

*ORDER OF DISCALCED  
CARMELITES  
(OCD)*



*IRISH REGION  
ANGLO-IRISH PROVINCE*

*INTERIM  
CHILD SAFEGUARDING  
POLICY*

*NOVEMBER 2014*

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### INTRODUCTION

The Order of Discalced Carmelites (OCD) recognises that the welfare of the child is paramount and that every child has a right to be protected, treated with respect, listened to and have their views taken into consideration. Respect for the innate dignity of every person is a fundamental principle emanating from the Gospel and in particular Jesus' respect for children.

In 2009 the Irish Region of the Anglo-Irish Province of the Order of Discalced Carmelites produced an "*OCD Policy for Safeguarding Children*". That document was based on the 2008 guidelines *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* and on the civil guidelines of the two jurisdictions of the island of Ireland. This current *OCD Interim Policy for Safeguarding Children* updates the previous policy document and outlines protocols and guidelines for all those working with children at both provincial and community level in the island of Ireland.

This Interim Policy is an invaluable resource in the Province's quest to ensure that all our works and communities are safe places for children.

This document is intended to guide and direct individual friars and communities, their employees and volunteer in safeguarding children with whom they interact.

Through the implementation of the policies and procedures outlined in this document, the Anglo-Irish Province is determined to provide the highest level of protection for all children who are involved in any way in activities with the Province.

A further and important aim in developing these policies and procedures is to create a secure and supportive atmosphere in which those who have suffered abuse in the past can be assured of a sensitive, caring and compassionate response, and be offered appropriate pastoral care for themselves and their families.

These policies and procedures also include measures to ensure that the rights, in natural justice, of a person against whom an accusation of abuse is made, are respected and that appropriate pastoral care is provided for them and their families.

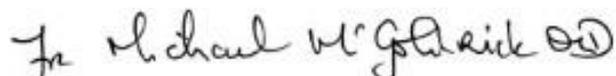
The Provincial Council has unanimously approved the policies and procedures contained in this document.

## ORDER OF DISCALCED CARMELITES [OCD]

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**Each friar, community, employee and volunteer is bound to adhere to and engage with this document in a concerted effort to protect children and to cherish the gift that they are for our future.**

As Provincial of the Anglo-Irish Province of the Order of Discalced Carmelites, I sign this interim policy document to become operational immediately.



Fr Michael McGoldrick, OCD  
Provincial Office  
53 Marlborough Road  
Dublin 4

18<sup>th</sup> November, 2014

*Landline: + 353 (0)1 6617163*

*Mobile: +353 (0)87 4168330*

### **NOTE:**

**WHEREVER THE WORD 'CHILD' OR 'CHILDREN' IS USED IN THIS DOCUMENT IT IS TAKEN TO INCLUDE 'VULNERABLE ADULT(S)'. THIS IS IN KEEPING WITH THE PROCEDURE FOLLOWED IN THE 'SAFEGUARDING CHILDREN: STANDARDS AND GUIDANCE DOCUMENT FOR THE CATHOLIC CHURCH IN IRELAND'**

### **ABBREVIATIONS**

NBSCCCI – NATIONAL BOARD FOR SAFEGUARDING CHILDREN IN THE CATHOLIC CHURCH IN IRELAND

DLP – DESIGNATED LIAISON PERSON

HSC – HEALTH AND SOCIAL CARE IN NORTHERN IRELAND

PSNI - POLICE SERVICE OF NORTHERN IRELAND

OCD – ORDER OF DISCALCED CARMELITES

### DEFINITIONS

Abuse and neglect are forms of maltreatment of a child. Someone may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in their family, in a faith based, institutional or community setting; by those known to them, or more rarely by a stranger. They may be abused by an adult/s, another child or children. It often involves people they trust and know well.

The abuse of children generally involves one or more of four main forms of abuse:

- physical abuse
- emotional abuse
- sexual abuse
- neglect

It is essential that any personnel in the Catholic Church recognise that the abuse of children is **not just about sexual abuse**. Many children experience harm through emotional, physical abuse and neglect. The Church must take responsibility to nurture, protect and take action for any child who is suffering harm, whatever the harm may be and whoever is causing it. Some children may be particularly vulnerable to abuse. For example there is research which has found that disabled children are three times more likely to be abused than non-disabled children. Some studies suggest children from minority ethnic groups may be at increased risk of abuse through factors such as stereotyping, prejudice and discrimination. There is also extensive evidence that these children and families often fail to receive an appropriate service when concerns are raised about a child's welfare. Over-reaction and inaction have both been shown to be based on misunderstandings and misinterpretations of different cultural patterns, which have led to failure to meet children's needs. Other groups of children who might be particularly vulnerable include asylum-seeking children, children who are in care, children who are living with parents/ carers who misuse drugs and/or alcohol.

**1. Child:** A person under the age of eighteen years of age.

**2. Abuse:** A violation of a person's fundamental right to respect and to bodily integrity. Abuse may consist of a single act or repeated acts. Child abuse is generally categorised into four broad groups: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subject to more than one form of abuse.

**2.1. Neglect:** The persistent failure to meet a child's physical, emotional and/or psychological needs. It is a form of omission, where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, medical care, supervision and safety, or attachment to and affection from adults.

**2.2 Physical Abuse:** Physical abuse of a child is that which results in actual or physical harm from an interaction or lack of interaction which is reasonably within the control of a person in a position of responsibility or power. There may be a single or multiple incidents.

**2.3. Emotional Abuse:** Occurs when a child's developmental need for affection, approval, consistency of care and security are not met.

**2.4. Sexual Abuse:** Occurs when a child is used by another person for his or her own sexual gratification or sexual arousal, or for that of others.

### **3. Child Sexual Exploitation Images**

The viewing, use, trade, transmittal or transference of abusive sexual images of children engaged in real or simulated explicit sexual activity or showing of their private parts including genitals, for the purpose of sexual gratification.

**4. Bullying:** Repeated aggression conducted by an individual or a group against another or others; such aggressive behaviour may be verbal, psychological or physical, including racist or sexist remarks, or emotional intimidation such as isolating or excluding.

## **RECOGNIZING CHILD ABUSE**

Every OCD friar, employee and volunteer has a responsibility and duty to take action where there is a concern for the safety of a child. The following information should alert you to the possible signs of child abuse.

### **1. Recognising Physical Abuse:**

Cuts and bruises on the bony parts of a child's body, like elbows, knees and shins are common occurrences. Unexplained bruises or injuries, injuries in unusual places like the cheek or thighs, unlikely explanations that do not fit the injury and delays in seeking medical treatment are a cause of concern.

#### **1.1. Physical signs of abuse may include:**

- Unexplained bruising, marks or injuries on any part of the body.
- Bruises that reflect hand marks or finger tips.
- Cigarette burns.
- Bite marks.
- Broken bones.
- Scalds.

#### **1.2. Changes in behaviour which can indicate physical abuse may include:**

- Fear of parents being approached for an explanation.
- Aggressive behaviour or severe temper outbursts.
- Flinching when approached or touched.

- Reluctance to get changed, for example in hot weather.
- Depression.
- Withdrawn behaviour.
- Running away from home.

### **2. Recognising emotional abuse**

Emotional abuse can be difficult to measure, and often children who appear well cared for may be emotionally abused by being taunted, put down or belittled. They may receive little or no love, affection or attention from their parents or carers. Emotional abuse can also take the form of children not being allowed to mix / play with other children.

#### **3.1. The physical signs of emotional abuse may include:**

- A failure to thrive or grow, particularly if the child puts on weight in other circumstances e.g. in hospital or away from the primary care-takers.
- Sudden speech disorders.
- Developmental delay, either in terms of physical or emotional progress.

#### **3.2. Changes in behaviour which can indicate emotional abuse may include:**

- Being unable to play.
- Fear of making mistakes.
- Neurotic behaviour e.g. sulking, hair-twisting, rocking.
- Self-harm.
- Fear of parent being approached regarding their behaviour.

### **4. Recognising sexual abuse**

Adults, who use children to meet their own sexual needs, might abuse both girls and boys of all ages, including infants and toddlers. Usually, in cases of sexual abuse it is the child's behaviour which may cause you to become concerned, although physical signs can also be present. In all cases, children who tell about sexual abuse do so because they want it to stop. It is important, therefore, that they are listened to, taken seriously and that their concern/allegation is acted on.

#### **4.1. The physical signs of sexual abuse may include:**

- Pain or itching in the genital area.
- Bruising or bleeding near genital area.
- Sexually transmitted disease.
- Vaginal discharge or infection.
- Stomach pains.
- Discomfort when walking or sitting down.
- Pregnancy.

### 4.2. Changes in behaviour which can also indicate sexual abuse include:

- Sudden or unexplained changes in behaviour e.g. becoming aggressive or withdrawn.
- Fear of being left with a specific person or group of people.
- Having nightmares.
- Running away from home.
- Sexual knowledge which is beyond their age or developmental level.
- Sexual drawings or language beyond their age or developmental level.
- Bedwetting.
- Eating problems such as overeating or anorexia.
- Self-harm or mutilation, sometimes leading to suicide attempts.
- Saying they have secrets they cannot tell anyone about.
- Substance or drug abuse.
- Suddenly having unexplained sources of money.
- Not allowed to have friends (particularly in adolescence).
- Acting in a sexually explicit way towards adults.

### 5. Recognising neglect

- Neglect can be a difficult form of abuse to recognise.

#### 5.1. The physical signs of neglect may include:

- Constant hunger, sometimes stealing food from other children;
- Constantly dirty or 'smelly';
- Loss of weight, or being constantly underweight;
- Inappropriate dress for the conditions.

#### 5.2. Changes in behaviour which can also indicate neglect may include:

- Complaining of being tired all the time;
- Not requesting medical assistance and/ or failing to attend appointments;
- Having few friends;
- Mentioning their being left alone or unsupervised.

### **STANDARD 1** **A WRITTEN POLICY TO KEEP CHILDREN SAFE**

#### **OCD SAFEGUARDING STATEMENT**

The Anglo-Irish Province of the Order of the Discalced Carmelites recognises and upholds the dignity and rights of all children and is committed to ensuring their safety and well-being. Friars of the Anglo-Irish Province and their co-workers have an obligation to ensure that the fundamental rights of children are respected.

The members of the Anglo-Irish Province recognise that each child should be cherished and affirmed as a gift from God with an inherent right to dignity of life and bodily integrity, which shall be respected, nurtured and protected by all.

The Anglo-Irish Province undertakes to do everything possible to create safe environments where the welfare of children and young people is paramount

In partnership with their primary carers, the Anglo-Irish Province encourages and values the involvement of children and young people in liturgies and activities that enhance their spiritual, social, emotional and intellectual development.

This Safeguarding Policy adheres to the principles and guidelines set out in: *"Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland"* (2008) as well as the civil laws and guidelines of the two jurisdictions on the island of Ireland.

The Province is committed to:

- Best practice to ensure that children are listened to and treated with respect, and have both their rights protected and their welfare promoted.
- Minimizing risks in order to safeguard the interests of children.
- Ensuring that all OCD friars, staff and volunteers are carefully recruited, selected, trained, supported and supervised.
- Providing appropriate support for survivors of child sexual abuse.
- Providing appropriate training for members.
- Working in partnership with statutory authorities for the prompt, just and professional management of complaints.
- Making this Safeguarding Policy widely known, accessible and understood, and implementing procedures and protocols that contribute to keeping children safe in all our OCD gatherings and activities.

The Province is also committed to:

- Providing the necessary personnel, resources and finance to ensure that it fulfils the commitments made above.

### STANDARD 2

#### PROCEDURES – HOW TO RESPOND TO ALLEGATIONS AND SUSPICIONS IN THE REPUBLIC OF IRELAND AND NORTHERN IRELAND

##### RESPONDING TO AN ALLEGATION / CONCERN OF CHILD ABUSE

At all times action must take place in instances where child abuse is:

- **Observed.** Immediate intervention required in order to provide a safe place for the child. Report the intervention to the Designated Liaison Person (henceforth DLP).
- **Disclosed.** When there is a disclosure of current or historical child abuse either by the individual directly affected or by a third party this must be reported to the DLP.
- **Suspected.** Any concern that a child is at risk must be brought to the attention of the DLP who will seek advice from TUSLA – Child and Family Agency (henceforth Tusla) or Health and Social Care in Northern Ireland (henceforth NSC) as appropriate. It is not the responsibility of the individual who has a concern or the DLP to investigate the matter or to decide whether abuse has taken place.

##### 2.1. If you receive a concern or allegation about an OCD friar

- Act immediately – refer the matter to the DLP who will consult/refer to the TUSLA/HSC and/or An Garda Síochána/Police Service of Northern Ireland (henceforth PSNI) as appropriate.
- Make a written record as soon as possible afterwards using as many of the person words as possible, on the OCD Recording Form. This initial recording will form the first entry in the file and will be retained by the DLP. All original notes and records will be passed on to the DLP. Any copies of records must be stored in a secure and confidential place.
- Not all persons will wish to make a formal report. Nonetheless all information about the existence of a concern must be communicated to the DLP.
- Do not be selective. Include details which may seem irrelevant. It may prove invaluable at a later stage in an investigation.
- In cases of emergency, where a child appears to be at *immediate and serious risk*, contact TUSLA/HSC directly. Where the appropriate TUSLA/HSC staff are not available, An Garda Síochána/PSNI should be contacted to ensure that *under no circumstances* a child is left in a dangerous situation. Inform the DLP as soon as possible.
- Explain to the person raising the concern what will happen next. Indicate who will be made aware of the information given by them. Give him/her the contact details of the DLP and Support Person.
- The allegation is revealed to others only on a “need to know” basis.

### **2.2. Feedback to the Referrer**

Persons who refer child welfare concerns to the DLP should have their reports acknowledged within 24 hours and be informed of what will most likely happen next.

### **2.3. Dissatisfaction with the outcome of the report**

If you do not agree with the outcome of your report to the DLP, outline your on-going concern to the DLP, contact TUSLA/HSC directly, inform the DLP of the outcome.

### **2.4. Disclosure by a Child**

Children have a right to be listened to and be heard. Any allegation or suspicion of the sexual abuse of a child should be reported to the civil authorities and if the allegation/suspicion refers to an OCD friar it should be reported to the church authorities also. Children who suffer abuse often hide the experience; it may be that the child has been abused by an adult who exercises power and control over them or the adult may have used threats to harm the child or his/her family if the child discloses the abuse. The child may be manipulated into believing that the abuse is his /her fault or that they are equally to blame and should be ashamed of what has happened.

Children who are very young or have a disability or communication difficulties may need skilled help to communicate their message. Children whose first language is not English may also need extra help.

#### **2.4.1. Do**

- Stay calm, listen carefully and patiently.
- Reassure the child s/he is right to tell you.
- Explain, in an age-appropriate manner, that you will have to inform the appropriate authorities.
- Record what the child said as soon as possible after the meeting, using the child's own words as far as possible.
- Tell the child what will happen next.
- Complete the OCD Safeguarding Recording Form, sign and date it, and forward it to DLP.
- Inform the parent or guardian except when it is not safe to do so.
- Remember: It is not your role to investigate or decide if abuse has taken place.

#### **2.4.2. Do Not**

- Make judgements about the alleged abuser.
- Promise to keep this a secret.
- Tell the child stories about other people.
- Tell the child that everything will be fixed straight away.
- Press for details, except to clarify.
- Fill in words or finish sentences for the child.
- Show anger, shock or embarrassment, or give your opinion.
- Leave a child in a dangerous situation.

### 2.4.3. In an Emergency

If a child is at *immediate and serious risk*, the TUSLA/HSC should be contacted without delay. If a child is at immediate risk after office hours, contact the Gardaí/PSNI.

### 2.4.4. Seal of confession

An ordained OCD friar must be clear about the status of any conversation. He should make sure that there is no misunderstanding about whether or not the seal of confession applies.

### 2.5. Disclosure by an adult

It is often very difficult for people to talk about abuse, therefore:

- Be patient.
- Listen carefully and actively.
- Create a safe environment in which the person feels able to tell as much as they can remember.

