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# **IN GOD'S IMAGE**

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**Safeguarding in the Catholic Church in Scotland**

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Instruction on Safeguarding for implementation  
in all Catholic canonical jurisdictions in Scotland  
and by all other groups and organisations in  
Scotland subject to a legitimate canonical  
authority of the Catholic Church.

published by the Bishops of Scotland 'ad experimentum',  
for a period of three years from March 2018\*

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“God created man in the image of himself,  
in the image of God he created him,  
male and female he created them.”

Genesis 1:27

“The effective protection of minors and a commitment to ensure their human and spiritual development, in keeping with the dignity of the human person, are integral parts of the Gospel message that the Church and all members of the faithful are called to spread throughout the world. Many painful actions have caused a profound examination of conscience for the entire Church, leading us to request forgiveness from the victims and from our society for the harm that has been caused. This response to these actions is the firm beginning for initiatives of many different types, which are intended to repair the damage, to attain justice, and to prevent, by all means possible, the recurrence of similar incidents in the future.”

Pope Francis

Chirograph for the Institution of a  
Pontifical Commission for the Protection of Minors  
22nd March 2014.

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## **Our Commitment to Safeguarding**

All components of the Catholic Church in Scotland, especially those in positions of leadership and responsibility, value the lives, wholeness, safety and well-being of each individual person within God's purpose for everyone.

We seek to uphold the highest safeguarding standards in our relationships with people of all ages who are involved in whatever capacity with the Church and its organisations.

And therefore, as a Church community, we accept that it is the responsibility of all of us - ordained, professed, employed and voluntary members - to work together to protect children and vulnerable adults from abuse or harm.

## 1 National Application of this Instruction

- 1.1 In Scotland, since 1947, the Catholic Church has been organised into eight separate territorial jurisdictions. There are two archdioceses (Saint Andrews and Edinburgh, Glasgow) and six dioceses (Aberdeen, Argyll and the Isles, Dunkeld, Galloway, Motherwell and Paisley). By divine law, the bishop or archbishop has full executive, legislative and judicial power in his territory which, however, he can only use in accordance with canon law. At the same time, in order to promote some pastoral and other initiatives embracing all eight jurisdictions, the archbishops and bishops together form what is called a "conference of bishops". A conference of bishops does not exist by divine law but by ecclesiastical law. The bishops, then, meet as a conference several times per year to confer and decide upon the kinds of initiatives mentioned. Even so, each bishop or archbishop retains exclusive power of jurisdiction over the people entrusted to him. The conference is not a superior authority which a bishop must obey. Hence, the conference of bishops cannot oblige him to endorse a decision or to implement it in his jurisdiction. In accordance with the law, he must himself personally decide to implement for his own jurisdiction any measure agreed by the conference of bishops. Such is the case, for example, with the present safeguarding manual.
- 1.2 There are also other jurisdictions within the Catholic Church in Scotland, as elsewhere, which are exempt by canon law from the authority of the diocesan bishops. For example, a religious order and a monastic community enjoy such exemption in their internal life and organisation. This exemption is to allow the exempted community, in accordance with canon law, to pursue holiness of life under the inspiration of its founder. Nevertheless, in certain matters, canon law requires these jurisdictions to be subject to the diocesan bishop, e.g. if a religious order runs a parish. In the case of Safeguarding, exempt religious Institutes are not subject to the authority of the bishop, but the bishops have asked the religious orders and other such groups to adopt the same approach as themselves.
- 1.3 With specific regard to these Safeguarding arrangements, each Bishop has sought the co-operation and support of the Major Superiors of the Religious Institutes that minister in his diocese. (N. B. Throughout this document, the term "Religious Institute" is used in an analogical sense to encompass all institutes of Consecrated Life and Societies of Apostolic Life, or their equivalents in law, as well as those Associations of the Faithful whose life is similar to that of religious. Any references to "Religious" or "Major Superiors" would thus apply to their counterparts in Secular Institutes, Societies of Apostolic Life, and public associations of the Christian Faithful).
- 1.4 We, the Bishops of Scotland, commissioned the General Secretariat of the Bishops' Conference of Scotland to draft this document to establish a framework of Safeguarding standards for the Catholic Church in Scotland. We are now co-signatories to this document because we support and endorse these standards.

- 1.5 We require these Safeguarding arrangements to be followed not only by Safeguarding employees and volunteers but by all Catholic clergy, religious and consecrated persons living in Scotland, even if they are retired or working outside of any Diocesan structures or outside of Religious Institutes. We have sought the co-operation of all other canonical jurisdictions in Scotland with these arrangements. These jurisdictions include: the Bishopric of the Forces, the Personal Prelature of the Holy Cross and Opus Dei, the Apostolic Exarchate for Ukrainians in Great Britain, the Eparchy of the Syro-Malabar Catholic Communities in Great Britain, the Ordinariate of Our Lady of Walsingham in Scotland.
- 1.6 We have also sought the co-operation of all groups and organisations associated with the Catholic Church that work with vulnerable groups in Scotland.
- 1.7 In view of all the foregoing, and especially in view of our shared and convinced belief that the gravity of the issue, the harm it has done to individuals, families and communities, and the means required to deal with it effectively all demand it, each and every one of the undersigned bishops solemnly undertakes to promulgate this Instruction by Decree for observance in his own territory. We further commend to the Major Superiors of Religious Institutes and to those who govern all and any other canonical jurisdiction which falls partially or wholly within Scotland that they likewise decree the implementation of this Instruction.
- 1.8 Since this Instruction enjoins obligations upon persons who hold ecclesiastical offices or who have stated responsibilities in Safeguarding within the Church, the deliberate violation of those obligations and responsibilities, or culpable neglect in carrying them out, may call for disciplinary measures in accordance with canon law.

## Signed by the Bishops of Scotland on the Solemnity of St Joseph, Guardian of the Universal Church, 19th March 2018

+ Philip Tartaglia.

Philip Tartaglia  
Archbishop of Glasgow

+ Leo Cushley.

Leo Cushley  
Archbishop of St Andrews & Edinburgh

+ Joseph Toal

Joseph Toal  
Bishop of Motherwell

+ Hugh Gilbert

Hugh Gilbert  
Bishop of Aberdeen

+ Stephen Robson.

Stephen Robson  
Bishop of Dunkeld

+ John Keenan

John Keenan  
Bishop of Paisley

+ William Nolan

William Nolan  
Bishop of Galloway

+ Brian McGee

Brian McGee  
Bishop of Argyll & the Isles

## 2 Background

- 2.1 'In God's Image' has been published **to explain and to direct** the approach to Safeguarding that is to be practised at every level of the Catholic Church in Scotland. For the public, and for Catholic faith communities in particular, it has been written **to explain** how the Catholic Church in Scotland makes every effort to protect from all forms of harm and abuse those children and adults who are vulnerable or at risk<sup>1</sup>. It has also been written **to direct** those who are responsible for managing Safeguarding arrangements in parishes, dioceses, Religious Institutes and Catholic organisations on how to comply with these national Safeguarding standards.
- 2.2 This approach has taken into account recommendations made in 2015 by the McLellan Commission<sup>2</sup> that was instigated in 2013 by the Bishops' Conference of Scotland to provide an independent review of Safeguarding policies, procedures and practice in the Catholic Church in Scotland.
- 2.3 The document has been influenced by guidance offered by the Pontifical Commission for the Protection of Minors, an advisory body of international experts, established by Pope Francis to advance the commitment of the Church at every level "to take whatever steps are necessary to ensure the protection of minors and vulnerable adults."<sup>3</sup> Above all, 'In God's Image' has been shaped by the recent experience and developing expertise of those involved in the front line of Safeguarding in the Church, both in Scotland and internationally. Significantly, this experience includes responding to the hurt and anguish of those who have suffered abuse at the hands of clergy, religious and others working within the Catholic Church.
- 2.4 Drafts of the text were distributed for comment to various parties in Scotland and beyond. These included groups that are independent of the Catholic Church.
- 2.5 Following publication, a comprehensive series of training opportunities to familiarise participants with the policies, procedures and standards elaborated in this document will be provided for Safeguarding personnel and clergy across Scotland. Additional materials will be provided (in print and on-line) to advise clergy and Safeguarding personnel, as well as to inform parish communities and the general public, of our policies and procedures.
- 2.6 The document, which will be hosted on the website of the Bishops' Conference of Scotland, will be kept under constant review, revised in the light of further developments and informed by best practice in Safeguarding. It will be published 'ad experimentum', for a period of three years from March 2018, to allow for further reflection, in light of its use.

<sup>1</sup> The terms "child", "vulnerable adults" and "adults at risk" are defined in the Glossary.

<sup>2</sup> McLellan Commission [https://www.bcos.org.uk/Portals/0/McLellan/363924\\_WEB.pdf](https://www.bcos.org.uk/Portals/0/McLellan/363924_WEB.pdf)

<sup>3</sup> Pope Francis, Circular Letter, 2 February 2015

### 3 Introduction

- 3.1 We read in the first chapter of Genesis that humans are created “in the image of God” (Gen. 1:27)<sup>4</sup>. From this, we come to believe that each human life is inherently valuable and that each human person is innately endowed with a dignity that is precious. This belief provides the theological foundation for the Safeguarding policies of the Catholic Church in Scotland.
- 3.2 We are committed to respecting, protecting and nurturing the dignity of all people. We are determined that the Catholic Church in Scotland will offer a safe place in all Church premises and activities, and with all Church personnel. As leaders of the Catholic community in Scotland, we are committed to improving the culture of our Safeguarding approach in order to rebuild trust and confidence in the ways in which we ensure that children and vulnerable adults are kept safe.
- 3.3 So, Safeguarding in our parishes will be a very pressing priority when we plan religious services and community activities. We shall prioritise Safeguarding in our parishes, dioceses, seminaries and centres of religious formation when we admit, recruit, appoint and train clergy and religious, lay employees and volunteers to work with vulnerable groups. We shall demonstrate how we have prioritised our Safeguarding commitments in the care and compassion we show, and in the protection and healing we offer, to those who have survived abuse by members of the Catholic Church.
- 3.4 This document makes frequent use of the terms “we”, “us” and “our” throughout. This is testimony to the collective sense of responsibility shared by all members of the Catholic Church in Scotland for the Safeguarding arrangements that now lie at the heart of the work of our faith communities. This shared responsibility does not, however, compromise the specific statutory and canonical responsibilities of Bishops and Major Superiors.
- 3.5 Our Safeguarding approaches, led by each Bishop and Major Superior, and delivered by clergy, Religious, Safeguarding personnel and lay people in every parish community, Religious Institute and Catholic organisation, are designed to protect and heal, to safeguard and nurture all who have contact with Catholic faith communities across Scotland.

<sup>4</sup> This Scripture excerpt, and all others in this document, are taken from *The Jerusalem Bible* © 1966 by Darton Longman & Todd Ltd and Doubleday and Company Ltd. Reprinted by permission.

## 4 Scripture and Safeguarding

- 4.1 It is of fundamental importance that the whole Catholic community should understand and accept, in mind and heart, this essential truth: what we call “Safeguarding”, or how we keep children and vulnerable adults safe within our Catholic community, comes from the very heart of the message of God’s love made incarnate in his Son, Jesus Christ Our Lord.
- 4.2 When Jesus was asked which was the first of the Commandments, he responded: ‘This is the first: Listen, Israel, the Lord our God is the one Lord, and you must love the Lord your God with all your heart, with all your soul, with all your mind and with all your strength. The second is this: You must love your neighbour as yourself. There is no commandment greater than these.’ (Mark 12:28-30). Seen from this perspective, the Safeguarding of children and of all vulnerable people is a work of love that emerges from the fundamental programme of Christian faith and living, mandated by Jesus himself. This is true, too, of the Church’s commitment to respond in justice and compassion to the care of victims and survivors of abuse.
- 4.3 Jesus was unutterably tender with children. He welcomed them, embraced them and blessed them. He declared children to be the living symbols of the kind of person who will be admitted to the kingdom of God. The Gospel records that Jesus said: “Let the little children come to me; do not stop them; for it is to such as these that the kingdom of God belongs. I tell you solemnly, anyone who does not enter the kingdom of God like a little child will never enter it.” Then he put his arms round him, laid his hands on them and gave them his blessing.’ (Mark 10:13-16). Safeguarding, then, is about cherishing and protecting children and all vulnerable people, as Jesus would, and about responding in the right manner to victims and survivors of abuse.
- 4.4 Destroying the innocence of children is not just serious in Jesus’ view but unprecedentedly grave. He may well have had children in mind when he said: “But anyone who is an obstacle to bring down one of these little ones who have faith would be better thrown into the sea with a great millstone round his neck.” (Mark 9:42). So, it is right that any priest or religious who is found guilty of the sexual abuse of a child or a vulnerable adult is liable for a penalty of dismissal from the priesthood or religious life.
- 4.5 Jesus also healed the sick, gave sight to the blind, made cripples walk again, cast out devils, and even raised the dead. These miracles were nothing less than the kingdom of God breaking into our lives. They were also a witness of Jesus’ love, mercy and concern for a whole variety of people who were vulnerable. By the same token, Jesus’ disciples, who serve the coming of God’s kingdom and rule among us, are called to respect, protect, value and safeguard the vulnerable in our communities.

- 4.6 According to Jesus, the way we treat the little ones, the poor, the needy and the vulnerable will be relevant to our eternal destiny. The fact is that Jesus identifies profoundly with these little ones and with the most vulnerable of our brothers and sisters. At the Last Judgement, it will be no good saying: “When did we see you hungry or thirsty, a stranger or naked, sick or in prison, and did not come to your help?” For then he will answer: “I tell you solemnly, in so far as you neglected to do this to one of the least of these, you neglected to do it to me” (Matthew 25:44-46). We are all to be judged on how fully we commit to Safeguarding those who are vulnerable or who have been abused.
- 4.7 The Catholic Church loves, welcomes and values children and regards fruitfulness as an integral part of marriage. At their wedding, husband and wife undertake to accept children lovingly from God. When children are born into a Catholic family, their fathers and mothers are invited to present them for baptism as soon as possible after birth. Babies and children are always welcome at Sunday Mass with their families. The Sacraments of Initiation for children are an important part of the annual cycle for all Catholic parishes. First Confession, First Holy Communion and Confirmation are keenly anticipated and joyously celebrated in our communities. The Church, not least through the dedication of Religious Institutes and of Catholic teachers, has always striven to excel in the education of children and young people. Children and young people are at the heart of the vocation of parents and of the pastoral care of priests, religious and all pastoral workers. In the same way the Catholic Church, given its tradition of caring for the sick and homeless and marginalised, should be a welcoming home and a safe haven for vulnerable people and all people at risk. In short, Safeguarding should be second nature to the Catholic Church.
- 4.8 These observations aim to give the Catholic community, and to all who contribute to the Safeguarding effort in the Church, confidence that Safeguarding is a duty that is rooted in the message of Jesus and in the mission of the Church. Because of this message and that mission, the Catholic Church in Scotland must aspire to the highest standards with regard to the care and protection of children and vulnerable adults, and must actively promote justice for, and provide assistance to, those who have been abused.

## 5 Our Commitment to Law

- 5.1 The Scriptures and the doctrine and discipline of the Catholic Church developed throughout the centuries, as handed on by her official teaching authority (or “Magisterium”), as well as the natural law written on the human heart and known to conscience, constitute the foundation and horizon of all the laws of the Catholic Church. These laws must themselves be interpreted in that light. In promulgating this Instruction<sup>5</sup> on Safeguarding, each Bishop and Major Superior must of necessity heed this fuller sense of the Law of God. While there is no systematic treatment of Safeguarding in the Church’s Code of Canon Law (1983), the norms which are applicable to this matter must be interpreted in the light of the Divine Law. As Pope Benedict XVI once stated: “Canon Law cannot be shuttered within a merely human system of norms but must be connected to a just order of the Church, in which a higher law is in effect.”<sup>6</sup> The Scriptural dimension of that higher law with relevance for Safeguarding has been outlined above.
- 5.2 Coming now to the specific canonical norms which this Instruction seeks to clarify, elaborate and determine more closely for the purposes of Safeguarding, we find the following in the Code of Canon Law: the correct use and application of singular decrees and precepts (canons 48-58); the rights and duties inherent in the canonical condition of physical persons (canons 96-97; 98 §2; 99); the obligations and rights of all the Christian faithful (canons 208-210; 219-223); the adequate formation of clerics (canons 235, 241-245; 247); the obligations and rights of clerics (canons 276-277; 285); the legitimate process for the loss of the clerical state (canons 290-293); the obligations of diocesan bishops towards the faithful and towards clerics (canons 383-384); the correct use and application of the penal precept (canon 1319); delicts against special obligations (canon 1395 §2); the preliminary penal investigation (canons 1717-1719; 1722); and how to have recourse against administrative decrees (canons 1732-1739).
- 5.3 The principal ecclesiastical law outside the Code of Canon Law which is concerned is: the *Motu Proprio, Sacramentorum Sanctitatis Tutela* (2001), and the *Norms on the More Serious Delicts reserved to the Congregation for the Doctrine of the Faith* (2010).<sup>7</sup>
- 5.4 These substantive and procedural norms, underpinned by the Divine Law itself, ensure that the Safeguarding standards laid out in this Instruction are firmly grounded in the Church’s doctrine and life. They also ensure that, as the standards are implemented, the authority and protection of the law is guaranteed for all concerned.

<sup>5</sup> Can. 34 §1. Instructions clarify the prescripts of laws and elaborate on and determine the methods to be observed in fulfilling them. They are given for the use of those whose duty it is to see that laws are executed and oblige them in the execution of the laws. Those who possess executive power legitimately issue such instructions within the limits of their competence.

<sup>6</sup> [https://w2.vatican.va/content/benedict-xvi/en/speeches/2012/january/documents/hf\\_ben-xvi\\_spe\\_20120121\\_rota-romana.html](https://w2.vatican.va/content/benedict-xvi/en/speeches/2012/january/documents/hf_ben-xvi_spe_20120121_rota-romana.html)

<sup>7</sup> [http://www.vatican.va/resources/resources\\_norme\\_en.html](http://www.vatican.va/resources/resources_norme_en.html)

- 5.5 In 2011, the Congregation for the Doctrine of the Faith directed conferences of bishops throughout the world to prepare 'clear and coordinated procedures' to deal with cases of abuse and with all related matters<sup>8</sup>. The Catholic Church in Scotland, aided especially by the McLellan Report, has now produced such procedures and standards to demonstrate its full commitment to the best interests of the child or vulnerable adult. Articles 3 and 19 of the United Nations Convention on the Rights of the Child outline the rights of children to be protected from harm and abuse.<sup>9</sup> In Scotland, the Adult Support and Protection Act 2007, guarantees the rights of "adults at risk", in compliance with the requirements of the European Convention on Human Rights.
- 5.6 Within the context of Safeguarding, all components of the Catholic Church in Scotland, especially those in positions of leadership, are fully committed to these major responsibilities:
- regarding as their paramount concern the safety and welfare of children and adults who are vulnerable or at risk
  - ensuring the care and nurture of, and respectful ministry with all children and adults
  - establishing safe, caring communities which provide a loving environment where there is informed vigilance as to the dangers of abuse
  - complying with Safeguarding legislation in Scotland
  - adhering to recognised good Safeguarding practice.
- 5.7 These commitments can only be met if everyone involved in Safeguarding within the Church in Scotland complies with the eight Safeguarding standards that are elaborated in Section B of this document. Moreover, compliance with these standards must be evidenced in ways that are transparent and open to public scrutiny.

## 6 Specific Safeguarding responsibilities

- 6.1 In each of the eight Dioceses in Scotland the prime pastoral and canonical responsibility for meeting these Safeguarding commitments lies with the **Bishop**. He is responsible for leading efforts to keep people safe, for dealing with all allegations against Church personnel within his Diocese and for acting in compliance with civil and canonical legislation.<sup>10</sup>
- 6.2 In this responsibility, the Bishop must be supported by those he has appointed to advise him and to manage Safeguarding arrangements in the Diocese – the Diocesan Safeguarding Adviser (DSA), the Diocesan Safeguarding Advisory Group (DSAG) and the Diocesan Risk Assessment Management Team (DRAMT)<sup>11</sup>.

