

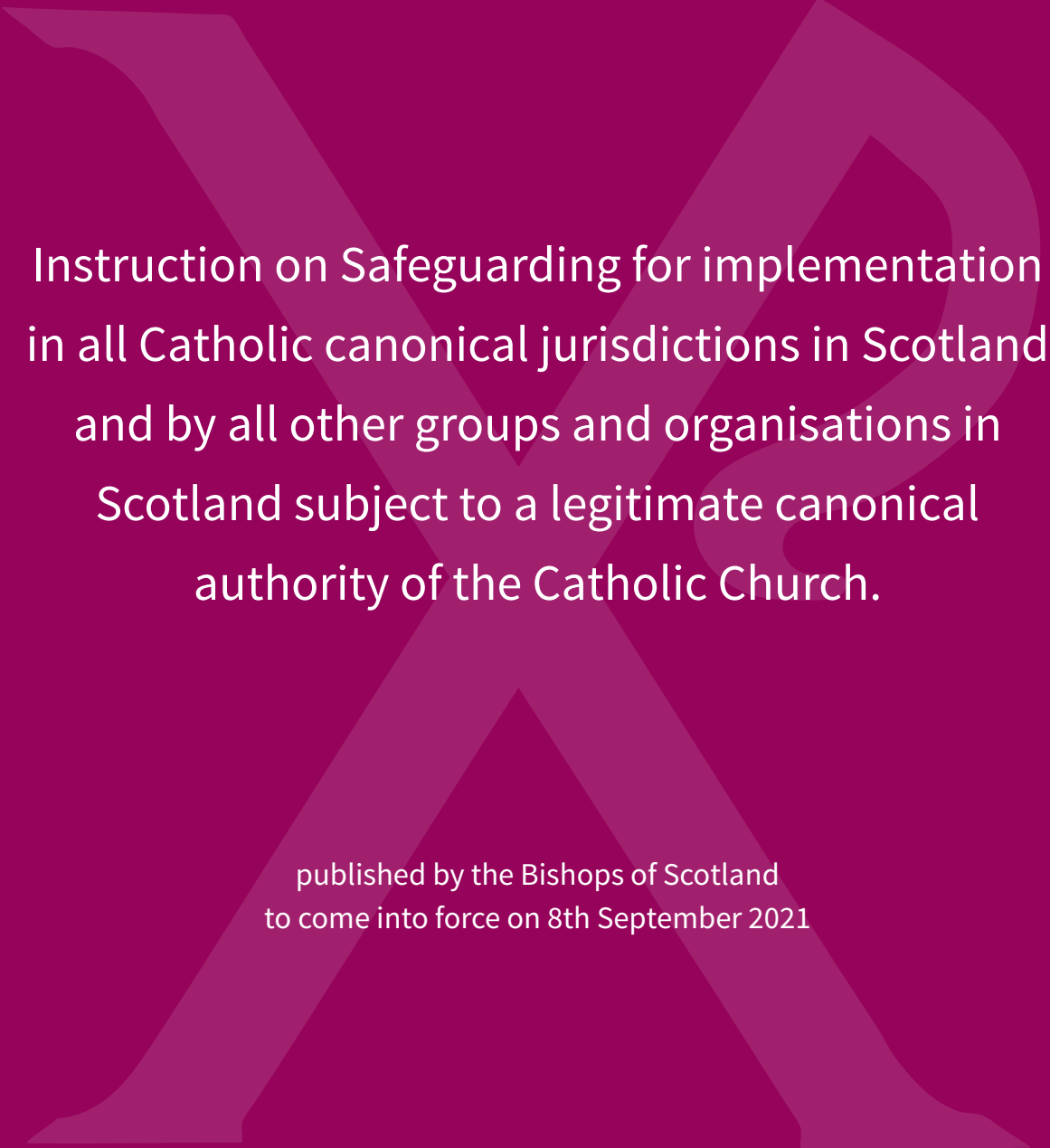


# **IN GOD'S IMAGE** v2

**Instruction on Safeguarding in the Catholic Church in Scotland**

Text last updated: 24.04.23

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

published by the Bishops of Scotland  
to come into force on 8th September 2021

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

Genesis 1:27

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## Our Safeguarding Culture

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

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

As a Church community, we accept that it is the responsibility of all of us - ordained, professed, employed and volunteer lay people - to work together to uphold these safeguarding standards that have been designed to protect children and vulnerable adults from abuse or harm.

## 1 Introduction

- 1.1 IN GOD'S IMAGE has been published **to explain** and **to direct** the approach to safeguarding that is to be practised at every level of the Catholic Church in Scotland. For the public, and for Catholic faith communities in particular, it has been written **to explain** how the Catholic Church in Scotland makes every effort to protect, from all forms of harm and abuse, children and adults who are vulnerable or at risk. It has also been written as an 'Instruction' from the Church **to direct** those who are responsible for managing safeguarding arrangements in parishes, dioceses, religious institutes, and Catholic organisations on how to comply with these national safeguarding standards. In this sense, it is in accord with the direction of Pope Francis for Episcopal Conferences to strengthen their safeguarding guidelines so that they are understood to be "rules and not simply indications".<sup>1</sup>
- 1.2 IN GOD'S IMAGE was first published in April 2018 to replace 'Awareness and Safety in our Catholic Communities', the Church's policy and practice manual first published in 2007. This took into account a recommendation made in 2015 by the McLellan Commission<sup>2</sup> that was established in 2013 by the Bishops' Conference of Scotland to provide an independent review of safeguarding policies, procedures and practice in the Catholic Church in Scotland. IN GOD'S IMAGE was first published "ad experimentum" for a period of three years to give time for its contents to be reviewed in the light of experience and evolving guidance.
- 1.3 IN GOD'S IMAGE version 2 (IGlv2) has emerged from a 9-month period of consultation, reflection and discussion among many who have direct experience and expertise in the front line of the Church's safeguarding practice. Significantly, this experience includes responding to the hurt and anguish of those who have suffered abuse at the hands of clergy, religious and others working within the Catholic Church.
- 1.4 IGlV2 makes reference to key statements made by Pope Francis and to instructions and norms published by the Holy See in recent years<sup>3</sup>. It also takes into account evolving changes to the PVG scheme in Scotland. The work of the Independent Review Group and recommendations from independent audits of safeguarding in Scottish dioceses have also had a bearing on this revised version.
- 1.5 In publishing this version online, rather than in hard copy, we have anticipated that further changes and additions will be necessary as time passes. There will be careful management of these modifications so that users can be assured of being able to access the most up-to-date version of the text online. It is hoped that providing online access will make the document more widely available.

<sup>1</sup> Pope Francis concluding address at a Meeting on 'The Protection of Minors in the Church', 24th February 2019 [Pope Francis Address]

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

<sup>3</sup> *Vos Estis Lux Mundi*, 7th May 2019 [VELM]; *Vademecum of the Congregation for the Doctrine of the Faith 16th July, 2020* [VADEMECUM]

## 2 Safeguarding in the Catholic Church: a journey of personal and communal conversion

*The crimes of sexual abuse offend Our Lord, cause physical, psychological and spiritual damage to the victims and harm the community of the faithful. In order that these phenomena, in all their forms, never happen again, a continuous and profound conversion of hearts is needed, attested by concrete and effective actions that involve everyone in the Church, so that personal sanctity and moral commitment can contribute to promoting the full credibility of the Gospel message and the effectiveness of the Church's mission. . . Even if so much has already been accomplished, we must continue to learn from the bitter lessons of the past, looking with hope towards the future.<sup>4</sup>*

### “Learning from the bitter lessons of the past . . .”

2.1 In recent decades, most societies have woken up to the widespread scale of the abuse of children and vulnerable adults. Calls for justice for victims and for both punishment and rehabilitation for offenders have become more vocal as public opinion has become more sensitised to the anguish and suffering of those who have been abused. In that time, there have been shocking accounts of abuse in the Catholic Church, perpetrated by priests, religious, and laypeople and made even more scandalous by attempted cover-ups and actions taken to protect the institution of the Church rather than to protect the vulnerable. As a direct result, the credibility of the Church as a moral authority has suffered greatly.

*The brutality of this worldwide phenomenon becomes all the more grave and scandalous in the Church, for it is utterly incompatible with her moral authority and ethical credibility.<sup>5</sup>*

2.2 Sincere and committed clergy, religious, and lay faithful have been scandalised as they have become aware of the wrongdoing within the Church they love, whether this be the predatory behaviour of members of some clergy in relation to vulnerable adults, the abuse of children carried out by those expected to care for them, the cover-ups, or the attempted defence of inherently indefensible actions.

<sup>4</sup> VELM, introduction

<sup>5</sup> Pope Francis Address

*We need to recognise with humility and courage that we stand face to face with the mystery of evil, which strikes most violently against the most vulnerable, for they are an image of Jesus. For this reason, the Church has now become increasingly aware of the need not only to curb the gravest cases of abuse by disciplinary measures and civil and canonical processes, but also to decisively confront the phenomenon both inside and outside the Church.<sup>6</sup>*

- 2.3 A true appreciation of the damage caused by this evil can only be obtained by listening to those who have been abused. Such accounts are not readily shared, not least because they can involve admitting to the brutal intrusion of a powerful 'other' into the physical, emotional and spiritual integrity of a vulnerable person, often over a prolonged period of time. The victim can be deliberately de-personalised and 'reduced' to what they provide for the satisfaction of the more powerful.
- 2.4 Pope Francis has called for all in the Church to show "humility and courage" in facing up to the "the brazen, aggressive and destructive evil" that is manifest in the abuses of power, the exploitation of the vulnerable and the destruction of innocence that have taken place. He has not only promoted the adoption of various practical measures and uniform directives needed to counter the evil of abuse but has called for all in the Church to seek a "personal and communal conversion", through prayer and penance, that will lead to a "commitment to a culture of care" in the Church's safeguarding practice.<sup>7</sup>

*It is essential that we, as a Church, be able to acknowledge and condemn, with sorrow and shame, the atrocities perpetrated by consecrated persons, clerics and all those entrusted with the mission of watching over and caring for those most vulnerable.<sup>8</sup>*

<sup>6</sup> Pope Francis Address, 2

<sup>7</sup> Letter of His Holiness Pope Francis to the People of God, 20th August 2018 [Letter to People], 2

<sup>8</sup> Letter to People, 2



## “Looking with hope towards the future . . .”

- 2.5 In seeking to respond to the scandal of abuse and to appreciate the deep wounds caused by it in the lives of victims and survivors,<sup>9</sup> the Church must learn how best to accompany them on their individual journeys towards healing. We must find ways to walk with them, listen to them, learn from them, and continue to support them. This should be the hallmark of the safeguarding culture in every parish, every religious community, every diocese, and every Catholic organisation in Scotland.
- 2.6 Christians are called, through their baptism, to see and to honour the image of God in each human being, to recognise and to cherish the innate dignity and worth of each person who is created by a loving God. We are called to protect and defend others from violence, exploitation, abuse and corruption. We should all understand, therefore, that what we now call “safeguarding” - how we keep all, especially children and vulnerable adults, safe within our Catholic community - comes from the very heart of God’s love made incarnate in his Son, Jesus Christ Our Lord.
- 2.7 When Jesus was asked which was the first of the Commandments, he responded: ‘This is the first: Listen, Israel, the Lord our God is the one Lord, and you must love the Lord your God with all your heart, with all your soul, with all your mind and with all your strength. The second is this: You must love your neighbour as yourself. There is no commandment greater than these.’ (Mark 12:28-30). Seen from this perspective, the safeguarding of children and of all vulnerable adults is a work of love that emerges from the fundamental programme of Christian faith and living, mandated by Jesus himself. This is true, too, of the Church’s commitment to respond in justice and compassion to the care of victims and survivors of abuse.
- 2.8 The work of the Church in protecting and cherishing children and vulnerable adults is not something carried out independently of Christ, nor is it merely inspired by the example of Christ. Rather, it is the risen Christ himself, through the power of the Holy Spirit, who protects and cherishes everyone through the work of the Church. Jesus welcomed children, embraced them, and blessed them. It is the same Jesus who protects and cherishes the vulnerable through the mission of the Church. The safeguarding work of the Church is primarily the work of Jesus the Lord who loves those who are vulnerable and cherishes them. This precept is embedded in the Pastoral Constitution of the Church in the Modern World:

*By no human law can the personal dignity and liberty of man be so aptly safeguarded as by the Gospel of Christ which has been entrusted to the Church.<sup>10</sup>*

<sup>9</sup> The words “victims” and “survivors” are used to refer to those who have experienced abuse within the Church (cf 4.1.4 below)

<sup>10</sup> *Gaudium et Spes*, 7th December 1964, 41

2.9 Part of the mission of the Church is the pursuit of justice for the victims of abuse. The Church must be unswerving in answering their cry. The spirit of evil, identified by Pope Francis as the root cause of abuse, is the spirit of deception and lies, which has thrived in the 'darkness' of the abuse of power and the attachment to clericalism. By contrast, Christ - the light of the world - shines forth to establish the truth. Guilt is to be determined both in the civil forum and in the forum of the Church where punishment is designed principally to prompt in the perpetrator a desire for conversion and repentance. However, the pursuit of justice is not confined to the area of criminal conduct, but also includes the examination of possible professional misconduct by members of the clergy and church office holders and the imposition of sanctions, including dismissal.<sup>11</sup>

*In the past, great damage was done by a failure to appreciate the close relationship existing in the Church between the exercise of charity and recourse — where circumstances and justice so require — to disciplinary sanctions. This manner of thinking — as we have learned from experience — risks leading to tolerating immoral conduct, for which mere exhortations or suggestions are insufficient remedies. This situation often brings with it the danger that over time such conduct may become entrenched, making correction more difficult and in many cases creating scandal and confusion among the faithful. For this reason, it becomes necessary for bishops and superiors to inflict penalties. Negligence on the part of a bishop in resorting to the penal system is a sign that he has failed to carry out his duties honestly and faithfully. . .*<sup>12</sup>

2.10 Pope Francis has urged all in the Church, especially bishops as the successors of the Apostles, to learn from the lessons of the past and to hold accountable those who have perpetrated or covered up crimes of abuse.

*No abuse should ever be covered up (as was often the case in the past) or not taken sufficiently seriously, since the covering up of abuse favours the spread of evil and adds a further level of scandal.*<sup>13</sup>

He calls on all the baptised to respond to the personal and communal conversion that is needed to demonstrate a commitment to “a culture of care that says, ‘never again’ to every form of abuse”.<sup>14</sup>

2.11 Such commitment will be shown when all responsible for safeguarding in the Church – including all baptised People of God - comply with the safeguarding standards expounded in this document and thus communicate all these parts of the Church's core safeguarding message.

<sup>11</sup> Code of Canon Law, Book VI, revised 2021

<sup>12</sup> Pascite gregem Dei, Reforming Book VI of the Code of Canon Law, Pope Francis, 23rd May 2021

<sup>13</sup> Letter to People, 2

<sup>14</sup> Letter to People, 2

## Our Core Safeguarding Message

**We regard as our paramount concern the safety of children and vulnerable adults.**

**We demonstrate zero tolerance of abuse.**

**We report all allegations of abuse to the statutory authorities.**

**We show compassion for all who have suffered experience of abuse.**

**We acknowledge and learn from our past failings.**

**We open our safeguarding procedures to independent scrutiny.**

**We provide training and support to all who are responsible for safeguarding.**

**Together we commit to continuous improvement in our safeguarding practice.**

### 3 National application of IN GOD'S IMAGE

- 3.1 The Catholic Church in Scotland is separated into eight independent territories called dioceses. There are two archdioceses: Saint Andrews and Edinburgh and Glasgow. There are six dioceses: Aberdeen, Argyll and the Isles, Dunkeld, Galloway, Motherwell and Paisley. Each Bishop and Archbishop governs his own diocese in accordance with canon law and in communion with the Pope but, to promote consistency and to encourage common pastoral work across the whole church in Scotland, the bishops meet together and work together as the Bishops' Conference of Scotland.
- 3.2 Meeting together, the Bishops' Conference of Scotland have decided to adopt IGlV2 as an "Instruction" on safeguarding and each bishop and archbishop will therefore implement it fully in each diocese and archdiocese in Scotland. This document has been produced to implement the provisions of canon law and of Scots law on safeguarding and to explain how these provisions work on a practical level.
- 3.3 As well as the dioceses, there are also many other Catholic bodies in Scotland with their own autonomy and governance, working with, but separate from, the bishops. These include religious orders, lay organisations, and certain Britain-wide or international jurisdictions such as the Bishopric of the Forces or the Eparchy of the Syro-Malabars in Great Britain. We, the bishops of Scotland, have consulted with these organisations and we expect and encourage them to abide by the provisions of this document, and we require them to do so when they are working in our parishes and churches.
- 3.4 In our dioceses, parishes, churches, and in all activities of the Church in Scotland, we require all Catholic clergy, religious, and laypeople in Scotland to follow all the requirements of IGlV2 so as to protect the vulnerable, to support survivors, and to respond appropriately to all concerns and allegations of abuse. Arrangements for mandatory reporting of allegations of abuse, mandatory safe recruitment, mandatory training, mandatory auditing and planning (detailed in the relevant standards) will help everyone to comply with these standards.
- 3.5 Each bishop has undertaken to promulgate this instruction by decree for observance in his own territory, with effect from 8th September 2021, the feast of the Birthday of the Blessed Virgin Mary.

## Our Safeguarding Standards

Our Safeguarding standards are set out in the following table and each standard is further illustrated by indicators that describe the procedures and protocols to be followed in order to meet the standard. The numbering of each standard is merely intended to facilitate ease of reference and should not be seen to confer any sense of greater significance on one standard over another.

At the end of each Standard, we provide a list of indicators of compliance with each standard, as well as suggested evidence that will demonstrate compliance. These lists are intended to assist with planning and reviewing and are not exhaustive.