### 2.6. People may tell about:

- Child abuse that is happening now – current.
- Child abuse that happened some time ago – historical.
- Something that they have been told and that they strongly believe to be true.
- Seeing signs of abuse that they have noticed e.g. unexplained physical injuries on a child.
- Something that they have witnessed, such as inappropriate behaviour of an adult to a child.

### 2.7. Where information is given in person, consider the following:

- Listen carefully to that person, but do not ask intrusive or leading questions.
- Stay calm, taking the concern being raised seriously, and reassure the person raising the concern that telling is the right thing to do.
- Allow the person to continue at his/her own pace.
- Check with the person to make sure that you have understood what they actually said. Do not suggest words, use theirs.
- Make no promises that cannot be kept, particularly in relation to secrecy. This information will be reported to the civil and Church authorities.
- Explain the referral procedures.
- Offer to accompany the person to the DLP/Support Person to the TUSLA/HSC or to the Gardaí/PSNI as appropriate.
- Do not make any comments about the respondent or make assumptions. Be aware that a person's ability to recount his or her concern or allegation will depend on age, culture, nationality and upon any disability which may affect use of language or range of vocabulary.
- Adopt a listening style which is compassionate, calm and reassuring. If the information given to you shocks, disgusts or distresses you, do not allow these

feelings to show. If you do, you may inadvertently dissuade the person from giving any further information.

- Avoid statements about your belief, or otherwise, of the information given.
- Do not question beyond checking what has been said. It is the job of TUSLA/HSC and or An Garda Síochána/PSNI to investigate. There must be no probing for detail beyond that which has been freely given.
- An ordained OCD friar must be clear about the status of such a conversation. Make sure there is no misunderstanding about whether or not the Seal of Confession applies.

### **2.8. Listening to a person who admits abusing a child**

It is necessary to tell a person who admits an offence against a child or young person (outside of Confession) that such information cannot be kept confidential. If such an admission is made, even where the admission relates to something which happened a long time ago, the matter must be referred to the DLP as soon as possible, and s/he will follow the procedures for referral to TUSLA/HSC and An Garda Síochána/PSNI.

### **REPORTING PROCEDURE**

This procedure must be followed by all OCD friars when a concern about the sexual abuse of a child, either current or historical, is raised regarding an OCD friar.

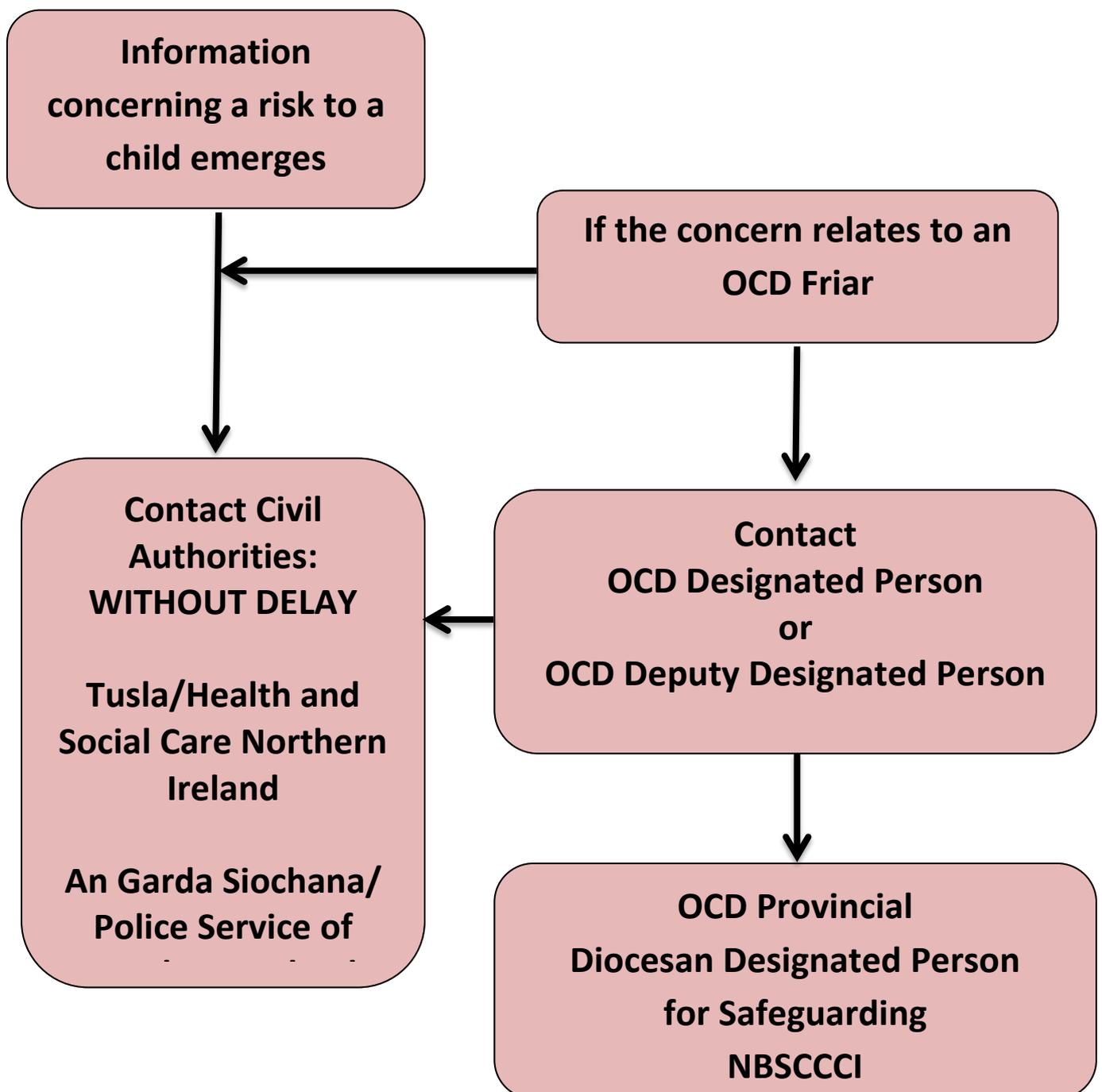
- All safeguarding concerns and allegations concerning OCD friar should be passed onto the OCD DLP;
- The DLP will report the concern/allegation to TUSLA/HSC or An Garda Síochána/PSNI without delay;
- If the DLP or person reporting is unsure if there are reasonable grounds for concern, the DLP will seek the advice of TUSLA/HSC;
- A complete written record is kept in relation to the concern including the subsequent action and all communication with the civil authorities;
- The DLP will inform the Provincial of all reports and contacts with the civil authorities. If a child is in *immediate danger*, contact TUSLA/HSC directly or the Gardaí out of hours/PSNI, then inform the DLP.
- If the concern relates to an OCD friar, the DLP will inform the National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI).
- Care must be taken to protect a person's right to confidentiality. Information will be given to others on a 'need to know' basis.
- Any person may report directly to the civil authorities. If such a report concerning an OCD friar is made, the DLP should be informed as soon as possible.
- It is not the role of the DLP or the person reporting to investigate the concern/allegation.
- Any allegation of child sexual abuse made against a former OCD friar will be reported to the relevant civil and church authorities as per this policy.

## OCD Child Protection Reporting Procedure Flow Chart

The guiding policy is that the safety of the child is always the most important consideration. Any allegation or concern regarding the abuse of a child should be treated seriously.

**If there are reasonable grounds for concern the matter should be reported to the civil authorities without delay.**

It is important for anyone raising a concern to strictly follow the reporting procedure. Particular care should be taken in regard to confidentiality and the sharing of information



### COMPLAINTS PROCEDURE

This complaints procedure does not deal with the reporting of a child safeguarding concern; it deals with complaints made in relation to:

- A. The handling of an allegation/concern/issue;
- B. Unacceptable behaviour towards a child.

A. Where the complaint relates to how a complaint of abuse was handled, the person making the complaint can contact the:

- OCD Designated Liaison Person (DLP)
- OCD Provincial
- National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI)
- TUSLA/HSC

A written request for a review should be forwarded to one of the previously mentioned bodies within three calendar months of the conclusion of the investigation of the initial concern.

B. If the complaint concerns unacceptable behaviour of an OCD friar towards a child:

- Speak directly to the person responsible;
- If the issue is not resolved it may be brought to the attention of the Local Prior or the DLP to be dealt with promptly and fairly;
- If the issue is still not resolved at that level it may be referred to the Provincial;
- If a satisfactory resolution cannot be arrived at within a further month, the complainant is invited to put the complaint in writing for consideration by a mutually agreed mediator, who will be invited to dialogue with all concerned;

**The determination of the mediator will be final.**

## CONFIDENTIALITY / DATA PROTECTION

### GUIDELINES FOR SHARING INFORMATION

The Order's operational practice in the interest of the paramount safety of children within the one Church is as follows:

#### 2.9 Founding Principles informed by Standard 2:

- The OCD friars are domiciled (could be upon the invitation of the Bishop) in the diocese with rights and duties particularly in the area of public ministry - (in a sense a religious order is a 'guest' in the host-diocese).
- There is an expected relationship of mutual courtesy and obligation between 'guest-religious order' and 'host-diocese'
- Where there are "reasonable grounds for concern," pertaining to a risk to a child, this allegation is routinely reported without delay to the TUSLA/ HSC, Gardaí/ PSNI, NBSCCCI and Church Authority/ diocese
- The OCD friar in question is asked to voluntarily step aside from ministry for the period of the investigation OR
- A precept may be issued by the Provincial to the OCD friar in question if he does not agree to do so voluntarily.

(See: *OCD CONSENT FORM FOR SHARING INFORMATION in Appendix H*).

#### 2.10. Determining Risk and Risk Monitor

In the case of an allegation which gives reasonable grounds for concern:

- The OCD friar is asked to voluntarily step aside from public ministry for the duration of the investigation. Failing this a precept is issued by the Provincial.
- Risk assessment is routinely recommended to ascertain the level of risk – and voluntarily entered into by the OCD friar in question having been made aware of his rights and access to wider advices.
- On the identification/indication of risk – a Covenant of Care is agreed between the OCD friar in question/Provincial/in consultation with the Statutory Authorities: TUSLA/HSC, Gardaí/PSNI
- The Covenant of Care is shared with the host-diocese as information only as an obligation.
- Thereafter by way of courtesy and assurance 6-monthly/annual Memo-updates are discharged to confirm compliance with the expected reciprocal courtesy of acknowledgement from the host-diocese.
- If/when the OCD friar's ministry status changes the host-diocese is informed as an obligation and courtesy with the expected reciprocal courtesy of acknowledgement from the host-diocese regarding the changed status.

#### 2.11. Regarding the Source of Information in accordance with data protection:

- The OCD friar in whom the information is sourced determines the movement of the information.
- The consent to share information is voluntary based on clarification of:
  - a) **WHO:** With whom is the information to be shared?

- b) **WHAT:** What is the information to be shared?
- c) **WHY:** What is the purpose/use of the information? – in the understanding that if the original purpose were to change the source has to authorise the changed purpose.
- d) **WHEN:** When would it be shared and for how long would it be held?
- e) **WHERE:** Where would it be stored + who would have access to it?

- Once the above are fully clarified and understood a consent form is voluntarily signed by the religious in question.
- The OCD friar understands that it is within his rights to withdraw consent at any time if he no longer wishes to share the information.
- Where there are “reasonable grounds for concern” that a child is at risk, the Provincial on advice and guidance is bound to overstep the above in the interest of the paramount safety of the child or vulnerable adult and share the relevant information with the appropriate Church authorities. Consent is not required for reporting to the Statutory Authorities. It is a criminal offence to withhold knowledge.

### 2.12. Commitment and Core Values

The Order is committed to engage as fully as possible with the host-diocese within the limits of the human, canonical and legal rights of the OCD friar in question.

The Order is guided by the core values of a spirit of respect, trust, co-operation and transparency with the host-diocese to evolve *best practice* into the future based on the principle that the safety of the child is paramount.

### 2.13. Storage of Data

- All sensitive and confidential data is retained in a case file;
- Stored securely in fire-proof facility and access to keys strictly controlled.
- Place designated by the Data Controller.
- Rules of Access determined by the Data controller re who has access and for what purpose.
- Fire-proof safes/filing cabinets are in use.
- The filing cabinets are locked away at all times and access to keys controlled
- Access to filing cabinets limited to the following people in named roles: Provincial, DLP and DDLP.
- Any information of sensitive/confidential nature must always be password protected.
- There are clear arrangements in place for knowledge of relevant case files, location and storage arrangements to be passed on from outgoing Provincial (data controller) to their successors.
- Other identifying records: consent forms, vetting forms, activity attendance records etc. must also be stored in a secure fire-proof locked filing cabinet.
- Access rules to be reviewed over time.

### 2.14. Retention and Destruction of Data as referenced in the Data Protection Act 1988 - 2003

- Where no legal requirement to retain information beyond the closure of the case files records, the Provincial is to determine what can be regarded as *best practice*. All such records are stored in the Discalced Carmelites Confidential Archives for 20 years.
- Records pertaining to safeguarding should be stored for 20 years.
- The Church should retain all case management files and safeguarding records for a period of 100 years.
- Where there is no legal requirement to retain records beyond closure, destruction should be undertaken by shredding.

### 2.15 Confidentiality

The Order recognises the importance of protecting an individual's right to confidentiality and is committed to keeping confidential all personal information about complainants and respondents. When there is a safeguarding of children issue, or welfare concerns arise in relation to a child, the information will be shared on a "need to know" basis in the best interest of the child. Providing such information to a Designated Liaison Person or relevant church/statutory authority for the protection of a child is not a breach of confidentiality.

The Protections for Persons Reporting Child Abuse Act (1998), provides immunity from civil liability to persons who report child abuse to the relevant authorities "reasonably and in good faith." Even if a reported suspicion of child abuse proves unfounded, a plaintiff who took an action would have to prove that the reporter had not acted 'reasonably and in good faith' in making the report.

The main provisions of the Act are:

- The provision of immunity from civil liability to any person who reports child abuse "reasonably and in good faith" to designated officers of the TUSLA or any member of An Garda Síochána;
- The provision of significant protections for employees who report child abuse. These protections cover all employees and all forms of discrimination up to and including, dismissal;
- The creation of a new offence of false reporting of child abuse where a person makes a report of child abuse to the appropriate authorities "knowing that statement to be false". This is a new criminal offence designed to protect innocent persons from malicious reports.

### 2.16 Data Protection

In Ireland the Order is required under the Data Protection Acts of 1988 & 2003 to ensure the security and confidentiality of all personal data it collects and processes.

Personal data must be:

- Obtained and processed fairly;
- Kept only for one or more specified explicit and lawful purpose;

- Used and disclosed only in ways compatible with the purpose for which it was obtained;
- Kept safe, secure, accurate, adequate, complete and up to date;
- Retained for no longer than is necessary for the purpose or purposes for which it was collected.

### **2.17. Access to Information**

- Persons wishing to access their own records will be provided with same following a set legal procedure, provided that such provision is not prohibited by Data Protection considerations or by other legal constraints;
- Such applications must be made in writing to the Provincial in order to initiate this legal process.

### STANDARD 3

#### PREVENTING HARM TO CHILDREN:

- RECRUITMENT AND VETTING
- RUNNING SAFE ACTIVITIES FOR CHILDREN
- CODES OF BEHAVIOUR

#### SAFE RECRUITMENT

When a situation becomes vacant or a new position is created those responsible for filling them should be aware of best practice in the recruitment of employees and volunteers. All positions of employment require a safe practice at every stage of the recruitment process in order to promote the welfare of children. Safe recruitment requires a consistent and thorough process of obtaining, collating, analysing, and evaluating information from and about applicants.

The following guidelines must be observed:

- Clear job descriptions, skills descriptions and person specifications for all paid and voluntary posts;
- All vacancies for paid or voluntary staff should be openly advertised;
- Application Forms should be used for recruitment to all posts, including those to be filled by volunteers. Applications must include Photo ID;
- Application Forms should include a Declaration Form which applicants are required to sign, stating that they do not have criminal charges, cautions or convictions against them, or any other reason why it may be inappropriate for them to work with children;
- All applicants must be Garda/PSNI vetted;
- A specific reference to suitability to work with children if the position entails such contact;
- Written references should be obtained in respect of all candidates being considered for paid or voluntary appointment. All written references must be followed up by verbal contact with referees;
- An interview panel of at least two people with appropriate competence and authority;
- Transparent interview procedures that are recorded and stored securely until the process is fully complete;
- Verification that the successful applicant has the academic or vocational qualifications claimed;
- Verification of previous employment history and experience.