<sup>8</sup> [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_20110503\\_levada-abuso-minori\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20110503_levada-abuso-minori_en.html)

<sup>9</sup> <http://www.ohchr.org/documents/professionalinterest/crc.pdf>

<sup>10</sup> With due regard, in particular, to the Charities and Trustee Investment (Scotland) Act 2005

<sup>11</sup> It should be understood that, given the context of each Diocese, the employment patterns of Safeguarding personnel may vary; however, with appropriate guidance and training, the commitment of Safeguarding personnel to complying with these Safeguarding arrangements must be consistent.

- 6.3 The role of the **Diocesan Safeguarding Adviser** (DSA) is to advise and assist the Bishop in meeting his Safeguarding responsibilities. This must involve all matters that relate to ensuring the protection of children and vulnerable adults in their contact with Church personnel and/or on Church property in the Diocese. The DSA must co-ordinate efforts to raise awareness of Safeguarding within parish communities, including the recruiting and training of Parish Safeguarding Co-ordinators, the recruiting of Diocesan Safeguarding Trainers and the training of Diocesan clergy. The DSA must also advise the Bishop on good practice in responding to allegations of abuse. It is recommended that, in each Diocese, the DSA role should be undertaken by a layperson.
- 6.4 The **Diocesan Safeguarding Advisory Group** (DSAG) must consist of people with relevant experience and skills, appointed by the Bishop to support the Diocesan Safeguarding Adviser in his/her Safeguarding duties and to ensure Diocesan-wide adherence to the Safeguarding standards to which the Bishop is co-signatory. This should include the organisation of PVG applications and monitoring of on-going membership of the scheme across the Diocese. The DSAG should invite the National Safeguarding Co-ordinator to provide information on national Safeguarding developments at their meetings.
- 6.5 The **Diocesan Risk Assessment Management Team** (DRAMT) is appointed by the Bishop to assist him, within the strict limits of the law, in the management of individual cases where allegations have been made against a Diocesan cleric, employee or volunteer. They should consider: convictions on PVGs, those being considered for Listing and Barring and references which indicate that a volunteer should not be allowed to start or continue in post. This team's advice and recommendations should assist the Bishop to come to decisions about how to proceed, in accordance with both civil and canon law, in response to allegations and concerns.
- 6.6 The **Parish** can be seen as the 'frontline' of Safeguarding, where many children, young people and adults participate in religious services and community activities. The **Parish Priest** carries prime responsibility for ensuring that the parish provides a safe environment and protection from harm, in line with these policies, procedures and with legislation. He must appoint a **Parish Safeguarding Co-ordinator** (PSC) who will support him with the management of Safeguarding in the parish. The PSC must ensure that any person working with vulnerable groups has been 'safely' recruited, according to vetting procedures outlined in this document. He/she must also take the lead role in promoting the participation of all volunteers in Safeguarding training provided by Diocesan Trainers. Any allegation made to a parish volunteer, employee or cleric must be reported immediately to the Diocesan Safeguarding Adviser who will manage the process thereafter.
- 6.7 In a **Religious Institute** the **Major Superior**, like a Bishop in his Diocese, carries the prime responsibility for meeting Safeguarding commitments and ensuring the co-operation of religious clergy, consecrated brothers and sisters who work with vulnerable groups. All Major Superiors of Religious Institutes working in Scotland have been asked to commit to working to the Safeguarding standards set out in this document.

- 6.8 Each Religious Institute has appointed a **Safeguarding Link Co-ordinator** who is responsible for assisting the Major Superior with Safeguarding responsibilities. This person has the lead role in ensuring that all religious personnel complete PVG applications at the local Diocesan office and that Safeguarding training is provided to all within their Religious Institute who work with vulnerable groups.
- 6.9 In some situations, such as the operation of a care home by a Religious Institute, the Safeguarding arrangements are regulated by the Care Commission which requires its own procedures to be followed for vetting and training staff.
- 6.10 Allegations against a member of a Religious Institute are managed by the Major Superior who is responsible for any decision about how to proceed in response to allegations, in accordance with both civil and canon law. The Major Superior will be assisted in making such decisions by advice from a group of colleagues with relevant expertise who fulfil a role similar to that of the DRAMT in a Diocese. The **Conference of Religious in Scotland Safeguarding Commission** (CRSSC) fulfils this function for some Religious Institutes in Scotland.
- 6.11 The main function of the **Bishops' Conference of Scotland** (BCOS) is to support the Bishops as they work together to undertake nationwide initiatives through various commissions and agencies. One such initiative has been the establishment of the **Scottish Catholic Safeguarding Service** with the remit to assist Dioceses to meet their Safeguarding responsibilities.
- 6.12 SCSS, led by the **National Safeguarding Co-ordinator** (NSC), does not manage or investigate specific cases of Safeguarding allegations. The expertise of the NSC is available to Dioceses and Religious Institutes that wish to seek advice on Safeguarding policies, procedures and protocols. The NSC mainly provides support through:
- advising the Bishops' Conference of any required updating of Safeguarding policies, protocols and standards
  - co-ordinating the development and provision of relevant training opportunities and materials which enable Dioceses and Religious Institutes to support clergy, religious, employees and volunteers in the application of Safeguarding policies, protocols and standards
  - researching, promoting and offering advice on best practice in Safeguarding
  - processing, monitoring and advising on applications for membership of the PVG scheme
  - being the Church's point of contact for national bodies, other churches and voluntary organisations dealing with Safeguarding
  - co-operating with the Independent Review Group with regard to the annual Safeguarding Audit.
- 6.13 The Bishops' Conference of Scotland has established an **Independent Review Group** (IRG) to provide independent monitoring and review of the Church's Safeguarding arrangements, starting in 2018. Each year, the IRG will review the data that has emerged from the annual Safeguarding Audit of all Dioceses, Parishes, Religious Institutes and Catholic organisations in Scotland. While not responsible for dealing with individual allegations, the IRG will undertake a detailed examination of all the Safeguarding data provided by two different Dioceses each year and make recommendations to the Dioceses and to the Bishops' Conference of Scotland about how Safeguarding practice might be improved. The IRG will publish an annual report on its findings and recommendations.

## Our Normative Safeguarding Standards

In many areas of public life, elected representatives, public officials, employees and volunteers are expected to observe certain standards, or codes of ethical conduct, which, in governing their practice, assure the public of the quality and trustworthiness of their work. Public trust in those who care for the vulnerable is dependent on knowing that certain standards of service and conduct are being adhered to by those who have taken on these responsibilities.

All in the Church must strive to re-build trust where it has been broken and to hold ourselves to high standards of conduct and practice. To enable us to achieve this goal, we have defined a framework of eight Safeguarding normative standards for all canonical jurisdictions within the Catholic Church in Scotland. These set out the required levels of care and protection to be offered by all who are responsible for children and vulnerable adults.

Our Safeguarding standards are set out broadly in the table below and each standard is further illustrated by a number of indicators that describe the procedures and protocols to be followed in order to meet the standard.

The numbering of each standard is merely intended to facilitate ease of reference and should not be seen to confer any sense of greater significance on one standard than one another. Compliance with all eight standards is required.

<p><b>Standard 1</b></p>	<p><b>Creating and maintaining safe Church environments</b> We provide environments that are welcoming, nurturing and safe. We put measures in place to protect children and vulnerable adults and to promote the wellbeing of all.</p>
<p><b>Standard 2</b></p>	<p><b>Vetting the appointment of clergy, religious, lay employees and volunteers</b> When admitting men to seminary, appointing clergy &amp; religious and recruiting lay employees &amp; volunteers, we require PVG checks on their suitability for working with vulnerable groups.</p>
<p><b>Standard 3</b></p>	<p><b>Responding to concerns or allegations</b> We follow canonical and civil procedures when alerted to information, concerns or allegations regarding a person's safety or welfare and we ensure that there is a prompt response.</p>
<p><b>Standard 4</b></p>	<p><b>Providing care and support for survivors</b> We provide a compassionate response to survivors of abuse when they disclose their experiences and we offer them support, advice, care and compassion.</p>
<p><b>Standard 5</b></p>	<p><b>Managing and providing care for those accused of abuse</b> When an allegation is received concerning clergy, religious, lay employees or volunteers, we offer the accused pastoral care and support, including supervision and management of appropriate duties when necessary.</p>
<p><b>Standard 6</b></p>	<p><b>Working together in Safeguarding</b> In our shared responsibility for Safeguarding, we work together effectively: recording, communicating and sharing information safely, in full compliance with both civil and canon law.</p>
<p><b>Standard 7</b></p>	<p><b>Training and support for all involved in Safeguarding</b> Church personnel participate in induction training and continuing professional development and receive support in all aspects of Safeguarding, relevant to their respective roles, thus developing the requisite knowledge, attitudes and skills. We encourage and facilitate the sharing of best Safeguarding practice.</p>
<p><b>Standard 8</b></p>	<p><b>Quality assurance in Safeguarding</b> We deploy effective planning processes to monitor, review, self-evaluate and report on our Safeguarding practices and on our compliance with these Safeguarding standards. The Independent Review Group (IRG) externally monitors and reports on our compliance with these Safeguarding standards.</p>

**STANDARD 1:****Creating and maintaining safe Church environments**

We provide environments that are welcoming, nurturing and safe. We put measures in place to protect children and vulnerable adults and to promote the wellbeing of all.

**1.1 We promote the safe use of Church premises.**

- 1.1.1 The provision of safe environments is an essential requirement for all Church activities that involve children and vulnerable groups.
- 1.1.2 Where premises are owned, leased or occupied by the Catholic Church and used by parish groups working with vulnerable groups, the group leader must take responsibility for agreeing the use of Church premises with the Parish Priest or with the person appointed by him.
- 1.1.3 Where a non-parish-based group uses Church premises for activities involving vulnerable groups on a regular basis, the group leader must produce written evidence that the group observes an appropriate Safeguarding policy in their organisation. This must be presented to the person responsible for managing the Church premises, prior to the group using the premises.
- 1.1.4 The Safeguarding policy of any such group must include proper recruitment procedures for leaders and helpers, confirming that references and PVGs have been obtained. Continued use of the premises should be subject to this condition. A written agreement<sup>12</sup> must be used with such groups, detailing that they have Safeguarding measures in place and indicating their agreement to adhere to these measures.
- 1.1.5 If any group wishing to use the premises on a regular basis does not have its own Safeguarding procedures, they must be required to follow those of the Diocese. In such instances, the group leader must be given a copy of the *Our Church's Safeguarding Policy* leaflet<sup>13</sup> and be asked to provide written agreement that they will fully comply with the Church's Safeguarding policy. If such a group is working with vulnerable groups its personnel must have received successful PVG checks.
- 1.1.6 Occasionally Church premises such as a Parish Hall are used for single events, e.g. children's party, wedding reception etc. In these circumstances, a written agreement (e.g., *Hall Booking Form*)<sup>14</sup> must indicate that this is a private booking and that the event organisers, or those with responsibility for any vulnerable groups present, will exercise a supervisory function and ensure that everyone is kept safe. The event organiser must be named on the Booking Form.
- 1.1.7 It is obligatory for the parish to keep records of any groups that use the Hall, either regularly or occasionally. It is also good practice for the Parish Safeguarding Co-ordinator to check the Accident Book regularly.

<sup>12</sup> Section C: Use of Parish Premises 1 & 2

<sup>13</sup> Section C: Our Church's Safeguarding Policy leaflet

<sup>14</sup> Section C: Hall Booking Form

## 1.2 We require Safeguarding Risk Assessments to be carried out.

- 1.2.1 Risk is any situation in which you expose yourself or others to probable or potential danger or harm. Within Safeguarding, our greatest concern is to mitigate the risk of anyone being subject to any form of abuse.
- 1.2.2 A key step towards understanding Safeguarding risk is for those who work with vulnerable groups to participate in specific training so that they can view people, places and activities through the lens of potential Safeguarding risk. Having a good understanding of Safeguarding risk will enable those who have responsibility for activities to identify any risk and to put in place measures to manage outcomes positively.
- 1.2.3 The starting point for any Safeguarding Risk Assessment is to ensure that there has been full compliance with the mandatory requirements when recruiting supervising adults (see Standard 2.1).
- 1.2.4 Also essential is the deploying of supervisor-to-participant ratios suitable to the specific activities, in line with national guidance. Particular supervision ratios for children and adults who have additional support needs should be taken into account, as appropriate.
- 1.2.5 Safeguarding risk assessments of activities and locations should be routine both in on-going activities and when preparing for new ones. Parish groups working with vulnerable groups should conduct Safeguarding Risk Assessments, then action and record them. Diocesan Safeguarding Advisory Groups must ensure that there is discussion of such Risk Assessments in DRAMT meetings.
- 1.2.6 Diocesan and Parish groups must be able to evidence a robust management of Safeguarding risk to ensure that:
- every reasonable step has been taken to protect participants from harm
  - where a participating child's parent is not present to supervise the child during an activity, the parent's written consent for the child to participate has been obtained
  - Safeguarding risk assessments have been completed, using an appropriate pro forma<sup>15</sup>
  - all Safeguarding policies and procedures have been followed
  - where unanticipated risks have occurred, these are recorded on a *Risk Register*<sup>16</sup> and reviewed to reduce or eliminate potential re-occurrence.

<sup>15</sup> Section C: Risk Assessment for Activities and Places pro forma

<sup>16</sup> Section C: Risk Register

## 1.3 We advise on Safeguarding risks for those with additional support needs.

- 1.3.1 Children, young people and adults with additional support needs are at greater risk of abuse and harm. For some, who might have significant disabilities and little or no ability to communicate, the risk of abuse and harm may be high.
- 1.3.2 Consideration should be given to other factors which impact upon the lives of those who have special needs within faith communities:
- reduced or limited ability to communicate and therefore report abuse
  - cognitive problems.
  - physical disabilities
  - life-limiting conditions
  - limited access to those who can listen and encourage disclosure of concerns
  - significant reliance on others for personal and intimate care
  - limited ability at times to understand personal boundaries
  - for some, an experience of increased isolation
  - inability to defend against bullying
  - previous experience of abuse.
- 1.3.3 Particular care must be taken to ensure the safe recruitment of volunteers, rigorous training and the implementation of Safeguarding risk assessments before planning any activity involving those with special needs. Such due diligence must not become a barrier to participation but should, indeed, support the participation of those with additional support needs in the life of the Church.
- 1.3.4 The Catholic Church in Scotland is committed to ministering to those with additional support needs within a Diocesan or parish context, including those in such groups such as HCPT, SPRED, ALMA and OZANAM.<sup>17</sup>

<sup>17</sup> Details of these groups are provided in the Glossary.

## 1.4 We promote the safe use of Information Technology by Church personnel.

- 1.4.1 While Information Technology brings many benefits in supporting the Church's work, it also brings numerous risks and threats to privacy. From the sharing of child pornography to cyber bullying, to facilitating child sex exploitation, the mis-use of the Internet has enabled perpetrators to cause harm.
- 1.4.2 Use of the Internet in a parish context should be carefully monitored, in line with Diocesan policy. Where computers are available for the use of parishioners or volunteers with specific roles, appropriate security settings must be put in place. The Internet must not be used on Church property for the viewing or transmission of inappropriate images.
- 1.4.3 Ultimate responsibility for the content of any website or social media account established by, or on behalf of, a parish or Church organisation rests with the Parish Priest or leader of the organisation. Where someone else is appointed as a trusted administrator of such an account, the person holding ultimate responsibility for the account must agree a protocol for moderating and agreeing content. If a parish website allows for the "live streaming" of parish services, it is critical that agreed procedures are followed with regard to permissions and notifications, in line with Diocesan policy.
- 1.4.4 When emailing/texting on Church business, these points should be noted:
- Careful use of language and images in all communications is advised.
  - Sharing personal information about others (including email addresses) requires their permission.
  - Emails and texts can be used as evidence in criminal proceedings.
  - Deleted emails and texts can be retrieved, if necessary.
  - To ensure privacy, access to email accounts when using Church equipment should be limited.
- 1.4.5 In the use of any social media account established on behalf of a parish, diocese or Church organisation, attention must be paid to privacy settings, as these can have a great bearing on who can access photographs. Care must be taken in regard to these key points:
- Photographs of children must only be displayed with the written consent of parents. (See *Child Photograph/Video Permission Request* <sup>18</sup>.)
  - It is preferable that children should not be identified by their full name in photographs.
  - Details of someone's home address must not be posted.
- 1.4.6 If anyone replies to a post from a parish social media account and indicates that harm has been done, or if someone appears to be at risk, the account holders must report this immediately to the Diocesan Safeguarding Adviser. He/she must immediately report this matter to the Police.

<sup>18</sup> Section C: Child Photograph/Video Permission Request

## 1.5 We promote the safe use of CCTV & webcams on Church premises.

- 1.5.1 When considering the use of CCTV and webcams, parishes must be guided by the Data Protection policies of their own Dioceses. It should be noted that the use of CCTV may raise particular Safeguarding concerns in relation to broadcasting and recording images of vulnerable groups.
- 1.5.2 The use of webcams for live streaming and recording of Church services may enable anyone, using a computer or mobile device, to access images of a church service. The following points should be carefully considered:
- Have parents been asked to grant permission for the filming of children whose faces may be visible on-screen?
  - Are there times when audio access to live streaming would be sufficient?
  - How will any recorded events be stored?
  - Who will have access to these recordings?
  - Are there notices on display to advise those attending of the live streaming?

## 1.6 We require the use of contracts with Registered Sex Offenders who wish to attend religious services.

*“Ministry to sex offenders, including those who have offended in the Church, is also important in the healing of the Church, as well as ensuring that the commitment to provide for a safe environment is clear and strong”.*

(Pontifical Commission for the Protection of Minors)

- 1.6.1 Every Catholic has the obligation and the right to attend the public celebration of the Liturgy on Sundays and holy days of obligation. Where a Registered Sex Offender (RSO) expresses a wish to participate in a religious service in a parish, an assessment of potential risk of harm must be made by the statutory authorities. Police Scotland has agreed with each Diocese in Scotland an *Information Sharing Protocol*<sup>19</sup> which is governed by the system known as the Multi Agency Public Protection Arrangements (MAPPA) which the police service, local authority, prison service, health service and others are statutorily obliged to operate on a multiagency basis, with the objective of protecting the public from the risks that may be posed by sex offenders.

<sup>19</sup> Section C: Information Sharing Protocols with Police Scotland

- 1.6.2 In practical terms, this means that, when a convicted Registered Sex Offender expresses a wish to worship in a Catholic Church in Scotland, the relevant personnel from Offender Management or Criminal Justice will make contact with the appropriate Diocesan Safeguarding Adviser to discuss if appropriate safe arrangements can be made. It may be possible to create a safe context for the individual to worship with the implementation of a *Registered Sex Offender Contract*.<sup>20</sup>
- 1.6.3 The key people to be considered when making such arrangements are:
- **children and others at risk:** whose care and protection must be our first priority
  - **Registered Sex Offender:** whose spiritual needs require to be addressed with due regard to the safety and well-being of others
  - **Diocesan Safeguarding Adviser:** the key person in creating the contract and acting as link between the Parish Priest and *Police Scotland*
  - **DRAMT:** whose members will make an informed recommendation about the best place for the RSO to worship, how and when
  - **Sex Offender Management Unit and/or Criminal Justice Social Worker:** will hold ultimate responsibility for monitoring the Registered Sex Offender in the community and assessing risk
  - **Parish Priest:** his responsibility is the safety of all in his church, as well as the spiritual care of the offender.
  - **Parish Safeguarding Co-ordinator:** whose role is to support the Parish Priest and to be vigilant to any potential or actual breach of the contract.
- 1.6.4 Personnel within *Police Scotland* know that their first point of contact should be the Diocesan Safeguarding Adviser. If ever a situation arises where initial contact is made with the Parish Priest, he must inform the Diocesan Safeguarding Adviser before any further steps are taken. There might also be a situation when the RSO makes direct contact with a Parish Priest and asks if he/she can worship in the Church. The Parish Priest must not make any agreement but immediately must contact the Diocesan Safeguarding Adviser who will inform the relevant personnel within *Police Scotland*.
- 1.6.5 Each request for such a contract must be considered by the DRAMT who will make an informed recommendation about the best place to worship, how and when. Each contract should be reviewed every six months. Contact between the statutory authorities and the Diocesan Safeguarding Adviser and Parish Priest must be maintained if there are any changes in circumstances, either for the RSO or in the parish. A meeting must be held with the Parish Priest, the Offender, the Diocesan Safeguarding Adviser (or designated representative, such as the Safeguarding Officer) and the relevant person from the Offender Management Unit or Criminal Justice.