<b>Standard 1</b>	<p><b>Creating and maintaining safe Church environments</b></p> <p>We endeavour to ensure that Church environments are welcoming, nurturing and safe. We put measures in place to protect children and vulnerable adults in all church settings and activities.</p>
<b>Standard 2</b>	<p><b>Safely recruiting clergy, religious, lay employees and volunteers</b></p> <p>When admitting men and women to formation for ministry, and when recruiting lay employees &amp; volunteers, we carefully check their suitability for working with children and vulnerable adults.</p>
<b>Standard 3</b>	<p><b>Responding to safeguarding concerns and allegations of abuse</b></p> <p>When alerted to information, concerns and allegations regarding the safety or welfare of child or a vulnerable adult, we respond with care and compassion. We inform the statutory authorities of all allegations of abuse that we receive.</p>
<b>Standard 4</b>	<p><b>Providing care and support for those who have experienced abuse</b></p> <p>We provide a compassionate response to all who disclose any experience of having been abused and we offer them pastoral care, support, and reparation.</p>
<b>Standard 5</b>	<p><b>Managing and providing care for respondents to allegations of abuse</b></p> <p>When an allegation of abuse is received concerning clergy, religious, lay employees or volunteers, we offer pastoral care, support and fair treatment to the respondent and we monitor their conduct and welfare.</p>
<b>Standard 6</b>	<p><b>Working together to develop a culture of care</b></p> <p>Recognising that safeguarding responsibilities are intrinsic to Christian baptism and to the mission of the Church, we all work together, as ordained, consecrated and laypeople, to develop a culture of care in the Church that says "never again" to every form of abuse.</p>
<b>Standard 7</b>	<p><b>Training and support for all responsible for safeguarding</b></p> <p>We require bishops, clergy, religious, lay employees and volunteers to participate in ongoing training and to develop the requisite knowledge, attitudes and skills relevant to their respective roles. We encourage and facilitate the sharing of best safeguarding practice throughout the Church.</p>
<b>Standard 8</b>	<p><b>Planning for continuous improvement in safeguarding</b></p> <p>We evaluate compliance with safeguarding standards and plan improvements to our practice. We participate in annual audits as well as regular independent reviews of safeguarding practice. We provide a process to review how safeguarding complaints were handled.</p>

**STANDARD 1:**

**Creating and maintaining safe Church environments**

We endeavour to ensure that Church environments are welcoming, nurturing and safe.

We put measures in place to protect children and vulnerable adults in all church settings and activities.

1.1	We endeavour to ensure that Church premises are safe to use in accordance with good safeguarding practice.
1.2	We require safeguarding risk assessments to be carried out annually on Church premises and on activities involving children or vulnerable adults.
1.3	We require careful consideration of particular safeguarding risks for those children and vulnerable adults with additional support needs.
1.4	We require the safe use of Information Technology by clergy, religious, employees, and volunteers engaged in support of Church activities.
1.5	We require the use of Safe Worship Plans with high risk offenders who wish to attend religious services in a Catholic church. We may use such plans for others where there are concerns, restrictions or allegations that indicate a possible risk of harm to others.

## 1.1 We endeavour to ensure that Church premises are safe to use in accordance with good safeguarding practice.

- 1.1.1 The provision of safe environments is an essential requirement for all Church activities and especially for those involving children and vulnerable adults. The most common of these activities are religious services held within, or adjacent to, a Church building. It is the responsibility of the parish priest or the religious community leader to ensure that all such services are conducted in ways that demonstrate that the safeguarding of all, especially children and vulnerable adults, is paramount.
- 1.1.2 Where other premises are owned, leased or occupied by the parish/diocese/religious community and used by Church groups, especially those working with children or vulnerable adults, the leader of each group using Church premises must endeavour to ensure the safe use of premises in line with the arrangements established by the person responsible for managing the premises. Records of any groups using Church premises, either regularly or occasionally, must be kept by the premises' manager.
- 1.1.3 Where a non-Church group uses Church premises for activities involving children or vulnerable adults, the group leader must provide a written copy of the group's safeguarding policy to the premises' manager. The premises manager, in conjunction with the parish safeguarding co-ordinator (PSC) where appropriate, should verify that this policy is in line with Church requirements, before the group is permitted to use the premises. The safeguarding policy of any such group must include safe recruitment procedures for leaders and helpers, confirming that the necessary Protection of Vulnerable Groups (PVG) certificates have been obtained, where appropriate. A Premises Booking form should be signed by the group organiser, indicating agreement to adhere to these conditions.<sup>15</sup>
- 1.1.4 If any group wishing to use the premises does not have a suitable safeguarding policy, they must be asked to follow the policy of the parish/diocese/religious community. In such instances, the group leader should be given a copy of the *Our Safeguarding Culture of Care* leaflet<sup>16</sup> and be asked to sign the agreement that they will fully comply with the Church's safeguarding policy. If such a group is working with children or other protected groups, its personnel must have received appropriate PVG checks. This requirement should be part of the booking conditions.
- 1.1.5 When Church premises such as a Parish Hall are used for single events, e.g., children's party, wedding reception etc., a Premises Booking form should be signed to indicate that the event organisers, or those with responsibility for any children or vulnerable adults present, will exercise a supervisory function and endeavour to ensure that everyone is kept safe. The event organiser should be named on the form.

<sup>15</sup> *Agreement on Safe Use of Church Premises* provides suggested text for inclusion in a Premises Booking form.

<sup>16</sup> *Our Safeguarding Culture of Care* leaflet



## 1.2 We require safeguarding risk assessments to be carried out annually on Church premises and on activities involving children or vulnerable adults.

- 1.2.1 Risk is any situation in which one is exposed to potential danger or harm. Safeguarding risk is the potential for anyone, especially a child or a vulnerable adult, being subject to any form of abuse. When considering potential safeguarding risk, it is necessary to assess Church premises and activities in which there is the potential for children or vulnerable adults to be exposed to any danger, harm, or risk of abuse by others. The results of such assessments should enable the responsible adults to put measures in place to mitigate any safeguarding risk.
- 1.2.2 The starting point for any safeguarding risk assessment is to ensure that there has been full compliance with the Church's mandatory safe recruitment requirements when recruiting the adults who will work with children or vulnerable adults (cf Standard 2).
- 1.2.3 Also essential is the deploying of supervisor-to-participant ratios suitable to the specific activities, in line with guidance<sup>17</sup>. Appropriate supervision ratios for children and adults who have additional support needs must be taken into account when conducting safeguarding risk assessments.
- 1.2.4 Parishes, dioceses, and religious communities responsible for activities involving children or vulnerable adults should ensure the robust management of safeguarding risk in premises and for activities, by checking that:
- annual safeguarding risk assessments have been completed, using an appropriate pro forma<sup>18</sup>
  - every reasonable step has been taken to protect participants from harm
  - where a participating child's parent is not present to supervise the child during an activity, the parent's consent and contact details have been obtained
  - all safeguarding policies and procedures have been communicated appropriately
  - when unanticipated risks do occur, the completed Safeguarding Risk Assessment form is annotated, and any necessary action is taken to reduce or eliminate potential re-occurrence.

<sup>17</sup> *Guidance on Supervision Ratios*

<sup>18</sup> *Safeguarding Risk Assessment* pro forma templates available from Diocesan offices

1.2.5 A key step towards understanding safeguarding risk is for those Church employees and volunteers who work with vulnerable groups to participate in specific training so that they can view people, places, and activities through the lens of potential safeguarding risk. Having a good understanding of safeguarding risk will enable those who have responsibility for activities to identify any risk and to put in place measures to manage outcomes positively.

### 1.3 We require careful consideration of particular safeguarding risks for those children and vulnerable adults with additional support needs.

1.3.1 The Catholic Church is committed to ministering to those with additional support needs, both as individuals and as members of such groups such as HCPT, SPRED, ALMA, and OZANAM. We recognise the significant commitment and dedication of those who lead the work of such groups, and we acknowledge their particular expertise in caring for individuals with their own unique needs.

1.3.2 We understand that children, young people, and adults with additional support needs are at greater risk of abuse and harm. For some, who might have significant disabilities and little or no ability to communicate, the risk of abuse and harm may be high. We require such risks to be considered carefully in advance by the adults responsible for organising activities that involve these children or vulnerable adults.

1.3.3 Organisers must carefully consider the various factors that may impact upon the lives of those who have additional support needs:

- reduced or limited ability to communicate (and therefore to report abuse)
- cognitive problems
- behavioural difficulties
- physical disabilities
- limited access to those who can listen and encourage disclosure of concerns
- significant reliance on others for personal and intimate care
- limited ability at times to understand personal boundaries
- for some, a heightened experience of isolation
- being targeted for bullying by perpetrators.

1.3.4 Particular care must be taken to ensure the safe recruitment of volunteers, their participation in safeguarding training, and the implementation of safeguarding risk assessments before planning any activity involving those with additional support needs. The requirement of such due diligence is not intended to act as a barrier to participation but to support the participation of those with additional support needs in the life of the Church.

## 1.4 We require the safe use of Information Technology by clergy, religious, employees, and volunteers engaged in support of Church activities.

1.4.1 While Information Technology brings many benefits in supporting the Church's work, it also brings numerous risks and threats to privacy. From the sharing of indecent images of children, to cyberbullying, to facilitating child sexual exploitation, the mis-use of the Internet may enable perpetrators to cause significant harm. For these reasons, the use of the Internet in a parish or a religious community must be carefully executed and monitored, in line with the policy of the diocese/religious community. Where technology is available for the use of employees or volunteers with specific roles, appropriate security settings should be put in place. The Internet must not be used on Church premises for the viewing or transmission of inappropriate images or other similar content.

1.4.2 Ultimate responsibility for the content of any website or social media account established by, or on behalf of, a parish or religious community rests with the parish priest or religious community leader. Where someone else is appointed as a trusted administrator of such an account, the person holding ultimate responsibility for the account should agree a protocol for moderating and agreeing content, in line with the policy of the diocese/religious institute<sup>19</sup>. If a website allows for the live streaming of religious services and/or meetings, it is critical that agreed procedures are followed with regard to permissions and notifications to ensure the safety of all.<sup>20</sup>

1.4.3 When communicating on Church business by email or text, care must be taken in:

- the use of language
- the inclusion of images and graphics
- the need for permission when sharing others' personal information
- the use of Church equipment for Church business.

1.4.4 In the use of any social media account established on behalf of a parish, diocese or religious community, attention must be paid to privacy settings, as these can facilitate access to photographs. Care must be taken in regard to these key points:

- how the consent of parents is obtained where children's photographs are taken during services and other church activities. (cf Child Photo/Video Permission Request<sup>21</sup>.)
- avoiding the display of personal contact details (including names, phone numbers and addresses).

<sup>19</sup> BCOS Guidance on the Safe Use of Social Media

<sup>20</sup> BCOS Livestreaming Protocol and Livestreaming warning poster

<sup>21</sup> Child Photo/Video Permission Request template

- 1.4.5 If anyone replies to a post from a Church social media account, indicating that harm has been done, or suggesting that someone may be at risk, the account holders should report this immediately to the diocesan safeguarding adviser (DSA), or religious equivalent, who should immediately report this matter to the Police.
- 1.4.6 Clergy, religious, Church employees and volunteers must be careful, in their personal use of social media, not to post content (text or images) that identifies individual children or vulnerable adults with whom they have interacted in Church premises or activities.
- 1.4.7 When considering the use of CCTV and livestreaming, parishes and religious communities must be guided by policies on livestreaming and data privacy. It should be noted that the use of this technology may raise safeguarding concerns in relation to the broadcasting or recording of images of children and vulnerable adults.

## 1.5 We require the use of Safe Worship Plans with high risk offenders who wish to attend religious services in a Catholic church. We may use such plans for others where there are concerns, restrictions or allegations that indicate a possible risk of harm to others.

- 1.5.1 When a high risk offender expresses a wish to participate in one or more religious services in a parish, an assessment of potential risk of harm must be made by the statutory authorities. Police Scotland has agreed an Information Sharing Protocol<sup>22</sup> which is governed by the system known as the Multi Agency Public Protection Arrangements (MAPPA). The police service, prison service, health service, local authorities, and others are statutorily obliged to operate on a multiagency basis, with the objective of protecting the public from the risks that may be posed by Serious Criminal Offenders, including sex offenders.
- 1.5.2 When a high risk offender expresses a wish to attend a service in a Catholic Church, the relevant personnel from Offender Management or Criminal Justice should contact the DSA (or religious equivalent) to discuss if it is possible to create a safe context for the individual to worship in a church following the implementation of a Safe Worship Plan.<sup>23</sup> Each agreement should be reviewed at least every 6 months, with advice provided by the statutory authorities. The diocesan risk assessment management team (DRAMT) should oversee the length of each agreement, and this should be kept under consideration within the review process.

<sup>22</sup> *Information Sharing Agreement with Police Scotland* in TOOLKIT

<sup>23</sup> *Safe Worship Plan template* in TOOLKIT

- 1.5.3 For those not subject to formal statutory supervision through MAPPA, but where there are concerns, restrictions or allegations that indicate a possible risk of harm, the DRAMT in liaison with the DSA, parish priest (PP) and PSC will develop and agree with the respondent<sup>24</sup> the terms and conditions of the required Safe Worship Plan, including a review timetable and an agreement term.
- 1.5.4 The paramount consideration when discussing any such arrangements must be the safety and protection of the church community. This would include considerations of potential risk if children from a nearby school participate in any weekday services.
- 1.5.5 In discussing the possibility of making suitable arrangements for safe worship, the following perspectives will be important:
- the high risk offender and others: whose spiritual needs should be addressed
  - the DSA (or religious equivalent): who will act as a link between the statutory authorities and the parish/religious community
  - the DRAMT: whose members will make a recommendation about whether the request can be accommodated and, if so, the best place and time for the person to worship safely, taking account of the views of the parish priest or religious community leader
  - the Offender Management Unit (OMU) and/or Criminal Justice Social Worker: who will hold ultimate responsibility for monitoring the offender and assessing any potential risk
  - the DRAMT in liaison with the PP and PSC: who will hold responsibility for monitoring and assessing potential risk for other people for whom a Safe Worship plan is required
  - the parish priest (or religious community leader): who will be concerned for the welfare of all coming into the church (possibly including survivors or family members), as well as the spiritual needs of the offender
  - the PSC (or religious equivalent): whose role is to be vigilant to any potential or actual breach of the agreed Safe Worship Plan.

<sup>24</sup> "Respondent" – the person named in an allegation as being responsible for the abuse

- 1.5.6 Personnel within Police Scotland know that their first point of contact should be the DSA. (This is likely to be the case in the first instance, even if the offender expresses a wish to worship in the church of a religious community.) If ever a situation arises where initial contact is made directly with the parish (or religious community), the DSA (or religious equivalent) must be contacted immediately before any further steps are taken. There might also be a situation when the offender makes direct contact with a parish or religious community and asks if he/she can worship there. It is imperative that no agreement is made for worship until the matter has been referred to the DSA (or religious equivalent).
- 1.5.7 Each Safe Worship Plan should be reviewed every 6 months by the DSA in discussion with the parish priest/religious community leader and the statutory authorities, or more frequently on the advice of the statutory authorities. Contact between the statutory authorities and the Church authorities must be maintained if there are changes in any circumstances, either for the offender or in the parish/religious community. To discuss how to respond to any such changes, a meeting should be held with the parish priest, the DSA (or religious equivalent), the offender, and someone from the Offender Management Unit or Criminal Justice.

## Standard 1 Indicators

### Creating and maintaining safe Church environments

We endeavour to ensure that Church environments are welcoming, nurturing and safe. We put measures in place to protect children and vulnerable adults in all church settings and activities.

#### Key indicators of compliance

- effective practice in the safe care of children and vulnerable adults, including those with additional support needs
- safe use of church premises by internal and external groups
- implementation of safeguarding risk assessments of Church premises and activities
- effective practice in the safe use of information technology (including livestreaming) by Church personnel
- participation in training courses on assessing safeguarding risks
- effective practice in the development of safe worship plans with high risk offenders and others

#### Evidence of compliance

- records of safeguarding risk assessments of Church premises and activities
- records of training in assessing safeguarding risks
- examples of livestreaming notices 'in situ'
- examples of safe worship plan for high risk offenders and others

**STANDARD 2:****Safely recruiting clergy, religious, lay employees and volunteers**

When admitting men and women to formation for ministry, and when recruiting lay employees & volunteers, we carefully check their suitability for working with children and vulnerable adults.

2.1

We require all Church personnel and volunteers to be safely recruited to their roles, following the relevant statutory and Church requirements.

2.2

We require all clergy & religious to observe the highest standards of conduct in their pastoral ministry.

2.3

We require all visiting/supply clergy and religious to observe the highest standards of conduct in their pastoral ministry and to comply with our safeguarding standards.

2.4

We require those in formation while on pastoral placements to comply with safeguarding procedures.

2.5

We require all Church employees and volunteers to observe the highest standards of conduct in their work.



*Our Lord Jesus Christ calls every believer to be a shining example of virtue, integrity and holiness. All of us, in fact, are called to give concrete witness of faith in Christ in our lives and, in particular, in our relationship with others. The crimes of sexual abuse offend Our Lord, cause physical, psychological and spiritual damage to the victims and harm the community of the faithful. In order that these phenomena, in all their forms, never happen again, a continuous and profound conversion of hearts is needed, attested by concrete and effective actions that involve everyone in the Church, so that personal sanctity and moral commitment can contribute to promoting the full credibility of the Gospel message and the effectiveness of the Church's mission.*<sup>25</sup>

Pope Francis

<sup>25</sup> VELM

## 2.1 We require all Church personnel and volunteers to be safely recruited to their roles, following the relevant statutory and Church requirements.

- 2.1.1 Our mandatory safe recruitment process is central to ensuring that everyone – when working in, or training for, ministry as an ordained or religious, or working as a Church employee or volunteer – has passed through appropriate checks and assessments of their suitability to work with children or vulnerable adults. The Church's process is being revised to take account of recent changes in legislation governing the PVG scheme, membership of which is now available only for those working with “protected”<sup>26</sup> adults but not with other “vulnerable” adults. A new tiered safe recruitment process will specify the requirements for specific roles within the Church.<sup>27</sup>
- 2.1.2 In line with specific guidance issued by the Congregation for the Clergy<sup>28</sup>, anyone applying to be accepted into a period of formation for the diaconate, the priesthood or religious life must be appropriately assessed by a diocese or a religious institute before commencing their studies. He/she must also have obtained membership of the PVG scheme which is managed by Disclosure Scotland.<sup>29</sup>
- 2.1.3 Any Church employee or volunteer who works with “protected groups”, such as children must obtain membership of the PVG scheme when they apply for their post/role.
- 2.1.4 While someone may have previously joined the PVG scheme in their capacity as an employee or volunteer with another organisation, when they wish to undertake a regulated role on behalf of a parish/diocese/religious community or organisation, they are required to complete an Existing PVG scheme application to confirm their suitability for this new role. The PVG application process will be initiated by the parish/diocese to whom the volunteer/employee has applied. Where necessary, religious institutes can be supported by the Scottish Catholic Safeguarding Standards Agency when making applications to the PVG scheme.
- 2.1.5 Applicants for employment in a parish/diocese/religious community will be expected to satisfy the Church's safe recruitment requirements if their duties involve working with vulnerable groups. These requirements should be specified in the recruitment documentation and contract of employment or letter of appointment.