*(See Appendices H & I)*

### VETTING

#### 3.1. Introduction

12.1.1. All OCD friars in ministry are required to complete the vetting process before they start work or act as a volunteer. If it is necessary that a person takes up work before the Vetting process is concluded, they must sign a Declaration Form and their contact with children should be closely supervised until the Garda/PSNI Vetting process is complete.

#### 3.2. Vetting Coordinator

The Vetting Coordinator is responsible for ensuring that all friars, staff and volunteers have made an application for vetting. The Vetting Coordinator liaises with the Vetting authorities in the Republic of Ireland and Northern Ireland. He/she reports back to friars/staff/volunteers on the outcome of their application. The role of Vetting Coordinator is carried out by the OCD Safeguarding Coordinator for Training.

#### 3.3. Vetting Procedure

##### 3.3.1. Application:

- The applicant is asked to complete a Vetting Application Form and return to the Vetting Coordinator.
- **Republic of Ireland residents:** The completed Application Form is forwarded by the Vetting Coordinator to the Archdiocese of Dublin Personnel Office (Garda Vetting Administrator) for processing.
- **Northern Ireland:** The Vetting Coordinator sends the completed Application Form to the Police Service of Northern Ireland Vetting Unit.
- The Archdiocese of Dublin (ROI) or the Vetting Unit (NI) returns applications to the Vetting Coordinator and informs of the outcome of the vetting process. The Vetting Coordinator in turn informs friars/staff/volunteers of the outcome of their vetting process.
- If the returned application contains information relevant to the employment/retention of the applicant, the Provincial must consider whether or not a Process Review Meeting is appropriate.

##### 3.3.2. Responsibilities of Applicant

The applicant is responsible for completing the Vetting Application Form truthfully and in its entirety and for returning it to the relevant person in the Order. The applicant is required to make a full and complete declaration. Failure to do so may jeopardise the offer of employment or retention in his/her present post.

##### 3.3.3. Process Review Meeting

The Garda Central Vetting Unit/PSNI Vetting Unit provide the Vetting Coordinator with details of all prosecutions, successful or not, pending or completed, and/or convictions. No Process Review Meeting is required where no prosecutions, successful or not, pending or completed, and/or convictions is identified. Consideration for a Process

Review Meeting will occur when an application is returned from the Vetting Unit with relevant information attached. The Vetting Coordinator will clarify any information received from the Vetting Unit with the applicant. If the information received gives rise to concern, a Process Review Meeting is strongly recommended. In the event of a Process Review Meeting being held, the following steps are taken:

- The Vetting Coordinator arranges the meeting.
- The applicant is invited to attend and may be accompanied by a support person if he/she wishes.
- The meeting has two purposes: firstly to verify the applicant's identity and secondly, to give the applicant an opportunity to discuss his/her application in the light of the information received from the Vetting Unit.
- An applicant who asserts that his/her Garda/PSNI Vetting Disclosure may be inaccurate must provide satisfactory evidence to support his/her assertion.
- If the applicant provides satisfactory evidence to support his/her assertion that his/her Garda/PSNI Vetting Disclosure may be inaccurate, the Vetting Coordinator will contact the Vetting Unit with the information, and any other information as deemed necessary. The Vetting Unit will conduct further checks required in respect of the applicant and write back to the Vetting Coordinator who will communicate the response to the applicant.
- The Vetting Coordinator keeps a written record of the meeting.

### **3.3.4. Risk Assessment Guidelines**

A conviction, prosecution or case pending will not necessarily prevent an applicant from being considered for employment/retention. The decision-making process is fundamentally to assess the suitability of an applicant. Any information which arises from the Vetting process may influence that decision.

The following criteria will be considered (this list is not exhaustive):

- The nature of any convictions;
- The number of any convictions;
- The frequency of any convictions;
- The post for which the applicant is seeking employment/engagement;
- The self-disclosure of the conviction/case pending by the applicant;
- Time elapsed since last conviction;
- The steps the applicant has taken to prevent re-offending.

### **3.3.5. Data Confidentiality**

- a. Information passed to other appropriate and relevant staff must only be done on a basis required by the recruitment/retention process;
- b. All applications received by the Vetting Coordinator are entered onto the OCD Vetting Database. The database contains information such as full name, position applied for/currently held, date of application, date of outcome, renewal date. Access to the database is restricted to the Provincial, DLP, DDLP and Vetting Coordinator and the data is stored securely;

- c. Only those who are entitled to see the application (or any data disclosed as part of the vetting process) as part of their duties will be allowed to do so. Under this Policy and Data Protection laws, applicants can request access to any personal data held about them, such requests to be made in writing to the Provincial.

### WORKING SAFELY WITH CHILDREN

#### Activities Involving Children

(if not covered by either school or parish safeguarding policies)

#### 3.4 Planning:

- OCD friars should be fully aware of their roles and responsibilities;
- Leaders should be aware of children's relevant medical conditions including allergies;
- Leaders working with a mixed group must be drawn from both genders;
- There should be a clearly designated Group Leader for all activities;
- Parents/guardians and children must complete a Consent Form including relevant medical details, any special needs and emergency contact numbers;
- Accident/Incident Report Forms should always be completed whenever an incident occurs;
- All children are checked in to an activity on a Registration Form;
- All activities must be planned and managed in a way that minimises risk;
- Are all trips away carefully planned, including adequate provision of safe transport?
- An initial safety check for hazards should be done on each occasion before premises are used;
  - How does the venue measure up in terms of health and safety (e.g. fire)?
  - Are there first aid supplies to deal with minor accidents?
- Ensure that there adequate changing areas and toilet facilities
- Do you have appropriate and adequate sleeping arrangements for all overnight trips?
- Games and icebreakers should be structured to take into consideration the age of participants, risk of physical injury and personal space issues;
- Adequate insurance cover must be in place;
- Ensure proper safety standards and bear in mind that extra insurance may be necessary for some activities;
- Prescribed medication may only be administered to a child with the written consent of parent/carer.

#### 3.5. Altar Servers

Where children serve at Mass they must be accompanied by a parent/adult guardian who will assist them in putting on albs and cinctures before Mass and removing them afterwards. This should take place in an area that is separate from the priest's vesting area.

After Mass at which a child/children have served a register must be signed by the priest who celebrated the Mass, any concelebrants who assisted, and by the parent/adult guardian and server(s).

### 3.6. Supervision of Children

Having clearly defined supervision arrangements minimises the risk of accidents occurring and also protects children from intentional harm. When planning activities for children and young people, there should always be a minimum of two adults to accompany the group. The recommended ratios of adults to children are as follows:

Under 8 years:

- 0 to 2 years = one member of staff to 3 children
- 2 to 3 years = one member of staff to 4 children
- 3 to 7 years = one member of staff to 8 children (6 children for outdoor activity)

8 years and over:

- Two adult supervisors for every 20 children (15 children for outdoor activities);
- There should be one additional adult supervisor for every extra 10 children;
- For residential retreats and pilgrimages this ratio should be lower to allow for adequate free time for leaders;
- This ratio may change from time to time; always check with the relevant authority.

### 3.7. Bullying

#### 3.7.1. Definition of bullying

Bullying is defined as unwanted negative behaviour, verbal, psychological or physical conducted by an individual or group against another person (or persons) and which is repeated over time.

**3.7.2.** The following types of bullying behaviour are included in this non-exhaustive definition:

- deliberate exclusion, malicious gossip and other forms of relational bullying;
- cyber-bullying;
- identity-based bullying such as homophobic bullying, racist bullying, bullying based on a person's membership of the Traveller community and bullying of those with disabilities or special educational needs.

Placing a once-off offensive or hurtful public message, image or statement on a social network site or other public forum where that message, image or statement can be viewed and/or repeated by other people will be regarded as bullying behaviour.

#### 3.7.3. Types of bullying

The following are some of the types of bullying behaviour that can occur amongst pupils:

- Physical aggression: pushing, shoving, punching, kicking, poking and tripping people.
- Intimidation: such as very aggressive body language with the voice being used as a weapon; a facial expression which conveys aggression and/or dislike.
- Isolation/exclusion and other relational bullying: isolating, excluding or ignoring one person by some of all of the group.

- Cyber-bullying: through the use of information and communication technologies such as text, social network sites, e-mail, instant messaging (IM), apps, gaming sites, chat-rooms and other online technologies.
- Name calling: Persistent name-calling directed at the same individual(s) which hurts, insults or humiliates.
- Damage to property: defacing, breaking, stealing, hiding or interfering with personal belongings such as clothing, mobile phone or other devices, school books and other learning material.
- Items of personal property may be defaced, broken, stolen or hidden. Personal property can be the focus of attention for bullying behaviour. This may result in damage to Extortion: Demands for money often accompanied by threats

**3.7.4.** The Order of Discalced Carmelites recognises the very serious nature of bullying and the negative impact that it can have on the lives of children and young people and is therefore committed to preventing and tackling bullying behaviour. It does this by

- Promoting a positive culture and climate which:
  - is welcoming of difference and diversity and is based on inclusivity;
  - encourages children to disclose and discuss incidents of bullying behaviour in a non-threatening environment; and
  - promotes respectful relationships between children;
- Having a shared understanding of what bullying is and its impact;
- Implementing education and prevention strategies (including awareness raising measures) that-
  - build empathy, respect and resilience among children and young people, and
  - explicitly address the issues of cyber-bullying and identity-based bullying including in particular, homophobic and transphobic bullying;
- Effective supervision and monitoring of children;
- Consistent recording, investigation and follow up of bullying behaviour;
- On-going evaluation of the effectiveness of the anti-bullying policy.

### **3.8 Guidance on Photographing Children and Young People**

#### **3.8.1. Care must be taken to avoid:**

- The identification of individual children;
- The identification of children in vulnerable circumstances which may cause embarrassment/distress;

#### **3.8.2. Reason and purpose:**

Photographs should only be taken by an authorised person who has a suitable reason relating to the child or organisation i.e. is a parent, a relative, a leader of an activity or a member of staff. Unless photographs are taken as part of activities such as sporting events, plays and concerts, they should not be used for a public purpose e.g. not posted on the internet and not passed on to others unconnected to the child.

### **3.8.3 Appropriateness of images**

- No images of children are to be taken, which capture them in what are commonly understood as non-public activities like toileting or changing clothes, or which show body parts not usually visible in public settings;
- Children should be fully clothed;
- Images involving groups should be about that activity and not the individual child;
- Photographs of children should not show them in breach of rules, or behaving in a reckless or dangerous fashion.

### **3.8.4. Identification of subjects**

A photograph should not allow an unauthorised person to identify a child or their whereabouts. If the full name of a child or young person is used, there should be no photograph; if a photograph is being used, the full name should not be given.

### **3.8.5. Photography for public display**

Parents and children must consent to the use of an image and this consent is recorded.

### **3.8.6. Use of mobile phones**

Permission to use mobile phones will vary according to the nature of the activity that is being organised or conducted. It is the responsibility of the event organiser to make it clear to the participants what level of use is deemed appropriate in the context of the activity being organised. Because mobile phones can be used for taking photographs the guidelines outlined above also apply.

### **3.8.7 Communication and Data Technology**

Leaders will not share their phone numbers with children. When necessary for organisational purposes, permission is sought from the parent asking if the leaders can send messages by text to participants about future meetings; it is best practice to copy all texts to parents. OCD friars who receive a 'Friend Request' from a child in their activity should always click 'Ignore'.

### **3.8.8. Social Media and use of the Internet**

At all times OCD friars must exercise prudence and care in all their use of and communications via the Internet. See our "OCD Social Media Policy."

## CODE OF BEHAVIOUR

### 3.9. Interaction with Children

Adults should:

- Avoid spending time alone with a child or young person. Should circumstances arise where this is unavoidable, inform another responsible adult and keep a note of what took place and why;
- Treat children and young people in a manner that fully respects their dignity and rights;
- Provide an example of good conduct at all times;
- Respect each child's boundaries, avoid unnecessary physical contact;
- Help children develop an awareness and understanding of their own right to protection and a respect for the rights of others;
- Provide children with information on how, and from whom, they can seek help if they have a concern;
- Be visible to others if working alone with a child;
- Challenge and report behaviour that is abusive or potentially abusive;
- Develop a culture where children are encouraged to talk openly about their contacts with staff and others;
- Unless there are at least two adults present, avoid permitting children and young people to work or remain in the chapel, community house or property.

### 3.10. OCD friars must never:

- Hit or otherwise physically assault or abuse a child;
- Develop sexual relationships with a child;
- Engage in inappropriate conversations with children;
- Develop relationships with children that could in any way be deemed exploitative and/or abusive;
- Act in ways that may place a child at risk of abuse;
- Take children to their bedrooms;
- Use alcohol, tobacco or non-prescriptive drugs when in the company of children;
- Offer alcohol, tobacco or non-prescriptive drugs to minors;

### 3.11. OCD friars must avoid actions and behaviours that could be construed as poor practice or potentially abusive. They should never:

- Use language, make suggestions or offer advice which is inappropriate, offensive or abusive;
- Behave physically in a manner which is inappropriate or sexually provocative;
- Have a child or children stay overnight at their home, unsupervised;
- Sleep in the same room or bed as a child;
- Do things of a personal nature for children that they can do for themselves;
- Condone or participate in behaviour by children which is illegal, unsafe or abusive;
- Act in ways intended to shame, humiliate, belittle or degrade children;

- Exclude or discriminate against particular children or show favour towards particular children.

### **3.12. Implementation**

Any member of the Order who becomes aware of a breach of this Code of Conduct should bring the matter to the attention of the Prior of their community, the Designated Liaison Person or the Provincial. If there is a risk to a child the matter is dealt with as outlined in Section 5 of this document – Reporting Procedure.

### **3.13. OCD Friars out of Ministry**

OCD friars who are prohibited from ministry because of allegations made against them are to abide by An Garda Siochana/PSNI and procedures of this document and must also abide by the precepts placed on them by the Provincial.

### **3.14. OCD Friars Working in Parishes and other Ministries**

OCD friars contracted by dioceses or other institutes are governed and regulated by the safeguarding policies, procedures and codes of practice of the institutes and organisations that contracted them. OCD friars so contracted must familiarise themselves with the policies and procedures of those institutes.

### **3.15. Friars from other Provinces**

#### **3.15.1.1. Friars appointed to the Irish Region of the Anglo-Irish Province**

Any OCD friar from another Province appointed to the Anglo-Irish Province must be in possession of a Testimonial Letter from his Provincial, explicitly stating that there is nothing in the friar's background that would indicate unsuitability to work with or interact with minors nor has he any continuing alcohol/substance abuse issues. Public ministry must not be undertaken until the appropriate faculties have been granted by the local bishop. These will be requested through the Provincial Office.

#### **3.15.2.2. Friars Temporarily Residing in the Irish Region of the Anglo-Irish Province**

Any OCD friar from another Province coming to an OCD Community in the Irish Region of the Anglo-Irish Province whether for a study program/temporary ministry/temporarily residence must be in possession of a Testimonial Letter from his Provincial. This letter must explicitly state that there is nothing in that friar's background that would indicate unsuitability to work with or interact with minors nor has he any continuing alcohol/substance abuse issues. Public ministry must not be undertaken until the appropriate faculties have been granted by the local bishop. These will be requested through the Provincial Office.

#### **3.15.3. Priests/Religious Temporarily Residing in Irish OCD Communities**

Any priest or religious coming to an OCD Community in the Irish Region of the Anglo-Irish Province whether for a study program/temporary ministry/temporarily residence must be in possession of a Testimonial Letter from his Provincial. This letter must explicitly state that there is nothing in that friar's background that would indicate unsuitability to work with or interact with minors nor has he any continuing alcohol/substance abuse issues. Public ministry must not be undertaken until the appropriate faculties have been granted by the local bishop.