<sup>20</sup> Section C: Exemplar Contract for Sex Offender wishing to worship in Church

- 1.6.6 The conduct of the RSO will be monitored by someone allocated from the Offender Management Unit. If, during the time the person attends a service, it is clear that he/she is not abiding by the agreed contract, then the Parish Priest must contact the Diocesan Safeguarding Adviser who must inform the Offender Management Unit immediately.
- 1.6.7 In all cases, the Contract must indicate the RSO's level of actual or potential risk. The Contract should be written by the Diocesan Safeguarding Adviser, in discussion with the Sex Offender Management Unit personnel who will be fully aware of the details of the offences and also how that might impact in relation to risk in a parish context.
- 1.6.8 In most cases, agreement should be reached so that the individual can attend a specified Mass each weekend. In some circumstances and, again relating to potential risk, the individual might be required to sit in a specific area of the church, possibly accompanied by a nominated person. More unusually, it might not be possible to permit high-risk offenders to worship in the parish church. Arrangements can then be made for the individual to have his/her spiritual needs met privately. The Parish Safeguarding Co-ordinator must also be made aware that a sex offender is attending Church and has signed a contract. The PSC should be able to identify the RSO, in case of the Parish Priest being replaced by another priest for some reason or other (e.g., holidays). There might be circumstances when a Registered Sex Offender might seek to worship in other contexts, such as a Retreat Centre that celebrates a public Sunday Mass. Again, this can only be considered in consultation with the Retreat Centre Director, the Diocesan Safeguarding Adviser and Offender Management Unit.
- 1.6.9 It is essential that appropriate confidentiality measures are put in place when it has been arranged for a Registered Sex Offender to attend a parish service. However, any breaches in the contract or any risk, whether potential or actual, must only be shared between the Parish Priest, Parish Safeguarding Co-ordinator, Diocesan Safeguarding Adviser, the designated department within Police Scotland and a Criminal Justice Social Worker, if one has been assigned to the RSO.

**STANDARD 2:****Vetting the appointment of clergy, religious, lay employees and volunteers**

When admitting men to seminary, appointing clergy & religious and recruiting lay employees & volunteers, we require PVG checks on their suitability for working with vulnerable groups.

**2.1 We require PVG vetting of personnel to ensure their suitability for working with vulnerable groups.**

- 2.1.1 The mandatory Safe Recruitment process in the Catholic Church in Scotland is central to ensuring that everyone - whether working in ministry as an ordained or religious, or working as an employee or as a volunteer - is safe to work with vulnerable groups.
- 2.1.2 Applicants for employment in the Church will be expected to satisfy the statutory PVG vetting requirements if their duties involve working with vulnerable groups.
- 2.1.3 This Safe Recruitment process for volunteers has three key stages:
- i) **Application Form:** *The Volunteer Application Form*<sup>21</sup> asks the applicant to provide information about their anticipated role and any relevant experience. It includes a request for the names of two referees (which should not be the Parish Priest, or PSC, or a relative of the applicant)<sup>22</sup>. The form also includes a *Self-Declaration Form*<sup>23</sup>.
  - ii) **PVG (Protecting Vulnerable Groups) Application:** We require all volunteers to be PVG Scheme Members who have received appropriate vetting for working with vulnerable groups. Some applicants might already be scheme members because of other work. However, it is vital that, in all circumstances, the applicant completes a PVG Scheme Update before commencing any role within the Church.
  - iii) **Training:** *Safeguarding Induction Part 1* training must be completed by everyone who works with vulnerable groups. This is required because all volunteers must be aware of the Safeguarding policies and standards within the Catholic Church, including the requirement of mandatory reporting of all allegations. *Safeguarding Induction Part 2* training should be completed within 18 months of commencement of role.
- 2.1.4 *A Letter of Approval*<sup>24</sup> for each volunteer must be issued by the Diocesan Safeguarding Office. It will indicate that the applicant has completed the necessary requirements of Safe Recruitment and also provide full or restricted approval for commencement of role. If a volunteer moves to another parish, then this letter should be requested by the Parish Priest.

<sup>21</sup> Section C: Volunteer Application Form

<sup>22</sup> Section C: Reference Letter and Reference Form

<sup>23</sup> Section C: Self-Declaration Form

<sup>24</sup> Section C: Letter of Approval (Full) & Letter of Approval (Restricted)

2.1.5 All three stages should be completed satisfactorily, and a Letter of Approval received, before a volunteer can commence role.

2.1.6 The table below illustrates the recruitment process for volunteers involved in Safeguarding.

Step 1	Role Descriptions are provided for the prospective volunteer. (See Section C for template Role Descriptions)
Step 2	Prospective volunteers are asked to complete an Application Form which includes a Self-Declaration Form.
Step 3	Two references are requested. (The Parish Priest, PSC and close relatives should <b>not</b> provide references.)
Step 4	PVG Scheme Application or PVG Existing Member (Update) Application is completed.
Step 5	<i>Safeguarding Induction Part 1</i> Training is completed. Volunteer is issued with a Certificate of Attendance.
Step 6	Prospective Volunteer meets with respective Group Leader for interview to discuss suitability for new role. The Letter of Approval provided by the Diocese should be received by the applicant and the Parish Priest before volunteer commences role.

## 2.2 We have established a Safeguarding Code of Conduct for clergy & religious.

2.2.1 While much of the advice included in the paragraphs which follow 2.3 also apply to clergy and religious, the following points of advice are specific to them.

2.2.2 Bishops, priests, deacons, religious sisters and brothers are called by virtue of their consecration to God to live exemplary Christian lives in all their conduct. The public and private conduct of clergy and religious can inspire and motivate people, but inappropriate conduct and language can also scandalise and undermine people's faith. Clergy and religious, at all times, should be aware of the responsibilities that accompany their work.

2.2.3 Bishops, Major Superiors and colleagues have a duty of care to those for whom they have a responsibility, or with whom they work. Appropriate support should be offered whenever a cleric or religious brother or sister is in some difficulty with their own spiritual, physical, or emotional health, or when attention has been drawn to such a situation by another person.

- 2.2.4 Clergy and religious must not engage in physical, psychological, written or verbal harassment of staff, volunteers, or parishioners and should not tolerate such harassment by other Church staff or volunteers.
- 2.2.5 Clergy and religious, must not, for sexual gain or intimacy, exploit the trust placed in them by the faith community, particularly in relation to the young or vulnerable.
- 2.2.6 In ministering to vulnerable groups, clergy and religious are advised to take particular care:
- to respect the physical and emotional boundaries which are appropriate
  - to provide pastoral care and the celebration of the Sacrament of Reconciliation in an open and observable environment when outside of a Church, and never in the private accommodation of the Minister
  - to avoid inappropriate language and physical contact in any context
  - to avoid the sharing or viewing of any inappropriate media
  - not to provide alcohol nor any illegal substance to a minor or vulnerable adult
  - to respect the privacy of children and vulnerable adults in the provision of accommodation on any trip.

## 2.3 We have established a Safeguarding Code of Conduct for Church employees and volunteers.

- 2.3.1 In ensuring that they comply with the Safeguarding standards of the Catholic Church in Scotland, Church employees and volunteers who interact with vulnerable groups must:
- treat all people with respect
  - respect and protect emotional and physical boundaries
  - respect the rights of others to personal privacy
  - remember that physical contact can be misunderstood
  - meet with a child or vulnerable adult in an open and observable environment
  - remember that words and actions might be misinterpreted
  - be confident in sharing concerns appropriately
  - be confident in both challenging and reporting abusive behaviour
  - ensure that children and vulnerable adults know and understand what to do if they have a Safeguarding concern.

2.3.2 Church employees and volunteers should be aware that engagement in any of the following activities, involving children or vulnerable adults, may lead to disciplinary action and/or criminal prosecution, according to their contract of employment:

- inappropriate physical or verbal contact with children or vulnerable adults
- sexual relationships with minors and vulnerable adults
- behaviour or language which is intrusive, derogatory or disrespectful
- abusing alcohol while on duty supervising children or vulnerable adults
- ignoring Safeguarding concerns raised by others
- preventing anyone from reporting any failure to comply with Safeguarding policies
- participating in, or ignoring, behaviour that is illegal, unsafe or abusive.

## 2.4 We have established Safeguarding guidance for those in formation while on pastoral placements.

2.4.1 Pastoral placements for seminarians and those preparing for the Permanent Diaconate are arranged by Dioceses. While the contexts of these placements may vary, most take place within a parish setting and are likely to involve working with vulnerable groups.

2.4.2 Appropriate Safeguarding training should raise awareness of the Safeguarding dimensions that may impact on pastoral ministry. This training considers the important Safeguarding roles of the following key people in the parish:

- Parish Safeguarding Co-ordinator
- Leaders of various activities within the parish
- Sacristan
- Headteacher and teaching staff (if working in a school)
- Parish Hall keeper
- Diocesan Safeguarding Adviser.

2.4.3 Both seminarians and those preparing for the Permanent Diaconate are trained to understand that their presence in a parish might lead to someone making a disclosure to them. Those in training learn to understand that the standard response required from them, in the event of receiving a disclosure, is:

Listen  Respond  Record  Refer<sup>25</sup>

<sup>25</sup> Section C: Flowchart - Responding to Concerns or Allegations of Abuse

- 2.4.4 A Safeguarding allegation must be reported immediately to the diocesan Bishop or Major Superior, by means of the relevant Safeguarding Adviser, who must refer it to the statutory authorities without delay. The Parish Priest must also be informed, unless the allegation is about or directly implicates him. In a situation of current harm, the local Police must be contacted directly, and the Diocesan Safeguarding Adviser must be informed.
- 2.4.5 If an allegation of any form of abuse, or a disclosure of significant Safeguarding concern is made about a seminarian, this must be reported to the Bishop who must refer the allegation to the statutory authorities. If the Bishop is not available, the information must be referred to the appropriate Diocesan Safeguarding Adviser who must refer the matter as soon as possible to the statutory authorities, the Bishop and the Parish Priest. The DSA must also ensure that the allegation is discussed at a meeting of the DRAMT. The Bishop must inform the Rector, or director of the Permanent Diaconate programme. The seminarian must leave his pastoral placement immediately and must be offered advice and appropriate support.
- 2.4.6 Seminarians in formation are advised to give due attention to the following considerations, when preparing for pastoral placements:
- ensuring their sensitive involvement in pastoral situations
  - maintaining healthy professional boundaries in relationships
  - being careful in use of presbytery accommodation (keeping private rooms inaccessible to parishioners)
  - taking advice from the Parish Priest.

## 2.5 We have established Safeguarding requirements for supply & visiting clergy and religious.

- 2.5.1 All clergy and religious who come to Scotland must abide by the Church's Safeguarding Code of Conduct and must comply with our Safeguarding standards.
- 2.5.2 A visiting priest (on holiday, pilgrimages etc.,) who might wish to celebrate Mass in a local parish Church must be able to provide a 'Celebret' that confirms his good standing with his Bishop.
- 2.5.3 If the sole purpose of a visit is study, then a 'Celebret' is all that is required. If a priest comes to Scotland both to study and to supply in a parish, then in addition to a 'Celebret', a testimonial from his Bishop or Provincial, together with a PVG or equivalent, is required.

- 2.5.4 Any priest coming from outside Scotland to supply in a parish, or to lead a retreat, requires to be in possession of a ‘Celebret’ and his Bishop’s testimonial which should include assurance of a PVG (or equivalent) check. If the supply period is due to last for more than two weeks within a Diocese, then a PVG or equivalent is required.
- 2.5.5 If the priest is supplying for more than two weeks, or if he provides regular supply for any parish, arrangements must be made for him to take part in *Safeguarding Induction* training. He must also meet with the Parish Safeguarding Co-ordinator and become familiar with the Safeguarding policies of the Catholic Church in Scotland.

## 2.6 We offer guidance on dealing with convictions recorded on PVGs.

- 2.6.1 Membership of the Protecting Vulnerable Groups (PVG) Scheme is mandatory for anyone who is employed or who volunteers to work with vulnerable groups within the Catholic Church in Scotland. When an individual completes the PVG application form, a self-declaration is completed, providing information about any convictions, spent or unspent. At this initial stage, the applicant is required to disclose any convictions in writing and place them in a sealed envelope for the attention of the Diocesan Safeguarding Adviser.
- 2.6.2 The Diocesan Safeguarding Adviser must discuss any disclosed convictions with the DRAMT to decide if the application can continue to be progressed. In all cases, the DRAMT is bound by strict confidentiality and must respond with sensitivity and justice. The care and protection of the vulnerable must be paramount in their concerns.
- 2.6.3 On any occasion when a conviction is recorded on a PVG Certificate, the Diocesan Safeguarding Office must check if this conviction has already been disclosed by the applicant. If it has, then the DRAMT must consider the relevance of the conviction (in the context of the role being considered) and must offer recommendations to the Bishop as to whether the person should be given full or restricted approval as a volunteer.
- 2.6.4 If convictions are recorded without prior disclosure by the applicant, then the Diocesan Safeguarding Adviser must discuss with the DRAMT how to raise with the applicant his/her failure to complete the Self-Declaration form honestly.
- 2.6.5 Certain convictions will mean that an application cannot be progressed because it is not safe for the individual to act as a volunteer with vulnerable groups. Such convictions would include serious sexual offences and being ‘Listed and Barred’ from working with children or ‘Listed and Barred’ from working with adults<sup>26</sup>.

<sup>26</sup> Details of the Listing and Barring process are provided in Appendix 3

- 2.6.6 If a person is being considered for Listing, either at the point of joining the PVG Scheme or whilst a member, then the National Safeguarding Co-ordinator, as the Lead Collator of the PVG scheme for the Catholic Church in Scotland, would be informed by *Disclosure Scotland*. If contacted, the National Safeguarding Co-ordinator must then alert the respective Diocesan Safeguarding Adviser regarding the individual who is being considered for Listing. This is intended to ensure that the applicant does not commence his/her role or, if already in post, is suspended from this role until a final decision has been made by *Disclosure Scotland*.
- 2.6.7 Once the decision has been made, Disclosure Scotland will inform the applicant and the office that collated the original PVG application (for most, the Scottish Catholic Safeguarding Service). When informed by *Disclosure Scotland*, the NSC must immediately inform the Diocesan Safeguarding Adviser or Religious Institute. The DRAMT must then be convened to consider if the volunteer can commence (or continue) in the role, if the decision has been that he/she will not be Listed. If the applicant is 'Listed & Barred', it would be illegal for him/her to apply for a PVG in order to commence (or to continue) any work involving contact with vulnerable groups. If the individual were a parish volunteer, the Diocesan Safeguarding Adviser must inform the Parish Priest and the Parish Safeguarding Co-ordinator.
- 2.6.8 If a cleric, a religious or a church employee has been dismissed or a volunteer has been deemed unsuitable to be working with any vulnerable groups, there is a legal requirement on a Diocese/Religious Institute to refer the individual to Disclosure Scotland for consideration under the 'Listing & Barring' process. The DRAMT must consider all grounds for making such a referral and must make an appropriate recommendation to the Bishop / Major Superior who must be the signatory to the referral. Guidance on the completion of a referral is available from *Disclosure Scotland*.<sup>27</sup>
- 2.6.9 In 2015, all Dioceses in Scotland agreed that, if any applicant is listed on either List, then he/she must not be allowed to take up any paid or voluntary position which involves contact with children, young people or vulnerable adults within the Catholic Church in Scotland.

<sup>27</sup> Details of how Disclosure Scotland operates Listing and Barring are provided in Appendix 2.

**STANDARD 3:****Responding to Safeguarding concerns or allegations**

We follow canonical and civil procedures when alerted to information, concerns or allegations regarding a person's safety or welfare and we ensure that there is a prompt response.

### 3.1 We follow established protocols for dealing with disclosure of Safeguarding allegations, including mandatory reporting to the authorities.

- 3.1.1 The Catholic Church in Scotland takes Safeguarding concerns and allegations most seriously and we wish always to respond to any disclosures appropriately, according to the demands of justice. We are committed to co-operating with the statutory authorities and the requirements of criminal law. This includes the mandatory reporting of all allegations to the statutory authorities.
- 3.1.2 We are also obliged to comply with procedures set out Canon Law to govern the processing of allegations of abuse that may involve clergy, religious and laypeople. The requirements of Canon Law are set out in a detailed paper, provided in Appendix 1 – *Canonical Norms for Responding to Allegations*. **N.B.** While this paper is largely intended to guide the Bishop or Major Superior who is responsible for dealing with such allegations, it is published in Appendix 1 to ensure that all relevant information is readily available to all parties. For the sake of public interest, the main features of the Church's protocols for dealing with allegations are summarised in the bullet points below. It should be noted, however, that these are not intended to replace the Canonical Norms that are described in detail in Appendix 1.
- When an allegation against Church personnel is reported, **the person to whom it is disclosed** must use the standard *Allegation Reporting Form* to record the key information. He/she must not attempt to investigate the allegation but must refer it to the Bishop or Major Superior via the appropriate Safeguarding Adviser.
  - The relevant the **Bishop or Major Superior** can only pursue a canonical investigation of the allegation after the civil authorities have completed their investigation and/or criminal prosecution and trial.
  - The **alleged victim** and the complainant (if the complainant is speaking on behalf on someone else) must:
    - ▷ be treated with respect and compassion
    - ▷ be assured that the allegation will be dealt with appropriately
    - ▷ be briefed on the process as it unfolds
    - ▷ be supported throughout.

- The **accused person** must be accorded natural justice, in terms of both civil and canon law. He/she must:
  - ▷ be informed, when appropriate, that an allegation against him/her has been referred to the statutory authorities
  - ▷ be informed, where appropriate, of the allegation itself
  - ▷ be advised of his/her right to civil and canonical legal support
  - ▷ be briefed on the process as it unfolds
  - ▷ be supported throughout.
- The **accused person**, depending on the nature of the allegation, may be required to restrict the exercise of his/her rights and duties, including working with vulnerable groups while any civil or canonical investigation is underway. If the final decision of the canonical investigation is in favour of the accused person, he/she shall be free to resume the exercise of his/her rights and duties within the life of the Church, unless objective counter-indications are in place. In such circumstances, however, the acquitted person will be kept apprised of the situation and his/her rights will be fully respected.
- At the conclusion of all the processes, the **Bishop or Major Superior** must make public the definitive outcome of a case, respecting all applicable civil and canon laws.

## 3.2 We follow established protocols for liaising with statutory authorities.

- 3.2.1 The Catholic Church in Scotland is committed to the mandatory reporting of all allegations of recent or historic abuse made against clergy, religious, Church employees or volunteers to the statutory authorities for investigation.
- 3.2.2 All allegations must be reported immediately to the Bishop or Major Superior by means of the Diocesan Safeguarding Adviser, for referral to the authorities. However, in an emergency situation in which a child or vulnerable adult appears to be at risk of harm, any responsible adult to whom an allegation is disclosed should contact the statutory authorities without delay.

- 3.2.3 Appropriate Safeguarding training must ensure that everyone remains vigilant and is able to identify Safeguarding concerns. These should be referred to the Diocesan Safeguarding Adviser so that the DRAMT can address how they might be addressed.
- 3.2.4 While it is important to differentiate between allegations and concerns<sup>28</sup>, both must be referred to the Diocesan Safeguarding Adviser. If concerns are shared sufficiently early, then it is possible that behaviours or attitudes can be addressed without significant harm developing. The DRAMT may advise that particular concerns need to be reported to statutory services who will consider whether to explore these. Once those concerns are explored further, there might well be evidence of harm. In that case, a concern may lead to an allegation.

