioceses

to submit themselves to external scrutiny through the audit of culture and practice lead by SCIE.

11.6 Much still needs to be done to ensure victims of abuse are seen, heard and supported by the church and the process of healing begins to take place. Improvement in policy and openness to learning from the audit process will start to shift culture. However, investment is required to develop a properly resourced professional safeguarding service. Commitment to create a dedicated, independent safeguarding service which supports the development needs of the eight dioceses; drives consistency; is empowered to independently investigate concerns or complaints and can act without bias in all its affairs is critical to rebuilding trust with congregations and the general public.

11.7. There is a need to ensure that there is efficient communication at every level using all types of media. Too often the IRG came across examples of messages left undelivered and communication links not strongly established.

11.8 The IRG hopes that the BCOS and the wider Church fully commit to the recommendations of this report. However, to achieve the ambitions of the McLellan Commission and, perhaps more importantly, the expectations set out by his Holiness Pope Francis' recent Apostolic letter, significant work is still required. Achievement of real and lasting change can only come through transparency, reflection, commitment and leadership.

Appendix A

Overview of the McLellan Report pages ix and x.

Support for survivors of abuse must be an absolute priority for the Catholic Church in Scotland in the field of safeguarding.

There are at least three reasons which make this support essential. The risk is that it has not been the priority in the past, and so there is lost ground to be made up. The second is that the Scottish Bishops, in line with the position of His Holiness Pope Francis, have made it clear that they want this to be the priority for the Church. It would be extremely damaging were they to make this strong statement of policy and then fail to match the words with actions. The third reason is that reaching out to the wounded to seek their healing is central to the faith proclaimed by the Church. Nothing will do more to restore the public credibility of the Catholic Church and to bring peace to the Church itself, than to take positive and determined steps to meet the needs of survivors.

The policy and practice manual “Awareness and Safety in our Catholic Communities” should be completely revised or rewritten.

Since “Awareness and Safety” appeared, it has been added to and improved. But safeguarding theory and practice have developed extremely rapidly in recent years, and it is unwise to hope that the present document can continue to reflect best practice. The new document must be revised or rewritten in such a way that every part of it carries the authority of the Bishops’ Conference of Scotland. It must make clear what the policy and practice of the Church is with regard to survivors, and it must give proper emphasis to the paramountcy principle.

There must be external scrutiny and independence in the safeguarding policies and practices of the Church.

There is no other way for the Church to escape from the suspicion of “cover-up” and secrecy, which has done it much harm. Difficult decisions will be involved for the Bishops’ Conference of Scotland: decisions about the way in which independence can be introduced

and about the areas of safeguarding in which independent elements will apply. These are difficult decisions, for it will not be a straightforward matter to harmonise such decisions with the authority of the Bishop in his diocese. The courage shown by the Bishops in appointing this Commission suggests that they are ready to face such decisions.

Effectiveness and improvement must be measured at every level of safeguarding in the Church.

A clear and open system of measuring effectiveness and improvement in terms of quality, as well as quantity, must be introduced. The Church must be in a position to assure its members, the public and the Government that it can provide evidence that it is a safe place, and that it is becoming safer and safer. Non-compliance with requirements, such as ‘Protecting Vulnerable Groups’ clearance and safeguarding training, must not be tolerated.

A consistent approach to safeguarding is essential: consistent across different parts of Scotland and consistent across different parts of the Church.

Much damage has been done – to survivors and to the credibility of the Church – by the complications of church administration when the circumstances surrounding Fort Augustus began to emerge. There may be legal and structural reasons why religious congregations are subject to different authority from diocesan Bishops, but that separation is not evident to those who have suffered: they feel that they have suffered at the hands of “the Church”. Consistency of approach between different authority structures must be enforced. Consistency of approach is also vital across dioceses. Survivors of abuse and those accused of abuse must be treated in the same way in every part of the country. Only then can it be assured that each is receiving the most appropriate treatment possible.

Justice must be done, and justice must be seen to be done, for those who have been abused and for those against whom allegations of abuse are made.

Both survivors and individuals accused of abuse are entitled to the full protection of the law. Nothing must be done by the Catholic

Church which would deny any person the full protection of the law, just as nothing must be done by the Catholic Church which would protect any person from the penalties of breaking the law. His Holiness Pope-Emeritus Benedict XVI was responding to victims and survivors of abuse when he declared that the Church must *“ensure that the principles of justice are fully respected”*.

The priority of undertaking regular high-quality training and continuous professional development in safeguarding must be understood and accepted by all those involved in safeguarding at every level.