### 3.16. WHISTLEBLOWING

#### 3.16.1. Introduction

Whistleblowing is the term used to describe the action of someone who reveals/discloses wrongdoing within an organisation to the public or to those in positions of authority. It enables them to report concerns in a way that will not be seen as disloyal to their settings or colleagues. In this regard:

- OCD friars are committed to the highest possible standards of openness and accountability;
- OCD friars are expected and encouraged to voice any concerns about activities involving children to their Prior;
- All have a right to raise a concern about perceived unacceptable practice or behaviour;
- All concerns will be treated, as far as possible, in the strictest confidence and every effort will be made not to reveal the identity of the complainant, if requested. If, however, concerns require further action, the complainant may at a future date have to act as a witness and/or provide evidence;
- Whistleblowing can be difficult and stressful. Advice and support are available in the first instance from the DLP or the National Board for Safeguarding Children in the Catholic Church in Ireland;
- No action will be taken against a complainant if the concern proves to be unfounded and was raised in good faith. This is in line with the Protection for Persons Reporting Child Abuse Act 1998 Ireland;
- Malicious allegations will also be treated in line with the Protection for Persons Reporting Child Abuse Act 1998 Ireland.

#### 3.16.2. How to raise a concern

- Voice your concerns, suspicions or unease as soon as you can. The earlier a concern is expressed the easier and sooner action can be taken;
- Try to pinpoint exactly what practice is concerning you and why;
- Approach the Prior of your community;
- If your concern is about your Prior then contact either the OCD Designated Liaison Person, the Provincial, the National Office for Safeguarding Children in the Catholic Church, TUSLA/HSC or An Garda Siochana/PSNI;
- Note your concerns in writing, outlining the background and history, giving names, dates and places;
- Note the response you receive and if not satisfied you may wish to take it to another level;
- You are not expected to prove the truth of an allegation but will need to demonstrate sufficient grounds for the concern.

### 3.16.3. What happens next?

- You should be given information on the nature and progress of any enquiries;
- Your local coordinator has a responsibility to protect you from harassment or victimisation;
- No action will be taken against you if the concern proves to be unfounded and was raised in good faith. This is in line with the Protection for Person Reporting Child Abuse Act, 1998 Ireland;
- Malicious allegations may be considered a disciplinary offence.

### STANDARD 4

#### TRAINING AND EDUCATION

**4.1.** It is essential that all OCD friars are provided with appropriate Safeguarding training along with regular opportunities to update their skills and knowledge. Maintaining a high standard of training and education protects:

- Children, by ensuring that they are in a safe environment and minimises risk of abuse;
- OCD friars by outlining best practices and procedures;
- The integrity of the Anglo-Irish Province of the Order and its mission, by making clear its commitment to keeping children safe and modelling best practice.

**4.2. The Province requires:**

- All OCD friars in any form of ministry to undertake a recognised programme of safeguarding training organized by the OCD Safeguarding Coordinator for Training or a programme approved by the NBSCCCI;
- All OCD friars to receive yearly updating of OCD Safeguarding policy and procedures at Plenary Council meetings.

### STANDARD 5

#### COMMUNICATING THE CHURCH'S SAFEGUARDING MESSAGE

**5.1.** Contact details of the OCD Safeguarding Personnel, civil authorities and support services will be circulated by every means possible. The latest edition of the OCD Safeguarding Policy will be available on the Discalced Carmelite – Irish Region website: [www.ocd.ie](http://www.ocd.ie)

#### **5.2. OCD Safeguarding Policy**

All members of the Province will be given a copy of this OCD Safeguarding Policy and will be asked to sign an Agreement Form confirming that they have read the policy and agree to abide by it – see Form 1.

#### **5.3. Safeguarding Notices**

5.3.1. Every OCD community will clearly display a copy of the latest OCD Safeguarding notice in all its properties to which the public have access. This Safeguarding Notice will detail:

- The OCD Safeguarding Policy Statement, clearly stating the Province's commitment to safeguarding children, specifically indicating that the welfare of the child is of paramount importance;
- The names and contact details of the Designated Liaison Person and Support Person for the Province;
- Contact Numbers of TUSLA/HSC in the surrounding area;
- Contact number of An Garda Síochána/PSNI in the surrounding area;
- OCD Whistleblowing Policy

**5.4.** Every community in the island of Ireland will be notified when there are changes to the detail on this notice and each community will be immediately issued with an updated Safeguarding notice by the OCD Safeguarding Coordinator for Training to replace those already in existence.

#### **5.5. Contact Details**

All who work with children and/or young people in our priories or on behalf of the Discalced Carmelites will be made aware of contact numbers for TUSLA/HSC, An Garda Síochána/PSNI, the Designated Liaison Person, the Support Person and all other pertinent information in terms of advice, help and support.

#### **5.6. Updates and information**

The Provincial will give updates of developments in safeguarding children by means of the Region's Newsletters, distributed to all members of the Region as well as communicated through the OCD Irish Region website ([www.ocd.ie](http://www.ocd.ie)). These will contain the contact details of the Designated Liaison Person and the Support Person for Survivors and their Families.

### STANDARD 6

#### ACCESS TO ADVICE AND SUPPORT

**6.1.** Through its Provincial and its safeguarding support services, the Order of Discalced Carmelites wants to reach out to survivors of sexual abuse, and their families, who are seeking pathways of recovery.

**6.2. For those who have been abused:**

Anyone who has been abused should be assisted and supported in seeking help and reporting the crime:

- The DLP will provide information about what to do and where to go for help;
- The Support Person for Survivors and their Families will be available to provide pastoral support to those who make an allegation or raise a concern. See Section 8.3 for Role and Responsibilities of the Support Person.

**6.3. For those who have abused:**

OCD friars who have sexually abused children should be helped to face up to the reality of the harm they have caused, as well as being assisted in a manner which does not compromise the safety of children.

An Adviser will be appointed to be available to the OCD friar against whom a child safeguarding concern/allegation has been made. See Role of Adviser at 7.4 above.

**6.4. For all OCD Personnel:**

Child abuse, both current and historical, is distressing and can be difficult to deal with. The Order recognises that it has a duty to ensure that advice and support is available to assist OCD friars to play their part in protecting children and assisting adults who have been abused.

Section 2 of this document gives guidance on how to respond to a child or adult who raises a concern or makes an allegation.

All OCD friars can access support about safeguarding issues from the DLP, civil authorities and the National Board for Safeguarding Children in the Catholic Church in Ireland. See Appendices A and B for their contact details.

### STANDARD 7

#### IMPLEMENTING AND MONITORING THE STANDARDS

**7.1.** The Order is committed to the implementation of all policies, procedures and protocols that contribute to keeping safe children who avail of its services. To this end checks will be put in place at Provincial and community level to ensure full policy implementation of the seven standards in the island of Ireland

#### **7.2. Implementation by OCD Communities**

- The Local Safeguarding Committee (LSC) will maintain regular contact with their OCD community in terms of monitoring and implementing best practice in safeguarding children. This will be done collaboratively with the Prior who is the Local Safeguarding Representative (LSR) and the OCD Safeguarding Coordinator for Training.
- Each community is recommended to put safeguarding issues and local practice on the agenda for their meeting at least once a year;
- An annual Safeguarding Audit will be undertaken by each OCD community.

#### **7.3. OCD Safeguarding Committee for the island of Ireland (SCI)**

- The SCI is both supportive and developmental. It supports the work of the OCD Safeguarding Coordinator for Training and the Provincial and his Council.
- The SCI will ensure that the OCD Safeguarding Policy and Procedures are implemented and monitored in the island of Ireland through its three meetings per year.
- The SCI will drive the implementation of the seven standards by offering support and guidance as required. They will also ensure that the principles of best practice in recruitment and vetting form part of its various communications and training initiatives.
- This policy will be reviewed after two years and up-dated in line with new legislation.

**7.4.** An annual meeting of the OCD Province Safeguarding Committee (PSC) will be convened by the Provincial to share information and review safeguarding practices throughout the province as a whole.

**7.5.** The views of agencies involved inside and outside of Church organisations will be sought to help improve the effectiveness of measures taken.

**7.6.** The Order will co-operate fully with any review/audit by civil authorities and the National Board for Safeguarding Children in the Catholic Church in Ireland.

### OCD SAFEGUARDING STRUCTURE

The **OCD PROVINCIAL** is responsible for the safeguarding policy and procedures in the OCD Anglo Irish Province. All the elements of the structure are accountable to him through the team of the two KEY Safeguarding Personnel: **Designated Liaison Person** (risk/case management) and **Safeguarding Coordinator for Training** (Prevention). He has overall responsibility to ensure that the safeguarding structures are effectively achieving the seven standards in the province and in particular the island of Ireland.

### RISK/CASE MANAGEMENT: Key Personnel

#### 1. The OCD Designated Liaison Person (DLP)

The Designated Liaison Person (DLP) for the Irish Region is appointed by the OCD Provincial to receive allegations of child sexual abuse by OCD friars, record and report them to the relevant church and state authorities without delay. A deputy DLP (DDLDP) is also appointed who can act in the event that the DLP is not available to deal with the concern. A panel of specialists in the field of Child Protection and Family Services is available to the DLP for advice and support as required.

#### 2. Case Manager

In practical terms this is an aspect of the DLP's role. The case manager oversees the adherence of respondents to the precepts or safety plan/covenant of care placed on them and reports to the Monitoring Panel. The case manager:

- Puts in place and liaises with Mentors and respondents to monitor Covenant of Care in consultation with the TUSLA/HSC & Gardaí /PSNI.
- Reports to the Monitoring Panel on the adherence of the respondents to their precepts or safety plan/covenant of care.
- Advises the Monitoring Panel on any action that is deemed necessary to ensure that the risk to children is minimised.
- Liaises with the civil authorities: TUSLA/HSC, Gardaí/PSNI, Diocese, NBSCCCI
- Liaises with the Specialist and Advice Agencies as required
- Record keeping
- Manages case files/ storage in accordance with NBSCCCI guidelines and data protection.
- Liaises with the Safeguarding Coordinator for Training to educate and support communities with 'risk cases' as required.

#### 3. Support Person for Survivors and their Families

The Support Person for Survivors and their Families is appointed by the OCD Provincial to assist those who make an allegation or disclose abuse. The Support Person will assist, where appropriate with communication with the DLP to facilitate access to information and to represent the needs and concerns of those who make the allegation. A panel of Support Persons is available to support the work of the DLP. The

Panel consists of lay and religious, male and female together with a list of Support Agencies to offer choice in accordance with the presenting need.

#### **4. Adviser**

The OCD Provincial in consultation with the respondent appoints an Adviser to be available to any OCD friar against whom an allegation of sexual abuse has been made. The Adviser shall represent the needs of the respondent to the Provincial and assist, where appropriate, with communication between the respondent, the Designated Liaison Person and the Provincial. The respondent's adviser cannot act as the respondent's therapist or spiritual adviser. Under no circumstances should the same person act as Adviser for respondent and Support Person for the survivor.

#### **5. Advisory Panel/NCMRG**

The Advisory Panel is a consultative panel, set up to advise and assist the Provincial at all stages of the investigative process into alleged child sexual abuse by members of the Order. The Panel provides him with a consistent and accessible source of guidance. The Advisory Panel may provide advice whether specialist risk assessment should be sought in relation to a Child Safeguarding Concern. The Advisory Panel will collectively provide the expertise, experience and impartiality necessary in the field of safeguarding. No member of the panel shall act in a professional capacity to either the person making the allegation or the respondent. The Advisory Panel for the OCD is the National Case Management Reference Group (NCMRG).

#### **6. Monitoring Panel**

Due to an allegation/conviction of child sexual abuse having been made against him, an OCD friar may be placed under precept and supervision in an OCD Community. A Covenant of Care is drawn up for each respondent by the Designated Liaison Person in consultation in the first instance with the Civil Authorities (TUSLA/HSC and An Garda Síochána/PSNI), and then in consultation with the Provincial. A Mentor is appointed by the Provincial to monitor adherence to the Covenant of Care to ensure that the respondent does not pose a risk to children and reports to the Case Manager (DLP). The number and severity of the restrictions placed on a respondent will be commensurate with the nature of the accusation. The purpose of the Monitoring Panel is to monitor the adherence of the respondent to the precept placed on him. In practical terms this is the risk management/case management aspect of the DLP Role. The Monitoring Panel consists of the Case Manager (DLP), the Mentor, the Provincial and the civil authorities if required.

#### **7. Statutory Authorities:**

Gardaí/PSNI, TUSLA/HSC. The OCD Order is committed to report to the statutory authorities without delay.

#### **8. Church Authorities:**

The relevant diocese for information sharing.

#### **9. NBSCCCI:**

For support and information sharing.

### **PREVENTION: Key Personnel**

#### **8. OCD Safeguarding Coordinator for Training.**

The OCD Safeguarding Coordinator for Training has responsibility for the prevention aspect of safeguarding. The person will work closely with the Provincial and his Council, Local Community Representatives and Safeguarding Committees to drive the training, implementation and monitoring of the seven standards in the island of Ireland. The OCD Safeguarding Coordinator for Training, with the Provincial, the DLP and the members of the OCD Safeguarding Committees, devise and revise safeguarding policies, determine and present appropriate training to different groups within the Order and co-operate and comply with the church and civil authorities' laws and policies. The OCD Safeguarding Coordinator for Training informs the Provincial (or his delegate) of developments and communicates the concerns, needs, and requests of persons who have sought their assistance.

#### **9. OCD Province Safeguarding Committee (PSC)**

The OCD Province Safeguarding Committee comprises of representatives from the Region of Ireland (North and South), the Region of England and the Vicariates of Nigeria and Australia. The meeting is convened once per year by the Provincial. An OCD friar is the Chair of the PSC. The purpose of the annual meeting is to share safeguarding information and safeguarding challenges across the whole Anglo Irish Province regarding the seven standards, to support and learn from each part in the interest of the whole.

#### **10. OCD Safeguarding Committee for the Island of Ireland (SCI)**

The SCI comprises representatives from the three OCD sites in the island of Ireland. It works directly with the Safeguarding Coordinator for Training and the Provincial/Council to drive the seven standards in the island of Ireland. Its work is supportive and developmental. The SCI supports the work of the OCD Safeguarding Coordinator for Training and the Provincial/Council on a range of matters including:

- Creating, maintaining and monitoring a safe environment for children in all aspects of Carmelite life and activity;
- The safe recruitment of volunteers and staff.
- The provision of training for all OCD friars.
- Human resources required for implementing best safeguarding practice.
- The development and implementation of safeguarding policies.
- The review of policies.
- Assisting in identifying emerging needs and priorities.
- The development of audits to ensure adherence to policies and procedures.
- Monitoring and evaluating the effectiveness of its own work.

The SCI is chaired by the OCD Safeguarding Coordinator for Training and will meet three times per year to evaluate its work and account to the Provincial for the discharge of its responsibilities. It will review the OCD Safeguarding Policy every two years and updates it in line with new legislation.