<sup>26</sup> A “protected adult” is a person aged 16 or over who has a particular need (i.e. a specific requirement arising from either physical or mental illness, or physical or mental disability, which may disadvantage that person when compared with the rest of society) and is in receipt of a specific service. A “vulnerable adult” may include people with particular needs but who are not known to social services or in receipt of any welfare services.

<sup>27</sup> Details of the developing Safe Recruitment Process are provided in Appendix 3.

<sup>28</sup> The Gift of the Priestly Vocation, [Priestly Vocation] Congregation for the Clergy, 6th December 2016, p82

<sup>29</sup> Details of PVG scheme are provided in Appendix 2

2.1.6 Anyone wishing to volunteer in a parish, diocese, religious community, or Church organisation must follow these steps to be safely recruited:

- obtain the relevant role descriptor
- complete a Volunteer Application Form<sup>30</sup> and provide references
- if applying for a Tier 1 role, obtain membership of the PVG scheme as a Church volunteer (with mandatory renewal every 5 years)
- complete mandatory Safeguarding Induction training
- obtain a Letter of Approval<sup>31</sup> from the diocesan safeguarding office (or from SCSSA for a religious application) to indicate the applicant's full or restricted approval for commencement of role. (If a volunteer moves to another parish, evidence of this letter should be requested by the Parish Priest or the PSC.)

2.1.7 Of course, the requirement of 'safe recruitment' is a minimum expectation of any adult acting in a 'regulated role' on behalf of the Church. It should be stressed that the Church would wish to be assured that anyone working in a parish, diocese or religious community would demonstrate the highest standards of conduct, especially in their treatment of children and vulnerable adults.

## 2.2 We require all clergy & religious to observe the highest standards of conduct in their pastoral ministry.

2.2.1 Bishops, priests, deacons, religious sisters and brothers are called by virtue of their consecration to God to live exemplary Christian lives in all their conduct. The public and private conduct of clergy and religious can inspire and motivate people on the path to holiness. At all times and in all places, clergy and religious should be aware of their responsibility to offer the best example of personal sanctity and moral commitment and, in their pastoral ministry, to observe safe conduct and to show care for all, in particular children and vulnerable adults.

<sup>30</sup> *Volunteer Application Forms* in TOOLKIT

<sup>31</sup> *Letter of Full Approval & Letter of Restricted Approval* templates in TOOLKIT

*By virtue of our sharing in Christ's royal mission . . . we must be inspired and distinguished by a specific attitude: we must care for the other as a person for whom God has made us responsible . . . for human life is sacred and inviolable at every stage and in every situation; it is an indivisible good. We need then to show care for all life and for the life of everyone.<sup>32</sup>*

2.2.2 Clergy and religious are privileged in the trust they receive, as well as in the access they are given into people's lives, – often when people are most vulnerable, such as at times of bereavement. With this immense privilege comes the responsibility to conduct their ministry sensitively and carefully by:

- respecting the dignity of each person as someone made in the image and likeness of God
- protecting and safeguarding the sacred value of human life
- communicating carefully.<sup>33</sup>

2.2.3 Respect for human dignity can be shown by clergy and religious in the following ways:

- treating all people with respect
- upholding the dignity, safety and wellbeing of all children and vulnerable adults
- being conscious of the status entrusted to clergy and religious and refraining from abuse of any such authority
- recognising the imbalance of 'power' in relationships with others, particularly with children and vulnerable adults
- maintaining boundaries (physical, sexual, emotional and psychological) appropriate to relationships with others in the exercise of pastoral ministry
- avoiding in words and actions any suggestion that emotional or sexual intimacy is being sought or initiated
- avoiding any perception that affection is being coerced
- avoiding any manifestation of personal favouritism
- not using alcohol or drugs while on duty supervising children or vulnerable adults.

<sup>32</sup> Evangelium Vitae §87, Encyclical Letter to the Bishops Priests and Deacons Men and Women religious lay Faithful and all People of Good Will on the Value and Inviolability of Human Life, Pope John Paul II, 1995

<sup>33</sup> We gratefully acknowledge the permission of the Catholic Bishops' Conference of England & Wales to reference these aspects of ministry conduct, detailed in their publication Caring Safely for Others, Catholic Bishops' Conference of England & Wales, 2020

2.2.4 Clergy and religious can protect and safeguard the lives of children and vulnerable adults in these particular ways:

- recalling the experiences of those who have experienced abuse and praying for healing for them and their families
- observing the safeguarding policy of the Catholic Church in Scotland, complying with the established safeguarding standards, norms and procedures
- ensuring that a suitable PSC (or religious equivalent) is appointed and trained
- participating in ongoing safeguarding training
- maintaining knowledge of good safeguarding practice and promoting this within the parish/religious community
- developing an understanding of the causes and signs of abuse in children and vulnerable adults
- following the required reporting procedures when concerns or allegations are disclosed
- providing sacramental ministry to children and vulnerable adults in ways that are safe
- being in an observable space with a child or vulnerable adult where possible
- collaborating with laypeople who are trained in safeguarding
- not providing alcohol, or tobacco to a child
- not providing alcohol or tobacco to a vulnerable adult who requires the consent of a responsible person.

2.2.5 As the language used by clergy and religious can be used in particularly critical settings, it is incumbent on all religious and clergy to be sensitive and careful when communicating orally, in writing, and when using social media:

- ensuring that personal interaction is always respectful and appropriate
- treating everyone fairly and without prejudice
- avoiding the use of sarcasm or disparaging remarks
- avoiding any words or actions that could be interpreted as harassment, bullying, coercive or threatening conduct
- attempting to resolve any disagreements that arise as expediently as possible
- being prudent in the use of social media.

## 2.3 We require all visiting/supply clergy and religious to observe the highest standards of conduct in their pastoral ministry and to comply with our safeguarding standards.

- 2.3.1 All clergy and religious who come to Scotland to provide pastoral ministry for a period of time must be safely recruited in terms of the legislative requirements and of the Church's requirements in compliance with national safeguarding policies and procedures. Responsibility for checking on the visitor's status rests with the person or the diocese/religious community/organisation responsible for arranging the visit. The same person or organisation should ensure that any supply clergy/religious are advised about requirements to participate in an induction process that will provide the essential information and training on the Church's safeguarding requirements.
- 2.3.2 A visiting priest (on holiday, pilgrimage etc.,) who might wish to celebrate Mass in a local parish Church must provide evidence of a Celebret that confirms his good standing with his own bishop. The responsibility for checking the visitor's status rests with the parish priest or religious community leader.
- 2.3.3 If the sole purpose of a visit is study, then a Celebret is all that is required. If a priest comes to Scotland both to study and to supply in a parish then, in addition to a Celebret, a testimonial from his bishop or major religious superior, together with PVG scheme membership, is required.
- 2.3.4 Any priest coming from outside Scotland to supply in a parish, or to lead a retreat in any context, must be in possession of a Celebret. If a religious sister or brother comes into Scotland to lead a retreat, she/he requires a testimonial from her/his Superior. If the supply period is due to last for more than two weeks in a parish, religious community or retreat centre, then an application to the PVG scheme must be processed well in advance of their arrival in Scotland.
- 2.3.5 If a priest is supplying for more than two weeks, or if he provides regular supply for any parish, arrangements must be made for him to take part in Safeguarding Induction Part 1 training. As part of an induction programme, he must also meet with the DSA and the PSC and be familiarised with the safeguarding policies of the Catholic Church in Scotland.
- 2.3.6 If a religious sister or brother is assigned to Scotland, compliance with the requirements of the Church's safe recruitment process should be commenced well in advance of their arrival in Scotland: including the obtaining of a testimonial from the major religious superior, application for membership of the PVG Scheme and an application to participate in Safeguarding Induction Part 1 training. As part of an induction programme, she/he must also meet with the religious institute's own safeguarding link co-ordinator (SLC) and be familiarised with the safeguarding policies of the Catholic Church in Scotland.

## 2.4 We require those in formation while on pastoral placements to comply with safeguarding procedures.

- 2.4.1 Seminarians, those preparing for the Permanent Diaconate and for the religious life often participate in pastoral placements, organised by dioceses or religious communities. While the contexts of these placements may vary, most take place within a parish setting and are likely to involve working with vulnerable groups. The seminary, in collaboration with the diocese or religious community responsible for arranging the pastoral placement, must confirm the person's PVG status with the receiving parish, prior to commencement of the placement.
- 2.4.2 Appropriate safeguarding training must be provided within seminary and religious formation programmes to raise awareness of the various safeguarding issues that may be faced on pastoral ministry. This training – provided by the Scottish Catholic Safeguarding Standards Agency – should include consideration of the various safeguarding responsibilities of: the priest, the PSC, DSA or SLC, leaders of various groups, teachers, care workers, and other key staff with safeguarding responsibilities.
- 2.4.3 Seminarians, those preparing for the Diaconate and those in formation for the religious life must be trained to understand that their standard response, in the event of receiving a disclosure, should be to LISTEN → RESPOND → RECORD → REFER.
- 2.4.4 If an allegation of abuse is made about a seminarian, diaconate candidate or person in religious formation **while on pastoral placement**, this must be reported to the bishop/major religious superior who must refer the allegation to the statutory authorities. If the bishop/major religious superior is not available, the information must be referred to the appropriate safeguarding adviser who must refer the matter as soon as possible to the statutory authorities, the bishop and the parish priest or religious community leader. The allegation must be discussed at a meeting of the DRAMT (or religious equivalent) and an interim risk assessment must be made. The bishop/major religious superior must inform the rector or director of the formation programme.
- 2.4.5 Seminarians, diaconate candidates and religious in formation, when preparing for pastoral placements, must give due attention to the following considerations:
- being sensitive to safeguarding risks in all pastoral situations
  - maintaining safe boundaries in relationships
  - observing appropriate boundaries when using accommodation attached to a parish or a religious community
  - taking advice from the Parish Priest or the person appointed as his/her mentor on placement
  - requesting their own private space to be provided within the accommodation.

## 2.5 We require all Church employees and volunteers to observe the highest standards of conduct in their work.

2.5.1 In ensuring that they comply with the safeguarding standards of the Catholic Church in Scotland, Church employees and volunteers who interact with children and vulnerable adults must:

- treat all people with respect
- protect the safety of all children and vulnerable adults
- respect and protect emotional and physical boundaries
- recognise that physical contact may be misinterpreted
- recognise that language is open to misinterpretation and take appropriate care with its use
- respect the rights of others to personal privacy
- meet with a child or vulnerable only in an open and observable environment
- be confident in sharing concerns appropriately
- be confident in both challenging and reporting abusive behaviour
- ensure that children and vulnerable adults know who to speak to, if they have a safeguarding concern.

2.5.2 Church employees and volunteers should be aware that engagement in any of these activities (below), involving children or vulnerable adults, may lead to disciplinary action and/or to criminal prosecution:

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



## Standard 2 Indicators

### Safely recruiting clergy, religious, lay employees and volunteers

When admitting men and women to formation for ministry, and when recruiting lay employees & volunteers, we carefully check their suitability for working with children and vulnerable adults.

#### Key indicators of compliance

- safe recruitment procedures followed for clergy, religious, employees and volunteers
- checks on safe recruitment status of all clergy, religious, employees and volunteers
- checks on numbers of visiting priests with Celebrets
- participation of new visiting clergy and religious in safeguarding training
- appropriate behaviour by clergy, religious, employees and volunteers when dealing with children and vulnerable adults

#### Evidence of compliance

- safe recruitment applications processed
- recruitment packs identifying requirements
- evidence of safe recruitment records held in dioceses/religious communities
- records of training participation by visiting clergy/religious
- records of sanctions imposed for breaches of conduct

**STANDARD 3:****Responding to safeguarding concerns and allegations of abuse.**

When alerted to information, concerns and allegations regarding the safety or welfare of child or a vulnerable adult, we respond with care and compassion. We inform the statutory authorities of all allegations of abuse that we receive.

**3.1**

We exhort anyone who has information about the possible abuse of a child or vulnerable adult to disclose this information without delay.

**3.2**

When receiving an expression of concern or the disclosure of an allegation of abuse against Church personnel, we respond immediately to ensure the safety and welfare of children and adults who may be at risk of harm.

**3.3**

When an allegation of abuse against Church personnel is reported, the person to whom it is disclosed must LISTEN, RESPOND, RECORD and REFER.

**3.4**

We deal sensitively and fairly with those who have reported an allegation of abuse and with those who have been accused.

**3.5**

We deal sensitively and fairly with any allegation of abuse involving a bishop.

**3.6**

We are fully committed to co-operating with the statutory authorities and we refer all allegations of abuse to the Police.

**3.7**

We show appropriate sensitivity in handling communications about allegations.

*Looking back to the past, no effort to beg pardon and to seek to repair the harm done will ever be sufficient. Looking ahead to the future, no effort must be spared to create a culture able to prevent such situations from happening, but also to prevent the possibility of their being covered up and perpetuated. The pain of the victims and their families is also our pain, and so it is urgent that we once more reaffirm our commitment to ensure the protection of minors and of vulnerable adults.*<sup>35</sup>

Pope Francis

<sup>35</sup> Letter to People, 2

### 3.1 We exhort anyone who has information about the possible abuse of a child or vulnerable adult to disclose this information without delay.

- 3.1.1 We encourage all members of the public to understand that, in any emergency situation in which they become aware that a child or a vulnerable adult may be in immediate danger, they have an obligation to pass on all relevant information to the Police immediately.
- 3.1.2 On occasions, information may come to the attention of Church personnel – clergy, religious or volunteers - suggesting concerns about the welfare of a child or a vulnerable adult. **If the information does not relate to a Church activity or to Church personnel**, the person who reports the information must be encouraged and, if necessary, supported to report it to the Police. The welfare and safety of the child or vulnerable adult is always paramount.
- 3.1.3 **Where a concern or allegation relates to a Church activity or to Church personnel**, we exhort anyone who has experienced such abuse to report it to the Church so that they can be offered support and the Church can take appropriate action. In all Catholic Church premises, a poster<sup>36</sup> provides contact details of personnel to whom any concern can be reported.
- 3.1.4 All jurisdictions of the Catholic Church in Scotland follow the policy of mandatory reporting, requiring all allegations of abuse, including non-recent abuse, to be referred to the Police.
- 3.1.5 Within the structures and traditions of the Catholic Church, each diocese and religious institute is responsible for responding to any allegation and for supporting any person who has experienced abuse while involved in a Church activity or involving Church personnel. However, if a survivor approaches any representative of the Church in the first instance, the Church representative must refer the matter to the appropriate safeguarding adviser (diocesan or religious).
- 3.1.6 When a concern is raised, or an allegation is made, directly to a religious institute or to another group in the Church, the safeguarding adviser in the local diocese where the abuse is said to have occurred must be informed as soon as possible, even if the incident is non-recent, or if the accused person is no longer resident in that diocese, or is deceased. Responsibility for passing on all relevant detail rests with the Church body that has received the first notice of the concern/allegation.
- 3.1.7 In the situation where an allegation involves a priest or a religious brother or sister from a religious institute working in a parish, there must be early discussions between the bishop and the major religious superior to determine which party will take responsibility for handling any investigation, meeting with the survivor, and managing the respondent. Normally, if a religious priest or sister is working in a parish, the diocese will manage the case.

<sup>36</sup> Safeguarding Contact Poster

## 3.2 When receiving an expression of concern or the disclosure of an allegation of abuse against Church personnel, we respond immediately to ensure the safety and welfare of children and adults who may be at risk of harm.

3.2.1 We respond with compassion, sensitivity, and confidentially to the disclosure of any information, expression of concern or allegation that anyone, especially a child or a vulnerable adult, may have been abused or may be at risk of being abused.

3.2.2 It is important to distinguish between a safeguarding CONCERN and an ALLEGATION of ABUSE. A **safeguarding CONCERN** relating to a Church activity or to Church personnel may arise from the observation of the conduct of Church personnel/volunteers, or from worrying signs in the behaviour or appearance of a child or vulnerable adult. Any such concern must be shared with the DSA (or SLC) who can refer it to the DRAMT (or religious institute equivalent) for their assessment of any safeguarding risk. The DRAMT (or religious institute equivalent) may conclude that a particular concern is serious enough to merit being reported to the statutory authorities who will consider whether to explore it further. The DRAMT (or religious institute equivalent) may advise the bishop/major religious superior that the reported concern, while not reaching the threshold to merit further referral, is justified. The bishop/major religious superior may require the individual involved to participate in further support or training in order to avoid any repeated concerns. Any formal investigation of a concern must be undertaken with due regard to the requirements of civil and canon law, and by following processes set out in contracts of employment, where relevant.

3.2.3 An **ALLEGATION of ABUSE** relating to a Church activity or to Church personnel is the disclosure of the abuse of a child or vulnerable adult, either recently or in the past by a bishop, priest, religious, seminarian, Church employee or volunteer. The disclosure may be made by the abused person, by a family member or friend or by another person. An allegation may be made initially without the knowledge or consent of the victim.

- 3.2.4 It is important to note that some concerns or allegations that are reported to the Church may NOT be safeguarding matters. There may be times when someone wishes to make a complaint about the alleged misconduct or unprofessional behaviour of Church personnel. When the alleged misconduct or unprofessional behaviour does not relate to the abuse of a child or a vulnerable adult, any such complaint will not be treated by the diocese or religious institute as a safeguarding concern or allegation but will be responded to appropriately in other ways.
- 3.2.5 It must be made clear to any person making an allegation of abuse that the Catholic Church in Scotland has a policy of mandatory reporting, requiring all allegations of abuse, including non-recent abuse, to be referred to the Police.<sup>37</sup>
- 3.2.6 In relation to sexual abuse in particular, all clergy and religious are obliged by canon law to report the following offences which they suspect or know to have been committed by clerics or religious:<sup>38</sup>
- a. forcing anyone, by violence or threat or through abuse of authority, to perform or submit to sexual acts<sup>39</sup>
  - b. performing sexual acts with a minor or a vulnerable person
  - c. the production, exhibition, possession, or distribution, including by electronic means, of child pornography, as well as by the recruitment of or inducement of a minor or a vulnerable person to participate in pornographic exhibitions.
- 3.2.7 Safeguarding training and advice provided to all bishops, clergy, religious, employees and lay volunteers must inform them about, and alert them to, signs, actions, situations, and behaviour that might give rise to safeguarding concerns or allegations. This training and advice must also make explicit the responsibilities of all for reporting such concerns or allegations.