### 3.3 We have established communications protocols for dealing with allegations.

- 3.3.1 In any statement or comment, the good name of those involved must always be protected. The integrity of any legal process must not be undermined by speculation or conjecture, so that all involved (the complainant, any alleged victim or any accused person) can have faith in a just outcome. Statements must be carefully crafted to avoid generalisations or referring to matters which are not pertinent to the case in hand. Care must be taken to measure the impact that a statement might have upon the right of the accused to a fair trial. Civil law considerations may determine when, how and in what form any public statement may be made.
- 3.3.2 At the beginning of any legal process, the statement made by the diocesan Bishop or Major Superior to a given community must be used as the basis for any further declaration by anyone else to the Media. The statement must be written by the relevant diocese or religious institute, with advice from the Scottish Catholic Media Office (SCMO). Parish social media, or other community social media, must be prudently managed at all times to protect the integrity of any legal process underway and the reputation and privacy of all concerned.<sup>29</sup>
- 3.3.3 Comment by the SCMO, or by representatives of a diocese or religious institute, or any statements following on from that comment, must adhere to agreed protocols. No person holding any Church office should give comment to the media without the prior permission of the diocesan Bishop or Major Superior. These precautions will allow the faithful to receive, in the correct way and at the correct time, whatever information can be legally made available to them.

<sup>28</sup> An allegation is the disclosure of harm, current or non-recent; a concern is the result of observing potentially harmful behaviours or signs of abuse or neglect.

<sup>29</sup> Canon 1717 §2; 220.

## 3.4 We have established guidance on Information sharing and Data Protection for Safeguarding matters.

- 3.4.1 Each Diocese is expected to have its own Data Protection Policy that will apply to all personal data held by the Diocese, including that held in connection with Safeguarding.
- 3.4.2 Diocesan Safeguarding Offices may wish to consider providing specific guidance on handling sensitive personal data processed in connection with Safeguarding matters such as:
- the storage and retention of Applications forms, references and Self-Declaration forms completed by applicant-volunteers
  - the inclusion of privacy notices on all personal data forms
  - the storage and retention of PVG Certificates
  - the storage, retention and sharing of Allegation Recording Forms
  - the storage and retention of Parish and Diocesan Audit data
  - the storage and retention of all documentation relating to the work of the DRAMT
  - the storage and retention of minutes of meetings, and any other documents containing Safeguarding personal data.
- 3.4.3 The Scottish Catholic Safeguarding Service must follow its own Data Protection policy that applies to any personal data that it may hold for the purpose of PVG applications or Safeguarding training. It will not hold any records of Safeguarding allegations or cases.
- 3.4.4 SCSS, as the Church's Lead Collator of applications for PVG Scheme membership, must securely forward applications to *Volunteer Development Services Scotland* and then to *Disclosure Scotland*. SCSS must forward duplicate copies of PVG certificates to the relevant Diocesan Office, Religious Institute or Catholic Organisation.
- 3.4.5 Anyone applying for a Safeguarding training event organised by SCSS may be asked to provide essential personal details as part of their application. Such personal details will only be retained by SCSS until the event has take place.

**STANDARD 4:****Providing care and support for survivors**

We provide a compassionate response to survivors of abuse when they disclose their experiences and we offer them support, advice, care and compassion.

**4.1 We follow established protocols for responding to survivors.**

*“Words cannot fully express my sorrow for the abuse you suffered. You are precious children of God who should always expect our protection, our care and our love. I am profoundly sorry that your innocence was violated by those whom you trusted. In some cases, the trust was betrayed by members of your own family, in other cases by priests who carry a sacred responsibility for the care of souls. In all circumstances, the betrayal was a terrible violation of human dignity.”*

(Pope Francis speaking to victims of sexual abuse, September 2015, USA)

- 4.1.1 The term ‘survivor’ is often used in relation to those who have suffered abuse. One should not assume that identifying as a ‘survivor’ means that recovery is complete. The work of finding healing is not without cost and the recovery of a lost childhood is impossible.
- 4.1.2 It is also important to note that some do not believe that they have ‘survived’. They might not only continue to feel victims of abuse but might also experience any contact with the Church as reinforcing their perception of the Church as abusive and harmful. Moreover, some would identify as ‘victim-survivors’ who struggle to hold on to a sense of hope.
- 4.1.3 Some who have suffered abuse within the Church might also choose not to define themselves by either term ‘victim’ or ‘survivor’. The sensitive use of language must be a consideration at all times. This document will defer to using the term ‘survivors’ but does so whilst mindful of the various ways in which those who have suffered abuse might wish to describe themselves.
- 4.1.4 Survivors of abuse of any form deserve the greatest care and respect. Their courage in coming forward to disclose their experience to personnel within the Church can never be underestimated. So, Church personnel must take care to provide an immediacy of response (as well as sensitive care) to anyone who wishes to talk about the harm they have suffered.
- 4.1.5 Any response from Church personnel should respect the dignity and the woundedness of the survivor who may desire to make choices about how to speak to any Church personnel. (Often a survivor may feel that control and freedom to make choices has been taken away from them.) Safeguarding personnel must therefore be mindful of the importance of respecting and facilitating choices.

- 4.1.6 Once a survivor makes contact with anyone in the Church, this must be referred to the Diocesan Safeguarding Adviser who should then offer to meet with the survivor to hear whatever he/she wishes to disclose. Once it has been agreed how the survivor wishes to be contacted, the Diocesan Safeguarding Adviser, ahead of the first meeting, must send an *Information Leaflet on the Process for Survivors*<sup>30</sup> together with a letter to the survivor<sup>31</sup> confirming these points:
- If the allegation has never been reported to the Police, then the survivor must be informed that the Church will report the allegation, whether the accused is alive or deceased. (It should be understood that, in some cases, the survivor might not understand that he/she is making an allegation.)
  - The survivor may contact the Police directly to make an allegation, if he/she has not already done so.
  - The location of the meeting should be safe and private. Offering the survivor a choice about the meeting location is an indication of the respect being afforded to him/her. A requirement to attend a Diocesan Office or other Church building might be traumatic.
  - Although it is important that the Diocesan Safeguarding Adviser attends, the choice of gender (and lay, clerical or religious state) of the Church personnel attending is important. The survivor may wish to be accompanied by a friend; this should be discussed and agreed prior to the meeting. The survivor may wish to meet with the Bishop or Major Superior; this should be facilitated but never be imposed.
  - The main purpose of the meeting is for the Diocesan Safeguarding Adviser to listen to the survivor who should be encouraged to share what they are seeking from the Church. This is the start of a process that might take some time.
- 4.1.7 At the end of the first meeting, a summary of what decisions or actions were agreed, and the option for a further meeting, should be discussed.

## 4.2 We follow established protocols for responding to survivors' families.

*"The suffering and suicides of people who were abused by clergy [and religious] weigh on my heart, on my conscience and on that of the whole Church. To their families, I offer my feelings of love and pain, and humbly ask forgiveness,"*

(Pope Francis, preface to 'Mon Pere, Je Vous Pardonne', February 2017)

- 4.2.1 The typology of a perpetrator of abuse is often that he/she will groom whole families in order to gain trust and find a context in which to abuse children and the vulnerable. The same happens in any context where there are young people and vulnerable adults. The Church is no exception to this behaviour.

<sup>30</sup> Section C: Information Leaflet on the Process for Survivors

<sup>31</sup> Section C: Letter to survivor regarding first meeting with Safeguarding personnel

- 4.2.2 Moreover, the majority of survivors of abuse within Church environments disclose their experience some significant time after the abuse took place. This does not mean that they might not have tried to tell someone at the time when the abuse was happening. Finding the courage to disclose many years later can often be triggered by other events. At that point in the life of a survivor, he/she will have formed new relationships and may possibly have their own family. This will have an impact on their decision to speak about the trauma of abuse.
- 4.2.3 The families of survivors deserve a special care from the Church as they struggle to understand what has happened to their loved ones. Feelings of shock, bewilderment, anger, confusion, shame, guilt and despair are not unusual. Particular attention must be given to these groups:
- **the parents of a survivor of abuse in the Church:** Both parents will be burdened with questioning why they did not notice that something was happening to their child, even if it was 30, 40 or 50 years ago. They might be devastated when they recall the trust they placed in someone from the Church having care of their child.
  - **the siblings of a survivor of abuse in the Church:** Many of the feelings described above will be felt by the siblings of the survivor. It is not inconceivable that some of the siblings were also abused and might have decided not to disclose. Some might feel they should have been aware and they may carry the pain of believing that they had failed in the care of their sibling.
  - **the family of the survivor now:** This will include the survivor's husband, wife, partner, children and others. They will carry a range of emotions and will be seeking to try to understand how best to help and support their loved one.
- 4.2.4 It is important to note that, in each and every situation, emotions will vary. Families may need to spend time in listening as they try to come to terms with the disclosure and to discern what they are looking for from the Church. Respect must also be given to those who will not seek help from the Church and indeed might strongly reject it. So, referral to other support agencies must be considered.
- 4.2.5 At the point of disclosure, the survivor must be asked about any family members, what (if anything) they have been told and what support might be helpful for them. A most important consideration is that the confidentiality of the survivor (in terms of his/her family) must be respected. In some situations, the survivor might not wish to tell any family members, or they may disclose to some family members but not to a parent.

- 4.2.6 A range of options for responding to those family members who are aware of the disclosure might include:
- a meeting with the Diocesan Safeguarding Adviser or other Safeguarding personnel
  - a meeting with the Bishop or Major Superior
  - a referral to the Raphael Counselling Service<sup>32</sup>
  - support from Couples Counselling, where appropriate
  - information about and/or referral to other external agencies
  - an opportunity to speak with someone from a Survivor support group
  - an opportunity to speak to a priest who is experienced in listening to the families of survivors
  - an opportunity to speak to someone who has experienced the disclosure by a relative about abuse within the Church.

### 4.3 We follow established protocols for responding to others.

- 4.3.1 The awareness of abuse in society is evident from the significant media coverage given to individuals and organisations when abuse is disclosed. Within recent years, this heightened awareness has enabled more survivors to come forward and speak about the hurt they have suffered. When a disclosure of abuse is made, even within a limited circle, others are affected. When a disclosure of abuse within the Catholic Church is known, there are many more affected, due to the very nature of the parish communities within which we live and worship.
- 4.3.2 Those whom we might encounter who are not survivors of abuse within the Church, or relatives of survivors, include:
- members of parish communities
  - survivors of abuse outside the Church
  - individuals who have been abused but have chosen not to disclose
  - those who find it difficult to believe that anyone in the Church can abuse
  - those whose faith has been harmed by the scandal of abuse
  - those who want the Church to be accountable and answer questions.
- 4.3.3 Each situation, when someone comes forward to disclose abuse or to seek support having disclosed some time previously, is very different. It is important that each individual is heard, valued and respected and that their needs are recognised as important<sup>33</sup>. The same principle applies to how we respond to those who are linked to the survivor in any way or for whom the impact of abuse in the Church continues to cause distress and concern.

<sup>32</sup> Section C: Raphael Counselling Service leaflet

<sup>33</sup> Section C: Advice on making a Complaint/Allegation

4.3.4 In all cases, the person has a right to be heard. However, there might be situations when they are seeking direct information about the accused, about survivors or about details of the allegation. In all such circumstances, confidentiality must be upheld. Depending on what the person is seeking, onward referral to services or information might be appropriate. In most cases, access to someone with expertise in Safeguarding would be required. As far as possible, the person must be offered a choice of location for the meeting and a choice of the gender and ordained/lay status of the person whom they will meet.

## 4.4 We follow established protocols for making referrals to the Raphael Counselling Service.

4.4.1 *The Raphael Counselling Service* is provided by *Health In Mind*, an established Counselling provider that is independent of the Catholic Church.

4.4.2 When a survivor comes forward to a Diocese or Religious Institute to seek counselling, or is offered counselling when he/she make a disclosure of abuse, the following steps must be followed:

- Counselling is offered if the allegation has been, or will now be, reported to *Police Scotland*, even if the perpetrator is deceased.
- The counselling options are explained by the Diocesan Safeguarding Adviser or the designated person from the Religious Institute.
- A referral for counselling is sent to *Health in Mind* by the Diocesan Safeguarding Adviser or the designated person from the Religious Institute.
- The survivor is fast-tracked for professional assessment by *Health In Mind*. This includes discussing whether counselling is appropriate at this moment and which modality. If the person is in the care of a psychiatrist, then confirmation of their suitability for counselling is required.
- Face-to-face counselling sessions are offered, with an option for telephone counselling, if preferred.
- The person will see the same therapist each week and appointments can be offered across Scotland.
- Initially 12 sessions are offered, with an option to extend if required.
- When the counselling finishes, the person completes an evaluation form for *Health In Mind*.

## 4.5 We follow established protocols for liaising with professional agencies when supporting survivors.

4.5.1 There are various professional agencies with whom the Catholic Church currently liaises, through the Scottish Catholic Safeguarding Service nationally and the Diocesan Safeguarding Advisory Groups locally. The purpose of this liaison ranges from assisting someone who is seeking further support through to consultation on Safeguarding policy development. These agencies include:

- National Confidential Forum
- Future Pathways: Scotland's In Care Survivor Support Fund
- Health in Mind Counselling
- Police Scotland
- Scottish Government Survivor Scotland Strategy
- Centre for Excellence for Looked After Children in Scotland (CELSIS)

**STANDARD 5:****Managing and providing care for those accused of abuse**

When an allegation is received concerning clergy, religious, lay employees or volunteers, we offer the accused pastoral care and support, including supervision and management of appropriate duties when necessary.

**5.1 Key personnel will offer pastoral support to any person accused.**

- 5.1.1 Normally those who disclose abuse are directed to a Safeguarding Adviser in the Diocese or Religious Institute. Accordingly, to avoid any conflict of confidentiality, an accused person must not have contact with this Safeguarding Adviser when an allegation is disclosed..
- 5.1.2 Clearly the Bishop, or Major Superior, has an important duty of care for the accused. It is imperative that, during the initial days, the accused person is offered the opportunity for a pastoral meeting with the Bishop or Major Superior. Recognising that the Bishop/ Major Superior will have to make important decisions in relation to the case, all parties must respect the agreed boundaries of communication.
- 5.1.3 Decisions about the specific personnel who will be responsible for offering pastoral support to the accused must be made sensitively. In most cases the accused must be allowed to choose the gender and ordained/lay status of the person. This support priest/layperson should be advised to note any concerns about the accused's well-being and conduct and to report these to the Bishop or Major Superior.
- 5.1.4 The support priest/layperson should be the key person in terms of offering support for the accused.<sup>34</sup> He/she could be appointed from another Diocese or Religious Institute, if no suitable person can be identified within the home Diocese. It would be good practice for a Diocese or Religious Institute to train a group of clergy, religious and lay people for this role. If the support is to be provided by a member of the Safeguarding team who is experienced in supporting someone who has been accused, this person should not also be a member of the DRAMT.
- 5.1.5 An external agency such as *Stop It Now* will often have the required experience in working with those who are accused. Such 'external' support has the clear benefit of being independent of the Church. Other individuals who would be able to provide due care for the wellbeing of the accused at a time of high stress levels and increased vulnerability include: a GP, a Spiritual Director or supportive friends.

<sup>34</sup> The role of the support priest/layperson is described in detail in 5.6 below.

## 5.2 The Bishop/Major Superior will establish monitoring procedures where necessary.

- 5.2.1 The mandatory reporting policy of the Catholic Church in Scotland means that, when a disclosure of abuse is made, it is always reported to *Police Scotland*, whether the accused is alive or deceased. If the accused is alive, then *Police Scotland* will instigate an investigation. They will also ask for the accused to be removed from any direct contact with children or vulnerable adults. This is intended both for the protection of these groups and for the protection of the accused.
- 5.2.2 The DRAMT, or the equivalent within a Religious Institute, must meet to make recommendations to the respective Bishop or Major Superior on what action to take in terms of the accused person.
- 5.2.3 Before meeting with the accused to propose or impose non-statutory measures of restriction on his rights, the Bishop or Major Superior, possibly aided by one or two advisers, will meet with the accused person to assess his/her situation and his/her needs.
- 5.2.4 It is likely that the Bishop / Major Superior will wish to establish some procedures to monitor the well-being of the accused, such as:
- an appropriate safe place for the accused to stay (statutory authorities to be notified)
  - arrangements for an accused priest to celebrate Mass, but not in public
  - whether the accused wishes to attend Mass close to his/her accommodation
  - arrangements for Spiritual Direction
  - how the accused should dress (if a cleric or religious)
  - access to healthcare
  - accessibility to visitors
  - restrictions on contact with parish
  - restrictions on any response to media
  - no contact with those who made the allegations
  - full co-operation with *Police Scotland*
  - access to a Canon lawyer
  - consideration of other practical and financial needs
  - appointing a Support Priest/Layperson
  - a date to review these monitoring arrangements.
- 5.2.5 If the measures in question are imposed by Decree, the formalities laid down in canon law for recording the communication and reception of a decree will be followed. If the measures are voluntarily assumed by the accused at the request of the Bishop, with or without a promissory oath, a note of these will be taken and co-signed by the Bishop and the accused. Voluntarily assumed measures can by definition be revoked wholly or in part by the accused who, in that case, must inform the Bishop and explain the changes he has decided, without prejudice to the Bishop's right subsequently to impose whatever measures he decides and are in accordance with canon 1722.

## 5.3 We follow an agreed process for responding to an accused's family members.

- 5.3.1 The Church has a responsibility to show care for the family of an accused person in a sensitive and discreet way. For many clergy and religious who have been accused and are subject to a criminal investigation, their parents and siblings are an important consideration throughout the process.
- 5.3.2 There should be a discussion about whether the accused wishes to inform his/her family and how much detail he/she wants them to know. At this point it is important to remember that, if the allegation was taken directly by the survivor to *Police Scotland*, then the Safeguarding Adviser, Bishop/Major Superior and the accused might know very little about the allegation. In Scotland the accused is usually interviewed towards the end of the investigation.
- 5.3.3 The accused has the right to withhold information from family members and to instruct the Bishop/Major Superior and Safeguarding Adviser to maintain this confidentiality. This can be potentially very difficult for the family. If it is agreed that the family can be told as much as the accused, this can also be very difficult for them to hear.
- 5.3.4 Given the likelihood that the media will approach family members for comment, the Diocese/Religious Institute, with the accused person's consent, should offer them advice.
- 5.3.5 The emotions of family relatives in this situation will reflect the mix of emotions to be encountered in the parish of the cleric or religious. The family might express the following emotions:
- difficulties in coming to terms with what is happening
  - feeling excluded by their relative who is a priest or a religious
  - confusion, shame, embarrassment, anger and hurt
  - shock, disbelief and denial
  - anxiety about options for the future
  - feeling excluded by the Church
  - concern about the impact on their own faith.
- 5.3.7 It is important to keep lines of communication and support open for the families of the accused. The Church must offer a healing pastoral response. Referral to professional services such as counselling may be required. Having a designated contact person can help to maintain contact and allow a safe space, if the family wish to talk. That sense of accompanying a family can be greatly appreciated. A meeting with the Bishop, Major Superior or other member of the clergy or religious might also be helpful. The offer of support from a priest, or another person who is trained and experienced in supporting the relatives of an accused person, might also be appreciated.

## 5.4 We follow an agreed process for informing and responding to the parish/religious community.

- 5.4.1 When an accusation is made against a cleric who is in active ministry in a parish/religious community, the effects on the parish/religious community must be considered and be suitably addressed within the bounds of confidentiality, data protection and the information available to the Bishop or Major Superior.
- 5.4.2 The Bishop or Major Superior must address the parish/religious community either personally or by means of a statement read by his delegate. This statement must set out what is happening in terms of the handling of the accusation and what happens next in the process. Throughout the process, whatever information can be given to the parish/religious community should be relayed to them. At the conclusion of the process, any decision and subsequent action affecting the parish should be fully explained by the Bishop, Major Superior, or his/her delegate.
- 5.4.3 Care should be taken at all times not to take away the good name of anyone involved in the process. Statements should be prudently prepared so as not to be prejudicial to anyone involved. No reference to the on-going process should be made by anyone without the explicit agreement of the Bishop or Major Superior.
- 5.4.4 At the conclusion of any process, the needs of the parish/religious community should be sensitively handled, whatever the outcome. The return of an accused cleric to a parish/religious community should be managed carefully to ensure that the necessary support is available to all.