### **11. OCD Local Safeguarding Representative (LSR)**

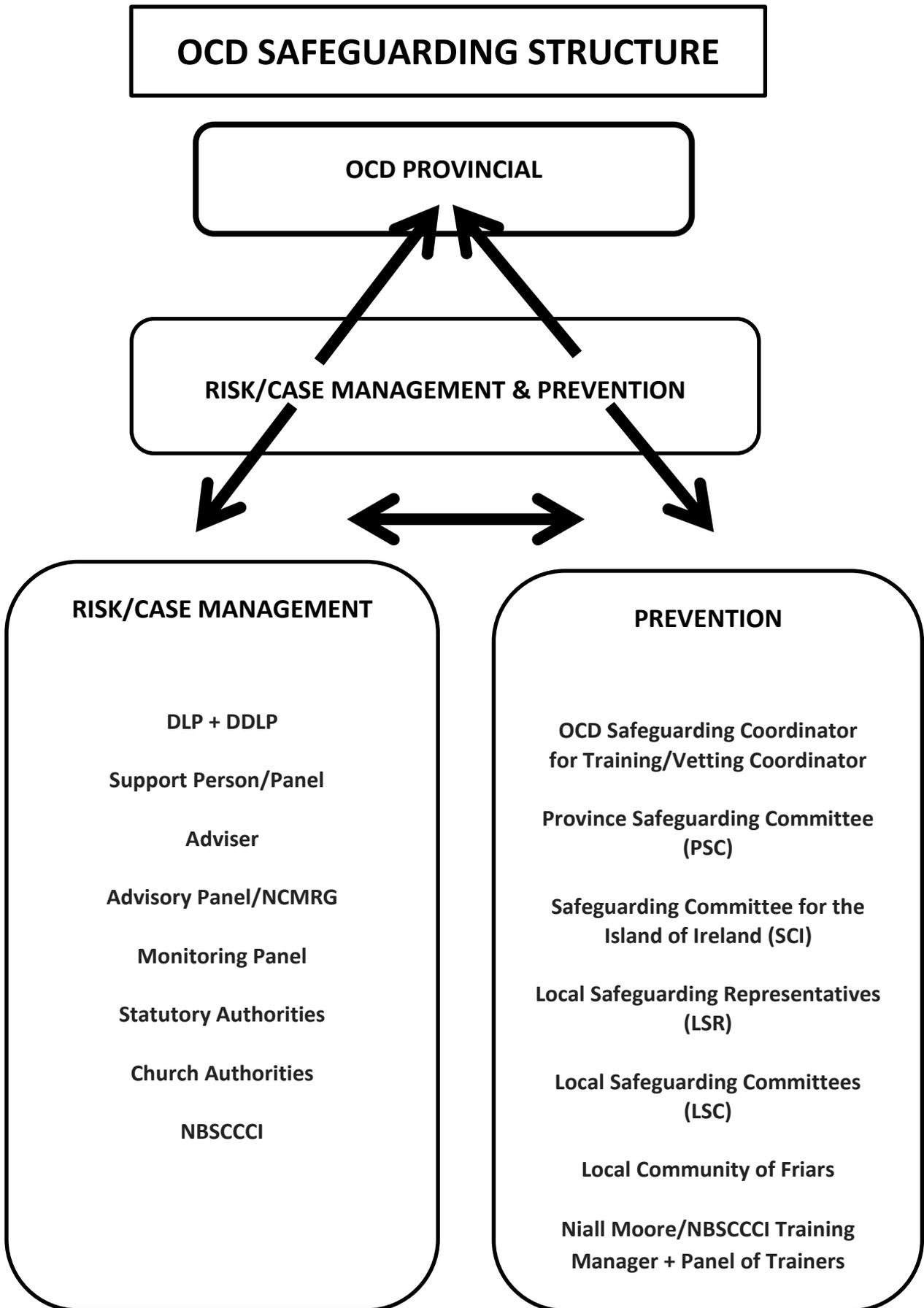
Every OCD Community has a named Safeguarding Representative, who is the local Prior, appointed by the Provincial. It is the responsibility of the OCD Safeguarding Coordinator to ensure that a person is nominated and assigned to this role. The Safeguarding Representative promotes and monitors safeguarding in the local community of OCD friars.

### **12. OCD Local Safeguarding Committee (LSC)**

The local OCD Safeguarding Representative will form an OCD Local Safeguarding Committee with two or three lay people from the wider community. The LSC will work directly with the Safeguarding Coordinator for Training to assess training needs, create a training plan within a wider 3-year strategic safeguarding plan and arrange for delivery of appropriate training to local communities, their staff and volunteers. It will also ensure cooperation and compliance with civil and church laws and policies at local level.

### **13. Panel of Trainers**

The Safeguarding Coordinator for Training will work closely with the Training Manager of the NBSCCCI and draw from a Panel of NBSCCCI Registered Trainers to meet the training needs of the communities in the island of Ireland.



## ROLES AND RESPONSIBILITIES

### 1. Role of the OCD Safeguarding Co-Ordinator for Training (Prevention)

The role of the OCD Safeguarding Co-Ordinator for Training is to:

- Support the Provincial in the creation and management of safe environments through the establishment and development of policy and procedures for the Province;
- Liaise with the NBSCCCI Training Manager;
- Liaise with the different levels of leadership – Local Leadership <-> Provincial leadership;
- Oversee and maintain the structure that drives the Standards in the island of Ireland;
- Co-ordination of Safeguarding Committees and related activities e.g. training, monitoring of the Standards;
- Co-ordination and training of the Local Safeguarding Representatives re implementation of the Standards with the membership, staff and volunteers;
- Ensuring the annual audit, including correlation of records for training related activities;
- Ensuring the completion of training needs assessments across the various safeguarding roles in the Province Safeguarding structure;
- With the Provincial ensuring that the Province has the appropriate personnel in place;
- To prepare for and attend annual accountability review meeting with the Provincial regarding the overall safeguarding structure and progress report on the strategic safeguarding plan to drive the Standards in the island of Ireland;
- Ensure that there are clear procedures and mechanisms to communicate the safeguarding policy and procedures of the province including updating of the website data, newsletters, leaflets etc.;
- To participate in on-going professional development consistent with the post and changing safeguarding demands in light of State/NBSCCCI audit outcomes.
- To inform the Provincial (or delegate) of developments and communicates the concerns, needs and requests of persons who have sought assistance.

### 2. Role of the DLP (Risk Management/Case Management).

The Designated Liaison Person's role is to receive information about a concern, allegation or disclosure of abuse relating to an OCD friar, and to report all child-safeguarding concerns, allegations and disclosures to the civil and ecclesiastical authorities without delay whether the Respondent is alive or deceased.

The DLP is required to:

**A: Act as the DLP for children and vulnerable adults as set out in the NBSCCCI Standards & Guidelines with responsibilities to include:**

- Hear any concerns relating to safeguarding, including any disclosures or allegations of abuse, and take responsibility for managing the response to that concern or disclosure from start to finish.

## ORDER OF DISCALCED CARMELITES [OCD]

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- Explain the procedures for addressing the concern, allegation or disclosure to the person who has raised it;
- Carry out the preliminary inquiry and referral to the civil authorities of TUSLA and HSC, An Garda Síochána/PSNI and any subsequent investigations. The DLP must keep a written record of the outcome in the OCD Safeguarding Case File. Decisions not to report a matter must be made by TUSLA/NSC.
- Inform the Provincial and the NBSCCCI that a complaint has been made and make a recommendation about any immediate action that needs to be taken in order to ensure the safety of children;
- Conduct an initial interview with the respondent as soon as possible, if TUSLA/HSC and An Garda Síochána/PSNI have agreed that the interview can take place. The respondent shall be given information about his or her entitlement to seek legal advice (both civil and, where appropriate, canonical) and about the child protection process. The respondent should be informed that he/she is not obliged, in law, to respond or to furnish evidence but that anything he/she says will be taken into account in the investigation. The DLP and the Provincial (or his delegate) should then inform the respondent of the nature and detail of the allegation/concern and the name of the person raising it. The purpose of the interview is to inform the respondent of the existence of the allegation and of the process being followed. The respondent needs to be given enough detail about the disclosure/allegation/concern, and the person raising it, to be able to offer a response. The respondent is told not to contact the complainant. The respondent shall be offered the services of an Adviser. A written record of the interview must be prepared, agreed with the respondent, signed and dated;
- Make enquiries to identify the present and previous appointments of the respondent in order to establish whether there are any previous concerns about his/her practice, or any current grounds for concern in relation to the safety and well-being of children
- Carefully record all steps undertaken as part of the procedures. Create a child protection case file for every referral that includes a log of actions, events and information. Entries should be made as soon as possible after the event but before the end of the day. They must be timed and dated by the author;
- Take possession of any written records made by any person in connection with the case and file them in the Safeguarding Case Filing Cabinet;
- Ensure that the person raising the concern, disclosing abuse, or making an allegation and anyone who is implicated by that are regularly informed about the progress of the inquiry process.
- Liaise with the NBSCCCI Office and have an overview of all matters dealt with under these procedures within the island of Ireland/Province/Order.
- Share information with the local diocese as required
- Work with the DDLP as required e.g. in the event of a conflict of interest, or to offer choice to children or adults coming forward.
- Ensure that there is a SUPPORT PERSON available to the complainant. Consult the Provincial regarding the appointment of an Adviser.
- Ensure that there is a Support Priest Adviser available to the accused friar (Respondent).

## ORDER OF DISCALCED CARMELITES [OCD]

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- Ensure that Support Services are available to the complainant and wider as required.
- Prepare the case submission dossier and attend the Advisory Panel meeting (NCMRG) with the Provincial as required.
- Maintain a dialogue with the Social Worker/Investigating Officer to monitor the progress of the case and act on any advice given. Details of contacts made should be recorded chronologically on the Safeguarding Case File;
- Ask for an update from TUSLA/HSC and An Garda Síochána/PSNI about the outcome of their investigation; this request should be made in writing;
- Conduct an internal investigation at the conclusion of any police investigation or where no such civil investigation takes place. Any internal investigation will be initiated in cases where child protection concerns remain or where disciplinary action needs to be considered. Such an investigation will gather and assess available information from all sources and witnesses. Every effort should be made, in consultation with TUSLA/NSC and An Garda Síochána/PSNI, to avoid the necessity to interview child witnesses for the purposes of disciplinary inquiries.

This investigation (which takes place after the statutory enquiries have been completed) should be conducted expeditiously. In cases where there is a delay, and where an OCD friar has been temporarily removed from active ministry it is important to keep everyone informed of the progress of the investigation and to maintain records of such communications.

### **B. To act as the risk manager/case manager with responsibilities to include:**

- Liaise with the civil authorities: TUSLA, An Garda Síochána/PSNI
- Contact emergency or appropriate services where a child appears to be at immediate and serious risk of harm;
- Liaise with church authorities: NBSCCCI/Diocese
- Liaise with the Support and Advice Agencies e.g. Towards Healing, Rape Crisis Centre, etc.
- Keep records
- Manage case files/storage in accordance with data protection.
- Put in place and liaise with Mentors to monitor Covenant of Care in consultation with the TUSLA/HSC and Gardai/PSNI.
- Be responsible for role, function and convening of the Monitoring Panel.
- Educate and support communities with risk cases with regard to risk identification, prevention and victim reduction.

Where an investigation concerns an OCD friar, the requirements of Canon Law will be observed. A Canonical investigation of the OCD friar will be carried out by the Order after the statutory investigation is completed

### 3. Role of the OCD Local Safeguarding Representative

The role of the OCD Safeguarding Representative is to:

- Raise awareness of what safeguarding involves.
- Ensure that key safeguarding information is disseminated in the OCD community.
- Co-operate with the OCD Safeguarding Coordinator for Training in relation to the monitoring of safeguarding practices, including the annual safeguarding audit.
- If necessary, to assist an OCD friar to contact the DLP or Support Personnel.
- Ensure that any activity taking place in the community operates in a manner which facilitates the safety and wellbeing of children.
- Brief the OCD community on best practice principles.
- Publish the contact details of the child safeguarding services and the relevant civil authorities.

N.B.

The overall responsibility for safeguarding children in each OCD Community remains with the Prior of the community who is the Local Community Safeguarding Representative.

### 4. Role of the Support Person

The Support Person is to be available to those who make an allegation/disclose sex abuse under these procedures. The role of the Support Person is to:

- Assist, where appropriate, with communication between the child or adult making an allegation/disclosure and the DLP and the Order;
- Facilitate the child or adult in gaining access to information and help;
- Represent the concerns of the survivor during the inquiry process.
- Extend appropriate pastoral support to family members of survivors.

The Support Person will be clear about his/her role and should receive appropriate training. The Support Person is not a counsellor to the child or adult, and must not be or act as their therapist.

The Support Person must be particularly attentive to the expressed needs and objectives of the child or adult, and the fact that some may be reluctant to seek help. They should, therefore, consider how any therapeutic or spiritual needs of a child or adult who has made an allegation/ disclosed abuse may be met, and will be mindful of his/her on-going vulnerability during this process.

In addition, the Support Person should:

- Consider any wishes of the child or adult disclosing abuse, in regard to a pastoral response by the Province to his or her family;
- Be available to the child or adult throughout the course of the inquiry process, and thereafter as required;
- Ensure the child or adult is kept informed of developments in relation to them;
- Arrange, if considered helpful, a meeting between the child or adult and the Provincial.

### **NB**

Under no circumstances should the same Support Person be provided for the child or adult making the allegation/disclosure of abuse and for the respondent.

### **5. Role of Adviser**

The Role of the Adviser is to:

- Accompany the Respondent if requested, and be available after the Respondent's meeting with the Church authority and the Designated Officer.
- Inform the Respondent of his right to obtain advice in both civil and canon law.
- Identify any therapeutic, spiritual or other needs of the Respondent and suggest how these may be met.
- Consider the wishes of the Respondent in regard to a pastoral response by the Church to his family.
- Be available to the Respondent throughout the inquiry process, and thereafter as required.
- Ensure that the Respondent is kept informed of developments in regard to the inquiry.
- Represent the needs and wishes of the Respondent to the Provincial/Council.

### APPENDIX A

#### Contact Details for Individuals/Organisations involved in the OCD Safeguarding Structure:

**THE DESIGNATED OFFICER FOR THE ORDER OF DISCALCED CARMELITES IN IRELAND IS:**

*Mr Tom O'Donnell: + 353 (0) 87 268 7209*

**THE DEPUTY DESIGNATED OFFICER FOR THE OCD IS:**

*Fr Vincent O'Hara, OCD: + 353 (0) 8767 56850*

**THE SAFEGUARDING COORDINATOR FOR TRAINING FOR THE OCD IS:**

*Sr Elizabeth Manning RSM: + 353 (0) 87 329 1928*

**TUSLA (Health Service Executive)**

Social Work & Child Protection Services

Clarendon St: Dublin South Central Area -Tel 01-6206078

Avila/Marlborough Road: Dublin South East / Wicklow Area - Tel 01-6299010

Berkeley Road: Dublin North City Area - Tel 01-8467129

Loughrea: Galway - Roscommon Area – Tel 091 546128

[www.TUSLA.ie](http://www.TUSLA.ie)

**Department of Health and Social Care in Northern Ireland**

Derry Gateway Office - Whitehill, 106 Irish Street, Derry, BT47 Tel: 028 7131 4090

<http://www.hscni.net/>

**Safeguarding Board for Northern Ireland**

The Beeches, 12 Hampton Manor Drive, Belfast, BT7 3EN

Tel: 028 9064 4811 (From Rep. of Ireland 048 9064 4811) [www.safeguardingni.org](http://www.safeguardingni.org)

**AN GARDA SIOCHÁNA - IRELAND**

Sexual Assault Unit, Harcourt Square, Dublin 2: 01 666 3435.