There is no place in safeguarding for paying “lip service” to the necessity of good training: the risks are too high. There is no place for creating training schemes without making absolutely sure that everyone participates in them. There is no place for the view that once in a lifetime is enough training. Training must be both general and specific. Everyone must know the law; everyone must know the paramountcy principle and everyone must know what abuse is. In addition, each person must know the particular responsibilities belonging to his or her role. Training produces good practice and develops confidence. The knowledge that everyone in the Catholic Church involved in safeguarding undertakes regular high-quality training will be a great reassurance to members of the Church, members of the public and survivors.

The Church must set out a theology of safeguarding which is coherent and compelling

When all of the recommendations in this report have been accepted and acted on, the Church will still not have done enough to demonstrate the centrality of safeguarding in its life and work. No Catholic may be left in any doubt about the importance of safeguarding. Safeguarding must be at the heart of the Church’s administration, its worship and its theology. For example, safeguarding should be a standing item at every meeting of the Bishops’ Conference and at every diocesan executive meeting; guidance should be given to parish priests about the inclusion of safeguarding in the liturgy and preaching of the Church and the Church should set out a clear and simple theology of safeguarding, which emphasises that the protection of the weak is not merely a Christian duty, but a divine privilege.

Appendix B

Independent Review Group

Factual Note

In December 2016, the Catholic Bishops' Conference in Scotland announced that Baroness (Helen) Liddell would Chair the Independent Review Group (IRG) set up as a result of the McLellan Commission Report into the current safeguarding policies, procedures and practices within the Church in Scotland.

The press release read as follows:

"I am most grateful to Baroness Liddell for agreeing to become the first Chair of the Independent Review Group, which will review and audit the Catholic Church's Safeguarding work. In accepting the recommendation of the McLellan Commission to create an independent group, it was clear that a chairperson of national stature and proven competence would be required and I believe, that in Helen, these qualities are perfectly met."

"On behalf of the Bishops of Scotland I welcome her appointment and look forward to working with her as we continue to implement in full the safeguarding recommendations presented to us last year. The IRG is an autonomous body which will function separately from the Church and will review safeguarding standards and carry out independent audits as recommended by the McLellan Commission."

Responding to the appointment, Baroness Liddell said:

" This group will be a transparent and fearless means of ensuring that the McLellan Commission recommendations are implemented in full. We owe it to the survivors to ensure that their suffering is never repeated."

IRG Membership

It was agreed that the IRG Chair would choose and appoint members of the IRG. The Group was set up six months ahead of the schedule originally envisaged and met for the first time in May 2017. The following people, all of whom have extensive experience of safeguarding issues, agreed to join:

Helen Liddell (Baroness Liddell of Coatdyke) Chair, is a former Member of Parliament and Secretary of State for Scotland. She is a member of the House of Lords.

Bartolomeo Biagini is an educational consultant. He was formerly a lead HM inspector of education with responsibility for inclusion across all sectors of education and was involved in child protection inspections. He also held senior leadership posts within education authorities in Scotland, including a depute director post as head of learning communities within South Lanarkshire Council.

Gordon Jeyes OBE was the UK's first Director of Children's Services and was the first Chief Executive of Ireland's Child and Family Agency (Tusla). He is currently engaged in governance assurance reviews and chairs the National Children's Hospital (Ireland) Community Benefit group as well as serving on the Legal Aid Board in Ireland.

Lisa Markham is a safeguarding practitioner with wide experience including work in criminal justice settings and within the Church in the Diocese of Hallam, Sheffield.

Roisin McGoldrick is a former member of the McLellan Commission. She is a registered social worker and is currently employed as a teaching fellow in the School of Social Work and Social Policy at Strathclyde University.

Lesleyann Russell is Compliance and Risk Manager for BBC Children in Need, specialising in safeguarding in the third sector and media production.

Donald Urquhart is the National Safeguarding Adviser to the Scottish Episcopal Church with considerable experience of public protection and safeguarding in both Scotland and England. He is

a retired police officer and has worked as both a lead officer and an independent chair of child protection committees in Scotland.

In addition, the IRG has access to specialist advice on Canon Law and Scots Law.

Remit

The IRG's remit is as follows

- To review the output of each of the working groups established to progress the recommendations contained in the McLellan Report and provide feedback to the BCOS
- To review the safeguarding work of the 2 Archdioceses and 6 dioceses in Scotland
- To inform the BCOS of conclusions in relation to the implementation of the McLellan Report as reflected in safeguarding audits.