## 5.5 We provide support for the priest appointed to administer the parish.

- 5.5.1 When a Parish Priest is asked by his Bishop to remove himself from the parish because he is subject to a criminal investigation, the Bishop will appoint a priest to administer the parish temporarily. In most cases, this Parochial Administrator will also be looking after his own parish at the same time. This priest requires sufficient support to ensure that he is able to sustain the many tasks of ministering to a parish community that may feel deeply wounded.
- 5.5.2 It is not unusual for a parish community to experience a sense of shock and also to be divided in its loyalties. Some may be unable to believe that their Parish Priest could ever harm anyone. Others may start to become resentful and suspicious and may question actions and words that might not previously have troubled them. Another difficult but common reaction is that parishioners may question the validity of the Sacraments celebrated by their Parish Priest.

- 5.5.3 The priest who is appointed as the Parochial Administrator may need advice / support in some of these ways:
- to be given as much information as is legally permitted about the reasons why the Parish Priest has had to leave
  - to be encouraged to have regard to his own physical and emotional health
  - to have access to the Diocesan Safeguarding Adviser for support
  - to be able to access support for Spiritual Direction
  - to have training in understanding the impact of the 'loss' of a Parish Priest on the parishioners
  - to be prepared for experiencing displaced anger and distress
  - to be aware of the possibility of further disclosures
  - to have access to supervision which will facilitate reflection on situations and responses.
- 5.5.4 Such support should enable the Parochial Administrator to be mindful of these particular responsibilities:
- to maintain appropriate contact with parishioners, without taking sides
  - to ensure that there is no inappropriate use of parish social media networks
  - to allow some 'grieving' to happen in the parish and to offer appropriate support
  - to find ways of restoring trust
  - to challenge harmful speculation and rumours.

## 5.6 We provide guidance on the role of the Support Priest/Layperson.

- 5.6.1 When a priest or religious is asked to stand down from ministry, pending an investigation, the Bishop or Major Superior must offer the support of a priest or a layperson who can accompany the accused person through what will be a difficult process. The appointment of this person must be done in discussion with the accused.
- 5.6.2 The person appointed must be trustworthy, discreet, honest and wise. She/he must possess good pastoral qualities and be able to respond with empathy, but also be able to observe firm boundaries in interactions with others. She/he must have a comprehensive understanding of how to identify risk-taking behaviours.

5.6.3 The Support Priest/Layperson will be required to:

- make a formal commitment to this role
- meet on a regular basis with the accused person
- ensure that these supportive meetings are held in a safe place
- notify the Diocesan Safeguarding Adviser of any concerns as soon as possible
- notify the Diocesan Safeguarding Adviser of any admission of guilt or disclosure of other criminal activity made by the accused person
- be aware that, if there is any such admission, she/he may also have to provide a statement to *Police Scotland*
- explore with the accused person any practical issues of care and safety which can be addressed by the Church authorities
- encourage the accused person to focus on his/her spiritual life as far as is possible
- accompany – if requested - the accused person to any formal meetings in a supportive role.

5.6.4 The following roles are NOT included in the remit of the Support Priest / Layperson:

- spokesperson on behalf of the accused person or an intermediary for any contact with the Bishop/Major Superior, Safeguarding Adviser, Family Protection/Manager Offender Unit, the Media, or *Police Scotland*
- Canon lawyer for the accused person
- Advocate for the accused person
- Spiritual Director for the accused person
- Confessor for the accused person.

5.6.5 It is essential that the person undertaking this role has access to support, including Spiritual Direction. The role should be reviewed every three months and there should always be the possibility for the Support Priest / Layperson to withdraw from this role if necessary.

## STANDARD 6: Working together in Safeguarding

In our shared responsibility for Safeguarding, we work together effectively: recording, communicating and sharing information safely, in full compliance with both civil and canon law.

### 6.1 In each Diocese the Bishop takes prime responsibility for Safeguarding, assisted by key personnel.

- 6.1.1 Each Bishop is ultimately responsible for the Safeguarding arrangements within his Diocese. In appointing appropriate personnel to key Safeguarding posts, he must ensure that the organisation of Safeguarding is secure and well regulated. By facilitating quarterly meetings of the Diocesan Safeguarding Advisory Group (DSAG), he must demonstrate leadership and serious personal concern for keeping people safe. In giving serious consideration to, and acting upon, the written recommendations of his Diocesan Risk Assessment Management (DRAMT) team in relation to convictions and allegations, he must be seen to act justly for all. In his meetings with clergy, he must show his determination to promote the wellbeing of the Diocesan community and to ensure that every parish offers a safe environment for children and vulnerable adults. Above all, in his manner of responding to survivors, he must provide a powerful example of Christian love and compassion.
- 6.1.2 The Diocesan Safeguarding Adviser and other key Safeguarding personnel must support their Bishop by offering sound advice, by planning to ensure the recruiting and development of Diocesan Safeguarding Trainers and by working together closely, not only in their Diocesan teams, but with Safeguarding colleagues across the country.
- 6.1.3 Membership of **DSAG** must include the Diocesan Safeguarding Adviser and any key individuals charged with Diocesan Safeguarding responsibilities, as well as representatives of relevant Diocesan groups: Pilgrimage leaders, SPRED, Youth Office etc. The National Safeguarding Co-ordinator may be invited to these meetings to share information about national developments and to discuss resource needs and training development. The responsibilities of **DSAG** include:
- advising the Bishop on Safeguarding matters in the Diocese
  - ensuring compliance with national Safeguarding standards within all Diocesan groups
  - responding to issues emerging from the Safeguarding Audit
  - organising training for parish clergy, Safeguarding volunteers and Parish Safeguarding Co-ordinators
  - liaising with the Scottish Catholic Safeguarding Service on national developments, resources, legislative changes etc.

- 6.1.4 The main function of the **DRAMT** is to offer recommendations to the Bishop in relation to situations of risk, convictions on PVGs, allegations or cases in relation to anyone involved in the life and work of the Diocese who has contact with children and vulnerable adults. The DRAMT must comprise a small number of individuals with relevant expertise, including those with experience of working in the legal profession, healthcare, social work and the Police. Its composition should be balanced, in numbers of both ordained and lay members, and in their gender.
- 6.1.5 It is for each Bishop to decide if he wishes to preside at meetings of the DRAMT, or if he wishes to receive its recommendations in writing. The group must discuss each case, agree the recommendations that it has made to the Bishop and record these in writing. It is the ultimate responsibility of the Bishop to decide the action he will take in each case. The Bishop must communicate his decision in writing to the individual concerned.
- 6.1.6 The DRAMT must meet as often as is required, as cases are brought to its attention. The content of any meeting must ensure the anonymity of the individuals discussed, as far as is reasonably possible. Minutes of meetings must be written and retained securely, in accordance with the Diocesan Data Protection Policy. All members of the DRAMT must declare any real or potential conflicts of interest at the start of each meeting.

## 6.2 In each Parish the Parish Priest takes prime responsibility for Safeguarding, assisted by a Parish Safeguarding Co-ordinator and volunteers.

- 6.2.1 The Parish Priest (or Parish Administrator, where no Parish Priest is currently appointed) is responsible for the Safeguarding arrangements within the parish. The key step in showing his commitment to keeping the parish safe is his appointment of a Parish Safeguarding Co-ordinator who possesses all the necessary qualities to be effective and is prepared to commit to regular training. His monitoring of Safeguarding, in close collaboration with the Parish Safeguarding Co-ordinator, will ensure that risks can be identified, managed and prevented. His recruitment and encouragement of volunteers who support various parish groups and ministries will provide a strong platform of well-trained and committed people who can keep others safe.
- 6.2.2 The Parish Safeguarding Co-ordinator must be a diligent, trustworthy and committed individual who takes this voluntary role very seriously. He/she must be well-versed in the procedures and practices outlined in this Instruction and in other advice provided by the Diocese and SCSS. (S)he must participate in support meetings and training provided by the Diocese and, where appropriate, by SCSS. The PSC must be skilled in promoting the participation of parish volunteers in on-going Safeguarding training.

### 6.3 In each Religious Institute the Major Superior takes prime responsibility for Safeguarding, assisted by key personnel, including the CRS Safeguarding Link Co-ordinator.

- 6.3.1 Each Major Superior is ultimately responsible for the Safeguarding arrangements within his/her Religious Institute. In agreeing with the local Ordinary that members of his/her Religious Institute in Scotland will follow the guidance provided in this document, he/she must ensure that consistent standards of Safeguarding practice are being met across Scotland. In appointing an appropriate person to the key post of Safeguarding Link Co-ordinator, he/she must ensure that the organisation of Safeguarding arrangements is secure and well regulated. By meeting regularly with the Link Co-ordinator, he/she must demonstrate leadership and serious personal concern for keeping people safe. In meetings with members of the Religious Institute he/she must show determination that every activity in every establishment offers a safe environment for children and vulnerable adults. Above all, in her/his manner of responding to survivors, he/she must provide a powerful example of Christian love and compassion.
- 6.3.2 The Safeguarding Link Co-ordinator must support their Major Superior/Provincial by offering sound advice, by planning to ensure compliance with these Safeguarding standards and by working closely with the Scottish Catholic Safeguarding Service.

### 6.4 The Scottish Catholic Safeguarding Service provides support, guidance and training to Diocesan & Religious Institute personnel to ensure that Safeguarding standards are met consistently across the country.

- 6.4.1 The Scottish Catholic Safeguarding Service was established by the Bishops' Conference of Scotland to lead the Church's strategy for developing effective Safeguarding arrangements. Its primary role is to support the Safeguarding work of Dioceses, Religious Institutes and Catholic organisations that interact with vulnerable groups.
- 6.4.2 SCSS offers support through the collation of PVG applications, the design and provision of training, the development of guidance and the facilitation of an annual Audit to check compliance with national Safeguarding standards. The National Safeguarding Co-ordinator is also expected to offer advice and counsel to Safeguarding staff in Dioceses and Religious Institutes as required by the Bishops' Conference of Scotland.
- 6.4.3 The National Safeguarding Co-ordinator is the Church's main Safeguarding liaison officer at a national level with statutory bodies, other Church Safeguarding groups and voluntary organisations.
- 6.4.4 Working with Diocesan Safeguarding Advisers, the NSC must develop a range of effective Safeguarding training opportunities and materials that will meet the on-going needs of Safeguarding personnel and volunteers across Scotland.

## 6.5 We have established communications strategies to ensure that Church Safeguarding approaches are widely understood.

- 6.5.1 The publication of this document provides an excellent opportunity to review the communications strategies which will be required to ensure that, across Catholic Church communities in Scotland, there is an improved understanding of, and commitment to, the best practices in Safeguarding.
- 6.5.2 Following publication, a series of awareness-raising sessions must ensure that Safeguarding personnel at every level and clergy in Dioceses, parishes, Religious Institutes and Catholic organisations are assisted to become familiar with the guidance it contains. In particular, each group must be asked to reflect on the implications of the new Safeguarding standards for their own roles.
- 6.5.3 New publications will be developed to complement the publication of the document. These will include: posters, advisory leaflets and newsletters for clergy and Safeguarding personnel, as well as for parishioners and Religious Institutes.
- 6.5.4 The Scottish Catholic Safeguarding Service website will be re-designed to improve the accessibility of Safeguarding resources and advice and to facilitate the sharing of good practice.

**STANDARD 7:****Training and support for all involved in Safeguarding**

Church personnel participate in induction training and continuing professional development and receive support in all aspects of Safeguarding, relevant to their respective roles, thus developing the requisite knowledge, attitudes and skills. We encourage and facilitate the sharing of best Safeguarding practice.

## 7.1 We require those responsible for Safeguarding to plan, record and participate in relevant Safeguarding training.

- 7.1.1 Effective training must ensure that those involved in the work of Safeguarding are at the forefront in the Church in reducing and managing risk and in creating safe environments for children, vulnerable adults and those who engage with them as volunteers or paid workers. There is a basic level of expertise that all Safeguarding personnel must acquire and then, for specific roles, a deepening and particular expertise will be required. All of this must be part of the process of continuing professional development that must be undertaken by those involved in the work of Safeguarding in the Church.
- 7.1.2 Across all Safeguarding training, through consultation, the perspective of survivors of abuse must be considered so that an on-going, deepening understanding of the impact of abuse is gained.
- 7.1.3 Upon their recruitment, it must be made clear to any new volunteer that **Safeguarding Induction Training Part 1** must be completed **prior to** assuming any role in the Church involving children or vulnerable adults. This also applies to Seminary applicants, those accepted for the Propaedeutic period and those entering any formation programme provided by Religious Institutes. Within 18 months of having started in any such role, a person must have completed **Safeguarding Induction Training Part 2**.
- 7.1.4 Each Diocese must recruit and develop a sufficient number of Trainers to deliver the Safeguarding training required in the Diocese. Strategies used to recruit and train the requisite number of Trainers must form part of the Training Audit each year. Supported by the Scottish Catholic Safeguarding Service, Dioceses and Religious Congregations may wish to co-operate in sharing effective strategies for recruitment and Safeguarding training.
- 7.1.5 Appropriate Safeguarding training must be arranged for: Clergy (Bishops, Clerical Religious Provincials, Priests and Deacons), Provincials of professed religious and all religious Brothers and Sisters, Diocesan Safeguarding Advisers, members of DRAMTs and Diocesan Safeguarding Teams, and Parish Co-ordinators. Safeguarding Training needs must be identified in the annual Audit and addressed through the Planning process.

- 7.1.6 Planning for continuing professional development of those in specific roles must ensure that the latest insights and developments in the field of Safeguarding will be addressed in any training provided each year. The advice and support of the Scottish Catholic Safeguarding Service must alert Dioceses and Religious Institutes to any issues and developments that are relevant to various personnel and post-holders. Support must be offered to all volunteers, in the context of Support/Update Meetings, to ensure that they are kept abreast of all developments whilst avoiding repetition of work covered previously at Induction Training.
- 7.1.7 Any volunteer or employee who fails to participate in the required Safeguarding Training within a reasonable time must be suspended from their role or dismissed. Bishops and Provincials must address appropriately such issues with clerics or religious, according to Canon Law.

## 7.2 We undertake annual analyses of Safeguarding Training needs in all organisations.

- 7.2.1 As part of the Audit process, the Scottish Catholic Safeguarding Service, each Diocese or Religious Institute and each parish must analyse the Safeguarding Training needs of personnel both to ascertain that the minimum Safeguarding Training requirements are being met by each Safeguarding person and to develop the knowledge and skills appropriate to his/her role.
- 7.2.2 Each organisation must maintain a **Record of Safeguarding Training**<sup>35</sup> completed by its own personnel, whether clerical or lay, employed or volunteering. This must support the planning of Training for the following year and the development of each person in their personal skills and knowledge.
- 7.2.3 The annual **Safeguarding Action Plan**<sup>36</sup> drawn up by each Diocese, Religious Institute, parish and SCSS must specify which Safeguarding Training courses will be undertaken by which personnel and when.

## 7.3 We provide a range of Safeguarding training opportunities to meet the needs of specific groups.

- 7.3.1 Safeguarding training must be provided to various groups by people who themselves have received training for this role. The main types of courses are listed in the table below. Other courses are provided by SCSS on request.
- 7.3.2 As is shown below, some courses are provided at a Diocesan level; others are organised nationally. The provision of Safeguarding training must be kept under constant review to ensure that it meets needs appropriately and is accessible to all who wish to access it. The provision of access to on-line training courses will be explored.

<sup>35</sup> Section C: Record of Safeguarding Training

<sup>36</sup> Section C: Safeguarding Action Plan

SAFEGUARDING TRAINING COURSES			
WHERE?	FOR WHOM?	BY?	COURSE DETAILS
Parish	Volunteers	Diocesan Trainers	<p><b>Safeguarding Induction Part 1</b> includes: information on Safeguarding structures in Scotland, signs and forms of abuse, how to respond to a concern and how to respond to a disclosure of abuse.</p> <p><b>Safeguarding Induction Part 2</b> includes: focus on prevention by developing the skills to risk assess places, people and activities.</p>
Diocese	Parish Safeguarding Co-ordinator	Diocesan Trainers	<p><b>PSC Training</b> prepares new PSCs for their role by exploring in detail the remit and duties.</p>
Diocese	Clergy	NSC or Diocese	<p><b>Safeguarding Induction Part 1 &amp; Part 2</b> <b>Clergy Updates:</b> covers national issues plus focus on specialist topics.</p>
Diocese	DRAMT	NSC	<p><b>DRAMT Training</b> explores the roles and remits of DRAMT.</p>
National	Diocesan Safeguarding Advisory Group	NSC	<p><b>DSAG Training</b> explores the roles and remits of DSAG.</p> <p><b>Risk Assessment</b> specialist training</p>
National	Diocesan Safeguarding Advisers	NSC	<p><b>CCP E-Learning course:</b> an on-line course, offered in conjunction with the Centre for Child Protection in Rome</p>
National	Diocesan Trainers	NSC	<p><b>Training for Trainers 2 day course</b> Induction for new Trainers</p> <p><b>Trainers' Annual CPD Day</b> Attendance is mandatory</p>
National	Various	NSC	<p><b>National Conference</b> addresses and annual theme</p>
National	Permanent Diaconate	NSC	<p><b>One day during annual Summer School</b> always includes a national update and explores a different topic each year.</p>
National	Propaedeutic participants	NSC	<p><b>Propaedeutic course</b> 4 days' intensive training on a range of Safeguarding topics</p>
Rome & UK	Seminarians	NSC	<p><b>Seminarians' course</b> 1.5 days covering a range of topics</p>
Rome & UK	Religious	NSC	<p><b>Conference of Religious Safeguarding Link Co-ordinators</b> includes a national update and explores a different topic each year.</p>

## 7.4 Those responsible for leading Safeguarding practice at every level are required to promote the sharing of best practice among colleagues.

- 7.4.1 The sharing of good practice is a feature of any effective organisation. It helps to ensure consistency of approach and contributes to the development of a strong culture of self-evaluation and continuous improvement.
- 7.4.2 Within the Church's Safeguarding arrangements, given variations in staffing levels across Dioceses, the sharing of good practice by those who are leading Safeguarding in the Church is all the more important. Those in leadership positions, in particular senior personnel such as the National Safeguarding Co-ordinator, Diocesan Safeguarding Advisers and the Safeguarding Link Co-ordinators, must actively plan strategies for sharing good practice across Dioceses, parishes and Religious Institutes. Such strategies might include:
- Diocesan Safeguarding Advisory Group (DSAG) meetings, support sessions, conferences and courses at which various personnel (both 'intra & 'extra' Church) are invited to share experiences and strategies
  - the publication of newsletters and other documents which feature specific examples of successful approaches deployed nationally and internationally
  - reading about, and contributing to, research on Safeguarding matters
  - using the platform of the SCSS website to share information and resources on relevant topics of national and international import.
- 7.4.3 The national Catholic Safeguarding Co-ordinator must disseminate information, advice and research emanating from National and international networks, meetings and conferences.

## STANDARD 8: Quality assurance in Safeguarding

We deploy effective planning processes annually to monitor, review, self-evaluate and report on our Safeguarding practices and compliance with these Safeguarding standards. The Independent Review Group (IRG) externally monitors and reports on our compliance with these Safeguarding standards.

### 8.1 Parishes regularly monitor and review their Safeguarding arrangements.

8.1.1 In each parish, the Parish Priest and Safeguarding Co-ordinator must meet regularly to discuss on-going issues relating to Safeguarding, such as numbers of volunteers, training undertaken etc. They must also highlight the importance of parish Safeguarding arrangements in parish communications: posters, weekly bulletins, website etc.

### 8.2 Parishes self-evaluate their Safeguarding practice by completing an annual Audit and devising a Safeguarding action plan.

- 8.2.1 Each parish is required to complete an Audit that is issued by the Scottish Catholic Safeguarding Service annually. The data provided on the completed form indicates compliance with the standards set out in this Instruction, in terms of safe recruitment of volunteer Safeguarding personnel, participation in training courses, as well as preventative work.
- 8.2.2 The Parish Priest and Parish Safeguarding Co-ordinator, with advice from the Diocese where required, must prepare a *Safeguarding Action Plan* to address any areas of improvement that have been identified in the audit, including further training. To facilitate this, template planning forms, including on-line formats will be provided.
- 8.2.3 Each year the Parish Priest and/or Parish Safeguarding Co-ordinator must address the parish community<sup>37</sup> on some aspect of Safeguarding, both to highlight the work being done and to alert the community to the need for continuing watchfulness.