Donnybrook, Dublin 4: 01 666 9200

Pearse Street, Dublin 2: 01 666 9082

Mountjoy, Dublin 7: 01 666 8682

Loughrea, Co. Galway: 091 842877

A list of all Garda Stations in the country is available on [www.garda.ie](http://www.garda.ie)

**Police Service of Northern Ireland (PSNI)**

81A Strand Road, Derry, BT48 7AA

Tel 101 E-mail: [foyleDCU@psni.pnn.police.uk](mailto:foyleDCU@psni.pnn.police.uk)

## **ORDER OF DISCALCED CARMELITES [OCD]**

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**THE DESIGNATED OFFICER FOR THE ARCHDIOCESE OF DUBLIN IS:**

*Mr Andrew Fagan: 01 836 0314*

**THE DESIGNATED OFFICERS FOR THE DIOCESE OF DERRY:**

*Mary McCafferty - Diocesan Designated Person (Pro Tem)*

*Tel: 075 1426 5252 (NI) (00 44) 75 1426 5252(ROI)*

*Noel O'Donnell - Diocesan Designated Person*

*Tel: 075 9650 0793 (NI) 0044 75 9650 0793 (ROI)*

**National Board for Safeguarding Children in the Catholic Church in Ireland (NSBCCCI)**

**New House, St. Patrick's College, Maynooth, Co. Kildare.**

Specialist advice about child protection issues can be accessed through the National Office

Tel: 01-5053124; Fax: 01-5053026      [www.safeguarding.ie](http://www.safeguarding.ie)

### APPENDIX B

#### AGENCIES

##### **Connect – Professional Counselling & Support**

Connect offers assistance to any adult who has experienced abuse, trauma or neglect in childhood. The service is also available to partners or relatives of people with these experiences. It is available free & confidential from Wednesday to Sunday 6-10 pm.  
Tel: +353 1800 477 477     [www.connectcounselling.ie](http://www.connectcounselling.ie)

##### **National Counselling Service (NCS)**

NCS assists adults who were abused in childhood. The service offers confidential face to face counselling, free of charge to adults who experienced physical, emotional, sexual abuse or neglect during childhood. Counselling is available at 60 locations throughout Ireland.  
Freephone: 1800 235 234     [www.TUSLA-ncs.ie](http://www.TUSLA-ncs.ie)

##### **Towards Healing**

Towards Healing offers counselling and other support services to survivors and their families) that have been sexually abused by members of the clergy/religious orders.  
Freephone: 1800 303 416 / Dublin: 1800 77 8888     [www.towardshealing.ie](http://www.towardshealing.ie)

##### **One in Four**

One in Four offers support for women and men (and their families) that have experienced sexual abuse and/or sexual violence.  
Tel: 01 663 407     [www.oneinfour.ie](http://www.oneinfour.ie)

##### **Childline**

Childline provides a 24-hour listening service for all children up to the age of 18 years.  
Tel: 1800 666 666     [www.childline.ie](http://www.childline.ie)

##### **Irish Society for the Prevention of Cruelty to Children (ISPCC)**

ISPCC provides a range of services to children and young people  
Tel: 01 676 7960     [www.ispcc.ie](http://www.ispcc.ie)

##### **Console**

Console offers support to people in suicidal crisis and those bereaved by suicide  
Freephone 1800 247 247  
Text the word HELP to 51444  
[www.console.ie](http://www.console.ie)

##### **Children at Risk in Ireland (CARI):**

CARI provides child-centred therapy for children and adolescents who have been affected by sexual abuse. CARI also provides therapy to children, up to (and including) twelve year olds, who present with sexualised behaviours.  
Freefone: 1890 924 567

**Appendix C**

**DECLARATION ON SAFEGUARDING POLICY AND PROCEDURES**

Name:.....

Role:.....

I ..... (Insert full name)

hereby declare that I have read and understood the procedures on how to deal with allegations or suspicions of abuse and will comply with the Discalced Carmelite Safeguarding Policies and Procedures.

Signature:.....

Date:.....

### APPENDIX D

#### POSTCARD - Front

#### DISCALCED CARMELITE FRIARS (OCD) CHILD SAFEGUARDING



The Anglo Irish Province of the Discalced Carmelites recognises and upholds the dignity and rights of all children and is committed to ensuring their safety and well-being.

The OCD friars are committed to:

1. **Best Practice** to ensure that children are listened to and treated with respect, and have both their rights protected and their welfare promoted.
2. **Minimizing** risks in order to safeguard the interests of children.
3. **Ensuring that** all OCD friars/staff/volunteers are carefully recruited, selected, trained, supported and supervised.
4. **Providing** appropriate support for survivors of child sexual abuse.
5. **Providing** appropriate training for members and co-workers in our Safeguarding Policy and Code of Behaviour.
6. **Working in partnership** with statutory authorities for the prompt, just and professional management of complaints.
7. **Making** our Safeguarding Policy widely known, accessible and understood, and implementing procedures and protocols that contribute to keeping children safe in all our OCD gatherings, activities and services



THE NATIONAL BOARD FOR  
SAFEGUARDING CHILDREN  
IN THE CATHOLIC CHURCH

This Safeguarding Policy adheres to the principles and guidelines set out in: "Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland" (2008) as well as the civil laws and guidelines of the two

jurisdictions on the Island of Ireland.

**If you are concerned about a child or vulnerable adult please make contact with one of the individuals or agencies overleaf.**

### POSTCARD – Rear

#### CONTACT DETAILS

##### 1. DISCALCED CARMELITES PERSONNEL

**OCD Provincial:** Fr. Michael McGoldrick OCD: + 353 (0)87 416 8330

**The OCD Designated Liaison Person is:** Mr. Tom O'Donnell: + 353 (0)87 268 7209

**The OCD Deputy Designated Liaison Person is:** Fr. Vincent O'Hara OCD: + 353 (0)87 675 5850

**The OCD Safeguarding Coordinator for Training:** Elizabeth Manning RSM: + 353 (0)87 329 1928

##### 2. CHURCH AUTHORITIES

**National Board for Safeguarding Children in the Catholic Church in Ireland:** +353 (0)1 505 3018  
[www.safeguarding.ie](http://www.safeguarding.ie)

**Dublin Archdiocese/ Designated Liaison Persons:** Mr. Andrew Fagan: + 353 1 836 0314/  
Ms Julie McCullough: + 353 1 836 0314

**Armagh Archdiocese/ Designated Liaison Persons:** Mr. Pat McGlew: (028/048) 37535592/  
Ms Eleanor Kelly: (028/048) 37525592

##### 3. STATUTORY AUTHORITIES

**TUSLA, Child and Family Agency (HSE)** 01 635 2854 [www.tusla.ie/get-in-touch/local-area-offices](http://www.tusla.ie/get-in-touch/local-area-offices)  
[/duty –social-work-teams]

**An Garda Síochána** – Contact Sexual Assault Unit, Harcourt Square, Dublin 2 Tel: 01 666 34 35.  
Check Garda Stations at: [www.garda.ie](http://www.garda.ie)

**Department of Health Social Services and Public Safety (HSC)** Contact details at:  
[www.dhsspsni.gov.uk/child\\_protection\\_guidance](http://www.dhsspsni.gov.uk/child_protection_guidance)

**Police Service of Northern Ireland (PSNI):** Tel: 0044 (0) 845 600 8000 [www.psnipolice.uk](http://www.psnipolice.uk)

##### 4. SAFEGUARDING AGENCIES

**TOWARDS HEALING:** 1800 303 416 [www.towardshealing.ie](http://www.towardshealing.ie)

**ONE IN FOUR:** + 353 (0)1 663 4070 [www.oneinfour.ie](http://www.oneinfour.ie)

**CHILDLINE:** + 353 1800 666 666 [www.childline.ie](http://www.childline.ie)

**IRISH SOCIETY FOR THE PREVENTION OF CRUELTY TO CHILDREN (ISPCC):** + 353 (0)1 676 7960  
[www.ispcc.ie](http://www.ispcc.ie)

**SAMARITANS:** 1850 609 0900 [www.samaritans.org](http://www.samaritans.org)

### APPENDIX E

## Discalced Carmelite Social Media Policy

### “Preach the Gospel at All Times.”

## Guidelines for Evangelizing Through Social Media

### Introduction

Pope Francis constantly urges us to “go into the streets, to the outer reaches of society” with words of mercy and hope. Social media is one potent way of doing this. As Pope Benedict has said, “The world of digital communication, with its almost limitless expressive capacity, makes us appreciate all the more St. Paul’s exclamation, ‘Woe to me if I do not preach the Gospel.’”

Social media and electronic communication provide OCD friars and their partners in ministry with a way to exchange information and ideas faster and farther than ever before. Because this electronic frontier is also one with its own dangers and pitfalls, it is the hope that this Social Media Guideline can help navigate that new territory so that OCD Order might make the best use of these exciting tools of communication and evangelization.

As background, the online encyclopaedia Wikipedia defines social media as “media designed to be disseminated through social interaction, using highly accessible and scalable publishing techniques. Social media use Web-based technologies to transform and broadcast media monologues into social media dialogues.” Social media commonly refers to (but is not limited to) the following Web- or app- based protocols: Facebook, Twitter, blogs, and YouTube. Since the landscape of social media is constantly changing, this list could be in a near constant state of evolution.

Through photos, words and videos, social networking sites can be used to post a variety of items and themes – announcements, homilies, reflections, event dates, links, catechetical and prayer resources, and follow-up about significant events. In addition to communicating specific information, they can strengthen the sense of community both within provinces and among our extended OCD family.

There is little doubt that the Internet provides those who serve the Gospel with a creative opportunity to share the Word and the uniqueness of our OCD way of life in imaginative, immediate, and engaging ways.

Social media offer both opportunities and challenges to those who use them. Precisely because of the ability to disseminate information worldwide so quickly and easily, it is essential that these resources be used in a professional, mature and responsible manner.

### Guidelines

The following guidelines and cautions are provided as an aid to effective use of social media. Sloppy use of this means of communication will result in constituents being confused by the information offered, or worse, by receiving a negative impression of the OCD Order. When using social media and other electronic communications, OCD organizations — including friars, staff and volunteers — are advised to keep in mind the following:

1. All communication by friars and members of the OCD family mirrors the Church and the Order. Social media are a global platform. Once something is posted, it is available and visible to anyone in the world who visits that site. Mindful of the public nature of social media, all content should be characterized by charity and should not contradict the vision and mission of our OCD way of life. Staff members and ministry volunteers are encouraged to keep in mind these guidelines.
2. All publicly available online information (profile information, postings, updates, and the like) should be consistent with the same professional Codes of Conduct followed in other public areas of ministry.
3. Images (photos, videos and graphics) are powerful. Care should be taken in the selection of the images posted assuring that all photos and videos are appropriate and respectful. Specifically, the following should never be posted:
  - a. Images that contain any level of nudity
  - b. Images that are provocative or suggestive
  - c. Images that contain a child alone or children by themselves (with no adult in the photo) unless specifically ministry related and the permission of a parent or guardian has been obtained in line with the policies of the province and respective diocese.
  - d. Images that contain personal or identifying information (names, addresses, phone numbers, license plates, etc.)
  - e. Images that depict an illegal act or activity
  - f. Images that contain vulgar symbols or gestures
  - g. Images that are likely to be offensive to a reasonable person
4. The fact that online information is widely available should always be kept in mind. Though privacy settings are available, very little information can be limited to a small audience. Deleting information, posts, photos and comments is often possible but sometimes difficult. What is posted will be visible for a long time.
5. Interaction with minors through social media requires caution. Because the safety of children is always our priority in ministry, a few important reminders regarding

## ORDER OF DISCALCED CARMELITES [OCD]

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appropriate interaction with minors through social media should be kept in mind: \* Be sure to obtain permission from a minor's parent/guardian before contacting the minor via social media or before posting pictures, video, and information that may identify that minor. Frequently, written permission is obtained. \* Make parents aware if social media are being used by their minor children in relation to your ministry. \* Save copies of conversations whenever possible, especially those that concern personal sharing. (This may be especially important with text messaging.) \* Adhere to the policy of your local diocese.

6. Aim to keep posts appropriate, clear, respectful and always characterized by charity.
7. Be responsible. When in doubt about the content or tone of a post, leave it out. Although the style of social media text is informal, text should avoid sounding immature or unprofessional.
8. Be mindful that text does not always convey tone. Be cautious in the wording of posts (especially sarcasm meant as humour) since tone can often be misunderstood.
9. Identify yourself: authenticity and transparency are driving factors in the blogosphere and social media. When appropriate, provide your name and your role at your organization when you blog about topics that are related to your mission.
10. Respect the privacy of others. Do not publish or cite personal details and photographs of employees, volunteers, members of a ministry team or community, etc., without their permission.
11. Always comply with copyright laws and requirements.
12. Post a clear Code of Conduct for visitors to organizational websites and/or social media accounts. Do not allow defamatory, libellous, or slanderous speech. Example: "All posts and comments should be marked by charity and respect for the truth. They should be on topic and presume the good will of other posters. Discussion should take place primarily from a faith perspective. No ads please. Violations to these rules will be deleted."
13. Monitor postings regularly and remove posts that do not abide by site policy or individual standards. It's your site/page and you can police it as you see fit.
14. If problems arise with objectionable posts, consider strengthening privacy settings as a way to prevent postings from people whose topics or tone may be objectionable.
15. While anyone is free to create and maintain personal websites and social media content, users should be mindful that even personal sites must reflect Catholic and Discalced Carmelite values. It is important to understand that we are witnessing to the faith and to our Discalced Carmelite way of life through all social networking, whether organizational or individual. On personal sites like blogs, it is recommended to include

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a disclaimer, such as “The views expressed on this site are mine alone and do not necessarily reflect the views of my employer.”

16. Be careful about online associations. The people and organizations (pages, groups) with whom you connect (“like” or join) convey an image. (Ex: A status update such as “Br. John likes ‘Let’s burn down churches’” would arouse curiosity and probably concern.) On social media sites, be alert to the links on your profile page and what they convey. The image and intent of followers and friends affect one’s own image.
17. Never disclose confidential information about yourself, individuals or the organizations you serve.

### Conclusion

The OCD Order strongly encourages the use of social media by its members. These tools serve as an effective way to spread the Gospel and our Discalced Carmelite way of life, to make visible the good works that we do in so many places, and a valuable way to encourage vocations to our community.

By keeping in mind that every post and comment — both text and images — convey an impression of a person, our OCD ministry and a province, the posts can be a valuable method of sharing the Gospel.

The OCD Designated Liaison Person and OCD Deputy Designated Liaison Person are available to provide advice and support to those who are worried about the safety and welfare of children.

Additional information is available from a variety of resources, including:

- Website of the United States Conference of Catholic Bishops, from which sections of this document are based <http://www.usccb.org/about/communications/social-media-guidelines.cfm>
- Pontifical Council for Social Communications, “The Church and the Internet” [http://www.vatican.va/roman\\_curia/pontifical\\_councils/pccs/documents/rc\\_pc\\_pccs\\_d oc\\_20020228\\_church-internet\\_en.html](http://www.vatican.va/roman_curia/pontifical_councils/pccs/documents/rc_pc_pccs_d oc_20020228_church-internet_en.html)
- Praesidium <http://www.praesidiuminc.com/>

### APPENDIX F

#### Discalced Carmelites Code of Behaviour

##### Code of Behaviour for our life & ministry:

1. Treat all to whom we minister with respect and courtesy.
2. Respect the boundary of physical and emotional space that others require, using touch in a prudent and responsible way.
3. Provide pastoral ministry in a sufficiently safe environment, ordinarily one that is open and visible.
4. Ensure whenever reasonably possible that another adult is present or close by when providing pastoral ministry to a minor or vulnerable adult.
5. In the event of pastoral outings, behave with due prudence that has the other as its central concern. Avoid staying in the same room or travelling alone with a minor or vulnerable adult.
6. Avoid all inappropriate communication with children and vulnerable adults through the internet, e-mail, text messages or otherwise.
7. Ensure that permission of the parent/guardian is given when taking photographs and making videos or other recordings of children in the course of ministry to them.
8. Avoid the use of the pastoral role to foster relationships of dependence and subservience, over-familiarity with one child or vulnerable adult to the exclusion of others.
9. Avoid any form of over-familiarity or inappropriate language that could reasonably be interpreted as harassment.
10. Never provide alcohol or any drug/substance to a minor without the express permission of the parent/guardian.
11. Never act in a way that is intended to shame, humiliate, belittle or degrade.

All Discalced Carmelite friars of the Anglo-Irish Province are obliged to follow this code of conduct.

**APPENDIX G**

**Child Protection Recording Form**

**1. About the disclosure/concern**

Date of disclosure/concern \_\_\_\_\_

Time of disclosure/concern \_\_\_\_\_

How was information received? (Attached any written information to this form)

- Telephone    Letter    Email    In person

**2. Details of person making disclosure/raising concern**

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tel \_\_\_\_\_

Mobile \_\_\_\_\_ ) \_\_\_\_\_

Email \_\_\_\_\_

Relationship to child or alleged victim:

\_\_\_\_\_

**3. Details of child or alleged victim**

Name \_\_\_\_\_

DOB \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tel \_\_\_\_\_

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Mobile \_\_\_\_\_

Ethnic origin \_\_\_\_\_

Language (is interpreter/ signer needed)

\_\_\_\_\_

Disability \_\_\_\_\_

Special needs \_\_\_\_\_

Parish / Order (if applicable)

\_\_\_\_\_

### 4. Parent / Carer details (where appropriate)

Name \_\_\_\_\_

Address (if different from above) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tel \_\_\_\_\_

Mobile \_\_\_\_\_

Are they aware of the allegation, suspicion or complaint?