The IRG noted that there is no single definition of “safeguarding” to which all organisations involved in safeguarding operate. The Church has provided a definition within “In God’s Image”. The Group considers it essential that the Church continues to develop policies, practices and a culture which recognise its duty of care to protect the health, well-being and human rights of all individuals, which allow people - especially children, young people and vulnerable adults - to live free from abuse, harm and neglect.

Meetings

Much of the IRG's work is conducted electronically. Formal meetings have been held as follows:

27 May 2017
16 September 2017
25 November 2017
24 March 2018
30 June 2018

8 September 2018
11 October (special meeting with representatives of SCIE/CIS)
27 October 2018
1 December 2018
2 February 2019
16 March 2019
11 May 2019
31 May (Special meeting with representatives of SCIE prior to a discussion with representatives of the BCOS and the Archdiocese of St Andrews and Edinburgh.)

The following is a list of non-IRG members who attended meetings of the Group

Representatives of the BCOS (Canons Boyle and Bradley) attended for part of the first meeting. Dr Andrew McLellan attended for part of the meeting on 25 November 2017 as did Canon Boyle.

Alan Draper and Helen Holland of INCAS were present for part of the meeting on 24 March, as was Sister Mary Ross (separately).

Teresa Devlin, CEO of the National Board for Safeguarding Children in the Catholic Church in Ireland, attended the meeting on 1 December 2018.

Michael McGrath of the National Office met the IRG before its meeting on 24 March 2018 and provided them with the output of the annual safeguarding audit.

Members of the Group met representatives of SCIE and CIS to discuss their proposed consultancy work on 11 October 2018.

Baroness Liddell chaired a stakeholder meeting about the SCIE/CIS audit on 3 December 2018. Members of the IRG were also present.

Representatives of the Conference of Religious in Scotland attended part of the meeting in February 2019.

The Chair has met Bishop Toal (lead on safeguarding) and attended two plenary meetings of the Bishops' Conference.

Individual members and sub-groups of the IRG have held discussions with the Church's National Office and consultants from SCIE and CIS, and attended the Tulliallan conference.

It should be noted that IRG members have regular active involvement in safeguarding outside of their work for the Group. They share contacts, advice and information with the IRG wherever appropriate.

Costs

The Chair and members of the IRG receive no fees for their participation in its work. The costs of running the Group since its establishment in December 2016 have totaled about £15,500, the main elements of which are the hire of meeting facilities and the fees and expenses of a part-time administrator.

Development of the IRG's work

The notes of the IRG's formal meetings provide a guide to the Group's evolving approach to its work, and the actions it has been taking. The following summarises the main issues covered at each meeting.

March 2017

Consideration of the BCOS update on McLellan implementation.
Adoption of terms-of-reference.
Scoping group to inform the IRG's conclusions on the methodology and approach to its work (including what an audit would look like) and whether additional resources will be required.
IRG members to meet SCSS.
Agreement on approach to victims/survivors (RM to lead).
Administrative systems.

September 2017

Consideration of the output of the scoping exercise as an aid to creating the structure within which the IRG operates and to unpacking the remit the BCOS had presented to the Group.
Recognition that additional resources might be required to identify audit trails, roles and responsibilities. Agreement to approach SCIE etc. to cost potential consultancy work.

Agreement that IRG should cover all vulnerable people (not just children).

November 2017

Report back on HL's meeting with the Bishops. They accepted the IRG's approach.

Canon Boyle announced Michael McGrath's appointment.

Need to clarify relation of National Office to Dioceses.

IRG would not comment on new version of the Safeguarding Manual at this stage.

Preliminary work on a tender document for a consultancy.

Agreement that peer pressure resulting from publication of IRG's conclusions would help to ensure consistency of application in the dioceses.

March 2018

Michael McGrath brought paper copies of the responses to the annual audit.

BB agreed to revisit the two relevant papers he produced last year and to re-circulate them (perhaps with some amendment) to provide a consistent framework for members' analyses of the returns.

Discussion with Helen Holland and Alan Draper and (separately Sister Mary Ross). Subsequently, LM agreed to lead on scoping document for an event for survivors*.

Acceptance of SCIE/CIS consultancy proposal (subject to some refinement).

June 2018

Note: following the March meeting, a consolidated paper analysing the annual audit returns had been produced.

There was detailed discussion on the analysis of the 2017 audit and the summary of issues prepared by BB. Central issues included the need to advise on the production of a position statement for each diocese which could then be amended, if necessary on an annual basis. Concern was expressed that there appeared to be little engagement with the audit, no qualitative comment, no reflection. Overall the tone and structure did not facilitate analysis. The audit appeared to be a compliance task to be completed with minimum evaluation.