<sup>37</sup> While the Catholic Church in Scotland follows a policy of mandatory reporting of all allegations of abuse to the statutory authorities, it should be acknowledged that what is revealed in Confession can never be shared by the priest with anyone else in any circumstances. This is indispensable for the nature of the sacrament and for the freedom of the penitent. A priest cannot therefore report safeguarding concerns or allegations that he becomes aware of in the sacrament, but he should urge people who confess to committing abuse to report themselves to the authorities, and he should encourage those who disclose abuse of themselves or others to seek help and he should share contact details of the Diocesan Safeguarding Adviser (or religious Safeguarding Link Co-ordinator).

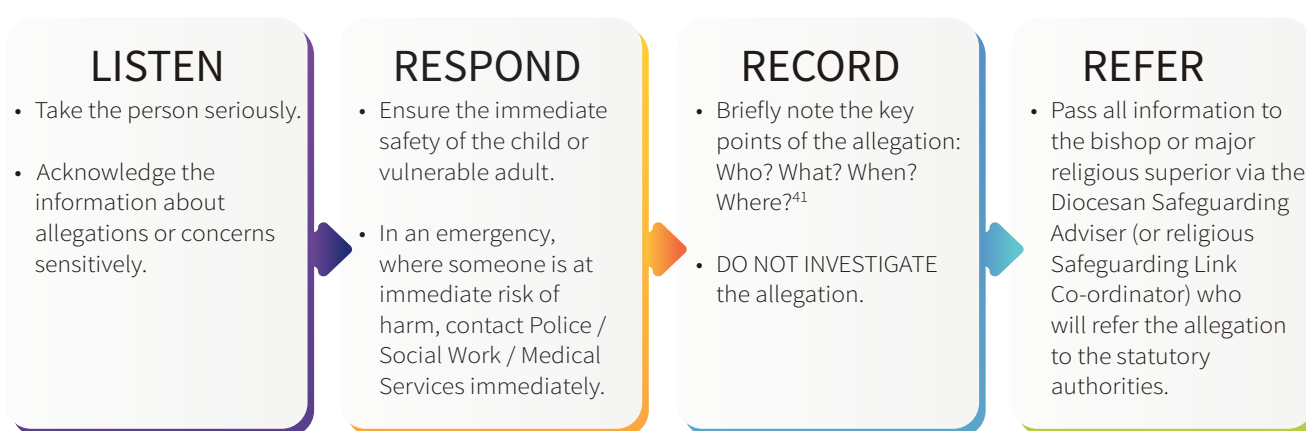
<sup>38</sup> cf Appendix 1

<sup>39</sup> Such acts "can include, for example, sexual relations (consensual or non-consensual), physical contact for sexual gratification, exhibitionism, masturbation, the production of pornography, inducement to prostitution, conversations and/or propositions of a sexual nature, which can also occur through various means of communication." VADEMECUM, I, 2

### 3.3 When an allegation of abuse against Church personnel is reported, the person to whom it is disclosed must LISTEN, RESPOND, RECORD and REFER.<sup>40</sup>

3.3.1 While it is acknowledged that a disclosure of an allegation may first arise in the most unexpected of circumstances when the person hearing the allegation may be ill-prepared, it is critical that the following steps are taken:

#### FIRST RESPONSE TO AN ALLEGATION



### 3.4 We deal sensitively and fairly with those who have reported an allegation of abuse and with those who have been accused.

3.4.1 The person who reports the allegation (victim, family member, friend or someone speaking on behalf of the victim) must:

- be treated with respect and compassion
- be assured that the allegation will be dealt with appropriately and confidentially
- be listened to carefully
- be offered information and support
- be offered the opportunity to be accompanied by a friend or advocate
- be briefed on the process as it unfolds and supported throughout, while respecting any named person's right to confidentiality.<sup>42</sup>

<sup>40</sup> *What To Do* poster

<sup>41</sup> While it is desirable that these details are recorded as soon as possible by the DSA on the *Initial Referral Form*, it is acknowledged that, in the first instance of disclosure, these key points should be noted by the person to whom the allegation is first disclosed as conveniently as possible.

<sup>42</sup> *Safeguarding Privacy Notice* template

3.4.2 The respondent, who must be accorded natural justice in terms of both civil and canon law, must at all times:

- be treated with respect and compassion
- be informed, if the Police agree that it is appropriate, that an allegation against him/her has been referred to the statutory authorities
- be informed, if the Police agree that it is appropriate, of the allegation itself
- be advised of the need to seek civil and canonical legal representation
- be listened to carefully
- be offered information and support
- be briefed on the process as it unfolds and supported throughout, while respecting any named person's right to confidentiality.

3.4.3 When an allegation of abuse involving Church personnel is reported to a diocese or a religious institute, the DSA (or religious equivalent) must use the standard *Initial Referral Form*<sup>43</sup> to record details of the key information. He/she must not attempt to investigate the allegation but must refer it to the bishop or major religious superior while also ensuring that it has been reported to the statutory authorities.

3.4.4 Depending on the nature of the allegation, the DRAMT (or religious institute equivalent), following their interim assessment of any ongoing risk, and ensuring that their actions are not interfering with a police investigation, may advise the bishop/ major religious superior that restrictions should be placed on the respondent while any civil or canonical investigation is underway. It should be explained to the respondent that precautionary restrictions are not punitive but are imposed to protect everyone involved. The imposition of restrictions will be processed in accordance with canon law (and employment law for employees) and the restrictions can be changed, strengthened, lessened, revoked, or re-imposed, if circumstances so demand. The accused person has the right to ask that restrictions be reconsidered and can appeal to the Holy See against any decisions made about precautionary restrictions.

3.4.5 The relevant bishop or major religious superior can only pursue a canonical investigation of an allegation of abuse after the civil authorities have completed their investigation and/or any criminal prosecution and trial.

<sup>43</sup> *Initial Referral Form*



### 3.5 We deal sensitively and fairly with any allegation of abuse involving a bishop<sup>44</sup>.

- 3.5.1 An allegation of abuse may be made against a bishop (or those in similar positions of authority in the Church) if they have committed any of the offences listed in 3.2.5.
- 3.5.2 An allegation may also be made against a bishop (or those in similar positions of authority in the Church) if they act, or refuse to act, with the intention of interfering with or avoiding civil or canonical investigations into allegations of abuse against clergy or religious.
- 3.5.3 Church law<sup>45</sup> obliges all clergy and religious to report to the hierarchy if bishops (and those in similar positions of authority in the Church) commit any of the offences listed in 3.2.5 or if they act, or refuse to act, with the intention of interfering with or avoiding civil or canonical investigations into allegations that a cleric or religious committed the same offences.

### 3.6 We are fully committed to co-operating with the statutory authorities and we refer all allegations of abuse to the Police.

- 3.6.1 The Catholic Church in Scotland is committed to the mandatory reporting to the police of all allegations of recent or non-recent abuse made against bishops, clergy, religious, lay employees or volunteers. This is irrespective of the current status of the accused person(s) and of the date(s) of the alleged abuse. When the accused person is known to be deceased, or when the accused person's whereabouts are unknown to Church authorities, the allegation must still be reported to the Police.
- 3.6.2 Established links between relevant personnel in Police Scotland and in dioceses are used to support appropriate co-operation with sharing information. Any request from the Police for information or documents relating to Church personnel should normally be served as a formal notice to the diocese/religious institute to ensure compliance with Data Protection regulations.
- 3.6.3 It is the duty of the Police to investigate any allegation that is brought to their attention. On some occasions, an allegation of abuse will be made directly to the Police in the first instance and a diocese or religious institute is informed subsequently. At whatever stage the information first comes to the attention of the Church, Church personnel must follow the approaches outlined in 3.2 and 3.3.

<sup>44</sup> Or a cardinal, nuncio, apostolic/diocesan administrator, Personal Prelate, Personal Ordinary, Vicar Apostolic, Prefect Apostolic, supreme moderator of an institute of consecrated life or society of apostolic life, or the head of a monastery *sui iuris*.

<sup>45</sup> VELM, Art 3, §1

3.6.4 It is recognised that there might be significant limitations on the information that the Police or other statutory authorities can disclose to Church authorities about an allegation that is being investigated. In compliance with the law, and to ensure a just outcome, appropriate levels of confidentiality and data privacy must be maintained. This may mean that there are significant constraints upon what feedback might be given to a survivor, to the accused person or to a priest or volunteer to whom an allegation was first disclosed.

3.6.5 In addition to co-operating with Police Scotland, the Church is committed to working with other Police forces and other statutory authorities beyond Scotland when they are involved in responding to allegations and in protecting children and vulnerable adults.

### 3.7 We show appropriate sensitivity in handling communications about allegations.

3.7.1 At all times when dealing with any party involved in an allegation, care must be taken to respect the privacy of those concerned and to protect the confidentiality of any discussions and records of meetings. All parties must be briefed on their rights to confidentiality, with the exception that any allegation of abuse must be reported to the Police.

3.7.2 When a concern or allegation is reported by a 'whistle-blower' cleric, religious, church employee or volunteer, that person must not suffer "prejudice, retaliation or discrimination"<sup>46</sup> as a consequence.

3.7.3 In any statement or comment that is issued in the name of a diocese or religious institute about an allegation of abuse, the integrity of any legal process must not be undermined by speculation or conjecture, so that all involved (the complainant, any alleged victim, or any accused person) can have faith in a just outcome. Statements should be carefully drafted to avoid reference to matters that are not pertinent to the case in hand. Care should be taken to measure the impact that any statement might have upon the right of the respondent to a fair trial. Civil law considerations may determine when, how, and in what form any public statement may be made.

<sup>46</sup> VELM, Art 4, §2

- 3.7.4 When an allegation of abuse is made against a cleric or religious who is in active ministry in a parish/religious community, the effects on the parish/religious community should be considered and be suitably addressed within the bounds of confidentiality, data privacy and the information available to the bishop or major religious superior. The bishop or major religious superior should address the parish/religious community either personally or by means of a statement read by a delegate. This statement should set out what is happening in general terms, and it should provide the contact details of a named person in the diocese/religious institute. Throughout the process, the parish/religious community should be kept informed as far as possible. At the conclusion of the process, any decision and subsequent action affecting the parish/religious community should be explained by the bishop, major religious superior, or delegate.
- 3.7.5 The statement made by the diocesan bishop or major religious superior to a parish/religious community should be used as the basis for any further public statement by anyone else in the Church. The statement should be written by the relevant diocese or religious institute, with advice from the Scottish Catholic Media Office (SCMO) and should include relevant contact details for those wishing to share concerns or to make enquiries. The use of social media should be prudently managed to protect the integrity of any legal process underway and the reputation and privacy of all concerned.
- 3.7.6 Comment by the SCMO, or by representatives of a diocese or religious institute, or any statements following on from that comment, should adhere to agreed protocols. No person holding any Church office should give comment to the media without the prior permission of the diocesan bishop or major religious superior. These precautions will allow the faithful to receive, in the appropriate way and at the appropriate time, whatever information can be legally made available to them.
- 3.7.7 The confidentiality of the personal data of all parties involved in any allegation must be protected in compliance with Data Protection regulations.

## Standard 3 Indicators

### Responding to safeguarding concerns and allegations of abuse.

When alerted to information, concerns and allegations regarding the safety or welfare of child or a vulnerable adult, we respond with care and compassion. We inform the statutory authorities of all allegations of abuse that we receive.

#### Key indicators of compliance

- prompt action to ensure the safety of any child or vulnerable adult
- mandatory reporting of all allegations of abuse to the Police
- sensitive, caring and supportive response to any Church respondent to an allegation
- accurate record-keeping of all reported concerns and allegations
- observance of appropriate confidentiality in managing all allegations

#### Evidence of compliance

- records of all concerns, allegations and actions taken in response
- statistics provided in annual safeguarding audits
- minutes of DRAMT (or religious equivalent) meetings
- records of public communications of allegations
- evidence of evaluative reflection by DRAMT (or religious equivalent) on how allegations have been managed

**STANDARD 4:**

**Providing care and support for those who have experienced abuse**

We provide a compassionate response to all who disclose any experience of having been abused and we offer them pastoral care, support, and reparation.

4.1

We are ready to listen attentively to all who wish to disclose experiences of abuse and we seek to understand their needs.

4.2

We offer to arrange for a survivor to meet with personnel who can respond compassionately to their allegation.

4.3

We offer caring and compassionate responses to survivors' families.

4.4

We recognise that others may be affected by disclosures of abuse.

4.5

We have arrangements in place to provide counselling support for survivors.

4.6

We liaise with professional agencies when offering support to survivors.

4.7

We are keen to learn from our experience of supporting survivors.

*We have realised that these wounds never disappear and that they require us forcefully to condemn these atrocities and join forces in uprooting this culture of death; these wounds never go away. The heart-wrenching pain of these victims, which cries out to heaven, was long ignored, kept quiet or silenced. But their outcry was more powerful than all the measures meant to silence it. . . .*<sup>47</sup>

Pope Francis

<sup>47</sup> Letter to People, 2

## 4.1 We are ready to listen attentively to all who wish to disclose experiences of abuse and we seek to understand their needs.

4.1.1 We acknowledge, with “sorrow and shame”<sup>48</sup>, that the Catholic Church’s past response to those disclosing abuse was often characterised by denial and rejection. Those who wished to disclose experiences of abuse were often ignored at first and later marginalised. In recognising these past failures, the Church has committed to responding more compassionately and effectively to those who wish to disclose the pain of their experience.

4.1.2 The Church’s response to disclosures of abuse must be inspired by Jesus who, in his words and actions, teaches how to treat those who are suffering, those who have been marginalised, those who were silent for so long, those who were stigmatised when they tried to call out for help and those who had to persevere in their quest for mercy, healing and justice. So, all in the Church must now show that:

**We are prepared to listen and to give credence to survivors.**

**We wish to help survivors to feel welcome and trusted.**

**Our first response is to ask survivors: "What do you need us to do for you?"**

**We are committed to help survivors to re-build their lives.**

4.1.3 The term ‘survivor’ is often used in relation to those who have experienced abuse. One should not assume that identifying as a survivor means that recovery is complete. The work of finding healing is not without cost and the recovery of a lost childhood or lost life experiences is impossible. It is also important to note that some do not believe that they have ‘survived’. They might not only continue to feel that they are victims of abuse but might also experience any contact with the Church as reinforcing their perception of the Church as abusive and harmful.

4.1.4 Moreover, some would identify as ‘victim-survivors’ who struggle to hold on to a sense of hope. Some who have suffered abuse within the Church might choose not to define themselves by either term ‘victim’ or ‘survivor’. While this document defers to using the term ‘survivor’, in all cases it is important to establish how those who have experienced abuse wish to be described.

4.1.5 Survivors of abuse of any form deserve the greatest care and respect. Their courage in coming forward to disclose their experience to personnel within the Church should never be underestimated. So, Church personnel must take care to provide an immediacy of response (as well as sensitive care) to anyone who wishes to talk about the harm they have suffered.

<sup>48</sup> Letter to People, 2

## 4.2 We offer to arrange for a survivor to meet with personnel who can respond compassionately to their allegation.

4.2.1 Any initial response from Church personnel should respect the wishes of the survivor who may desire to make choices about whether, how or when to speak to a bishop, clergy, religious, Church employee or layperson. (Often a survivor may feel that control and freedom to make choices has previously been taken away from them.) Safeguarding personnel must therefore be mindful of the importance of respecting and facilitating choices, as far as possible.

4.2.2 It should also be understood that, as every survivor's experience is unique, the Church's response will have to be customised to meet the survivor's needs uniquely. However, the broad principles of the response set out in this standard should be observed consistently across all Church jurisdictions.

4.2.3 Once a survivor makes contact with anyone in the Church, (s)he must be referred to the DSA or religious SLC who should then offer to meet with the survivor to hear whatever they wish to disclose. Once it has been agreed how the survivor wishes to be contacted subsequently, the DSA or SLC, ahead of the first meeting, should offer to provide some information (e.g., *Information Leaflet on the Process for Survivors*<sup>49</sup>) together with a letter confirming these points:

- The survivor has been informed that the Church is obliged to report the allegation to the Police, whether the accused is alive or deceased, and even if the survivor has previously reported it. (It should be understood that, in some cases, the survivor might not understand that he/she is making an allegation.)
- The survivor should be informed how to contact the Police directly to make an allegation, if they wish to do so.
- The location of the meeting should be safe and private. Offering the survivor a choice about the meeting location is an indication of the respect being afforded to them. It should be remembered that any requirement to meet in a diocesan office or other church building might be traumatic for someone who has suffered abuse within the Church.
- Although it is important that the DSA or SLC attends the meeting, the choice of gender (and lay, clerical or religious state) of the Church personnel attending is important. The survivor should be provided with advance notice of who will attend the meeting.

<sup>49</sup> Information Leaflet on the Process for Survivors template in TOOLKIT



- The survivor has the right to be accompanied by a friend or a family member to meetings; this should be discussed prior to the meeting.
- The main purpose of the first meeting is to enable the survivor's experience to be heard by attentive Church personnel. At the meeting, the survivor should be asked to identify, if possible, the specific help/support that the Church can provide. (It may only be possible for the survivor to do this subsequently and their needs may change throughout the process.)

4.2.4 By the end of the first meeting, the following points should have been discussed:

- a summary of what decisions or actions were agreed
- an outline of the process to be followed in civil and canon law, if the status of the alleged victim (child/vulnerable adult) is clear
- advice that, while the Church will not engage in public comment on the specifics of the allegation, there may be a public statement if a cleric is suspended from ministry
- the option for further meetings.

4.2.5 The first meeting should be used to gather the initial information, as far as possible. The approach taken by the Church representatives at this early stage is not intended to be an investigation or a therapeutic intervention such as may be undertaken by qualified specialists at a later stage.

4.2.6 Beyond the initial meeting, it may be necessary to arrange further meetings, depending on the expressed needs and wishes of each survivor. The survivor may also be asked to give evidence in the event of a canonical trial, even after any criminal trial. At the appropriate time, the arrangements for any such meetings must be mutually agreed.

4.2.7 It is important that the bishop or major religious superior shows a willingness to meet with an individual survivor if this is the survivor's expressed wish. At an appropriate point, such a meeting can offer an important opportunity for the survivor to begin to experience the Church's "sorrow and shame" and a determination to protect them from further pain.

4.2.8 It is critical that the response of any Church representatives to a survivor should be compassionate and focussed primarily on their current safety and wellbeing. While it is desirable that regret and sorrow for the survivors' experience are expressed, this must be done without apportioning blame for the alleged incident(s), as this could prejudice the outcome of any subsequent investigation that will be carried out.