Yes     No

### 5. Details of alleged perpetrator

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tel \_\_\_\_\_

Mobile \_\_\_\_\_

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Relationship to child/victim (parent/Priest/teacher etc.) \_\_\_\_\_

Position in Discalced Carmelite Order \_\_\_\_\_

Address at time of incident(s) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Current contact with children if known (sit on board of governors of school, runs youth activities etc.) \_\_\_\_\_

Any additional information  
\_\_\_\_\_  
\_\_\_\_\_

---

### **6. Details of concern, allegation or complaint**

(Include dates / times and location the incident(s) occurred, witnesses, if known.  
Does the child / victim know this referral is being made?)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### **7. Action taken**

Has the matter been referred to civil authorities?

Yes     No

If yes  
Date \_\_\_\_\_

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Time \_\_\_\_\_

If no explain why \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Who was it referred to?**

Name \_\_\_\_\_

Designation \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Tel \_\_\_\_\_

Email \_\_\_\_\_

**Has the matter been referred to a member of the Discalced Carmelites?**

Yes     No

If yes

Date \_\_\_\_\_

Time \_\_\_\_\_

If no explain why

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Who was it referred to?**

Name \_\_\_\_\_

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Designation \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tel \_\_\_\_\_

Email \_\_\_\_\_

**8. Next Steps**

What actions were agreed and by whom when the matter was referred onto civil / Church authority?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Are there any immediate child protection concerns? If so please record what they are and state what actions have been taken by whom to address them:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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**9. Designated Liaison Person details:**

Date form sent \_\_\_\_\_

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### 10. Details of person completing the form

Name: \_\_\_\_\_

Tel \_\_\_\_\_

Mobile \_\_\_\_\_

Email \_\_\_\_\_

Position in Order \_\_\_\_\_

### Form completed

Date \_\_\_\_\_

Time \_\_\_\_\_

Signed \_\_\_\_\_

(A copy must be retained by the recipient and filed in a secure location, and a copy must be sent to the designed officer and civil / statutory authorities)

**Appendix H**

**DISCALCED CARMELTE TESTIMONIAL LETTER**

**TO:** Fr Provincial OCD, Provincial Office, 53 Marlborough Rd, Dublin 4, Ireland.

**FROM:** .....  
**Bishop/Provincial/Abbot**

**Address:** .....  
.....  
.....

**Telephone Number:** .....

**Email:** .....

**1. Personal Details:**

- Full Surname of applying priest/religious: .....
- Formal First Name: .....
- Date of Birth: .....
- Date of Ordination: .....
- Is he currently on Leave of Absence/ Exclaustration/Incardinated to a Diocese :  
YES/NO
- Does he currently hold faculties for ordained public ministry: YES/NO
- Address: .....  
.....  
.....
- Telephone Number: .....
- Email: .....
- Has he been in Ireland in the past: YES/NO –  
if YES give date: .....

**2. Purpose**

What is the purpose of the application?

- Visit the OCD Community at.....

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- Exercise ministry in the OCD Community at.....
- Other: .....

**3. Check List based on the information available to me at this time:**

- He is a religious/priest in my jurisdiction and in 'good standing: YES/NO
- He has never been suspended or canonically disciplined : YES/NO
- No criminal charges have ever been brought against him and he has no criminal record: YES/NO
- There has never been an accusation against him concerning any form of impropriety towards children, young people or adults: YES/NO – if YES give details overleaf.
- He has never shown any behaviour that would indicate that he is at risk to children, young people or adults: YES/NO – if YES give details overleaf.
- He does not have any unresolved problem with alcohol abuse or other forms of substance abuse: YES/NO
- He enjoys good physical and mental health and is not in need of medical treatment: YES/NO
- He is sufficiently fluent in the English language to enable him to undertake public active ministry if he so wishes: YES/NO

**4. Additional Information:**

- Is there any other reason or additional comment not reflected in #3 about this applicant that you wish me to know: YES/NO –if YES give details overleaf.

**5. Statement of Permission by Authorising Person:**

I hereby grant: .....

permission to seek to visit/to exercise ordained public ministry in your jurisdiction for

a period of:.....

From: ..... to.....

Signature: .....

Date: ..... Please affix official seal.

*This Document is valid for a period of 12 months from date of issue*

**Appendix I**

**CONSENT FORM FOR SHARING INFORMATION**

*Strictly Private and Confidential*

Name: .....DOB: .....

Address: .....

.....

I understand that the information:

1. To be shared is: .....
2. Is to be shared with: .....
3. Is for the purpose of: .....
4. Is to be shared on: .....
5. Is to be held by: .....
6. Is to be held for a period of: .....
7. Is to be stored - how and where: .....
8. Is accessed only by: .....
9. That if the purpose of the information as stated in #3 were to change I would have to authorise any such change.
10. That it is within my rights to withdraw my consent given to share this information at any time.

I understand the above terms of reference and voluntarily give my written consent to share the information as outlined in this document.

SIGNED: .....Date: .....

WITNESS: .....Date: .....

**Appendix J**

**Safe Recruitment and Selection Check List**

<p><b>Contact with children</b></p> <p>What contact with children will the job involve?</p> <p>Will the employee have unsupervised contact with children or hold a position of trust?</p> <p>What other forms of contact will the person have with children e.g. email, telephone, letter, Internet?</p>	
<p><b>Defining the role</b></p> <p>Have the tasks and skills necessary for the job been considered?</p> <p>Does the job description make reference to working with and having responsibility for children?</p>	
<p><b>Key selection criteria</b></p> <p>Has a list of essential and desirable qualifications, skills and experience been developed?</p>	
<p><b>Written application</b></p> <p>Have all applicants been asked to supply information in writing including personal details, past and current work/ volunteering experience?</p> <p>Have you developed application forms?</p>	
<p><b>Interview</b></p> <p>Have at least two representatives from the organisation been identified to meet with an applicant to explore information contained in their application?</p> <p>Have the applicant and the application</p>	

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<p>forms been carefully considered, highlighting points to raise in interview including:</p> <ul style="list-style-type: none"> <li>• the applicant’s attitudes towards working with children</li> <li>• areas you want to explore in more detail</li> <li>• gaps in employment history</li> <li>• vague statements or unsubstantiated qualifications</li> <li>• frequent changes of employment</li> </ul>	
<p><b>Declaration</b></p> <p>Have applicants been asked to sign a declaration stating that there is no reason why they would be considered unsuitable to work with children?</p> <p>Have applicants been asked to declare any past criminal convictions and cases pending against them?</p>	
<p><b>Identification</b></p> <p>Have applicants been asked for photographic documentation to confirm their identity e.g. birth certificate, passport?</p> <p>Is documentation relating to the applicant’s identity and relevant qualifications checked at interview?</p>	
<p><b>References</b></p> <p>Are applicants asked to supply the names of two referees who are not family members and ideally, who have first-hand knowledge of the applicant’s experience of work/contact with children?</p> <p>Are referees asked specifically to comment on the applicant’s suitability to work with children?</p> <p>Are all references provided in writing and followed up with a telephone call if appropriate?</p> <p>Is the identity of referees verified?</p>	

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<p><b>Qualifications</b></p> <p>Are applicants asked for documentation to confirm qualifications?</p>	
<p><b>Vetting procedure</b></p> <p>Has the vetting procedure that you will need for your selected applicant been considered? (In the Republic of Ireland An Garda Síochána Central Vetting Unit and In Northern Ireland POCVA vetting.)</p> <p>Has the applicant been informed that you will need to conduct essential background checks before they take up any appointment?</p>	
<p><b>Records</b></p> <p>Are details kept of the selection and induction process on the personnel file of the person appointed?</p> <p>Are references kept on file as part of the record of the recruitment process?</p>	
<p><b>Confidentiality</b></p> <p>Is information about the applicant only seen by those directly involved in the recruitment process?</p> <p>Are applicants reassured that information about them, including information about convictions, will be treated in confidence and not used against them unfairly?</p>	

### Appendix K

#### Safe Recruitment Helps

Establishing a fuller picture of the character and attitudes of an applicant is an important part of the safe recruitment process.

The formal interview is an opportunity to discuss and assess the applicant's values, motivations, abilities, experience and suitability.

Here are some examples of child protection questions you could ask during the interview process:

- Tell us about any experiences that have been difficult for you when working with children and young people and how you handled them?
- Tell us how you respond to aggression or young people who are especially challenging?
- Tell us how you go about advising a young person about sexual matters?
- How would you respond to a young person who tells you that they are being abused?
- Tell us what you would do if a young person started sending you text messages unrelated to your work?

**Appendix L**

**RISK ASSESSMENT FORM FOR ACTIVITIES WITH YOUNG PEOPLE**

**NB** - The bullet points included in this form are examples to be considered under the headings in Boxes 1-5. The form should be completed using the guidance and considering the specific activity to be undertaken along with the needs of the children and young people who will participate in the planned activity.

<p><b>1. Place to be visited:</b> e.g. retreat centre</p> <p><b>Potential hazards:</b></p> <ul style="list-style-type: none"><li>• environmental e.g. weather, terrain</li><li>• health e.g. polluted water</li><li>• human and behavioural e.g. violence</li><li>• activity e.g. swimming</li><li>• travel e.g. driving</li><li>• accommodation e.g. fire exit</li></ul>
<p><b>2. List groups of people who are especially at risk from the significant hazards you have identified e.g.:</b></p> <ul style="list-style-type: none"><li>• children</li><li>• young people</li><li>• event leader</li><li>• leaders</li><li>• impact of age/stamina/ability</li></ul>
<p><b>3. List existing controls or note where information may be found e.g.:</b></p> <ul style="list-style-type: none"><li>• ensure sufficient supervision</li><li>• clear guidance to pupils</li><li>• exploratory visit or research – this will allow for unforeseen or unknown hazards to be identified</li></ul>
<p><b>4. How will you cope with the hazards which are not currently or fully controlled under (3) e.g.:</b> <i>List hazards and the measures taken to control them</i></p> <ul style="list-style-type: none"><li>• removal of hazard</li><li>• modifying the design of an activity</li><li>• supervising an activity more closely</li><li>• training</li><li>• emergency procedures</li></ul>
<p><b>5. Continual monitoring of hazards throughout visit:</b></p> <ul style="list-style-type: none"><li>• share plans with leaders prior to the event</li><li>• during the event, on-going assessment of risk and remedial action as required</li></ul>

Risk assessment completed by: .....

Signed: .....

Date: .....

**Appendix M**

**Declaration form for all persons working as  
Employees or volunteers with children and young people**

**Confidential**

Legislation in both jurisdictions in Ireland, have at their core, the principle that the welfare of children and young people must be the paramount consideration. Church organisations therefore ask that everyone working or volunteering for the Church, who will come into contact with children or personal details of children, abide by good practice by completing and sign this declaration:

Do you have any prosecutions pending or have you ever been convicted of a criminal offence or been the subject of a Caution or of a Bound Over Order (please tick)

Yes  No

If yes, please state below the nature and date(s) of the offence(s)

Date of offence: \_\_\_\_\_

Nature of offence: \_\_\_\_\_

\_\_\_\_\_

Have you ever been the subject of disciplinary procedures or been asked to leave employment or voluntary activity due to inappropriate behaviour towards a child?

(Please tick)  Yes  No

If yes, please give details including date(s) below:

\_\_\_\_\_

\_\_\_\_\_

Full name (print): \_\_\_\_\_

Any surname previously known by: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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Date of birth: \_\_\_\_\_

Place of birth: \_\_\_\_\_

### **Declaration**

I understand that, if it is found that I have withheld information or included any false or misleading information above, I may be removed from my post whether paid or voluntary, without notice. I understand that the information will be kept securely by the Church organisation.

I hereby declare the information I have provided is accurate.

Signed: \_\_\_\_\_

Date \_\_\_\_\_

**Appendix N**

**Activity permission form for persons under 18 years**

**1.** Name of Order organisation \_\_\_\_\_

Venue/Activity/Group/Event \_\_\_\_\_

Date/Time \_\_\_\_\_

Name of Group Leader/person responsible \_\_\_\_\_

**2.** Name of Child/Young Person \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone No \_\_\_\_\_

Date of Birth \_\_\_\_\_

Give details of any medical condition of which the Organisers ought to be aware, please include details of any medication which has to be taken or any dietary requirements. (This information will be treated with confidence).

\_\_\_\_\_

\_\_\_\_\_

**3.** I have read all the information provided concerning the programme of the above activity. I hereby give permission for my son/daughter/ward to participate in the above activity.

**4.** The Order of Discalced Carmelites only accepts liability or responsibility for an incident or accident caused by the negligence or breach of statutory duty of the organisation its servants or agents.

Signed \_\_\_\_\_

Date \_\_\_\_\_

(Parent/Guardian)

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Address (if different from above) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Any additional telephone numbers during the period of the activity

\_\_\_\_\_

**Appendix O**

**CONSENT TO DISPLAY OF PHOTOGRAPHS IN CHURCH/CHURCH BUILDINGS**

Priory: \_\_\_\_\_

I hereby give my consent to allowing a photograph of: *(insert name of child/young person)*

\_\_\_\_\_

to be displayed in \_\_\_\_\_

for the period of: \_\_\_\_\_

after which it will:     be destroyed / be returned to me *(delete as appropriate)*

Signed by **Parent**: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

Date: \_\_\_\_\_

Signed by **Child**: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

Date: \_\_\_\_\_

**Appendix P**

**Self-Audit Guide**

	<b>Standard 1: A written policy on keeping children safe</b>	<b>In Place</b>	<b>Not in place</b>	<b>Proposed</b>	<b>Date Reviewed</b>
1	The Church organisation has a child protection policy that is written in a clear and easily understandable way				
2	The policy is approved and signed by the relevant leadership body of the Church organisation.				
3	The policy states that all Church personnel are required to comply with it.				
4	The policy is reviewed every two years and is adapted whenever there are significant changes in the organisation or legislation.				
5	The policy addresses child protection in the different aspects of Church work e.g. within a Church building, community work, pilgrimages, trips and holidays.				
6	The policy states how those individuals who pose a risk to children are managed.				
7	The policy clearly describes the Church's understanding and definitions of abuse.				
8	The policy states that all current child protection concerns must be reported to the civil authorities without delay.				
9	The Policy should be created at Region level. If a separate policy document other level is necessary this should be consistent with the Order policy and approved by the relevant Order authority before distribution.				

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	<b>Standard 2: Procedures – how to respond to child protection allegations and suspicions</b>	<b>In Place</b>	<b>Not in place</b>	<b>Proposed</b>	<b>Date Reviewed</b>
1	There are clear written child protection procedures that provide step-by-step guidance on what action to take if there are allegations and suspicions of abuse about a child (historic or current).				
2	The child protection procedures are consistent with legislation on child welfare and civil guidance for child protection and written in a clear and easily understandable way.				
3	There is a safeguarding/ designated person or person(s) with clearly defined role and responsibilities for child protection.				
4	There is a process for recording incidents, allegations and suspicions and referrals and storing these securely, so that confidential information is protected and complies with relevant legislation.				
5	There is a process for dealing with complaints made by adults and children about unacceptable behaviour towards children, with clear timescales for resolving the complaint.				
6	There is guidance on confidentiality and information sharing which makes clear of the child is the most important consideration.				
7	The procedures include contact details for local child protection services e.g. (Republic of Ireland) the local health board manager and An Garda Síochána; (Northern Ireland) the local health and social services trust and the services trust and the PSNI.				

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	<b>Standard 3: Preventing harm to children</b>	<b>In Place</b>	<b>Not in place</b>	<b>Proposed</b>	<b>Date Reviewed</b>
1	There are policies and procedures for recruiting Church personnel and assessing their suitability to work with children.				
2	The safe recruitment and vetting policy is in line with best practice guidance.				
3	All those who have the opportunity for regular contact with children, or who are in positions of trust, complete a form declaring any previous court convictions and undergo other checks as required by legislation and guidance and this information is then properly assessed and recorded.				
4	The Church organisation provides guidance on appropriate/ expected standards of behaviour of adults towards children.				
5	There is guidance on expected and acceptable behaviour of children towards other children (anti-bullying policy).				
6	There are clear ways in which Church personnel can raise allegations and suspicions, about unacceptable behaviour towards children by other Church personnel or volunteers ('whistle-blowing'), confidentially if necessary.				
7	There are processes for dealing with children's unacceptable behaviour that do not involve physical punishment or any other form of degrading or humiliating treatment.				
8	Guidance to staff and children makes it clear that discriminatory behaviour or language in relation to any of the following is not acceptable: race, culture, age, gender, disability, religion, sexuality or political views				
9	Policies include guidelines on the personal/ intimate care of children with disabilities, including appropriate and inappropriate touch.				