Report back on discussions with SCIE/CIS (revised proposal awaited).

RM and LM agreed to circulate a proposal for engagement with survivors in order to inform the IRG's recommendations for current and future practice including recognition that abuse is not an historic event.

September 2018

IRG recognised need for urgency in context of concern about current arrangements, need to emphasise complete independence of the Group, and likelihood of critical comment regarding insufficient pace.

Agreed to extend invitation to Teresa Devlin.

St Andrews and Edinburgh, and Galloway agreed as first external audits.

Mr. McGrath's paper represented a step forward but final detail premature in advance of external audit.

Agreement to develop proposal for an open forum in each diocese enabling input from all affected by abuse issues.

More frequent meetings agreed.

Formal mechanism for liaising with the BCOS should be established.

11 October 2018

Note: Special meeting with SCIE/CIS to discuss the consultancy. Stakeholder event to be set up asap (scheduled for 3 December). The record of the meeting details the approach to be taken and the objectives of the study.

27 October 2018

SCIE report should come to IRG first.

To issue a press release after the 3 December meeting with the content decided at the meeting of the IRG on 1st December.

LM and RM to develop further proposals for the open forums.

1 December 2018

Discussion with Teresa Devlin about the work of the National Board in Ireland.

Arrangements for IRG participation in the stakeholders meeting on 3 December and associated publicity.
Development of the IRG Outreach programme.

2 February 2019

Discussion of safeguarding issues with representatives of the Conference of Religious in Scotland (Sr. Eileen Mearns, Fr. Dermot Morrin, Mr. John Brown). The Group noted the positive change coming from this part of the religious community and subsequently agreed to give further consideration to the points raised by the Conference of particular relevance to Religious on which it will comment at a later stage.

Whistleblowing policy and practice.

Development of the IRG Report.

Communication issues with SCIE/CIS.

Outreach update.

IRG representation at the Safeguarding Conference on 5 October 2019.

16 March 2019

The Chair's introduction included a description of recent contacts with the National Office.

Development of the IRG Report, the Outreach programme and progress of the SCIE/CIS consultancy.

11 May 2019

Communications with SCIE/CIS.

Report of the Chair's meeting with the BCOS.

Impact of the recent letter by Pope Francis.

Distribution of diocesan audits for analysis.

Preparations for stakeholders' meeting scheduled for 31 May 2019.

Development of the IRG Report (allocation of sections to members).

Outreach programme.

*The IRG decided that these events should be open to all with an interest in safeguarding in the Catholic Church in Scotland. These events are referred to as "The Outreach Programme".

The IRG is keen to hear from lay people, especially those who have no formal safeguarding role and those who identify as survivors or victims. The events are not part of formal audits or training programmes but are an opportunity for dialogue about the work of the IRG and a broader conversation about how people see safeguarding in the Church, what is working well and what needs to be different, especially to ensure safety for all. The IRG will be visiting each diocese and welcomes this opportunity to collaborate with diocesan safeguarding teams. The first confirmed event will be in the Glasgow Archdiocese on 7th September. The IRG is also consulting on the possibility of a separate event jointly with religious orders. All participants will have opportunity to contribute views anonymously if they wish.

Appendix C

The National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) is a function of Coimirce*, a company limited by guarantee, which is funded through the Sponsoring Bodies:

- The Irish Catholic Bishops' Conference
- Association of Leaders of Missionaries and Religious of Ireland (AMRI)

The functions of the NBSCCCI are set out in its Memorandum and Articles of Association, and apply to those who are constituent members. These functions can be broadly summarised into three categories:

1. Advice and Support on all aspects of child safeguarding and case management within the Catholic Church in Ireland
2. Development of policy, procedures and practice on all aspects of child safeguarding within the Catholic Church in Ireland
3. Monitor child safeguarding practice of constituent members within the Catholic Church in Ireland

The NBSCCCI has invited constituent members to sign an MOU with the NBSCCCI committing them to following 'Safeguarding Children Policy and Standards for the Catholic Church in Ireland, 2016'.

NBSCCCI reports on all of these functions through:

1. Monthly Board Meetings
2. Quarterly newsletters
3. Liaison Committee Meetings of Coimirce
4. Annual meetings to Coimirce
5. Bishop Conference Meetings upon request
6. Meetings of the Executive of CORI and IMU upon request
7. Annually through our annual report

- "Coimirce" means "Protection" in Irish

Further information is available on www.safeguarding.ie