### 4.3 We offer caring and compassionate responses to survivors' families.

4.3.1 It is known that some perpetrators of abuse will groom not only individuals but families and communities in order to gain trust and to create opportunities to carry out abuse. It is also known that most survivors of abuse within Church environments disclose their experience some significant time after the abuse took place. This does not mean that they might not have tried to tell someone at the time when the abuse was happening. Finding the courage to disclose many years later can often be triggered by other events. At that point in the life of a survivor, they will have formed new relationships and may possibly have their own family. This will have an impact on their decision to speak about the trauma of abuse to family members or to anyone else. If, and when, they do choose to disclose, the impact on families, friends and communities can be significant.

4.3.2 The families of survivors may require special care as they struggle to understand what has happened to their loved ones. Feelings of shock, bewilderment, anger, suspicion, shame, guilt, and despair are not unusual. Particular attention must be given to these family groupings:

- *parents of a survivor of abuse in the Church:*  
Both parents may be burdened with questioning why they did not notice that something was happening to their child, even if it was 30, 40 or 50 years ago. They might be devastated when they recall the trust that they placed in someone from the Church having care of their child.
- *siblings of a survivor of abuse in the Church:*  
Many of the feelings described above will be felt by the siblings of the survivor. It is not inconceivable that some of the siblings were also abused and might have decided not to disclose. Some might feel they should have been aware of the abuse being perpetrated and they may carry the pain of believing that they had failed in the care of their sibling.
- *family of the survivor now:*  
This will include the survivor's husband, wife, partner, children, and others. They may experience a range of emotions and be seeking to understand how best to help and support their loved one.

4.3.3 It is important to note that, in every individual situation, emotions will vary. Families may need to spend time in listening as they try to come to terms with the disclosure and to discern what support they need from the Church. Respect should also be given to those who will not seek help from the Church and indeed might strongly reject it. In that case, referral to other support agencies should be discussed with the survivor (cf 4.6.1).

4.3.4 The explicit consent of the survivor must be given before any information is shared with family members. If the survivor chooses to disclose that other family members have been told, a range of options for supporting those family members who are aware of the disclosure may include:

- a meeting with the DSA, SLC or other safeguarding personnel
- a meeting with the bishop or major religious superior
- information about counselling services, where appropriate
- information about and/or referral to other external agencies
- an opportunity to speak with someone from a survivor support group
- an opportunity to speak to a priest or religious who is experienced in listening to the families of survivors
- an opportunity to speak to someone who has experienced the disclosure by a relative about abuse within the Church.

## 4.4 We recognise that others may be affected by disclosures of abuse.

4.4.1 As accounts of abuse within Church institutions have been disclosed in recent decades, initially through media coverage and then through Public Inquiries established in various countries, more survivors have felt able to speak about the grave hurts they have suffered. It is important to recognise that, when any disclosure of abuse is made, others – in addition to the survivors and their families – may also be affected. These include:

- those who have accompanied survivors on their journey towards healing
- members of parish communities
- members of religious communities within which abuse has taken place
- survivors of abuse outside the Church
- individuals who have been abused but have chosen not to disclose
- those who find it difficult to believe that anyone in the Church can abuse
- those whose faith has been harmed by the scandal of abuse
- those who want the Church to be accountable and answer questions.

4.4.2 Each situation, when someone comes forward to disclose abuse, or to seek support having disclosed some time previously, is unique. It is important that each individual is heard, valued and respected, and that their expressed needs are recognised as important.

4.4.3 The same principle applies to how we respond to those who are connected to the survivor in any way, or for whom the impact of abuse in the Church continues to cause distress and concern. In all such cases, the person has a right to be heard, with due attention paid to their sensitivities regarding where, and with whom, they will meet. If they are seeking direct information about a survivor or about the accused, or about details of the allegation, it is vital that the privacy of all the parties involved is respected. Depending on what information or support the person is seeking, it might be appropriate to advise them of the services that can be provided by other specialist agencies.

## 4.5 We have arrangements in place to provide counselling support for survivors.

4.5.1 When a survivor makes a disclosure of abuse to a diocese or religious institute, he/she can be offered the support of specialist counselling services. These can include the Raphael Counselling service which is provided by an independent agency and paid for by the diocese or religious institute.

4.5.2 When making arrangements to offer counselling, or other therapeutic interventions to a survivor, the diocese/religious institute should:

- explain to the survivor the counselling/therapeutic options that can be provided face-to-face or in telephone sessions
- explain that an initial number of sessions can be offered, with an option to extend these if required
- make a referral to the contracted counselling service or an accredited therapist
- arrange for the counselling service to discuss with the survivor whether counselling is appropriate at this moment and how this will be provided.

## 4.6 We liaise with professional agencies when offering support to survivors.

4.6.1 There are various professional agencies with whom Church safeguarding personnel liaises. The purpose of this liaison ranges from assisting someone who is seeking further support, through to consultation on safeguarding policy development. Discussions with a survivor and, where relevant, with an external agency at the appropriate time may lead to an agreed referral to specialised services for survivors of abuse.

## 4.7 We are keen to learn from our experience of supporting survivors.

4.7.1 The Catholic Church in Scotland wishes to establish an appropriate national forum through which survivors will be encouraged to offer their perspectives on aspects of the Church's safeguarding practice. The views of survivors are currently being sought on the establishment of a reference group of individual survivors whose views on safeguarding policy and practice will be heard through personal conversations. Out of such conversations, survivors may feel that it is desirable to establish a more formal panel of survivors that would meet in a more structured way. Whichever model(s) of survivor engagement emerge, the Scottish Catholic Safeguarding Standards Agency will be responsible for developing effective mechanisms for survivor engagement that places their perspectives at the heart of the development of the Church's safeguarding policy and practice.

4.7.2 As a matter of course, DSAs and SLCs should endeavour to seek feedback from survivors with whom they have had contact. While, in the first instance, the purpose of any contact must be to ensure the welfare of the survivor, such feedback could also inform the development of safeguarding policy and practice with a view to ensuring that the valued perspectives of survivors will lead to improved service. The development and use of common evaluation/feedback forms across all jurisdictions will help to ensure consistent practice and common baselines for measuring how practice is improving.

4.7.3 The Safeguarding Learning Network will be developed by the Scottish Catholic Safeguarding Standards Agency, in collaboration with key stakeholder groups, to incorporate a range of training events, as well as formal and informal networking opportunities designed to develop the safeguarding skills, knowledge and expertise of clergy, religious employees and volunteers. A major focus of the network will be the sharing of experience and the development of best practice in engaging with and supporting survivors.

## Standard 4 Indicators

### Providing care and support for those who have experienced abuse

We provide a compassionate response to all who disclose any experience of being abused and we offer them pastoral care, support, and reparation.

#### Key indicators of compliance

- attentive, compassionate and caring responses to all who disclose experiences of abuse
- active engagement of Church leaders in listening, and responding, to the experiences of survivors
- the provision of counselling services for survivors
- openness to learn from the experiences of survivors and to provide support that is tailored to the needs of individuals

#### Evidence of compliance

- documentation designed to inform, advise and support survivors
- notes of meetings of DSAGs and Survivor reference group showing that the experiences of those who have been abused are informing policy and practice
- records of participation in training courses designed to support caring and compassionate responses to those who disclose experiences of abuse

**STANDARD 5:**

**Managing and providing care for respondents to allegations of abuse**

When an allegation of abuse is received concerning clergy, religious, lay employees or volunteers, we offer pastoral care, support and fair treatment to the respondent and we monitor their conduct and welfare.

5.1	We treat the respondent fairly at all times, respecting their right to fair process and to a presumption of innocence unless proven guilty.
5.2	We monitor the conduct and welfare of the respondent and provide appropriate pastoral support.
5.3	We offer the respondent the services of a trained support person.
5.4	We offer support to the respondent's family.
5.5	We follow an agreed process for informing and responding to the parish/religious community of the respondent.
5.6	We provide support for the priest appointed to administer the parish where a respondent priest is suspended from ministry.
5.7	We provide support when a respondent returns to their role in the life of the Church.
5.8	We provide appropriate support when a respondent is found to be guilty.

## 5.1 We treat the respondent fairly at all times, respecting their right to fair process and to a presumption of innocence unless proven guilty.

- 5.1.1 Our mandatory reporting policy means that, when an allegation of abuse is received by Church personnel, it is always reported to the Police, whether the respondent is alive or deceased, still in active ministry or retired. If the respondent is alive, then the Police will instigate an investigation. They may also ask for the respondent to be removed from any direct contact with children and/or vulnerable adults, pending the outcome of the judicial process. This is intended for the protection of both the respondent and the person making the allegation.
- 5.1.2 Unless the Police advise otherwise, the bishop or major religious superior must inform the respondent that an allegation has been made and that it has been reported to the statutory authorities. It is likely that the bishop or major religious superior will be restricted by the Police as to how much detail can be revealed to the respondent at this stage. The bishop or major religious superior should explain to the respondent if such constraints have been imposed.
- 5.1.3 The bishop/major religious superior has a pastoral responsibility for the respondent – cleric, religious, lay employee or volunteer. However, he/she also has a responsibility to respect the judicial processes in both civil and canon law. It is important that the bishop/major religious superior anticipates any possible tensions that may arise between these judicial and pastoral roles. It may be prudent to delegate one of these roles to an appropriate cleric/religious.
- 5.1.4 Where an allegation of abuse is raised against a lay employee or volunteer in relation to any **non-church** activity or role, this will impact on their ability to continue within their Church role, pending the outcome of any civil investigation.
- 5.1.5 As soon as possible following an allegation of abuse against a cleric or religious being referred to the Police, the bishop or major religious superior must meet with the respondent. (Where the major religious superior is resident in another country, a senior delegate should be appointed to conduct this meeting.)
- 5.1.6 If the respondent is an employee, the meeting should be held with the relevant person who is responsible for managing Human Resources. If the respondent is a volunteer, the meeting should be held with the parish priest or leader of the religious community, supported by the appropriate safeguarding adviser. The bishop may choose to have the support of the DSA in this meeting.



5.1.7 The purpose of the meeting is not to investigate the allegation but to:

- inform the respondent of the details of the allegation (as permitted by the Police)
- remind the respondent of the Church's mandatory reporting policy
- outline the civil and canonical processes to be followed<sup>50</sup> and the possible outcomes
- advise the respondent of their need to obtain legal advice (civil and/or canonical) and to enquire about access to legal aid<sup>51</sup>
- assess the welfare needs of the respondent
- advise the respondent of any precautionary restrictions on his /her duties that are deemed necessary for clergy and religious, in accordance with canon law (and employment law, for employees).

5.1.8 The respondent should be advised of their right to be accompanied to this, and any subsequent meeting, by a companion of their choosing. The respondent should be advised that a written note will be taken of this meeting and that a copy of this note will be provided to them. In anticipation of the anxiety likely to be experienced by a respondent when invited to attend subsequent meeting(s), consideration should be given as to how the respondent might be assisted by a skilled and trusted companion. (This companion's role is not the same as that of the 'Support Person' who will be appointed by the diocese/religious institute.)

5.1.9 In advance of the meeting with the bishop/major religious superior, the respondent should be informed of anyone else who will participate in the meeting. To avoid any conflict of confidentiality, it is important that anyone who has a role in supporting the person making the allegation is not compromised by being privy to confidential information that the respondent may wish to disclose to the bishop/ major religious superior.

5.1.10 A respondent cleric or religious must be dealt with by the bishop/major religious superior according to canon law, although any canonical investigation cannot proceed beyond the preliminary 'precautionary' stage until the civil judicial process has reached a conclusion.

5.1.11 A respondent Church employee, during any investigation, must be dealt with in accordance with employment law and their terms of employment.

5.1.12 A respondent volunteer must be invited to step down from their role during any investigation. If this invitation is rejected, the bishop or major religious superior must issue written notice of the volunteer's suspension until the investigatory and/or judicial processes have reached their conclusion.

5.1.13 In preparing for any meeting, the bishop/major religious superior should recognise the sensitivity of the situation, involving the hurts, anxieties and fears of all parties. At all times the respondent should be treated respectfully and with due care, fully recognising a presumption of innocence until proven guilty of any misconduct or crime.

<sup>50</sup> Details provided in Appendix 1

<sup>51</sup> Guidance from Scottish Legal Aid Board

## 5.2 We monitor the conduct and welfare of the respondent and provide appropriate pastoral support.

5.2.1 The bishop/major religious superior, with advice from the DRAMT (or religious equivalent) must establish some procedures to monitor the conduct and welfare of the respondent; these should be recorded in the form of a written *Welfare Monitoring plan*<sup>52</sup> for the respondent. It should be stressed that any precautionary restrictions placed on the respondent are not imposed as punishment or recrimination. Factors to be considered in the development of a such a plan include:

- arrangement for an appropriate safe place for the respondent to stay (to be discussed with the Police)
- consideration of other practical and financial needs
- advice on how legal representation (both civil and canon) can be accessed
- arrangements for a respondent priest to celebrate Mass in private
- arrangements if the respondent wishes to attend Mass
- arrangements for spiritual direction
- banning of any contact with any person who made the allegation
- advice on the wearing of clerical/religious attire during restricted ministry
- accessibility to visitors
- appropriate restrictions on contact with a parish/religious community
- appropriate restrictions on the person's use of the internet and social media
- restrictions on any response to media
- appointing a trained support person
- arrangements for regular meetings with a trained support person
- where appropriate, appointing a professional person trained in clinical supervision external to ministry
- arrangements for regular meetings with this clinical supervisor
- a date to review any monitoring arrangements
- regular progress reports on the *Welfare Monitoring Plan* to be shared with the DSA/SLC.

5.2.2 If necessary, suitably qualified professionals should be appointed to undertake any necessary spiritual, psychosocial, psychological care assessments to ensure that an appropriate plan will meet the needs of the respondent. Further, if necessary, such a suitably qualified professional may be appointed to supervise/monitor the respondent and manage respondent engagement in the *Welfare Monitoring Plan*.

<sup>52</sup> Welfare Monitoring Plan template in TOOLKIT

- 5.2.3 If the measures in question are imposed by decree, the formalities laid down in canon law for recording the communication and reception of a decree will be followed. If the measures are voluntarily assumed by the respondent at the request of the bishop or major religious superior, a written note of these must be taken and co-signed by the bishop or major religious superior and the respondent. Voluntarily assumed measures can, by definition, be revoked wholly or in part by the respondent who, in that case, must inform the bishop or major religious superior and explain the changes he/she has decided, without prejudice to the right of the bishop or major religious superior subsequently to impose appropriate precautionary restrictions.
- 5.2.4 The arrangements set out in any *Welfare Monitoring Plan* should be recorded in writing, signed by the respondent, the bishop/major religious superior and the support person and copied to all three parties.

## 5.3 We offer the respondent the services of a trained support person.

- 5.3.1 When a priest or religious is asked to respond to an allegation of abuse, pending an investigation, the bishop/major religious superior must offer the support of a priest, religious or layperson who will monitor the conduct and welfare of the respondent through what will be a difficult process. The appointment of this support person must be made in discussion with the respondent and following advice from the DRAMT (or religious equivalent). The respondent is NOT obliged to accept the offer of a support person.
- 5.3.2 The person appointed to the role of Support Person should be reliable, trustworthy, discreet, honest and wise. She/he should possess good pastoral qualities and be able to respond to others with empathy, but must also be able to observe firm boundaries in interactions with others. She/he should understand how to identify risk-taking behaviours.
- 5.3.3 The support person will be required to:
- make a formal commitment to this role
  - monitor the respondent's welfare
  - respond to any concerns that arise
  - meet on a regular basis with the respondent
  - ensure that these meetings are held in a safe place
  - report to the bishop/major religious superior about the respondent's welfare
  - ensure that the respondent is aware of this duty to report
  - keep in regular contact with the DSA or SLC and notify them of any concerns as soon as possible

- make clear to the respondent the importance of boundaries, including confidentiality and any exceptions to confidentiality, and necessary information sharing
- support the respondent with addressing any practical issues of care and safety which can be addressed by the Church authorities
- encourage the respondent to focus on his/her spiritual life as far as is possible
- notify the DSA or SLC of any admission of guilt or disclosure of other criminal activity made by the respondent
- be aware that, if there is any such admission, she/he may also be required to provide a statement to the Police.

5.3.4 The following roles are NOT intended to be undertaken by the support person:

- spokesperson on behalf of the respondent
- intermediary for any contact with the Family Protection/Manager Offender Unit, the Media, or the Police
- canon lawyer for the respondent
- advocate for the respondent
- therapist for the respondent
- spiritual director for the respondent
- Confessor for the respondent.

5.3.5 The support person should not be a member of the safeguarding team in the diocese or religious institute. S/he may be part of a team of people who can support the respondent in various ways.

5.3.6 The support person can be appointed from another diocese or religious institute, if no suitable person can be identified within the home diocese/religious institute. In anticipation of such provision being necessary, the Scottish Catholic Safeguarding Standards Agency should collaborate with dioceses and religious institutes to provide appropriate training for members of clergy, religious and lay people so that a pool of trained people may be available to offer support when required.

5.3.7 It is important that the person undertaking this support role also has access to appropriate support, including spiritual direction. The bishop/major religious superior should review the arrangement regularly to ensure that the responsibility does not prove too burdensome.

5.3.8 External agencies often have the required experience in working with respondents and in providing training for those responsible for supporting respondents. Other individuals who may be able to provide due care for the wellbeing of the respondent at a time of high stress levels and increased vulnerability include: a GP, a professionally trained supervisor, a spiritual director, or appropriately skilled supportive friends.

## 5.4 We offer support to the respondent's family.

- 5.4.1 The Church has a responsibility to show care for the family of a respondent in a sensitive and discreet way. For most respondents who are subject to a criminal investigation, the potential impact of the experience on family members is a source of added anxiety. In a small religious community (especially if enclosed), other members of the community may be regarded as 'family' of the respondent because they have lived so closely with the respondent.
- 5.4.2 There should be early discussion about whether the respondent wishes to inform his/her family and how much detail he/she wants them to know. At this point it is important to remember that, if the allegation was reported directly by the survivor to the Police, then the safeguarding adviser, bishop/major religious superior and the respondent might know very little about the details of the allegation. In Scotland an accused person is usually interviewed towards the end of the investigation.
- 5.4.3 Church authorities will respect the respondent's privacy and will not release any personal data to any other party, unless formally authorised by the respondent, or required by law, to do so.
- 5.4.4 The emotions of family relatives in this situation may include:
- difficulties in coming to terms with what is happening
  - feeling excluded by their relative who is a priest or a religious
  - confusion, shame, embarrassment, anger and hurt
  - shock, disbelief, and denial
  - anxiety about options for the future
  - feeling excluded/hurt by the Church
  - concern about the impact on their own faith.
- 5.4.5 In seeking to offer a healing pastoral response, the diocese/religious institute should try to keep open the lines of communication with the families of the respondent. The involvement of the DRAMT (or religious equivalent) in this process may be helpful. Referral to professional services such as counselling/therapy may also be helpful. Having a designated contact person can help to maintain contact and allow a safe space, if the family wish to talk. A meeting with the bishop, major religious superior, or other member of the clergy or religious might be helpful to the family. The offer of support from someone who is trained and experienced in supporting the relatives of a respondent might also be appreciated.