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10	There is guidance on assessing all possible risks when working with children – especially in activities that involve time spent away from home.				
11	When running projects/ activities ensure that children are adequately supervised and protected at all times.				
12	Guidelines exist for appropriate use of information technology (such as mobile phones, email, digital cameras, websites, internet) to make sure that children are not put in danger and exposed to abuse and exploitation.				

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	<b>Standard 4: Training and education</b>	<b>In Place</b>	<b>Not in place</b>	<b>Proposed</b>	<b>Date Reviewed</b>
1	All Church personnel who work with children are inducted into the Church's policy and procedures on child protection when they begin working within Church organisations.				
2	Identified Church personnel are provided with appropriate training for keeping children safe with regular opportunities to update their skills and knowledge.				
3	Training is provided to those with additional responsibilities such as recruiting and selecting staff, dealing with complaints, disciplinary processes, managing risk, acting as designated person.				
4	Training is provided in seminaries and houses of religious formation.				
5	Training programmes are monitored by the National Board for Safeguarding Children in the Catholic Church and updated in line with current legislation, guidance and best practice.				

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	<b>Standard 5: Communicating the Church's safeguarding message</b>	<b>In Place</b>	<b>Not in place</b>	<b>Proposed</b>	<b>Date Reviewed</b>
1	The child protection policy is openly displayed and available to everyone.				
2	Children are made aware of their right to be safe from abuse and who to speak to if they have concerns.				
3	Everyone in the Church organisation knows who the designated person is and how to contact them.				
4	Church personnel are provided with contact details of local child protection services, such as, HSCT/ HSE, PSNI, An Garda Síochána, telephone helplines and designated person.				
5	Church organisations establish links with statutory child protection agencies to develop their working relationships in order to keep children safe.				
6	Church organisations at diocesan and religious order level have an established communications policy which reflects a commitment to transparency and openness.				

## ORDER OF DISCALCED CARMELITES [OCD]

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	<b>Standard 6: Access to advice and support</b>	<b>In Place</b>	<b>Not in place</b>	<b>Proposed</b>	<b>Date Reviewed</b>
1	Church personnel with special responsibilities for keeping children safe have access to specialist advice, support and information on child protection.				
2	Contacts are established at a national and/ or local level with the relevant child protection/ welfare agencies that can provide information, support and assistance to children and Church personnel.				
3	There is guidance on how to respond to and support a child who is suspected to have been abused, whether that abuse is by someone within the Church or in the community, including family members or peers.				
4	Information is provided to those who have experienced abuse on how to seek support.				

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	<b>Standard 7: I Implementing and monitoring the Standards</b>	<b>In Place</b>	<b>Not in place</b>	<b>Proposed</b>	<b>Date Reviewed</b>
1	There is a written plan showing what steps will be taken to keep children safe, who is responsible for implementing these measures and when these will be completed.				
2	The human or financial resources necessary for implementing the plan are made available.				
3	Arrangements are in place to monitor compliance with child protection policies and procedures.				
4	Processes are in place to ask parishioners (children and parents/ carers) about their views on policies and practices for keeping children safe.				
5	All incidents, allegations/ suspicions of abuse are recorded and stored securely.				

**Appendix Q**

**Assessing the Regional/Community Implementation  
of the OCD Safeguarding Policy**

**Notes**

There are two different and effective ways of implementing policy – formal and informal. See the table below for some examples:

<b>Formal</b>	<b>Informal</b>
Briefings/ meetings	Networks
Newsletters	Listening/ talking
Memos	Sharing
All-staff emails	Discussion
Conferences	Training
Policy documents	Internal Internet discussion sites

On a large piece of paper draw two columns, with the headings below. Think about our OCD Region/our OCD community. What kind of communication already exists – is it formal or informal?

<b>Formal</b>	<b>Informal</b>

Summarise what you have thought about and look at the bullet points below – this should give you an outline of a strategy for implementation including:

- clear implementation objectives
- formal and informal ways of communicating
- know who can help
- what resources you need
- what timescale is realistic
- what difficulties or barriers there might be
- how the policy will be kept up-to-date and reviewed on a regular basis

### Appendix R

## Guidance on Leave and Restriction from Sacred Ministry and Apostolate for Clergy and Religious by NBSCCCI

This document represents guidance rather than direction for the Church. It does not diminish the authority of the Ordinary in anyway with regard to the management of these important issues. It has been produced to provide help to the decision making that has to be undertaken when matters of this nature arise.

### 1. Introduction

Procedures for managing concerns, suspicions and allegations are set out 4.1 and 5 of the OCD Safeguarding Policy. For specific reference to canonical processes see Appendix 1 below.

The Provincial should advise the National Office for Safeguarding Children in the Catholic Church

- that an allegation has been received
- that it has been referred to the statutory authorities
- that a Church enquiry will commence.

The Church inquiry is simply initiated and then suspended, pending the outcome of the civil investigation. No church investigation should interfere with the civil inquiries, which takes precedence at this stage. In the absence of an admission, the respondent enjoys the presumption of innocence, and all appropriate steps shall be taken to protect his/her reputation.

The respondent will be offered an Adviser who will encourage him/her to obtain advice from both civil and canon lawyers. (See Appendix 2). The Provincial should also engage canonical advice (see Appendix 1)

The Provincial possess all the necessary powers to take measures to promote and ensure the safety and welfare of children. Among the actions necessary, during both a civil investigation and church inquiry, may be the requirement to restrict a respondent's exercise of his/her office and/or sacred ministry and apostolate. A respondent may be asked to withdraw from a particular office and from other forms of sacred ministry and apostolate, including public celebration of the Mass and other Sacraments during the course of any civil as well as church/canonical investigation. The respondent may also be required to cease from wearing clerical attire.

There are two factors which will determine the Provincial's action in this regard:-

- The credibility of the allegation received
- An assessment of the potential risk to children.

Prior to deciding on how to respond, advice may be sought on either or both of these factors from the National Case Management Reference Group (NCMRG) of the National Board, or from an Advisory Panel supporting the relevant Church authority. Each case will have to be considered on its own merits. The advice provided to the Provincial should specifically include

## **ORDER OF DISCALCED CARMELITES [OCD]**

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an assessment of the credibility of the allegation and the potential risk arising as a consequence. If a decision has been made by the Provincial that it is necessary and appropriate to ask that a period of leave from sacred ministry should be initiated, the following procedure should

The following procedure outlines the processes to be engaged, when leave and restriction from sacred ministry and apostolate is required. It should be read in conjunction with 5 of the OCD Safeguarding Policy, which sets out in detail actions to be taken following receipt of an allegation. All actions should be confirmed in writing and a date of review of actions set.

- 1) On receiving a complaint, the Designated person, on behalf of the Provincial must inform civil authorities, whose role it is to investigate the allegation, and assess the risk to children.
- 2) A preliminary enquiry, in accordance with canon law will be initiated, when required by canon law (CIC, c. 1717; CCEO, c.1468). The canonical inquiry will be suspended to allow any civil investigation to take place.
- 3) Prior to meeting the respondent or informing him/her that an allegation has been received, consultation with the statutory authorities should take place, so as not to jeopardize any criminal investigation carried out by the civil authorities.
- 4) The Provincial, who may be accompanied by the designated person, or another appropriate person, should meet with the respondent to put the allegation to him/her in person. The respondent should be informed that he/she may wish to be accompanied to this meeting, and/or any subsequent meetings by a friend, colleague, or civil/canonical adviser. The respondent should be informed of his/her rights to both canonical and civil legal advice. At the meeting the respondent should immediately be advised of the following: the respondent has the right to remain silent; he/she may admit, deny or decide not to respond at this stage. A note of the meeting should be taken and a copy forwarded to the respondent.
- 5) While the allegations are being investigated the presumption of innocence applies, therefore leave from sacred ministry is a precautionary measure. It does not impute guilt, nor should the action (of leave from ministry) per se prejudice any civil or canon law process.
- 6) If the respondent is in a role which involves contact with children and young people, and if it is in the interests of safeguarding children and young people, then the respondent should be invited to request leave from sacred ministry and apostolate, for the course of the civil and/or canonical investigations. Where this is agreed, there should be clarity regarding the restrictions on sacred ministry and apostolate.
- 7) Limitations to sacred ministry and apostolate are taken in accordance with canon law and should be considered by the Provincial. If the respondent declines to request leave from ministry and if continuing sacred ministry or apostolate would constitute a risk to children, advice may be sought from the statutory authorities, the NCMRG, or an Advisory Panel. The Provincial may also take canonical advice on how to proceed in each case.

8) The Provincial by means of a decree or precept, gives reasons at least in summary form for his decision, outlines the respondent's restrictions on the exercise of the respondent's ministry or apostolate.

9) Agreement should be reached, if possible, between the Provincial and the Respondent in relation to the following:

- Right to the respondent's reputation, privacy, financial support, accommodation, adviser.
- Restrictions on public exercise of ministry – public celebration of Mass and other sacraments,
- Restrictions on use of clerical dress,
- Possible prohibition re: contact with children

a) How to bring to completion the transfer of any unfinished tasks in relation to the respondent's ministry, which do not involve access to children and young people.

b) Residency of the respondent: Consideration may be given to allowing the respondent to continue to reside in his/her current accommodation, if it is perceived not to present any risk to children, and where alternative accommodation is available for any Administrator/replacement

c) Communicating with relevant individuals and groups (congregations, colleagues, parishioners etc.): When an allegation has been received and a priest is taking leave from sacred ministry and apostolate, the Provincial is responsible for what is communicated, to whom, and how this is communicated. The preferred approach is for this to be agreed with the respondent who will not be named in any public statement. The presumption of innocence should be emphasised. Great care needs to be taken not to prejudice the outcome of any civil, criminal, or canonical investigation. Consideration may also be given to the inclusion in any public statement, if one is to be made, of information regarding how to access any available pastoral support.

d) Financial support during the period of leave from sacred ministry and apostolate.

e) Selection of an Adviser from those appointed to that role by the Provincial and canonical counsel, if this has not yet occurred.

f) Arrangements for finding alternative accommodation (where relevant: this includes members of Religious Congregations who reside on the same site as children). These should be agreed with the respondent together with a reasonable timeframe for vacating the current residence (if considered necessary). The Provincial should also ensure that reasonable costs incurred in obtaining suitable alternative accommodation are met.

10) If possible, the respondent should be supported to engage in other work/study, as long as it does not involve sacred ministry and apostolate or contact with children, during the period of leave from sacred ministry and apostolate.

11) If the respondent is engaged in ministry in Northern Ireland, there is a legal requirement to refer him/her to the Independent Safeguarding Authority if s/he has been invited to take administrative leave for causing harm and if it is judged that there is the risk of harm to a child or vulnerable adult.

12) If the respondent is a priest, he must be required to submit his celebret to his Provincial prior to taking administrative leave.

### 3. Return to Sacred Ministry

See Appendix 1 below - Note on canonical procedures.

In circumstances where an allegation is unsubstantiated within the civil forum, but, where there continue to be reasonable grounds for concern regarding a reserved delict (*notitia saltem verisimiliem de delicto reservato*), the Provincial must refer the matter to the Congregation for the Doctrine of the Faith (CDF). At this stage, it is for the CDF to determine what action if any is to be taken. When an accusation is shown to be false (malicious/unfounded)<sup>1</sup> the priest should be returned to ministry; every step possible will be taken to undo the damage to the reputation of the person falsely accused, not excluding communication with all relevant parties. Advice may be sought from the National Case Management Reference Group by the Provincial with regard to how this may be best approached.

### 4. Appeals

Where restrictions to sacred ministry and apostolate have been decreed through a decree or precept, there is the possibility of an appeal in accordance with canon law.

#### Appendix 1

##### Note on canonical procedures

When an allegation or concern has been received, and a referral to An Garda Síochána/PSNI/HSC/HSE has been made, a preliminary investigation should be initiated when the Ordinary receives information which has at least the semblance of truth regarding an offence (canon 1717; canon 695).

The Church investigation will have to be suspended in order to allow the civil investigations to be completed. If there is sufficient evidence that the allegation of a canonical delict is credible, in the case of clerics, the Congregation for the Doctrine of the Faith will be notified; in the case of clerics who are members of Religious Institutes, this referral should be done through the Generalate. In the case of Brothers and Sisters, the Generalate will be informed that an allegation of substance has been received; that the matter has been referred to the civil authorities and that an internal church investigation will be carried out.

No Church/canonical investigation shall be undertaken in such a manner as to interfere in any way with the civil authorities. At the conclusion of the statutory investigation or where no statutory investigation has taken place, the Preliminary Investigation, if already started in

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<sup>1</sup> Words such as false, unfounded, unsubstantiated and malicious are often used in the same context when describing an allegation. The meanings are different. The term False can be broken down into two categories: Malicious: This implies a deliberate act to deceive; for an allegation to be malicious, it will be necessary to have evidence which proves this intention. Unfounded: this indicates that the complainant misinterpreted the incident or was mistaken about what they saw. For an allegation to be classified as unfounded, it will be necessary to have evidence to disprove the allegation. An unsubstantiated allegation is where there is insufficient identifiable evidence to prove or disprove the allegation. The term does not imply guilt or innocence.

Canon Law, continues. For the sake of canonical due process, the respondent should be encouraged to retain the assistance of canonical counsel.

The statutory investigation concludes if the Police/DPP decide not to prosecute; or following a court case

### **Appendix 2 - Roles**

#### **Role of Adviser**

The adviser's role is set out in 7.10 and 8.8 of the OCD Safeguarding Policy. As this can be a stressful time for the respondent, the Adviser, selected by the respondent from those appointed by the Bishop/Congregational Leader to fulfil this role, shall be available to the Respondent, represent his/her needs, assist with his/her care and with communication, (where appropriate) between the respondent, the Bishop/Congregational Leader, and/or Designated Officer. The Adviser should offer support, including advice on finding alternative accommodation, accessing counselling, if required, and responding to the pastoral needs of the respondent's family.

#### **Role of Designated Person (DLP)**

The role of the Designated Person is set out in 7.6 and 8.5 of the OCD Safeguarding Policy. The Designated Person will be appointed by the Provincial as Case Manager. In relation to leave from sacred ministry and apostolate, the Designated Person has no formal role. His/her role is to forward the complaint to the civil authorities, and to assist the Provincial in assessing and managing risk. The designated person may be appointed by the Provincial to manage the church enquiry, once the civil authorities have completed their investigations.

### **Appendix 3 - Grave Delicts**

The more grave delicts against morals which are reserved to the CDF are:

- The delict against the sixth commandment of the Decalogue committed by a cleric with a minor below the age of eighteen years; in this case, a person who habitually lacks the use of reason is to be considered equivalent to a minor.
- The acquisition, possession, or distribution by a cleric of pornographic images of minors under the age of fourteen, for purposes of sexual gratification, by whatever means or using whatever technology cf. *Normae de gravioribus delictis* (Art 6) CDF May 2010.
- If the sexual abuse of a minor occurs in the context of the sacrament of confession.

**Appendix S**

**DECREE TO INITIATE CANONICAL INVESTIGATION**

At this time, I have received information which appears indicative of the fact that a serious offence may have been committed by

Fr.....

On the basis of this information, it appears that Fr.....  
has been accused of

.....  
.....

Due to the seriousness of this information and by virtue of canon 1717, I hereby decree that the preliminary investigation be opened concerning the facts, circumstances and imputability of these allegations, so as to determine whether it is necessary to take further action.

In addition, I hereby appoint..... as auditor and I direct him/her to conduct on my behalf an appropriate investigation into the facts and circumstances of this matter and the related question of the imputability of Fr..... in accord with the norm of the law.

Given at 53 Marlborough Rd, Dublin 4 on this .....(Date).

\_\_\_\_\_  
Provincial

SEAL

\_\_\_\_\_  
Notary