<sup>37</sup> Section C Exemplar Guidance on Safeguarding Statement to Parish

### 8.3 Dioceses regularly monitor and review their Safeguarding arrangements.

- 8.3.1 In each Diocese, the Diocesan Safeguarding Advisory Group (DSAG) must meet at least 4 times per year to discuss on-going issues relating to Safeguarding arrangements in the Diocese. These discussions should consider compliance with Safeguarding training and PVG checks across the Diocese. The Bishop must be kept informed of the outcomes of DSAG meetings.

### 8.4 Dioceses self-evaluate their Safeguarding practice by completing an annual Audit and devising a Safeguarding action plan

- 8.4.1 Each year, every parish and Diocesan organisation working with vulnerable groups is required to complete a Safeguarding Audit which details the number of allegations received, the numbers participating in training etc., forwarding it to the Diocese for collation into one report for the whole Diocese. The Diocese must forward the statistical section of the Audit to the Scottish Catholic Safeguarding Service for scrutiny by the Independent Review Group.
- 8.4.2 Having undertaken their own analysis of the Diocesan data emerging from the Audit, the Diocesan Safeguarding Advisory Group must prepare a Safeguarding Action Plan to address any areas of improvement required within the Diocese.
- 8.4.3 Each year the Bishop must communicate with the Diocesan community on some aspect of Safeguarding.

### 8.5 Religious Institutes regularly monitor and review their Safeguarding arrangements.

- 8.5.1 In each Religious Institute the Major Superior must meet regularly with his/her Safeguarding Link Coordinator to discuss on-going issues relating to Safeguarding and to be advised about any relevant matters. These discussions should consider compliance with training and PVG checks involving members of the Religious Congregation working in Scotland.

8.5.2 The responsibilities of the Safeguarding Link Co-ordinator include:

- advising the Major Superior on Safeguarding matters
- ensuring compliance with national Safeguarding standards
- responding to issues emerging from the Safeguarding Audit
- organising training for clergy, religious and Safeguarding volunteers
- liaising with the Scottish Catholic Safeguarding Service on national developments, resources, legislative changes etc.

## 8.6 Religious Institutes self-evaluate their Safeguarding practice by completing an annual Audit and devising a Safeguarding action plan.

8.6.1 Each year, in every Religious Institute, the Major Superior must meet with the Safeguarding Link Co-ordinator to complete a Safeguarding Audit which will provide the following information:

- current numbers and locations across Scotland
- numbers in active ministry
- numbers who have received PVG clearance
- numbers who have had Safeguarding training
- number of allegations reported in audit period
- numbers of survivors coming forward and what support was offered to them.

8.6.2 In response to their own analysis of the Audit data, and with the support of analysis received from the Scottish Catholic Safeguarding Service, each Religious Institute must prepare a Safeguarding Action Plan to address any areas of improvement in Safeguarding practice.

8.6.3 Each year the Major Superior must communicate with the Religious Congregation on the issue of Safeguarding.

## 8.7 SCSS regularly monitors and reviews its own activities.

8.7.1 The National Co-ordinator must lead SCSS office staff in regular discussions of their own work, using training evaluations emerging from parishes and Dioceses, to check progress against the SCSS strategic plan.

## 8.8 SCSS self-evaluates its work and completes a 3-year strategic plan.

- 8.8.1 The National Co-ordinator must consult SCSS office staff, Diocesan Safeguarding Advisers and other appropriate personnel on the contents of a 3-year strategic plan which will guide the work of SCSS. This plan, which should take account of agreed priorities, identified training needs, national guidance and best Safeguarding practice, must be approved by the Bishops' Conference
- 8.8.2 The Scottish Catholic Safeguarding Service must receive completed Audit returns from every Diocese, Religious Institute, Retreat Centre, Parish Pilgrimage group which works with vulnerable groups and other organisations such as SPRED, ALMA, Ozanam and Knights of St Columba. The information contained in each report must be analysed by the National Safeguarding Co-ordinator who must provide feedback to each Diocese. This feedback should cover issues such as:
- compliance with Safeguarding Standards
  - responding to allegations
  - responding to survivors
  - risk assessments
  - participation in Safeguarding training.

## 8.9 The Independent Review Group (IRG) samples completed audits, identifies issues which require to be addressed and publishes an annual report.

- 8.9.1 The function of the Independent Review Group is to provide an independent and objective evaluation of how the Church is implementing its own Safeguarding policies and procedures. Each year it samples the data contained in annual Audits and reviews action plans that have been designed to address specific areas for improvement. The IRG comments on these plans and, where necessary, identifies gaps and recommends additional steps to be taken. In this way, it provides an external evaluation of the self-evaluation and planning of Dioceses, Religious Institutes and SCSS.

## Safeguarding Resources

## APPENDIX 1: Canonical Norms for Responding to Allegations

### 1. When an allegation is made

- 1.1 i In any situation in which a minor or vulnerable adult is in manifest danger, this must be reported immediately to the Police. In all Church-related situations, the details of any allegation<sup>38</sup> must be noted by the person to whom it is disclosed. These details, which must include the identity of the accused, of the victim and of the complainant<sup>39</sup>, including their contact details, must be recorded on the *Allegation Record Form*<sup>40</sup>. This information must then be transmitted immediately to the Bishop or Major Superior<sup>41</sup>, by means of the relevant Safeguarding Adviser, who must refer it to the statutory authorities without delay. He/she must then refer the matter as soon as possible to the Bishop or Major Superior. It must be made clear to the complainant that the relevant statutory authorities will be informed about the allegation. The referral to the authorities must be done even when the accused is deceased.
- 1.1 ii When the report to the authorities has been made, the Bishop or Major Superior, having opened by decree a preliminary investigation into the allegation<sup>42</sup>, must then immediately declare its suspension, without prejudice to any restrictions which may have hitherto been imposed on the accused under canon 1722, or which the accused may have imposed on himself, until the completion by the civil authorities of any investigation and/or criminal prosecution and trial.
- 1.2 i Canonical crimes or “delicts” can only be prosecuted if the penal law foresees them. The Bishop or Major Superior is legally obliged to decree the opening of a canonical investigation if an allegation of such a crime at least seems to be true<sup>43</sup>, which means that the allegation is not manifestly false or frivolous.<sup>44</sup> If the accused is a *cleric*, be it a diocesan cleric or one who is a member of a religious institute, and if the accusation concerns the sexual abuse of a minor or of a person who habitually lacks the use of reason<sup>45</sup>, the special law of the Congregation for the Doctrine of the Faith (CDF) for such cases must be followed, together with the applicable sections of the Code of Canon Law.<sup>46</sup> If the allegation concerns the sexual abuse of a vulnerable adult who does not habitually lack the use of reason, the ordinary penal process of the Code of Canon Law must be applied.

<sup>38</sup> An allegation is a statement of a factual nature made by a named and identified person, of a kind which could support the formulation of a civil or canonical charge and/or conviction.

<sup>39</sup> The victim and complainant may be the same person, especially in the case of a vulnerable adult.

<sup>40</sup> Section C: Allegation Record Form

<sup>41</sup> The term Major Superior covers all forms of consecrated life, clerical, religious and lay. [http://www.vatican.va/resources/resources\\_norme\\_en.html](http://www.vatican.va/resources/resources_norme_en.html).

<sup>42</sup> Canon 1719, [http://www.vatican.va/archive/ENG1104/\\_\\_\\_P6V.HTM](http://www.vatican.va/archive/ENG1104/___P6V.HTM)

<sup>43</sup> Canon 1717 §1, [http://www.vatican.va/archive/ENG1104/\\_\\_\\_P6V.HTM](http://www.vatican.va/archive/ENG1104/___P6V.HTM)

<sup>44</sup> The Office of Media Relations of the United States Conference of Catholic Bishops, <http://www.usccb.org/news/2010/10-094.cfm>.

<sup>45</sup> “Motu Proprio: Sacramentorum Sanctitatis Tutela, Norms on the More Serious Crimes” (= SST), article 6 §1, 10, [http://www.vatican.va/resources/resources\\_norme\\_en.html](http://www.vatican.va/resources/resources_norme_en.html).

<sup>46</sup> The special law of the Congregation is SST, originally promulgated in 2001 and updated in 2010. SST also incorporates canons 1717-1719 of the 1983 Code of Canon Law, [http://www.vatican.va/archive/ENG1104/\\_\\_\\_P6V.HTM](http://www.vatican.va/archive/ENG1104/___P6V.HTM).

- 1.2 ii If a layperson is accused of the sexual abuse of a minor, of someone who habitually lacks the use of reason or of a vulnerable adult, the canonical penal law does not foresee canonical criminal prosecution.<sup>47</sup> However, the Bishop or Major Superior, after obtaining sufficient information and proofs, can lawfully restrict the rights of a layperson found guilty.<sup>48</sup> He can also formally rebuke the layperson and impose a penance.<sup>49</sup> Mindful of the layperson's rights to a good name and to privacy<sup>50</sup>, the Bishop or Major Superior in coming to his decision may consult duly qualified personnel such as the Diocesan Risk Assessment Management Team (DRAMT) and/or others. Just as the cleric and religious have the right to challenge any executive decision of the Bishop or Major Superior, or judicial sentence of a Church trial, so the layperson has the right to have recourse<sup>51</sup> or appeal<sup>52</sup> against any decision taken against him/her.
- 1.3 i A complaint against a bishop or archbishop can be made in various ways. If the complaint is one of sexual abuse of a minor or of someone who habitually lacks the use of reason, the complainant may write directly to the Pope<sup>53</sup> who will then deal with the matter as he sees fit, most probably by enlisting the ministry of the CDF.<sup>54</sup> The complainant may report the allegation directly to the CDF. The allegation may be sent directly to the apostolic nuncio who will refer it to the CDF. The complainant may choose to write about the allegation to another bishop, who will also transmit the allegation to the CDF. If a complainant refers the matter to a priest, the priest must transmit it immediately to the CDF. To avoid scandal and to protect reputations, the fewer people involved in the transmission of the allegation the better, no matter who the accused is or what rank or dignity he/she holds. All who are involved must observe strict confidentiality.<sup>55</sup>
- 1.3 ii If the complainant has reported the mentioned allegation directly to the Pope, the CDF or to the apostolic nuncio, he/she must also assume responsibility to report it directly to the statutory authorities. If the allegation has instead been reported to a local bishop or priest, and the complainant has not reported it to the statutory authorities, the bishop or priest in question must do so without delay.
- 1.3 iii If the allegation against a bishop or archbishop is one of sexual abuse of a vulnerable adult who does not lack the habitual use of reason, the allegation must be handled in accordance with the Code of Canon Law. Irrespective of whoever reports the allegation to whichever authority, its judgment is reserved to the Pope.<sup>56</sup>

<sup>47</sup> The laity have the right not to be punished with canonical penalties except according to the norm of law - canon 221 §3, [http://www.vatican.va/archive/ENG1104/\\_\\_PU.HTM](http://www.vatican.va/archive/ENG1104/__PU.HTM). Since the norm of law does not provide penalties for the laity in the area of abuse, no canonical criminal prosecution can be made. In any case, all provisions of civil law must be scrupulously observed.

<sup>48</sup> Canons 49-50, [http://www.vatican.va/archive/ENG1104/\\_\\_P7.HTM](http://www.vatican.va/archive/ENG1104/__P7.HTM)

<sup>49</sup> Canons 1339 §2 and 1340 §1, [http://www.vatican.va/archive/ENG1104/\\_\\_P4Z.HTM](http://www.vatican.va/archive/ENG1104/__P4Z.HTM)

<sup>50</sup> Canon 220, [http://www.vatican.va/archive/ENG1104/\\_\\_PU.HTM](http://www.vatican.va/archive/ENG1104/__PU.HTM)

<sup>51</sup> Canons 1732-1739, [http://www.vatican.va/archive/ENG1104/\\_\\_P6Y.HTM](http://www.vatican.va/archive/ENG1104/__P6Y.HTM)

<sup>52</sup> Canon 1727 §1; cf. canon 1728 §1, [http://www.vatican.va/archive/ENG1104/\\_\\_P6W.HTM](http://www.vatican.va/archive/ENG1104/__P6W.HTM)

<sup>53</sup> Canons 1417 §1, 1444 §2, [http://www.vatican.va/archive/ENG1104/\\_\\_P5B.HTM](http://www.vatican.va/archive/ENG1104/__P5B.HTM); [http://www.vatican.va/archive/ENG1104/\\_\\_P5G.HTM](http://www.vatican.va/archive/ENG1104/__P5G.HTM)

<sup>54</sup> Canon 364,1, [http://www.vatican.va/archive/ENG1104/\\_\\_P1B.HTM](http://www.vatican.va/archive/ENG1104/__P1B.HTM)

<sup>55</sup> SST actually calls for the observance of the pontifical secret in its article 30, [http://www.vatican.va/resources/resources\\_norme\\_en.html](http://www.vatican.va/resources/resources_norme_en.html). Cf. Secretariat of State, *Rescriptum ex Audientia, instructio Secreta continere, De secreto pontificio, 4 februarii 1974*, in AAS 66 (1974) 89-92.

<sup>56</sup> Canon 1405 §1, 30. [http://www.vatican.va/archive/ENG1104/\\_\\_P5A.HTM](http://www.vatican.va/archive/ENG1104/__P5A.HTM)

## 2. The complainant

- 2.1 All representatives of the Church must provide the complainant with reassurance, trust and confidentiality, except in cases where this is not legally appropriate or permissible.<sup>57</sup> If the complainant is speaking on behalf of an alleged victim without the latter's knowledge, then it must be made clear to the complainant that the alleged victim will be duly informed that the allegation has been reported.
- 2.2 Whilst an allegation is being reported, investigated and decided, the alleged victim and/or complainant must be supported by the diocese or religious institute, including by being provided with a full explanation of the process as it unfolds, unless civil or canon law provides otherwise. Ongoing support must also be offered throughout for the family of the alleged victim.
- 2.3 Apart from any applicable rights guaranteed in civil law<sup>58</sup>, the alleged victim has the right to moral and canonical support in any meetings with Church representatives. Moral support can be the presence of a family member or confidante. Canonical support consists of the ministry of an advocate who gives advice and protects the right of defence of the alleged victim during the preliminary investigation, and who remains available to explain matters if the case is taken further.
- 2.4 Apart from any applicable rights guaranteed in civil law<sup>59</sup>, a complainant who is not the alleged victim has the right to moral support and canonical advice in the formulation and delivery of the allegation and in any later juncture in which the process suggests it is advisable.

<sup>57</sup> Art 9(2) ECHR, the common law of confidentiality and the soon to be implemented General Data Protection Regulations (GDPR).

<sup>58</sup> Articles 8 & 9 of the EHCR, the status of a data subject under the Data Protection Act and the GDPR

<sup>59</sup> If a complainant is an employee of the Diocese, or Institute of Consecrated Life or Society of Apostolic Life, he/she will be protected by a variety of employment laws such as the Public Interest Disclosure legislation which finds expression through the Employment Relations Act, 1996.

### 3. The accused

3.1.i Like the alleged victim, the accused too must be accorded natural justice, civil justice and canonical justice<sup>60</sup>. In particular<sup>61</sup>, the following must be strictly observed with regard to the accused person:

- the right to be presumed innocent until and unless proven guilty in accordance with the law<sup>62</sup>
- the right to a good reputation, unless it must be legitimately called into question<sup>63</sup>
- the right to protect one's own privacy<sup>64</sup>
- the right to vindicate and defend one's own rights in accordance with the law<sup>65</sup>
- the right, if called to trial, to be tried in accordance with the prescripts of the law applied with equity<sup>66</sup>
- the right not to be punished with canonical penalties except in accordance with the law<sup>67</sup>
- the right not to be put under oath or to confess to any crime<sup>68</sup>
- and the right for the restriction of one's rights to be operated solely by legitimate means.<sup>69</sup>

<sup>60</sup> Financial assistance to ensure the effective delivery of justice will be provided on a case-by-case basis, subject to legal advice.

<sup>61</sup> The list which follows is not exhaustive but focuses on core fundamental human rights contained in the Code of Canon Law, e.g. the right to due process. Evidently, a person's fundamental human rights, as guaranteed by international convention and national legislation, must also be protected and only restricted if and when the law itself requires it.

<sup>62</sup> Cf. Canon 1526 §1, [http://www.vatican.va/archive/ENG1104/\\_\\_\\_P5U.HTM](http://www.vatican.va/archive/ENG1104/___P5U.HTM). Universal Declaration of Human Rights, article 11, <http://www.un.org/en/universal-declaration-human-rights/>

<sup>63</sup> Canon 220, [http://www.vatican.va/archive/ENG1104/\\_\\_\\_PU.HTM](http://www.vatican.va/archive/ENG1104/___PU.HTM)

<sup>64</sup> Canon 220.

<sup>65</sup> Canon 221 §1.

<sup>66</sup> Canon 221 §2.

<sup>67</sup> Canon 221 §3.

<sup>68</sup> Canon 1728 §2.

<sup>69</sup> Canons 36 §1, 223 and 1722. Cf. also canon 1715 §1 which contains the principle that matters pertaining to the public good, e.g. a person's fundamental human and ecclesial rights, may not be subject to private agreements, [http://www.vatican.va/archive/ENG1104/\\_\\_\\_P6U.HTM](http://www.vatican.va/archive/ENG1104/___P6U.HTM)

- 3.1.ii After any initial pastoral communication with the accused, and before any formal meetings with Church authorities, all categories of accused must be informed by the Bishop or Major Superior of their right to civil and canonical legal support, as well as to moral support.
- 3.1.iii During the progress of the allegation, its investigation and the completion of any related process, the accused must be given a full explanation of what is happening, unless the Bishop or Major Superior is restricted from doing so by reason of a ruling from a statutory agency or civil court. Ongoing support for the accused, and for his/her family, must be available throughout the process.
- 3.2 A Church volunteer against whom an allegation is made must be invited to step down<sup>70</sup> during the investigation and adjudication of the case by the statutory authorities. Some written record, signed by the volunteer and by the Church representative, must be made of any voluntary self-restriction. If the volunteer refuses to step down willingly, suspension must be communicated in writing to the volunteer by the Bishop or Major Superior, or by his or her delegate, preferably in a personal meeting. As with all such executive decisions by authority, the person who may feel aggrieved has the right to administrative recourse in accordance with the law.<sup>71</sup>
- 3.3 If the allegation is made against a Church employee, then the person enjoys all the rights afforded by UK Employment Law<sup>72</sup>. With the support of Human Resources personnel, the accused must be made aware of the allegation at the appropriate time. The terms of employment of the accused must be followed in relation to suspension from work or whatever action is deemed appropriate during the statutory authorities' investigation.
- 3.4 In the case of a professed religious brother or sister or of a non-clerical member of a religious institute, the Bishop or Major Superior must proceed in accordance with the Code of Canon Law and hence decree the opening of a preliminary investigation.<sup>73</sup> The person concerned will be invited to step back voluntarily from pastoral work for the duration of the investigation. This voluntary action can be strengthened by a promissory oath if the person so wishes.<sup>74</sup> If the person refuses to step back, the Bishop or Major Superior may issue a decree of cautionary suspension.<sup>75</sup> If the allegation is one of sexual abuse of a minor or of a vulnerable adult who habitually lacks the use of reason, the person concerned has the right to have recourse against this decree to the Congregation for the Doctrine of the Faith after having first asked the Bishop or Major Superior, but without success, to withdraw or amend the decree.<sup>76</sup> If the allegation is one of sexual abuse of a vulnerable adult who does not habitually lack the use of reason, the person concerned has the right to have recourse against the decree to the Congregation for Institutes of Religious Life and Societies of Apostolic Life, after having first asked the Bishop or Major Superior, but without success, to withdraw or amend the decree.