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

- 5.5.1 When an accusation is made against a respondent who lives in a parish/religious community, the effects on the parish/religious community must be suitably addressed within the bounds of confidentiality, data protection, and the information available to the bishop or major religious superior. (Where the respondent is a religious working in a parish, it is expected that the diocese will lead on the management of the allegation.)
- 5.5.2 The bishop or major religious superior should address the parish/religious community either personally or by means of a statement read by a delegate. Following advice from the DRAMT (or religious equivalent), this statement should set out what is happening in terms of the handling of the accusation and what happens next in the process. It should provide the contact details of a named person, should anyone wish to share concerns, or if they require support. As far as possible, the parish/religious community should be kept informed, given the constraints of the judicial process and data privacy. At the conclusion of the process, any decision affecting the parish should be explained by the bishop/major religious superior, or delegate.
- 5.5.3 Care should be taken at all times not to damage the good name of the respondent in an allegation. Any statements should be prudently prepared so as not to be prejudicial to anyone involved and should not be amended without consent of the bishop or major religious superior. No further reference to the on-going process should be made by anyone without the explicit agreement of the bishop or major religious superior.

## 5.6 We provide support for the priest appointed to administer the parish where a respondent priest is suspended from ministry.

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

5.6.3 The priest who is appointed as the parochial administrator will need advice and support from the diocese and from local clergy. He may need:

- to be given as much information as is legally permitted about the reasons why the parish priest has had to leave the parish
- to be advised of his obligations under canon law<sup>53</sup> that, at the end of his ministry, he is to render an account to the parish priest and that he should not make any unnecessary changes that might suggest that the parish priest will not be returning to the parish
- to be encouraged to have regard to own spiritual wellbeing, and to his physical and emotional health
- to have access to support from the DSA
- to have access to spiritual direction
- to have training in understanding the impact of the loss of a parish priest on the parishioners
- to be prepared for experiencing displaced anger and distress
- to be aware of the possibility of further disclosures
- to have access (if necessary) to professional supervision which will facilitate reflection on situations and responses.

## 5.7 We provide support when a respondent returns to their role in the life of the Church.

5.7.1 When a respondent is able to return to ministry or to a role as employee or volunteer, after an allegation is proven to be unfounded following any investigation and/or judicial process, it is critical that they are able to do so without prejudice. Whenever appropriate, within the bounds of civil and canon law, and when all rights of recourse or appeal have been exhausted, the outcome of any case that has come into the public domain should be reported by the bishop/major religious superior to the parish/religious community.

5.7.2 It should be anticipated that the respondent will have suffered significant psychological and/or spiritual harm. Their relationship with the Church and with their ministry (if a cleric or religious) may have been damaged. The bishop/major religious superior must ensure that due care and support continues to be offered to the respondent and to their family, both immediately and in the longer term. Such support may require the involvement of trained professionals.

<sup>53</sup> Canon 540 §3

5.7.3 The respondent may request a review of how their case was managed by the diocese/religious institute and may wish to offer insights into how due procedure was followed. Such a request should be seen as an opportunity for the diocese/religious institute to learn from the experience and to improve their processes. The Scottish Catholic Safeguarding Standards Agency will develop, within the complaints-handling system, a process for offering an independent review of how a respondent's case was managed.

## 5.8 We provide appropriate support when a respondent is found to be guilty.

- 5.8.1 It is acknowledged that a bishop/major religious superior will, in some circumstances, continue to have some responsibility (at least pastorally) for a cleric, religious, employee or volunteer who is found to have been guilty.
- 5.8.2 Following investigation and/or judicial process and based on the recommendations of the DRAMT (or religious equivalent), a volunteer may be asked to step down from a regulated role or an employee may be disciplined within the terms of employment law or may be dismissed from employment in the Church. However, depending on the nature of the misconduct or crime, and on the terms of any licence imposed, at some stage he/she may be able to participate freely in the wider community and may wish to participate in parish/religious community life. In each case, the bishop/major religious superior must ensure that discussions take place, involving the person and the parish or religious community, to make appropriate arrangements.
- 5.8.3 Depending on the nature of the offence, a priest or religious who is found to be guilty of an offence may not always be laicised or dismissed from the religious order. While restrictions on ministry are likely to be imposed, the bishop/major religious superior will be responsible for ensuring that appropriate support is provided to address the welfare needs of the priest or religious when he/she is able to participate freely in the wider community. In such cases, professional risk assessments, together with advice from the statutory services, can inform the considerations of the DRAMT (or religious equivalent) as to the most appropriate actions to be taken.
- 5.8.4 Where this person wishes to participate in parish/religious community life, the bishop/major religious superior must ensure that discussions take place, involving the person, the parish or religious community and possibly the statutory authorities, in order to make appropriate arrangements.



## Standard 5 Indicators

### Managing and providing care for respondents to allegations of abuse

When an allegation of abuse is received concerning clergy, religious, lay employees or volunteers, we offer pastoral care, support and fair treatment to the respondent and we monitor their conduct and welfare.

#### Key indicators of compliance

- sensitive, respectful and fair treatment of respondents
- bishops / major religious superiors are well prepared and responsive when meeting with respondents
- due process is followed in terms of canon law
- the involvement of specialist professionals in providing care assessments and developing welfare plans for respondents (when required)

#### Evidence of compliance

- documentation designed to inform, advise and support respondents
- records of welfare monitoring plans developed to monitor and support the respondent
- referral records for the provision of care assessments by trained personnel
- records of participation in training courses for people who can act as support persons to respondents
- evaluations of the experiences of respondents

**STANDARD 6:****Working together to develop a culture of care**

Recognising that safeguarding responsibilities are intrinsic to Christian baptism and to the mission of the Church, we all work together, as ordained, consecrated and laypeople, to develop a culture of care in the Church that says "never again" to every form of abuse.

**6.1**

All those responsible for safeguarding in the Church are called to work in solidarity to respect and safeguard the dignity of all persons.

**6.2**

In each diocese the bishop must take responsibility for ensuring that safeguarding is prioritised in the actions of the diocese.

**6.3**

In each parish, the parish priest must take responsibility for ensuring that good safeguarding practice is observed.

**6.4**

In each religious institute the major religious superior must take prime responsibility for ensuring that good safeguarding practice is observed.

**6.5**

Each Catholic organisation that interacts with children or vulnerable adults must designate the individuals responsible for ensuring that good safeguarding practice is observed.

**6.6**

The Scottish Catholic Safeguarding Standards Agency (SCSSA) must provide strategic direction and support to ensure that safeguarding standards are met consistently across the country.

**6.7**

At every level, the Church's core safeguarding message must be clearly and regularly communicated.

“ I am conscious of the effort and work being carried out in various parts of the world to come up with the necessary means to ensure the safety and protection of the integrity of children and of vulnerable adults, as well as implementing zero tolerance and ways of making all those who perpetrate or cover up these crimes accountable. . . Together with those efforts, every one of the baptised should feel involved in the ecclesial and social change that we so greatly need. This change calls for a personal and communal conversion that makes us see things as the Lord does. . . This can awaken our conscience and arouse our solidarity and commitment to a culture of care that says “never again” to every form of abuse. . . Without the active participation of all the Church’s members, everything being done to uproot the culture of abuse in our communities will not be successful in generating the necessary dynamics for sound and realistic change.<sup>54</sup> ”

Pope Francis

<sup>54</sup> Letter to People, 2

## 6.1 All those responsible for safeguarding in the Church are called to work in solidarity to respect and safeguard the dignity of all persons.

- 6.1.1 Upholding the dignity of the human person is central to the common mission of all in the Church to safeguard those who are most vulnerable in our communities. Jesus, in the Gospel, not only commands us to love all, but promises the Kingdom of God to the most vulnerable (Lk 18:15-17).
- 6.1.2 All Christians, through baptism, become members of the Body of Christ (1 Cor 12:27). When the most vulnerable are harmed, when their dignity is abused in any way, the impact extends to the whole Body of Christ, precisely because we are one body. Pope Francis has called on all in the Church to respond in solidarity, using the gifts and talents of all parts of the Church (the Body of Christ) to cherish and protect others' lives.
- 6.1.3 Solidarity in safeguarding requires the active collaboration of all ordained, consecrated and laypeople, Church employees and volunteers. In our safeguarding endeavours, we must work together and act as "a sign and instrument of communion with God and of the unity of the entire human race".<sup>55</sup>
- 6.1.4 The community of the Catholic Church in Scotland comprises various component parts (or canonical jurisdictions). There are the eight autonomous dioceses, each led by a bishop or Archbishop, and each divided into parishes; there are a number of bodies similar to dioceses with Britain-wide jurisdiction, such as the Military Ordinariate, the Ordinariate of Our Lady of Walsingham, the Syro-Malabar Eparchy of Great Britain or the Ukrainian Catholic Eparchy of the Holy Family; there are many religious institutes of men or women, some of whom are primarily contemplative and others of whom are engaged in ministry in parishes, care homes, retreat houses, and social justice initiatives; and there are Catholic movements, some long-established like the Society of St Vincent de Paul or the Legion of Mary, some relatively new like the Neocatechumenal Way or the Focolare movement. In each of these parts of the Church, there can be different safeguarding needs and capacities.

<sup>55</sup> Lumen Gentium, the Dogmatic Constitution on the Church, Pope Paul VI, 21 November 1964,1

6.1.5 For some years, across these different canonical jurisdictions in Scotland, there has been a significant level of co-operation and collaboration in efforts to make appropriate safeguarding arrangements that are consistent in different parts of the country. In that time, all those in leadership positions in the Church have been fully committed to meeting these significant safeguarding responsibilities:

- reaching out to support those who have experienced abuse
- treating as their paramount concern the safety of children and vulnerable adults
- ensuring the care and nurture of, and respectful ministry with, all children and adults
- establishing safe communities which provide caring environments where there is informed vigilance as to the dangers of abuse
- complying with safeguarding legislation
- developing, sharing, and promoting good safeguarding practice.

6.1.6 The remaining parts of this Standard outline the particular safeguarding responsibilities<sup>56</sup> of those in leadership positions in the Church – ordained, consecrated and laypeople – as well as Church employees and volunteers who play particular roles in keeping children and vulnerable adults safe. Most significantly, though, the words of Pope Francis remind all church members of the requirement to undertake:

*a personal and communal conversion that makes us see things as the Lord does . . . and [a] commitment to a culture of care that says, 'never again' to every form of abuse.*<sup>57</sup>

## 6.2 In each diocese the bishop must take responsibility for ensuring that safeguarding is prioritised in the actions of the diocese.

6.2.1 The bishop is ultimately responsible for ensuring that the safeguarding arrangements within his diocese are properly embedded within a culture of care. Above all, in his manner of reaching out and responding to survivors, the bishop must provide a powerful example of humility, Christian love and compassion. In appointing competent, qualified, and experienced individuals to key safeguarding posts, he will ensure that the strategic planning and organisation of safeguarding are secure and well regulated. By authorising meetings of the Diocesan Safeguarding Advisory Group (DSAG), he will demonstrate leadership and personal commitment to keeping people safe, and to assist those who have suffered experience of abuse to find healing and re-building trust in the Church. In acting upon the recommendations of his Diocesan Risk Assessment Management team (DRAMT) in relation to allegations, he will be seen to act justly for all. In his meetings with clergy, he will show his determination to ensure that every parish endeavours to offer a safe environment for children and vulnerable adults.

<sup>56</sup> Safeguarding Job Role descriptors

<sup>57</sup> Letter to People, 2

- 6.2.2 The role of the Diocesan Safeguarding Adviser (DSA) is to advise and assist the bishop in meeting his safeguarding responsibilities. These include endeavouring to protect children and vulnerable adults in their contact with Church personnel, in Church activities, and on Church property. The DSA is responsible for co-ordinating efforts to raise awareness of safeguarding within parish communities, including the training of PSCs, the recruiting of diocesan safeguarding trainers and the safeguarding training of diocesan clergy. The DSA must also advise the bishop on good practice in responding to safeguarding concerns and allegations of abuse. It is recommended that the DSA role should be undertaken by an appropriately qualified and experienced layperson. The DSA is responsible for collaborating closely, not only within their diocesan teams, but with safeguarding colleagues across the country, as well as with the statutory authorities. As the main link between the diocese and the Scottish Catholic Safeguarding Standards Agency, the DSA is responsible for promoting national safeguarding standards and demonstrating compliance with them.
- 6.2.3 The Diocesan Safeguarding Advisory Group (DSAG) should consist of people with relevant experience and skills, appointed by the bishop to support the DSA and to ensure diocesan-wide adherence to the safeguarding standards to which the bishop is co-signatory. Their responsibilities should also include analysis of the annual safeguarding audits, the formulation of the diocesan safeguarding action plan and the planning of relevant safeguarding training for clergy, religious, PSCs and volunteers. Membership of DSAG must include the DSA. Its work may be enhanced by the involvement of representatives of relevant Diocesan groups – e.g., Pilgrimage leaders, SPRED, Youth Office, and religious congregations – for whom safeguarding is particularly significant.
- 6.2.4 Members of the Diocesan Risk Assessment Management Team (DRAMT) are appointed by the bishop to assist him, within the strict limits of the law, in the management of individual cases where allegations have been made against a diocesan cleric, employee or volunteer. This team's advice and recommendations should assist the bishop to come to decisions about how to proceed, in accordance with both civil and canon law, in response to reported allegations and concerns. The DRAMT should comprise a small number of individuals with relevant expertise, including those with experience of working in the legal profession, in canon law, in healthcare, social work and the Police. Its composition should be mixed, in numbers of ordained and lay members, and in their gender.
- 6.2.5 The bishop should decide if he wishes to attend meetings of the DRAMT as an observer, or if he wishes not to attend and to receive the DRAMT's recommendations in writing. The DRAMT must discuss each case, agree the recommendations that it wishes to make to the bishop and record these in writing. It is the ultimate responsibility of the bishop to decide the action he will take in each case. The bishop must communicate his decision both to the respondent and to the DRAMT.

- 6.2.6 The DRAMT should meet as often as is required, as cases are brought to its attention and as they progress. The content of any meeting must respect the confidentiality of the matters discussed, as far as is reasonably possible. Minutes of meetings must be written and retained securely, in accordance with the Data Protection policy, and members of the DRAMT must declare any real or potential conflicts of interest at the start of each meeting.
- 6.2.7 Where, in the absence of any allegations for any significant period of time, the DRAMT should be supported by the DSA to consider some scenarios of the types of allegations that might arise. In this way they will be able to practise their skills and develop their understanding of the complex situations that might arise at any time.

### 6.3 In each parish, the parish priest must take responsibility for ensuring that good safeguarding practice is observed.

6.3.1 The parish can be seen as the safeguarding 'frontline' where children, young people, and adults participate in religious services and community activities. The parish priest (PP) carries prime responsibility for ensuring that the parish promotes a 'culture of care', providing a safe environment and protection from harm, in line with Church policies, procedures and with legislation. His personal commitment to good safeguarding practice will serve as an example and offer reassurance to his entire parish community. His recruitment and encouragement of a PSC and volunteers who support parish groups and ministries will provide a strong platform of committed people who should be provided with appropriate training opportunities. His attentiveness to the need to keep his own knowledge and understanding of safeguarding current, through regular participation in training and by interacting with the diocesan team, will ensure that he is able to assure the parish community that safeguarding is a significant commitment that must be taken seriously by all. The parish priest's safeguarding responsibilities include:

- demonstrating that safeguarding is taken seriously in the parish
- promoting safeguarding awareness in the parish
- promoting the annual Day of Prayer for those who have experienced abuse
- ensuring that safeguarding risks are identified, managed, and prevented
- participating in annual safeguarding training for clergy
- ensuring that volunteers do not commence their roles until safe recruitment procedures have been completed
- supervising the completion of the annual parish safeguarding audit in which he accounts for safeguarding practice in the parish in a transparent way
- reflecting on the outcomes of the parish safeguarding audit to identify training needs
- planning specific ways to improve safeguarding practice.

- 6.3.2 The PP must appoint at least one Parish Safeguarding Co-ordinator (PSC) who possesses all the necessary qualities to be effective in supporting him with the management of safeguarding in the parish. The PSC must be appointed following the mandatory safe recruitment process and must participate in PSC induction training and further training each year. The PSC should be a diligent, trustworthy, and committed individual who takes this voluntary role seriously and is prepared to commit to ongoing training. The PSC must ensure that any person working with vulnerable groups has been 'safely' recruited, according to the required procedures. He/she should take the lead role in promoting the participation of all volunteers in safeguarding training provided by diocesan safeguarding trainers.
- 6.3.3 All members of the parish or religious community should be advised to be alert to potential risks for children and vulnerable adults in church activities and settings and they should be advised how to bring these to the attention of the PP or PSC. They should be informed how to report any concerns or allegations. Parishioners who lead parish groups must receive training in how to ensure the safety of children and vulnerable adults engaged in group activities.

## 6.4 In each religious institute the major religious superior must take prime responsibility for ensuring that good safeguarding practice is observed.

- 6.4.1 In a religious institute the major religious superior, like a bishop in a diocese, carries the prime responsibility for meeting safeguarding commitments and ensuring the co-operation of religious clergy, consecrated brothers and sisters who work with children and vulnerable adults. All major religious superiors of religious institutes with members resident in Scotland have been asked to commit to complying with the safeguarding standards set out in this document. In some cases, when the major religious superior is resident out with Scotland, another person is appointed to be the lead safeguarding person for the religious institute.
- 6.4.2 In agreeing with the local bishop that members of his/her religious institute in Scotland will follow the guidance provided in this document, he/she must ensure that consistent standards of safeguarding practice are being met across Scotland. Above all, in her/his manner of reaching out and responding to survivors, she/he will provide a powerful example of Christian love and compassion. In appointing an appropriate person to the key post of Safeguarding Link Co-ordinator (SLC), she/he will ensure that the strategic planning and organisation of safeguarding arrangements are secure and well regulated. By communicating regularly with the SLC, she/he will demonstrate leadership and serious personal concern for keeping people safe. When communicating with members of the religious institute, she/he will show determination that every activity in every establishment offers a safe environment for children and vulnerable adults.