<sup>70</sup> Canon 223 §1: "In exercising their rights, the Christian faithful, both as individuals and gathered together in associations, must take into account the common good of the Church, the rights of others, and their own duties toward others." [http://www.vatican.va/archive/ENG1104/\\_\\_\\_PU.HTM](http://www.vatican.va/archive/ENG1104/___PU.HTM)

<sup>71</sup> Canons 1732-1739.

<sup>72</sup> Employment Rights Act 1996. Statutory Agencies may be involved in such cases.

<sup>73</sup> Canons 695 §2 and 1717-1719. Cf. [http://www.vatican.va/archive/ENG1104/\\_\\_\\_P2C.HTM](http://www.vatican.va/archive/ENG1104/___P2C.HTM)

<sup>74</sup> Canons 223 §1 with 1199-1204. [http://www.vatican.va/archive/cod-iusuris-canonici/latin/documents/cic\\_liberIV\\_lt.html#pars2%20tit5](http://www.vatican.va/archive/cod-iusuris-canonici/latin/documents/cic_liberIV_lt.html#pars2%20tit5)

<sup>75</sup> Canon 1722.

<sup>76</sup> Canons 1734-1739.

- 3.5 If the allegation is made against a seminarian, his bishop, in consultation with the seminary rector, must decide whether the seminarian may continue in the seminary, or is to be suspended or dismissed, depending on the nature of the allegation and all other pertinent circumstances. The rector must inform the seminarian that an allegation about him has been reported to the statutory authorities.
- 3.6.i If the allegation is against a cleric, the Bishop or Major Superior must personally inform him that an allegation against him has been reported to the statutory authorities, where this is legally permissible and appropriate.
- 3.6.ii Having decreed the opening of the preliminary investigation, the Bishop or Major Superior is not obliged to, but may, restrict by decree the exercise of the rights of the accused cleric. He may however do so solely for the reasons prescribed in canon 1722, namely: 1) to prevent scandal; 2) to protect the freedom of witnesses; and 3) to guard the course of justice. The rights whose exercise may be restricted by the Bishop or Major Superior are solely those associated with the measures prescribed in canon 1722, namely: 1) exclusion from the exercise of the sacred ministry; 2) exclusion from an ecclesiastical office or function; 3) the order to, or prohibition from, residing in a given place or territory; and 4) the prohibition from public participation in the Most Holy Eucharist. The Bishop or Major Superior may impose one, more or all of these measures. Yet he must review and modify his decree if and when the cause or causes giving rise to one, more or all of the restrictive measures has or have ceased. The Bishop or Major Superior must hear the opinion of the Promoter of Justice before coming to his decision.
- 3.6.iii As an alternative to the canon 1722 decree, the Bishop or Major Superior may first invite the accused voluntarily to accept the restrictive measures which would otherwise be imposed on him. Indeed, the Bishop or Major Superior, or the accused himself, may also propose further restrictive measures which go beyond those contained canon 1722, provided such further measures are warranted by the situation and are not unduly burdensome on the accused or on anyone else. This voluntary restriction of rights would be assumed in order to “take into account the common good of the Church, the rights of others, and [the accused’s] own duties towards others”<sup>77</sup> arising from the new situation born from the allegation. The Bishop or Major Superior could also, if the circumstances suggest it, propose to the cleric that he strengthen and solemnize his voluntary acceptance by taking a promissory oath.<sup>78</sup> The conditions under which the oath may be taken<sup>79</sup> and under which it ceases must be clearly explained to the cleric who, of course, has the right to canonical advice.<sup>80</sup>
- 3.6.iv At all times, the cleric should be kept updated as to what progress is being made, as far as possible.

<sup>77</sup> Canon 223 §1.

<sup>78</sup> Canon 1201 §1

<sup>79</sup> Can. 1199 §1: “An oath, that is, the invocation of the divine name in witness to the truth, cannot be taken unless in truth, in judgment, and in justice. §2. An oath which the canons require or permit cannot be taken validly through a proxy.” Can. 1200 §1: “A person who freely swears to do something is bound by a special obligation of religion to fulfill what he or she affirmed by oath.”

<sup>80</sup> Can. 1202: “The obligation arising from a promissory oath ceases: 1. if it is remitted by the person for whose benefit the oath was made; 2. if the matter sworn to is substantially changed or if, after the circumstances have changed, it becomes either evil or entirely indifferent or, finally, impedes a greater good; 3. if the purpose or a condition under which the oath may have been taken ceases; 4. by dispensation or commutation, according to the norm of can. 1203.” Canon 1203: “Those who can suspend, dispense, or commute a vow have the same power in the same manner over a promissory oath; but if the dispensation from the oath tends to the disadvantage of others who refuse to remit the obligation of the oath, only the Apostolic See can dispense the oath.”

## 4. On the completion of the process by the statutory authorities

- 4.1 The statutory authorities may or may not proceed to a criminal trial in the civil forum. In the canonical forum, any process can only be resumed once a trial and any appeals have been exhausted or once it becomes clear that the authorities have decided to take no further action unless new elements of judgement emerge. As already indicated,<sup>81</sup> all those involved in the canonical process must be offered support.
- 4.2 When a civil trial has been pursued and ends in a criminal conviction incompatible with continued ministry in the Church:
- A volunteer will be barred permanently from any role in the life of Church which involves contact with either minors or vulnerable adults or both, depending on the nature of the offence. The volunteer retains the right to have recourse in accordance with the law against any such decision.<sup>82</sup>
  - If not already dismissed under the terms of the Employment Rights Act 1996, an employee will be subject to a disciplinary process according to civil law and an appropriate decision will then be made. In the matter of contracts, canon law observes with the same effects the provisions of local civil law.<sup>83</sup>
  - A seminarian will be dismissed from seminary. The reason for the dismissal from seminary will be noted in the seminarian's file. If there is any subsequent attempt by the individual concerned to enter seminary or a religious institute, the details of the conviction will be shared with the appropriate ecclesiastical authority, as civil and canon law permit or require. The seminarian retains the right to have recourse in accordance with the law against any such decision.<sup>84</sup>
  - In the case of a professed religious or member of a religious institute, the canonical process<sup>85</sup> that was suspended, pending the outcome of the investigation into the allegation made by the statutory authorities, will now resume.
  - In the case of a cleric, the canonical process<sup>86</sup> that was suspended, pending the outcome of the investigation into the allegation made by the statutory authorities, will now likewise resume. If the crime prosecuted civilly involved the sexual abuse of a minor or of a vulnerable adult who lacked the habitual use of reason, the transmission to the CDF of the findings of the preliminary investigation will include the full details of the civil criminal trial, as permitted or required by civil law.

<sup>81</sup> 2.2, 2.23, 2.4, 3.1 ii, 3.1 iii.

<sup>82</sup> Canons 1732-1739.

<sup>83</sup> Canon 1290: "The general and particular provisions which the civil law in a territory has established for contracts and their disposition are to be observed with the same effects in canon law insofar as the matters are subject to the power of governance of the Church unless the provisions are contrary to divine law or canon law provides otherwise, and without prejudice to the prescript of can. 1547", Canon 1547: "Proof by means of witnesses is allowed under the direction of the judge in cases of any kind", [http://www.vatican.va/archive/ENG1104/\\_\\_\\_P5Z.HTM](http://www.vatican.va/archive/ENG1104/___P5Z.HTM).

<sup>84</sup> Canons 1732-1739.

<sup>85</sup> Cf. 3.4 above.

<sup>86</sup> Cf. 3.6 ii & iii above.

- 4.3 If the civil process undertaken by the statutory authorities does not lead to a criminal conviction, or if the authorities do not proceed to a criminal trial, then the canonical process must resume.
- A volunteer or employee who has not been civilly convicted but “upon whom . . . grave suspicion of having committed a [crime] has fallen” or “whose behaviour causes scandal or a grave disturbance of order”<sup>87</sup>, will be referred by the Bishop or Major Superior to the competent DRAMT or its equivalent.
  - The decision about the case, then to be taken by the Bishop or Major Superior, must always be preceded by the gathering and assessing of evidence, by hearing the DRAMT or its equivalent, and by hearing the volunteer or employee. The decision must be issued by decree in accordance with canons 48-58. The person affected must be informed at the moment of the execution of the decree that he/she has the right to have recourse against it in accordance with canons 1734-1739. Canonical advice must be provided to that end.
  - In the case of a non-clerical religious or member of a religious institute, the canonical process is resumed as already indicated.<sup>88</sup>
- 4.4 In the case of a cleric, the canonical process is also resumed, as already indicated.<sup>89</sup>
- 4.4.i The Bishop or Major Superior must assess whether the facts discovered appear to correspond to a crime against the sixth commandment with a minor (under eighteen years of age) or with a vulnerable adult who habitually lacks the use of reason.<sup>90</sup> “If the accusation is considered credible, it is required that the case be referred to the CDF. Once the case is studied, the CDF will indicate the further steps to be taken. At the same time, the CDF will offer direction to assure that appropriate measures are taken which both guarantee a just process for the accused priest, respecting his fundamental right of defence, and care for the good of the Church, including the good of victims.”<sup>91</sup> In referring the case to the CDF, the Bishop or Major Superior may include a written opinion on how the case might proceed.
- 4.4.ii “Unless there are serious contrary indications, before a case is referred to the CDF, the accused cleric should be informed of the accusation which has been made and given the opportunity to respond to it. The prudence of the bishop will determine what information will be communicated to the accused in the course of the preliminary investigation.”<sup>92</sup>

<sup>87</sup> Canon 1339 §§1-2, [http://www.vatican.va/archive/ENG1104/\\_\\_\\_P4Z.HTM](http://www.vatican.va/archive/ENG1104/___P4Z.HTM)

<sup>88</sup> Cf. 4.2, bullet point 4.

<sup>89</sup> Cf. 4.2. bullet point 5.

<sup>90</sup> SST, article 6.

<sup>91</sup> Cardinal William Levada, Prefect of the Congregation for the Doctrine of the Faith, “Circular Letter to Assist Episcopal Conferences in Developing Guidelines for Dealing with Cases of Sexual Abuses of Minors Perpetrated by Clerics”, Section II, 3 May 2011, [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_20110503\\_abuso-minori\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20110503_abuso-minori_en.html)  
[http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_20110503\\_abuso-minori\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20110503_abuso-minori_en.html).

<sup>92</sup> Cardinal William Levada, Prefect of the Congregation for the Doctrine of the Faith, “Circular Letter to Assist Episcopal Conferences in Developing Guidelines for Dealing with Cases of Sexual Abuses of Minors Perpetrated by Clerics”, Section II, 3 May 2011.

- 4.4.iii The CDF studies the evidence submitted by the Bishop or Major Superior and, if no further information is requested in order to arrive at an informed decision, the Congregation proceeds to a very important first decision, namely, the method for resolving the case. In whichever method is chosen, the accused cleric always has an advocate to protect and promote his right of defence (the right to make his case, the right to see the evidence, the right to appeal unless the decision is taken by the Pope). The most serious penalty imposed on a cleric is dismissal from the priestly ministry, but lesser penalties may also be handed down:
- The CDF may decide that the facts of the case do not require any further penal action. In this case, it may propose some other provisions for the sake of the common good of the Church, including the good of the denounced cleric.<sup>93</sup> Against such provisions, recourse cannot be made to the CDF.
  - The CDF may decide to present the case directly to the Holy Father for the immediate dismissal of the cleric from the clerical state.<sup>94</sup> This is reserved for particularly grave cases in which the guilt of the cleric is beyond doubt and well documented. There is no appeal or recourse against the decision of the Holy Father.
  - The CDF may decide to authorise a penal extrajudicial procedure according to canon 1720 of the Code of Canon Law.<sup>95</sup> If the Bishop or Major Superior is of the opinion that the case merits the imposition of the penalty of dismissal from the clerical state, he must refer his opinion to the CDF which will, in turn, decide to impose the penalty or not. Against such a decision recourse may be made to the CDF.
  - The CDF may decide to authorize the Bishop or Major Superior to conduct a penal judicial process in the diocese or other suitable tribunal.<sup>96</sup> Any appeal against its decision will be reserved to the tribunal of the CDF.<sup>97</sup>
- 4.5.i The Bishop or Major Superior may however decide that the allegation against the cleric does not come under the crimes prescribed in SST, article 6. In this situation, the case is not sent to the CDF. The Bishop or Major Superior himself must then decide: 1) whether a regular canonical penal process can be initiated for another type of crime; 2) whether fraternal correction or rebuke or other means of pastoral solicitude cannot sufficiently repair the scandal, restore justice and reform the offender; 3) whether, in the event that the penal process route is chosen, it must be by judicial trial or extrajudicial decree; 4) whether the preliminary investigation must be closed because there is no case to answer; or 5) whether some other extrajudicial procedure must be implemented.<sup>98</sup> Whichever option the Bishop or Major Superior chooses, the corresponding procedure in canon law will be implemented.

<sup>93</sup> Canon 1718 §1, nn.1-2.

<sup>94</sup> SST, article 21 §2, 2.

<sup>95</sup> SST, article 21 §2, 1.

<sup>96</sup> The norms which determine the unfolding of the trial are contained in the Code of Canon Law: canons 1400-1627; 1721-1728; and also by SST, article 20, 1.

<sup>97</sup> Mgr. Charles Scicluna, *Procedures and Praxis of the Congregation for the Doctrine of the Faith regarding Graviora Delicta*, [http://www.vatican.va/resources/resources\\_mons-sciicluna-graviora-delicta\\_en.html](http://www.vatican.va/resources/resources_mons-sciicluna-graviora-delicta_en.html). The norms which determine the unfolding of the trial at the CDF is explained in SST, articles 21-31, [http://www.vatican.va/resources/resources\\_norme\\_en.html](http://www.vatican.va/resources/resources_norme_en.html)

<sup>98</sup> The first three options are found in canon 1718 §1 with canon 1341; the fourth, in canon 1719; the fifth option could encompass the procedure to remove a parish priest (cc. 1740-1747), to declare a priest irregular for the exercise of holy orders (canon 1044 §1), to prohibit a priest by penal precept (canon 1319) from a certain place or places, from engaging in certain otherwise legitimate activities, etc.

- 4.5.ii If the Bishop or Major Superior decides to close the case by decree, then by the law itself, any canon 1722 decree ceases and any self-imposed restrictions by the cleric in the exercise of his rights, whether strengthened by a promissory oath or not, also ceases. The cleric has the right by the law itself immediately to resume his ecclesiastical office unless the Bishop or Major Superior has objective and legitimate cause to delay the resumption or offers the cleric a different office which he accepts. Advised by the DRAMT or its equivalent, the Bishop or Major Superior, with the consent of the cleric, may invite him to accept some form of supervision and assistance in the return to ministry, especially if there remains “grave suspicion [that the cleric has] committed a [crime]” or if his “behaviour causes scandal or a grave disturbance of order.”<sup>99</sup> The cleric has the right to ask for or to refuse such help, always with the assistance of a canonical adviser.

## 5. On the completion of the Church's process

- 5.1 The outcome of any preliminary investigation which closes the case, of any tribunal definitive sentence or the decree of the Bishop or Major Superior issued after due consultation with his/her DRAMT or equivalent, must be communicated to the accused as soon as possible. The procedures for appeal or recourse, where these are possible, are to be outlined in the communication of the outcome.
- 5.2 Once all appeals and recourses have been exhausted, the final result of the process must be made known appropriately to the original complainant and, if he/she was not the complainant, the victim/survivor (if the decision against the cleric was guilty) or alleged victim (if the cleric was exonerated). For Data Protection reasons, as well as out of observance of the canonical<sup>100</sup> or pontifical secret<sup>101</sup>, it is necessary to distinguish between the complainant and the (alleged) victim when it comes to giving them sight of the judicial sentence or decrees since the law itself may limit access to these documents only to the (alleged) victim and his/her canonical advocate.
- 5.3 With dutiful respect for the demands of all applicable civil and canon laws, and when all rights of recourse or appeal have been exhausted, the definitive outcome of a case is to be made public to the faithful and to the wider community.
- 5.4 The complainant, the (alleged) victim or the accused, may request a review of how the case was handled by the diocese or religious institute. This is not a further appeal or recourse concerning the merits of the decisions and outcomes, but an administrative review of procedural compliance by those with responsibility towards the people concerned.
- 5.5 At the time of the completion of the process by the Church, support is to be offered to the complainant/survivor and the accused person. The families of both must also be offered support. There must be an ongoing commitment of support by the diocese or religious institute to all parties involved for as long as it is required.

<sup>99</sup> Canon 1339 §§1-2, [http://www.vatican.va/archive/ENG1104/\\_\\_\\_P4Z.HTM](http://www.vatican.va/archive/ENG1104/___P4Z.HTM)

<sup>100</sup> Canon 1455.

<sup>101</sup> SST, article 30.

- 5.6 When the decision is in favour of an accused person they shall return to their role within the life of the Church, without prejudice to the precautionary observations and other considerations already mentioned above.<sup>102</sup>
- 5.7 Any person who has been falsely accused has the right in canon law to bring an action to pursue damages<sup>103</sup> and also has the right/duty to report to the Bishop or Major Superior an allegation of the crime of defamation or calumny. This in turn may lead to the opening of a preliminary investigation into that alleged crime.<sup>104</sup>

## 6. Supporting Parishes

- 6.1 When an accusation is made against a cleric who is in active ministry, the effects on his community of the allegation and/or of any cautionary disciplinary measures, be they self-imposed or enjoined by decree, must be considered and suitably addressed within the bounds of Data Protection and canonical reserve. The probability of these effects must also inform the Bishop's or Major Superior's decision in seeking the restriction of the cleric's rights, since the rights of the community he serves may also be negatively affected.<sup>105</sup>
- 6.2 The Bishop or Major Superior must address the community either personally or by means of a statement read by his delegate. This statement must explain succinctly the process by which the accusation against the cleric is being handled and what the next step in that process will be. As the process unfolds, whatever information can be given to the community must be promptly relayed to it, canon and civil law permitting. At the conclusion of the process, any decision and subsequent action affecting the community must be promptly and fully explained to it by the diocesan Bishop or Major Superior or his delegate.
- 6.3 It is a matter of natural and canonical justice that "no one is permitted to harm illegitimately the good reputation which a person possesses nor to injure the right of any person to protect his or her own privacy."<sup>106</sup> Statements must therefore be prepared with great prudence so as not to be prejudicial to anyone involved. No reference to the ongoing process must be made by anyone, without the explicit permission of the Bishop or Major Superior who must himself or herself remain within the confines of the law.
- 6.4 If a cleric is suspended in accordance with the law as a precautionary measure, or if he has voluntarily restricted the exercise of his rights, an administrator of proven pastoral sensitivity is to be appointed in the interim. Where possible, the administrator is to be resident in the parish concerned.

<sup>102</sup> Cf. 4.5 ii.

<sup>103</sup> Canons 1729-1731.

<sup>104</sup> Canons 1717 §1 and 1390-1391.

<sup>105</sup> Canon 50.

<sup>106</sup> Canon 220.

## 7. Statements to the Media

- 7.1 In any statement or comment, the good name of those involved must always be protected.<sup>107</sup> The integrity of any legal process must not be undermined by speculation or conjecture, so that all involved (the complainant, any alleged victim or any accused person) can have faith in a just outcome. Statements must be carefully crafted to avoid generalisations or referring to matters which are not pertinent to the case in hand. Care must be taken to measure the impact that a statement might have upon the right of the accused to a fair trial. Civil law considerations may determine when, how and in what form any public statement may be made.
- 7.2 At the beginning of any legal process, the statement made by the Bishop or Major Superior to a given community must be used as the basis for any further declaration by anyone else to the Media. The statement must be written by the relevant diocese or religious institute with advice from the Scottish Catholic Media Office (SCMO). Parish social media, or other community social media, must be prudently managed at all times to protect the integrity of any legal process underway and the reputation and privacy of all concerned.<sup>108</sup>
- 7.3 Comment by the SCMO, or by representatives of a diocese or religious institute, or any statements following on from that comment, must adhere to agreed protocols. No-one holding any Church office is to give comment to the media without the prior permission of the Bishop or Major Superior. These precautions will allow the faithful to receive, in the correct way and at the correct time, whatever information can be legally made available to them.

<sup>107</sup> Cf. 6.3.

<sup>108</sup> Canon 1717 §2; 220.