- 6.4.3 The SLC should support their major religious superior/provincial by offering sound advice, by planning to ensure compliance with these safeguarding standards and by sourcing training for religious colleagues.
- 6.4.4 While religious institutes operating in Scotland remain under the jurisdiction of their major religious superior in all matters including safeguarding, close liaison between the religious institute's SLC and the DSA is important in managing safeguarding matters, particularly when responding to allegations that affect both the religious institute and the diocese.
- 6.4.5 The Conference of Religious in Scotland Safeguarding Commission (CRSSC) – in collaboration with the Scottish Catholic Safeguarding Standards Agency – was formed to support religious institutes to comply with these safeguarding standards through offering advice and guidance, analysing the annual safeguarding audits, and planning appropriate training for religious personnel.

## 6.5 Each Catholic organisation that interacts with children or vulnerable adults must designate the individuals responsible for ensuring that good safeguarding practice is observed.

- 6.5.1 In many areas of pastoral activity, the Catholic Church in Scotland benefits greatly from the generosity and commitment of many laypeople who are members of Catholic organisations that are engaged in various kinds of apostolate. Many of these organisations interact with children or vulnerable people – e.g., when supporting the sick on pilgrimages to Lourdes, visiting the elderly in care homes, providing food and other forms of material support to those in need, supporting prayer and spiritual devotion in retreat centres. Some organisations are built around a national structure; others are diocesan; others are parish-based.
- 6.5.2 Members of any Catholic organisation in Scotland that has contact with children or vulnerable adults must comply with the safeguarding standards of the Catholic Church in Scotland. Where a group is parish-based, it will be expected to follow the safeguarding protocols that pertain in the parish. Where the organisation is diocesan, it must follow the safeguarding protocols that pertain in the diocese. Where the organisation is national, its leaders must ensure that all members observe good safeguarding practice in compliance with national standards. It should appoint people to bear particular responsibility for safeguarding, ensure good levels of participation in training opportunities and that completion of the annual safeguarding audit is used as an opportunity to review practice and to plan for improvement.

## 6.6 The Scottish Catholic Safeguarding Standards Agency (SCSSA) will provide strategic direction and support to ensure that safeguarding standards are met consistently across the country.

6.6.1 In 1995 the bishops of Scotland, recognising the need for consistent safeguarding practice across all dioceses, located the responsibility for developing a national Church strategy (initially for Child Protection) in its Office for Pastoral Care. In 2005 the National Office for the Protection of Children and Vulnerable Adults (renamed Scottish Catholic Safeguarding Service in 2012) was established with responsibility for the strategic development of the Church's safeguarding provision. The National Safeguarding Co-ordinator (NSC) was appointed to be the Church's main point of contact with Government bodies, other Church safeguarding groups and voluntary organisations, as well as a source of advice and policy developer for the Bishops' Conference.

6.6.2 At the time of publication, the Bishops' Conference of Scotland have decided to replace SCSS with the Scottish Catholic Safeguarding Standards Agency (SCSSA), resourced with the capacity:

- to develop and promote the 'culture of care' that should be the hallmark of the Church's safeguarding efforts
- to be informed by those who have been harmed by abuse
- to provide strategic leadership and direction in safeguarding to all components of the Church in Scotland
- to promote and regulate consistent compliance with safeguarding standards through the provision of training, the development of common resources and other forms of support
- to develop the culture of an annual improvement cycle involving audits, analysis, planning, training and sharing of good practice
- to commission or undertake independent scrutiny of safeguarding practice in all jurisdictions
- to report on the outcomes of audits and reviews in transparent ways
- to co-ordinate a safeguarding complaints system that is transparent.

## 6.7 At every level, the Church's core safeguarding message must be clearly and regularly communicated.

6.7.1 The Church's core safeguarding message is:

We regard as our paramount concern the safety of children and vulnerable adults.

We demonstrate zero tolerance of abuse.

We report all allegations of abuse to the statutory authorities.

We show compassion for all who have suffered experience of abuse.

We acknowledge and learn from our past failings

We open our safeguarding procedures to independent scrutiny.

We provide training and support for all who are responsible for safeguarding.

Together we commit to continuous improvement in our safeguarding practice.

6.7.2 All elements of this message must be communicated effectively and regularly to survivors of abuse and to the wider public as well as to parishioners, clergy, and religious within the Church in Scotland. In our outreach efforts we should make it known that we will be fair and compassionate when responding to allegations. This message should be shared with other churches and faith groups as well as with statutory agencies and relevant voluntary organisations. Each bishop should send an annual safeguarding statement to all parishes in his diocese to assure everyone that the Church's safeguarding commitments are sincere, and that progress is being made.

6.7.3 The Scottish Catholic Safeguarding Standards Agency should develop a written communications plan that is reviewed regularly, describing the various means of regularly communicating the Church's safeguarding message.

6.7.4 Following publication of IGI v2, a series of awareness-raising sessions should be organised to brief volunteers and clergy in dioceses, parishes, religious institutes, and Catholic organisations on any significant changes since IGI v1 was published. SCSSA should lead collaborative efforts with DSAs and the CRSSC to arrange these training events and to publish appropriate posters, leaflets, and newsletters that will effectively communicate the Church's core safeguarding message.

6.7.5 Websites and social media platforms at national, diocesan, and local levels should be deployed effectively to provide important safeguarding information, resources, and advice and to facilitate the sharing of good practice.

## Standard 6 Indicators

### Working together to develop a culture of care

Recognising that safeguarding responsibilities are intrinsic to our baptism and to the mission of the Church, we all work together, as ordained, consecrated and laypeople, to develop a culture of care in the Church that says "never again" to every form of abuse.

### Key indicators of compliance

- a “culture of care” evident in parishes, dioceses, religious institutes
- Church leaders showing personal commitment to, and strategic planning of, safeguarding
- strategic direction offered by the Scottish Catholic Safeguarding Standards Agency
- effective communication of the church’s core safeguarding message
- DSAGs & DRAMTs operating effectively
- collaborative and strategic working among national safeguarding office and DSAs
- Parish priests and PSCs working together to ensure good practice
- Parish priests and PSCs working collaboratively with diocesan teams
- Religious SLCs operating effectively
- Catholic organisations giving due attention to safeguarding issues
- openness to learn from the experiences of respondents and to provide support that is tailored to the needs of individuals

### Evidence of compliance

- minutes of meetings showing discussion of safeguarding matters at national, diocesan and local levels
- bishops’ annual safeguarding statements
- written communication plans relating to safeguarding
- posters, leaflets, newsletters on safeguarding matters
- analysis of audit outcomes showing reflection and plans to improve practice
- evidence of resources, events and activities being planned collaboratively to promote national standards

**STANDARD 7:**

**Training and support for all responsible for safeguarding**

We require bishops, clergy, religious, lay employees and volunteers to participate in ongoing training and to develop the requisite knowledge, attitudes and skills relevant to their respective roles.

We encourage and facilitate the sharing of best safeguarding practice throughout the Church.

7.1	We require all those in the Church working with children or vulnerable adults to participate in mandatory induction safeguarding training.
7.2	We provide a range of safeguarding training opportunities to meet the needs of specific groups.
7.3	We require all those responsible for safeguarding children and vulnerable adults to continue to participate in appropriate safeguarding training.
7.4	Those responsible for leading safeguarding practice at every level are required to promote the sharing of best practice among colleagues.

## 7.1 We require all those in the Church working with children or vulnerable adults to participate in mandatory safeguarding induction training.

- 7.1.1 Mandatory safeguarding training is required by the Church to enable those involved in working with children and vulnerable adults to be well equipped to understand, manage, and reduce risk and to create safe environments. There is a basic level of expertise that all those involved in this work must first acquire, and this must be supplemented by participation in further training, within agreed timeframes, to deepen expertise, skills, and knowledge specific to roles. This training must be provided within a framework of nationally agreed safeguarding training established by the Scottish Catholic Safeguarding Standards Agency in collaboration with key stakeholders.
- 7.1.2 Across all safeguarding training, through consultation, the perspectives of survivors of abuse should be incorporated so that an on-going, deepening understanding of the impact and trauma of abuse is shared.
- 7.1.3 **Safeguarding Induction Training Part 1** must be completed by all who will be working in a regulated role prior to assuming any role in the Church involving children or vulnerable adults. This also applies to seminary applicants, those accepted for the propaedeutic period, and those entering any formation programme provided by religious institutes. Normally, within 18 months of having started in any such role, each person must also complete **Safeguarding Induction Training Part 2**. Further training opportunities should be offered to clergy, religious, Church employees, and volunteers, in the context of support/update meetings, courses and conferences, to help them to keep abreast of relevant developments whilst avoiding any unnecessary repetition of work covered previously at induction training. These training opportunities should be shaped in response to needs identified through the processes of evaluation and audit.
- 7.1.4 The tiered safe recruitment process that is being developed anticipates that volunteers in tiers 1 & 2 must complete Induction Training parts 1 & 2. Other volunteers will be required to participate in online training, using a resource that will be provided.
- 7.1.5 Any tier 1 & 2 volunteer or employee who, without due cause, fails to complete Induction Training part 2 within 18 months of commencing their role must be suspended from their role. Bishops and major religious superiors should be assiduous in addressing such issues with clerics or religious, appropriately according to canon law.

## 7.2 We provide a range of safeguarding training opportunities to meet the needs of specific groups.

- 7.2.1 In collaboration with key stakeholders, the Scottish Catholic Safeguarding Standards Agency will establish a Safeguarding Training Advisory Group (STAG) to support the development of a framework of nationally agreed safeguarding training to meet specific training needs identified by various groups – bishops, clergy, religious, employees, and volunteers. This is intended to promote consistent practice across all Church jurisdictions in Scotland.
- 7.2.2 In collaboration with SCSSA, Dioceses must provide training opportunities that are appropriate for priests and deacons, members of DRAMTs and DSAGs, Parish Safeguarding Co-ordinators and parish group leaders. These training opportunities should be shaped in response to needs identified through the processes of evaluation and audit.
- 7.2.3 Religious institutes must arrange to provide access to training courses appropriate for religious sisters, priests, brothers, and Safeguarding Link Co-ordinators. This may require collaboration between religious institutes, CRSSC, SCSSA and dioceses. These training opportunities should be shaped in response to needs identified through the processes of evaluation and audit.
- 7.2.4 The training needs of all these groups must be identified in the annual safeguarding audit exercise and addressed through the planning processes that emerge from audits. These plans should contain targets for the numbers who will be expected to participate in particular training courses in the coming year. Participants in training courses must always be invited to complete course evaluations that will be analysed by the course organisers to ensure that courses are appropriately developed to meet identified needs. SCSSA, working through STAG, should develop effective ways to evaluate the impact of training on the practice of safeguarding personnel.
- 7.2.5 Opportunities for training should be provided in ways that are most appropriate, convenient, and practical for the participants, within the constraints of available resources and taking account of geographical contexts. Given the nature of the issues being addressed, and the skills being developed in safeguarding training, there is a need to ensure that appropriate opportunities are provided for 'in person' training as well as online training. The COVID-19 pandemic of 2020 resulted in some training opportunities being provided online, using video conferencing platforms. Despite the technological challenges, the experience appears to have been positive in enabling some training to be provided when it would otherwise have been impossible. This experience has given added impetus to the need for SCSSA to lead exploration of ways of increasing the availability of some online learning **where it is appropriate.**

- 7.2.6 Each organisation should maintain records of safeguarding training completed by its own personnel, whether clerical or lay, employees, or volunteers. These records will support the planning of training for the following year and the development of each person in their personal skills, knowledge and expertise.
- 7.2.7 Each diocese should recruit a sufficient number of suitable volunteer trainers to deliver the safeguarding training required in the diocese. Supported by the Scottish Catholic Safeguarding Standards Agency, dioceses and religious institutes should collaborate in developing effective strategies to train and support these volunteer trainers.

### 7.3 We require all those responsible for safeguarding children and vulnerable adults to continue to participate in appropriate safeguarding training.

- 7.3.1 It is important that all those involved in regulated activity are able to continue to develop their knowledge and their skills. While this can be done in part by studying appropriate reports and reading other relevant literature, it is vital that they continue to benefit from personal participation in training opportunities that are relevant to their specific roles and are tailored in response to their identified needs. The required frequency of training should be proportionate to the person's level of responsibility for safeguarding.
- 7.3.2 The following schedule sets out the **recommended level of ongoing participation** in safeguarding training courses by different Diocesan groups:



SAFEGUARDING TRAINING COURSES - DIOCESAN PERSONNEL		
GROUP	TRAINING	FREQUENCY
Bishops	Issues specific to bishop's role	as required
	Scottish Catholic Safeguarding Conference	every 3 years
	Participation in Clergy safeguarding training sessions (topics variable)	annually
Priests	Participation in Clergy safeguarding training sessions (topics variable)	annually
Deacons	Safeguarding training included in annual summer school	annually
Seminarians	Safeguarding included in formation programmes	annually
Propaedeutic students	Safeguarding training included in Propaedeutic course	annually
Diocesan Safeguarding Adviser	Scottish Catholic Safeguarding Conference	annually
	International conference / seminar on Safeguarding	every 2/3 years
	Seminars/webinars on relevant issues and needs are identified	as opportunities arise
DSAG members	Training on functions of DSAG	on appointment
	Scottish Catholic Safeguarding Conference	every 2 years
DRAMT members	Training on functions of DRAMT	on appointment
	Experience of 'mock' DRAMT meetings where there have been limited or no allegations	as required
	Scottish Catholic Safeguarding Conference	every 2 years
Safeguarding Trainers	Training for Trainers course	on appointment
	CPD days (topics variable)	annually
Parish Safeguarding Co-ordinators	PSC Training course	on appointment
	Diocesan training on topics relevant to role and in response to identified needs	annually
Employees involved in regulated activity	Diocesan training on topics relevant to role and in response to identified needs	annually

7.3.3 The following schedule sets out the recommended level of participation in safeguarding training courses by different groups in religious institutes:

SAFEGUARDING TRAINING COURSES - RELIGIOUS PERSONNEL		
GROUP	TRAINING	FREQUENCY
Major Religious Superiors / Provincials	Issues specific to role	as required
	Scottish Safeguarding Conference for Religious	every 3 years
	UISG/USG training online	every 3 years
Priests	Participation in Religious Safeguarding training	annually
	Participation in Diocesan Clergy training	annually
Sisters / Brothers	Participation in Religious Safeguarding training	annually
Safeguarding Link Co-ordinators	Training on specific role	on appointment
	Scottish Safeguarding Conference for Religious	annually
	Meetings of Safeguarding Link Co-ordinators	annually
	Seminars on relevant issues	as opportunities arise
Employees involved in regulated activity	Training on topics relevant to role and in response to identified needs	annually

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

- 7.4.1 The sharing of good practice is a feature of any effective organisation. It helps to ensure consistency of approach and contributes to the development of a strong culture of self-evaluation and continuous improvement. Accordingly, planning for the continuing development of those in regulated roles must ensure that the latest insights and developments in the field of safeguarding will be addressed in any training provided each year. The Scottish Catholic Safeguarding Standards Agency must play the key role, through the Safeguarding Learning Network, of advising dioceses and religious institutes of any issues, trends, research or developments that are most relevant to safeguarding personnel and post-holders.
- 7.4.2 SCSSA will collaborate with key stakeholders to establish a national Safeguarding Learning Network in which senior safeguarding personnel will collaborate to provide an effective forum for learning from the safeguarding experience, expertise and research of others, nationally, and internationally, both from within the Church and externally. The development of this network should build on any existing networks and forums for professional learning.
- 7.4.3 Strategies for sharing good practice within this Safeguarding Learning Network include:
- support sessions, conferences, and courses at which various personnel (both 'intra & 'extra' Church) are invited to share experiences and strategies
  - the publication and sharing of newsletters and other documents which feature specific examples of successful strategies being deployed nationally and internationally
  - reading about, and contributing to, research on safeguarding matters
  - using websites and social media platforms to share information and resources on relevant topics of national and international import.

## Standard 7 Indicators

### Training and support for all involved in safeguarding

We require bishops, clergy, religious, lay employees and volunteers to participate in ongoing training and to develop the requisite knowledge, attitudes and skills relevant to their respective roles. We encourage and facilitate the sharing of best safeguarding practice throughout the Church.

#### Key indicators of compliance

- induction training for all with regulated roles in the Church
- role-specific training
- nationally agreed framework for training programmes
- failure to participate in required training leads to appropriate sanctions
- training records maintained accurately
- positive evaluations of safeguarding training events
- good levels of retention of trainers
- analysis of training needs is considered in annual audits and planning
- development of appropriate online training opportunities
- safeguarding learning network support sharing of good practice

#### Evidence of compliance

- programmes of training courses/events
- minutes of STAG meetings
- safeguarding training records
- evaluations of training courses
- newsletters and other documents providing information on safeguarding matters
- programme of online training opportunities
- identification and highlighting of relevant research literature

**STANDARD 8:**

**Planning for continuous improvement in safeguarding**

We evaluate compliance with safeguarding standards and plan improvements to our practice.

We participate in annual audits as well as independent reviews of safeguarding practice.

We provide a process to review how safeguarding complaints have been handled.

8.1	We require all who are responsible for safeguarding in the Church to engage in a process of continuous improvement.
8.2	We require all parishes to audit their compliance with safeguarding standards and to plan for improvement.
8.3	We require all dioceses to audit their compliance with safeguarding standards and to plan for improvement.
8.4	We require all religious institutes to audit their compliance with safeguarding standards and to plan for improvement.
8.5	We require all Catholic organisations to audit their compliance with safeguarding standards and to plan for improvement.
8.6	The Scottish Catholic Safeguarding Standards Agency must arrange for independent reviews of the compliance of all jurisdictions with safeguarding standards.

## 8.1 We require all who are responsible for safeguarding in the Church to engage in a process of continuous evaluation and improvement.