## APPENDIX 2: Listing and Barring in the PVG Scheme

- 1.1 When an individual applies to join the Protecting Vulnerable Groups (PVG) Scheme, *Disclosure Scotland* carries out a check of criminal records in the UK, and in certain circumstances directly with UK Police Forces, to establish if any relevant information is held about the individual. If information is found, an assessment will be undertaken by *Disclosure Scotland* to decide if the person is unsuitable to be a PVG scheme member. This process could result in them being 'Listed and Barred' from working with vulnerable groups.
- 1.2 Once a person becomes a PVG Scheme member, their record is subject to continuous updating. This means that, if new vetting information comes to light during the time of their PVG Scheme membership, *Disclosure Scotland* will assess it to determine if it has an impact on the person remaining in the PVG Scheme. This information could, for example, be provided by a Police force or by the Courts following a criminal conviction or due to reported consistent behaviours which might deem an individual unsuitable to be working with /volunteering with any vulnerable groups.
- 1.3 *Disclosure Scotland* will assess the information to see whether it may be necessary for the individual to be added to the Children's list and/or the Adults' list. Sometimes, the information will not meet the statutory tests for further consideration and will be dismissed. If the initial tests are met, the second stage is a full assessment, called 'Consideration for Listing', in order to establish if the individual is unsuitable to work with vulnerable groups. Whilst the individual is under consideration for listing, this information would appear on any Disclosure record requested during that time.
- 1.4 If a person is being considered for Listing, either at the point of joining the PVG Scheme or whilst a member, then the National Safeguarding Co-ordinator, as the lead collator of the PVG scheme for the Catholic Church in Scotland, would be informed by *Disclosure Scotland*. If contacted, the National Safeguarding Co-ordinator would then alert the respective Diocesan Safeguarding Adviser regarding the individual who is being considered for Listing. This is intended to ensure that the applicant does not commence his/her role or, if already in post, should be suspended from this role until a final decision has been made by Disclosure Scotland.

- 1.5 Once the decision has been made, *Disclosure Scotland* will inform the applicant and the office that collated the original PVG application (for most, the Scottish Catholic Safeguarding Service). When informed by *Disclosure Scotland*, the NSC must immediately inform the Diocesan Safeguarding Adviser or Religious Congregation. The DRAMT must then be convened to consider if the volunteer can commence (or continue) in the role, if the decision has been that he/she will not be Listed. If the applicant is 'Listed & Barred', it would be illegal for him/her to apply for a PVG in order to commence (or to continue) any work involving contact with children, young people and vulnerable groups. If the individual were a parish volunteer, the Diocesan Safeguarding Adviser must inform the Parish Priest and the Parish Safeguarding Co-ordinator.
- 1.6 If a church employee has been dismissed or a volunteer has been deemed unsuitable to be working with any vulnerable groups, there is a legal requirement on a Diocese to refer the individual to *Disclosure Scotland* for consideration under the 'Listing & Barring' process. The DRAMT must consider all grounds for making such a referral and make an appropriate recommendation to the Bishop / Major Superior who must be the signatory to the referral. Guidance on the completion of a referral is available from *Disclosure Scotland*<sup>109</sup>.
- 1.7 *Disclosure Scotland* will carry out an initial assessment of the information to see whether it may be appropriate for the individual to be included on the Children's list and/or the Adults' list. Sometimes, the information will not meet the statutory tests for further consideration and will be dismissed at this stage. If the initial tests are met, the second stage is consideration for 'Listing', in order to establish if the individual is unsuitable to work with vulnerable groups. Whilst the individual is under consideration for Listing, this information would appear on any Disclosure record requested during that time. If the outcome of the consideration process is that the individual is not barred, the organisation must not treat the individual any differently on the grounds of the consideration case than it did before.
- 1.8 'Listing', in the context of the PVG Scheme, means the inclusion of an individual's name on the DWCL (Disqualified from Working with Children List) or the DWAL (Disqualified from Working with Adults List) maintained by Disclosure Scotland. Once 'Listed', an individual is 'Barred' from any voluntary or paid work that might bring him/her into contact with any vulnerable groups. Some individuals are placed on one list; others are placed on both. Some can be listed for a short period (several months or a few years); others can be listed for longer periods (10 years+ or permanently).
- 1.9 In 2015 all eight Scottish Dioceses decided that, if any applicant is listed on either List, then he/she must not be allowed to take up any paid or voluntary position which involves contact with children, young people or vulnerable adults within the Catholic Church in Scotland.

<sup>109</sup> <https://www.mygov.scot/pvg-referrals/>

## APPENDIX 3: List of Safeguarding Documents

The following documents are exemplars and templates that can be adapted for use. They are available online at: <https://www.scottishcatholicsafeguarding.org.uk/ingodsimage/>

<b>Standard 1: Creating and maintaining safe Church environments</b>
Use of Parish Premises 1 & 2
Our Church's Safeguarding Policy Leaflet
Parish Hall Booking Form
Risk Assessment for Activities and Places
Risk Register
Information Sharing Protocol with Police Scotland
Contract for Sex Offender (and those who pose a risk)
Child Photograph/Video Permission Form
<b>Standard 2: Appointing clergy, religious., lay employees and volunteers</b>
Volunteer Application Form
Self-Declaration Form
Reference Letter Template
Reference Form Template
Letter of Full Approval
Letter of Restricted Approval
Flowchart - Responding to Concerns or Allegations of Abuse
<b>Standard 3: Responding to concerns and allegations</b>
Allegation Recording Form
Leaflet for those accused
<b>Standard 4: Providing care and support for survivors</b>
Letter to Survivor re. first meeting with Safeguarding personnel
Information leaflet on process for survivors
Raphael Counselling Service Leaflet
<b>Standard 6: Working Together in Safeguarding</b>
Safeguarding Role Descriptors
<b>Standard 7: Training and support for all involved in Safeguarding</b>
Record of Safeguarding Training
Safeguarding Action Plan
<b>Standard 8: Quality Assurance</b>
Statement to the Parish re. Safeguarding

## Glossary

Glossary item	Definition
ALMA (Association of Lourdes Motherwell Aid)	This Association, in the Diocese of Motherwell, has two distinct but integral functions. One branch of ALMA works in the community with people who have additional support needs, providing regular social activities. The other branch is a group of young volunteers who accompany the Diocesan pilgrimage to Lourdes, giving essential support to the sick, elderly and infirm.
Adult at risk	<p>Section 3(1) of the Adult Support and Protection Act, passed by the Scottish Parliament in 2007, defines "adults at risk" as persons aged 16 or over who:</p> <ul style="list-style-type: none"> <li>• are unable to safeguard their own well-being, property, rights or other interests;</li> <li>• are at risk of harm; and</li> <li>• because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.</li> </ul> <p>The presence of a particular condition does not automatically mean an adult is an "adult at risk". Someone could have a disability but be able to safeguard their well-being etc. It is important to stress that all three elements of this definition must be met. It is the whole of an adult's particular circumstances which can combine to make them more vulnerable to harm than others.</p>
Apostolic Nuncio	A Papal Nuncio (officially known as an Apostolic Nuncio) is a permanent diplomatic representative of the Holy See to a state, having the rank of an ambassador extraordinary and plenipotentiary, and the ecclesiastical rank of titular Archbishop. The Nuncio is also the Holy See's representative to the Church in the nation that he serves.
Celebret	A document from a Catholic Bishop or Religious Superior testifying that the bearer is a priest and asking that he be permitted to celebrate Mass in dioceses other than his own.
Centre for Excellence for Looked After Children in Scotland (CELSIS)	CELSIS is governed by a Strategic Advisory Board (SAB), supported by the University of Strathclyde, and monitored by the Scottish Government. They are committed to making positive and lasting improvements in the well-being of Scotland's children living in and on the edges of care. They work alongside partners, professionals and systems with responsibility for nurturing vulnerable children and families. Together they work to understand the issues, build on existing strengths, introduce best possible practice and develop solutions.

Glossary item	Definition
Child	Within this document, and in Church documents generally, a child is understood to be a person under the age of 18.
Cleric	An ordained man: Bishop, Priest or Deacon.
[Code of] Canon Law	The codified Universal Law of the Church. The present Code was first issued in 1983 with various amendments having since been published. It applies to the Latin Rite Church.
Conference of Religious in Scotland Safeguarding Commission (CRSSC)	Works in close communication with the Bishops' Conference of Scotland to support and assist the Congregational Leaders /CRS Safeguarding Link Co-ordinators to oversee and manage the process concerning current Safeguarding issues involving Religious.
Confessor	A Priest given faculties by a Bishop or Major Superior to celebrate the Sacrament of Penance (Confession) with penitents. Such faculties are usually universal i.e. can be used anywhere.
Congregation of the Doctrine of the Faith (CDF)	The Apostolic Constitution on the Roman Curia <i>Pastor Bonus</i> states: "The duty proper to the Congregation for the Doctrine of the Faith (CDF) is to promote and safeguard the doctrine on the faith and morals throughout the Catholic world: for this reason everything which in any way touches such matter falls within its competence". The CDF is the body that deals with serious sexual offences perpetrated by Clerics against minors.
Convent	A type of religious house where a group of Religious Brothers or Sisters live by their proper constitutions. A Religious house, which is established in a diocese with the express permission of the diocesan Bishop, is subject to the authority of a Major Superior.
Criminal Justice	A system of practices and institutions of governments directed at upholding social control, deterring and mitigating crime, or sanctioning those who violate laws with <i>criminal</i> penalties and rehabilitation efforts.
CRS Safeguarding Link Co-ordinator	A member of a Religious Congregation in Scotland who has been appointed by the Congregational Leader to support them to ensure that all safeguarding policies approved by the Bishops' Conference of Scotland are effectively and appropriately implemented within the Congregations.
Data Protection Act (DPA)	Controls how personal information can be used and your rights to ask for information about yourself.

Glossary item	Definition
Diocesan Risk Assessment and Management Team (DRAMT)	The purpose of the DRAMT is to advise the Bishop on the management of allegations against clergy and Diocesan personnel. It also considers any convictions on PVGs and those who are Listed and Barred or are being considered for such. In all these matters they make recommendations to the Bishop for further action.
Diocesan Safeguarding Adviser (DSA)	The role of the DSA is to assist the Bishop with the development and management of Diocesan Safeguarding approaches. Has a central role in providing support and may also chair the DSAG meetings (and any subgroups thereof).
Diocesan Safeguarding Advisory Group (DSAG)	The purpose of this Group is to ensure that each Bishop has available to him the necessary advice, support and expertise in relation to child protection and vulnerable adult issues. The core membership of the group should include relevant experts and representatives from appropriate Diocesan agencies.
Diocesan Safeguarding Officer	A person who supports the Diocesan Safeguarding Adviser and the DSAG in relation to the safe recruitment of volunteers and the provision of Safeguarding training in the Diocese.
Disqualified from Working with Adults List (DWAL)	A list maintained by Disclosure Scotland for those barred from working with Adults.
Disqualified from Working with Children List (DWCL)	A list maintained by Disclosure Scotland for those barred from working with Children.
Future Pathways: Scotland's In Care Survivor Support Fund	The <i>In Care Survivor Support Fund</i> (ICSSF) opened on 29 September 2016 and offers a person-centred, outcomes-based, approach that identifies what matters to survivors. ICSSF was renamed Future Pathways on 20 February 2017.
HCPT (Hosanna House & Children's Pilgrimage Trust)	A charity offering pilgrimages to Lourdes for disabled and disadvantaged children and young people from around the UK and further afield.
Health in Mind Counselling	A charity which promotes positive mental health and well-being in Scotland, principally through its Counselling services.
Holy See	The Holy or Apostolic See is the jurisdiction of the Bishop of Rome (the Pope) and the central governing organ of the universal Roman Catholic Church. In international law it enjoys an international juridic personality.

Glossary item	Definition
Independent Review Group (IRG)	This Group was established by the Bishops' Conference of Scotland in response to one of the recommendations made by the McLellan Commission to ensure external and independent scrutiny of the Safeguarding policies and practices of the Catholic Church in Scotland.
Information Commissioner's Office	An independent regulatory office (dealing with the <b>Data Protection Act 1998</b> and the <b>Privacy and Electronic Communications (EC Directive) Regulations 2003</b> across the UK.
Listing and Barring	Refers to the process by which someone is considered for Listing and Barring and, if listed, is then placed on the DWCL or DWCA List or both.
MAPPA (Multi Agency Public Protection Arrangements)	The set of arrangements which the police service, local authority, prison service, health service and others are statutorily obliged to operate on a multiagency basis, with the objective of protecting the public from the risks that may be posed by sex offenders.
Major [Religious] Superior	Responsible for the leadership in a particular part of a Religious Congregation, often a Province.
Metropolitan	A metropolitan, who is the Archbishop of his own diocese, also presides over an ecclesiastical province. The other dioceses in a province are known as suffragan. The Metropolitan has no power of governance over any suffragan bishop or diocese.
McLellan Commission	A Commission appointed by the Bishops' Conference of Scotland to review the suitability and robustness of the Safeguarding procedures and protocols of the Catholic Church in Scotland.
National Child Abuse Investigation Units (NCAIU)	Specialist units, within <i>Police Scotland</i> , to support the investigation of complex child abuse and neglect across Scotland.
National Confidential Forum (NCF)	The NCF has been set up as part of the Victims and Witnesses (Scotland) Act 2014. The Scottish Government has legislated for and funded the NCF to show the importance given to the experiences of adults who were in care as children. The forum is independent from the Government.
Novitiate	Can refer to both the house where novices undergo their novitiate and to the process of the novitiate itself. The process is one whereby those seeking entry to a Religious Congregation discern, and are assessed, prior to any admission to temporary profession as a member of the Religious Congregation.

Glossary item	Definition
<b>Offender Management Unit</b>	A dedicated Unit within each Division of Police Scotland with specialist officers working in partnership through Multi-Agency Public Protection Arrangements (MAPPA) to manage Registered Sex Offenders.
<b>Ordinary</b>	In addition to the Pope, the title of Ordinary refers to diocesan bishops and others who, even if only temporarily, are placed over some diocese or a community equivalent to it, as well as those who possess general ordinary executive power in them, namely: vicars general and episcopal vicars; likewise, for their own members, major superiors of clerical religious institutes of pontifical right and of clerical societies of apostolic life of pontifical right who at least possess ordinary executive power.
<b>Parish Safeguarding Co-ordinator (PSC)</b>	Someone who has been appointed by the Parish Priest and trained to ensure that all policies approved by the Bishops' Conference of Scotland and disseminated from the Scottish Catholic Safeguarding Service are effectively and appropriately implemented in the parish.
<b>Permanent Diaconate</b>	A deacon is an ordained Cleric with certain proper functions in the life of the Church, subject to proper ecclesiastical authority. Deacons may be Transitional or Permanent. Transitional Deacons are on the way to ordination to the Priesthood and take a promise of lifelong celibacy. Permanent Deacons are ordained to fulfil the ministry and office of Deacon in the life of the local Church (a diocese); they may be married men. The role of the Deacon is to assist the Priest in preaching, the conferral of baptism, performance of marriage, the administration of parishes and similar duties.
<b>Pontifical Commission for the Protection of Minors</b>	An advisory body of international experts, established by Pope Francis to advance the commitment of the Church to ensure the protection of minors and vulnerable adults.
<b>Presbytery</b>	The residence of the priests in a parish.
<b>Propaedeutic period</b>	The time for candidates preparing to be admitted to seminary to follow the formation programme leading to ordination to the Priesthood. The participants normally share a common life in a seminary setting under the direction of a Rector.
<b>Protection of Vulnerable Groups Scheme (PVG)</b>	Managed by Disclosure Scotland, the PVG Scheme is intended to ensure that all who work with children, young people and vulnerable adults have been vetted to ensure their suitability for such work.

Glossary item	Definition
<b>Public Protection Unit (PPU)</b>	A dedicated Unit within each Division of <i>Police Scotland</i> with specialist officers working in relation to child protection, neglect and abuse investigations, the management of dangerous offenders i.e. Multi-Agency Public Protection Arrangements (MAPPA), domestic abuse, rape and sexual assault including historical sex offences and the protection of vulnerable adults.
<b>Raphael Counselling Service</b>	A Counselling service for survivors of abuse, provided by <i>Health in Mind</i> , and independent of the Catholic Church.
<b>RCIA (Rite of Christian Initiation of Adults)</b>	Through the Rite of Christian Initiation of Adults (RCIA), people who are interested in becoming members of the Catholic Church are officially welcomed by the Church as members of the faith community.
<b>Registered Sex Offender (RSO)</b>	Sex offenders, when convicted of a specified offence, are placed on the Sex Offenders Register commonly referred to as the register. All offenders placed on the Sex Offenders Register are recorded and managed on the ViSOR database that is used by all police forces in Great Britain as well as number of other agencies including Criminal Justice Social Work and Scottish Prison Service.
<b>Religious</b>	A person (priest, deacon, brother or sister) who is a professed member of a Religious Community.
<b>Sacramentorum Sanctitatis Tutela (SST)</b>	The supplement to the Code of Canon Law which details how canonical processes should be handled in these cases where there is an allegation against a Cleric of a sexual nature involving a minor.
<b>Sacristan</b>	A person who prepares the Church for the celebration of the sacraments. He or she may manage the Church or sacristy in a wider role.
<b>Sacristy</b>	The part of a Church where preparations are made for the celebrations in the Church. It is usually a discrete room where vestments, sacred vessels and other items are stored. It would normally be the place where those involved in celebrations congregate and vest prior to the celebration.
<b>Safeguarding Action Plan</b>	A document which details areas of improvement that have been identified in the Safeguarding Audit and specifies what training needs are required.
<b>Safeguarding Policy Leaflet</b>	A booklet which is issued to everyone who works with children /young people /vulnerable adults within the Catholic Church in Scotland, explaining what to do and whom to contact if they have concerns about a child/young person/vulnerable adult.

Glossary item	Definition
Scottish Catholic Media Office (SCMO)	An agency of the Bishops' Conference of Scotland which provides a service to the press and media, offering information on the activities of the Catholic Church in Scotland.
Scottish Government Survivor Scotland Strategy	This strategic team's focus is to improve and develop workforces and the services they deliver that treat, care for and support survivors across all domains of health and well-being.
Secular Institute	Secular Institutes were formally recognised by the Church in 1947 as a form of consecrated life in the apostolic constitution <i>Provida Mater</i> . Members of Secular Institutes live entirely in the world. Like all other lay people they share the responsibility to live gospel values and attitudes in family and social relationships and in the workplace. They are also committed to being involved in the life of the Church. They are called to live their commitment through poverty, chastity and obedience.
Seminarian	A man who is in formation and is preparing for ordination as a priest.
Seminary	A place where academic, pastoral, human and spiritual formation takes place for seminarians preparing for ordination as priests.
Society of Apostolic Life	Members of Societies of Apostolic Life are men or women who live in common without religious vows. They pursue the particular apostolic purpose of the society and lead a life as brothers or sisters in common, according to a particular manner of life. The members strive for the perfection of charity through the observance of their constitutions. There are also societies in which the members embrace the evangelical counsels of poverty, chastity and obedience by some bond defined in their constitutions. Societies of apostolic life can be clerical or lay, male or female.
Spiritual Director	Akin to a counsellor, he/she normally works on a one-to-one basis, assisting another on their spiritual journey. In Seminaries and Novitiates, the Spiritual Director has a specific role in formation of candidates.
SPRED (Special Religious Development)	A group which provides friendship, catechesis and opportunities for people with learning disabilities to be fully included in the liturgical life of the parish.

Glossary item	Definition
<b>Stop It Now!</b>	A project of The Lucy Faithfull Foundation (a Registered Charity). They offer a wide range of Services to the public and professionals. They help adults and communities throughout Scotland in prevention of child sexual abuse via their Upstream Project. They offer confidential help and advice for those affected by arrest for internet offences; individuals and family members.
<b>Vulnerable adult</b>	In the context of Safeguarding, “vulnerable adult” can be understood to refer to an adult whose ability to protect himself or herself from violence, abuse, neglect or exploitation is significantly impaired due to personal limitation or life situation and due to the exploitation of a power imbalance in a relationship by the person with power, authority or status.

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