- 8.1.1 The determination of the victims/survivors who have made their voices heard has been significant in bringing the institution of the Catholic Church to the point where Pope Francis has vowed, on behalf of the Church, “never again to every form of abuse”<sup>58</sup>.
- 8.1.2 In Scotland, the Church has committed significant resources to safeguarding: in training clergy and religious, in employing specialist personnel, and in recruiting thousands of volunteers to support its safeguarding efforts. We have established bodies such as the McLellan Commission and the Independent Review Group to provide us with independent advice on safeguarding, and we have commissioned the Social Care Institute for Excellence to carry out independent audits of safeguarding in all eight Dioceses. (At the time of publication, four audit reports had been published.) We have responded by improving our systems, policies, and procedures. Yet, we know that more needs to be done.
- 8.1.3 We must demonstrate that we are committed to a process of continuous improvement in order to address the challenge of developing a “culture of care”<sup>59</sup> in our safeguarding practice. We understand that such work will take a considerable amount of time and sustained effort, given the thousands of individuals involved in safeguarding in the Church across Scotland.
- 8.1.4 In all dioceses, religious institutes, parishes and Catholic organisations, all those with specific responsibilities for safeguarding must engage in a cyclical process of continuous improvement:
1. Each year safeguarding practice is reviewed through **audits** that explore HOW we practice and not simply WHAT we do.
  2. The audit results should then be **analysed** by safeguarding leads in parishes, dioceses, religious institutes and organisations and by SCSSA to identify good practice as well as areas that need improvement.
  3. We should develop annual **safeguarding action plans** that identify WHAT actions we plan to take (including training) to improve our practice in the year ahead. These plans should include details of HOW and WHEN we will take these actions and WHAT IMPACT we intend them to have on our practice.
  4. We should regularly **monitor** progress with these action plans to evaluate the impact of the planned actions.
  5. The cycle should continue with **a review of the impact of the action plans** as the annual audit exercise commences for the following year.

<sup>58</sup> Letter, 2

<sup>59</sup> Letter, 2



## 8.2 We require all parishes to audit their compliance with safeguarding standards and to plan for improvement.

8.2.1 In each parish, the PP and the PSC should meet a number of times per year to monitor progress relating to safeguarding and to discuss issues, such as numbers of volunteers, training required, safeguarding risk assessments, etc. They should plan how to provide a regular focus on safeguarding in parish communications e.g., in announcements, posters, parish bulletins, websites, social media, etc.

8.2.2 Each parish must participate in the Church's annual safeguarding audit exercise. It is the PP's responsibility to ensure its accurate completion and prompt submission. The contribution of the PSC to the completion of the parish audit is also critical.

8.2.3 Some of the information provided by the parish in the audit will be *quantitative* – e.g., how many parish groups? Other information will be *qualitative* – e.g., When we communicated with the parish about safeguarding this year, did we provide information that was relevant and accessible to parishioners? A key stage in completing the audit is for the PP and PSC to reflect on the information they have provided in the audit and to analyse its significance for safeguarding practice in the parish:

- what are we doing well?
- how will we develop our practice?
- what further training is required? and by whom?
- what further support do we need?

- 8.2.4 The PP and the PSC, prompted by the audit, should plan the actions they will take to address any areas of improvement they have identified. They should focus sharply on the outcomes that they wish to see emerging as a direct result of these planned actions.
- 8.2.5 Each year the PP and/or the PSC should address the parish community on some aspect of safeguarding, both to highlight the work being done in the Church and to alert the community to the need for continuing watchfulness. This might coincide with the publication of the bishop's annual safeguarding statement.

### 8.3 We require all dioceses to audit their compliance with safeguarding standards and to plan for improvement.

- 8.3.1 In each diocese, the DSAG should meet regularly to discuss on-going issues relating to safeguarding arrangements in the diocese. One key focus of their discussions should include monitoring progress with the diocesan safeguarding action plan.
- 8.3.2 Each diocese is required to participate in the Church's annual audit exercise. The DSAG should contribute to this audit. It is the responsibility of the bishop to ensure the accuracy of the completed audit and to authorise its submission.
- 8.3.3 The diocese should use information provided in the parish audits to collate quantitative data for inclusion in its own audit submission – e.g., numbers of volunteers in all parishes, numbers of allegations, etc. The diocese must also analyse and reflect upon the implications of results of the parish audit for training, support and further improvements. This analysis and reflection, together with any recommendations emerging from any independent reviews of safeguarding practice, should enable the DSAG to prepare a safeguarding action plan that will address some areas of improvement required within the diocese over the subsequent year. The actions planned should be measurable and achievable, and be sharply focussed on the intended outcomes of each action.
- 8.3.4 This planning process at diocesan levels should be guided and supported by a national approach that will promote consistent practice. The audit process is designed and managed by the Scottish Catholic Safeguarding Standards Agency (SCSSA), with audit forms and action plan templates common to each diocese. SCSSA should provide advice, support, and training on approaches to forming achievable objectives and to measuring impact at the various levels.
- 8.3.5 A report on issues and trends emerging from diocesan audits should be provided annually to the bishops by the SCSSA, with a view to highlighting good practice and identifying any areas where improvement is required. This report should be shared with all Dioceses.



## 8.4 We require all religious institutes to audit their compliance with safeguarding standards and to plan for improvement.

- 8.4.1 In each religious institute the SLC should meet regularly with the leadership team, or in other appropriate safeguarding forums, to discuss on-going issues relating to safeguarding. These discussions should include consideration of compliance with standards and monitoring progress with any actions planned to improve safeguarding practice. Recognising the challenge presented by small numbers in some religious communities, the Scottish Catholic Safeguarding Standards Agency should play the lead role in collaborating with religious institutes in this area of activity.
- 8.4.2 Each year, in every religious institute, the major religious superior should collaborate with the SLC to ensure the completion of the safeguarding audit, providing such information as:
- current numbers and locations of religious resident in Scotland
  - numbers in active ministry who have received PVG clearance
  - numbers who have had safeguarding training
  - number of allegations reported, and number of survivors offered support.
- 8.4.3 Each religious community should use the opportunity of the audit to reflect upon their need for training and other support that will lead to further improvements. The SLC, prompted by the audit and with the support of the religious community leader, should plan the actions they will take to address any areas of improvement they have identified in the audit. These are the actions that they should monitor regularly.
- 8.4.4 An annual report on issues and trends emerging from religious audits should be prepared by the CRSSC with the support of SCSSA, with a view to highlighting good practice and identifying any areas where improvement is required. This report should be shared with all religious institutes.

## 8.5 We require all Catholic organisations to audit their compliance with safeguarding standards and to plan for improvement.

- 8.5.1 In Catholic organisations where members interact with children or vulnerable adults, those responsible for safeguarding should meet regularly with other organisers to discuss on-going issues relating to safeguarding. These discussions should include consideration of compliance with standards and monitoring progress with any actions planned to improve safeguarding practice.

8.5.2 Each Catholic organisation whose members interact with children or vulnerable adults is required to participate in the national audit exercise. Through this, they will be asked to provide information on their current practice and also to reflect on any areas for improvement that they will be prompted to identify.

8.5.3 A report on issues and trends emerging from organisation audits should be prepared annually by the SCSSA, with a view to highlighting good practice and identifying any areas where support needs to be provided. This report should be shared with all Catholic organisations.

## 8.6 The Scottish Catholic Safeguarding Standards Agency should arrange for independent reviews of the compliance of all jurisdictions with safeguarding standards.

8.6.1 In 2016 the bishops of Scotland established an Independent Review Group (IRG) to provide independent scrutiny of safeguarding practices in the Church. Having sampled the results of the 2018 Diocesan Audit, the IRG commissioned the Social Care Institute for Excellence to carry out independent reviews of safeguarding practice in dioceses. At the time of publication, audit reports on the Archdiocese of St Andrews and Edinburgh, the Diocese of Galloway, the Diocese of Aberdeen, and the Diocese of Motherwell have been published. Planning is underway to schedule audits of the remaining four dioceses. The commissioning of these independent audits and the publication of their reports demonstrates that the Catholic Church in Scotland has willingly subjected its safeguarding practice to rigorous independent scrutiny. This openness to scrutiny by bodies with relevant expertise has assisted the Church in its efforts to improved safeguarding practice.

8.6.2 The bishops have decided to establish the Scottish Catholic Safeguarding Standards Agency to promote and regulate consistent compliance with the national safeguarding standards. It will do this in a number of ways:

- by collaborating with dioceses, religious institutes, and catholic organisations
- by regulating their compliance with national safeguarding standards
- by engaging with relevant external partner agencies, stakeholders, and policymakers to inform best practice in safeguarding
- by developing the culture of the annual improvement cycle involving audit, analysis and planning
- by introducing a system of thematic reviews of safeguarding practice in dioceses, religious institutes and Catholic organisations
- by publishing reports on internal audits and thematic reviews.

8.6.3 The SCSSA must publish an overall report on the outcomes of the annual audit exercise. As well as providing statistics on allegations of abuse received each year, this report should identify elements of good practice, as well as significant issues and trends that will influence how safeguarding practice will develop. Some of the contents of the annual report should also determine the contents of some training opportunities provided for particular groups.

8.6.4 In collaboration with dioceses and religious institutes, the SCSSA will co-ordinate a national policy on a tiered process of responding to a complaint about how a safeguarding allegation has been handled in any jurisdiction. Anyone wishing to make such a complaint will be able to do so, either to the original diocese/religious institute which handled the allegation or directly to SCSSA. The process will include, as a final stage, a case review managed by an independent party.

## Standard 8 Indicators

### Planning for continuous improvement in safeguarding

We evaluate compliance with safeguarding standards and plan improvements to our practice. We participate in annual audits as well as independent reviews of safeguarding practice. We provide a process to review how safeguarding complaints have been handled.

### Key indicators of compliance

- an annual improvement cycle being followed
- audits completed annually in all jurisdictions
- safeguarding action plans emerging from audits
- thematic reviews of safeguarding practice
- publication of audit outcomes and plans
- effective process for responding to complaints about how a safeguarding allegation has been handled

### Evidence of compliance

- submitted audit reports
- safeguarding action plans
- reports on issues and trends identified in audits
- publication of allegation statistics
- records of complaints-handling



# Appendices

## APPENDIX 1: The Canon Law of Responding to Safeguarding Concerns and Allegations

### Introduction

What is Canon Law? This is the law of the Catholic Church, and it applies to the Church throughout the world. Canon Law describes how the Church is structured, what rights we all have in the Church, how we minister, how we celebrate the Sacraments, how we manage our finances and property, and what legal processes we use to solve disputes. As relevant to In God's Image, Canon Law also sets out the penal law of the Church, how we investigate allegations that it has been breached, and how we impose punishments on offenders.

Canon Law is a legal system that has developed over the centuries of Catholic history. The current law is principally found in the 1983 Code of Canon Law<sup>60</sup> but many of the provisions in the field of safeguarding are found in documents issued more recently in the light of the recent discoveries about the extent of abuse in the Church<sup>61</sup>.

For many people, even within the Church, the details of canon law can seem confusing. Like any complex legal system there are quite a number of different processes, depending on what exactly has been alleged in any given case and how it seems best to deal with it. Some of the questions that can affect how we respond include:

- Is the person complained about a bishop, priest/deacon, religious brother or sister, or a layperson?
- Does the accusation represent a crime in civil law?
- Is the accusation covered by penal law (e.g., sexual abuse) or covered by the ordinary rules governing the life of the Church?
- When did the behaviour complained about occur? (Some offences are subject to time-limits for taking action.)
- Is it a matter reserved to the Congregation for the Doctrine of the Faith (such as child sexual abuse) or can it be dealt with by the local diocese/religious institute?<sup>62</sup>

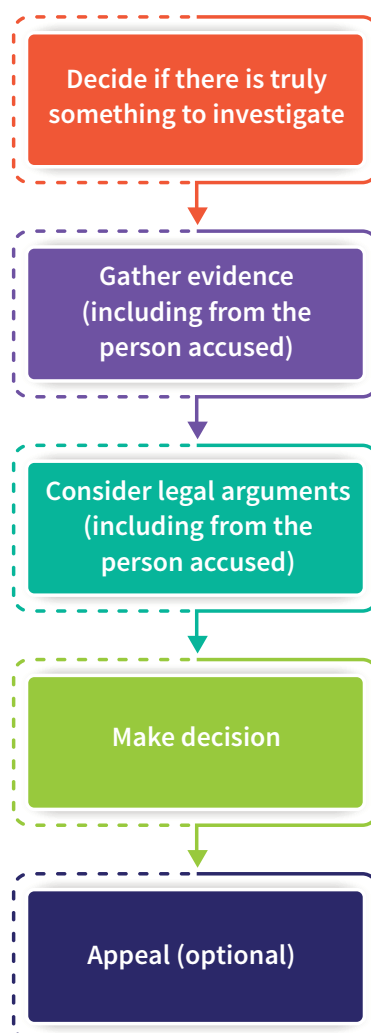
<sup>60</sup> [https://www.vatican.va/archive/cod-iuris-canonici/cic\\_index\\_en.html](https://www.vatican.va/archive/cod-iuris-canonici/cic_index_en.html) This Code covers the Latin Church. It does not cover the Eastern Churches, such as the Syro-Malabar communities that we have in Scotland. They have the Code of Canons of the Eastern Churches issued in 1990, and each Eastern Church will also have their own proper laws. A new version of Book VI, the section on crimes and penalties, was published on 1st June 2021 to come into effect on 8th December 2021. The provisions of the new law will, generally speaking, only apply to offences after that date, so many cases will still be covered by the current provisions.

<sup>61</sup> Documents such as the *Norms* of the Congregation for the Doctrine of the Faith, *Vos Estis Lux Mundi*, *Vademecum* of the Congregation for the Doctrine of the Faith

<sup>62</sup> The Congregation for the Doctrine of the Faith, often abbreviated simply to CDF, is the Vatican body competent to "promote and safeguard the doctrine on faith and morals in the whole Catholic world" [Apostolic Constitution *Pastor Bonus* 48], this includes the responsibility for overseeing the investigation and judging of the most grave canonical crimes, including child abuse by clerics [Apostolic Constitution *Pastor Bonus* 52]. For information about the work of the CDF see [https://www.vatican.va/roman\\_curia/congregations/cfaith/index.htm](https://www.vatican.va/roman_curia/congregations/cfaith/index.htm)

Allegations are made in the ways set out in Standard 3, and one of the first steps is to decide who is to take charge of the processes. Depending on the nature of the allegation, this might be the bishop of the diocese where the offence was said to have occurred, or the bishop in whose diocese the priest/deacon is incardinated or in whose diocese the religious brother or sister or lay employee or volunteer lives, or the major religious superior of the person accused. Sometimes only one of these will be competent to act, sometimes any of them can, and it is important that they reach early agreement about who is going to lead, to avoid multiple conflicting processes taking place, which would be unfair both to the alleged victim and to the accused person.

Regardless of the process, there are always five steps to be followed by the bishop or major religious superior, as explained in detail below and as summarised in this flowchart:



Rather than try to explain every possible process, we first explain the basic outline of responding to an accusation of child sexual abuse by a diocesan cleric<sup>64</sup>, and then summarise some of the other scenarios. It is important to remember that the accused person is always considered innocent until the contrary has been proven.

<sup>63</sup> Incardination means that every priest or deacon belongs to a specific diocese (or equivalent) or religious institute, and so is responsible to a bishop or major religious superior.

<sup>64</sup> A "cleric" is a priest or deacon. The term can also encompass bishops but there is a special process for them (see below).

## Alleged Sexual Abuse of Children by a Diocesan Cleric

(reserved to the Congregation for the Doctrine of the Faith)

### Stage 1: The Preliminary Investigation

As explained in Standard 3, a preliminary investigation is normally opened soon after an allegation is received, but it cannot be actively pursued if a police investigation is taking place, and, if so, not until any trials or appeals have been concluded<sup>65</sup>. Inevitably this will take quite a long time. The purpose of a preliminary investigation is to try and discover the facts and circumstances of the allegation, and whether these are imputable to the accused – effectively to decide if there are good grounds to proceed with canonical prosecution.

It is important to note that even if the police do not take action, or even if a trial results in a not guilty verdict, the investigation must continue, and a canonical process may still follow, since the Church is not bound by the determinations of the state authorities.

An investigation may be omitted if it is superfluous, for example if there has been a trial and sufficient evidence is therefore publicly known to justify proceeding further, or to justify closing the case.

The investigation may be carried out by the bishop personally or, more commonly, by someone<sup>66</sup> appointed by him.

At the end of the investigation the bishop sends a report of all that has been discovered to the Congregation for the Doctrine of the Faith who will instruct him on how to proceed.

### Stage 2: Precautionary Restrictions under c.1722

As explained in Standard 3, whilst the preliminary investigation and any subsequent penal process is underway, the bishop, in order to prevent the public from being scandalised by an accused person remaining in ministry or to protect witnesses from intimidation, or to protect the course of justice, may impose certain restrictions on the accused: prohibition from ministry in general or from some specific office, a requirement to reside in a particular place or a prohibition from residing there, or a prohibition on public participation in the Eucharist. The accused can challenge these restrictions at the Vatican, but they can remain in effect whilst being challenged. The restrictions must be revoked if the reasons they were imposed no longer apply or when the investigation and canonical process have been completed.

<sup>65</sup> This is to ensure that the Church's processes do not risk prejudicing any investigation or trial.

<sup>66</sup> Usually, a canon lawyer or safeguarding adviser

It is not always necessary to impose formal restrictions: for example, the person accused can voluntarily accept restrictions or may already be under sufficient restrictions imposed by the civil authorities, such as bail conditions or imprisonment. There will also be cases where the type of accusation is not judged to merit the imposition of restrictions.

## Stage 3A: The Judicial Process

The Congregation for the Doctrine of the Faith may require that a judicial process takes place, that is to say, a trial before a tribunal made up of three priests who are qualified in canon law. In this case, the bishop will refer the case to the Promoter of Justice who will submit a petition asking the tribunal to judge the guilt of the accused on specific charges, and to impose penalties, if found guilty. The accused will be allowed to submit a reply to the petition before the tribunal full process begins. The accused will also be asked to nominate a canon lawyer as his Advocate, and if he fails to do so one will be appointed to represent him.

Once the initial stages are completed, the tribunal will gather evidence – questioning the complainants and any witnesses, and, if he wishes (he has the right to remain silent), questioning the accused and any witnesses he nominates. The tribunal will also consider the results of any criminal trials or legal action in the civil courts, and indeed the tribunal will look at any reasonable evidence that can be obtained. All the evidence-gathering is done confidentially via interviews rather than hearings in open court. There is no public access and the complainants and accused will never have to face each other.

After the evidence has been gathered, the Promoter of Justice and the accused are permitted to read it all and to suggest any further lines of enquiry. After those have been investigated, the evidence-gathering stage is closed. Thereafter the Promoter of Justice and the Advocate for the accused exchange their written arguments, setting out the law and the facts that support their case and weaken their opponent's.

The three judges of the tribunal then read all the evidence and all the legal arguments presented and come to a conclusion about whether each specific charge has been proven, and about whether any penalties should therefore be imposed. To decide that a charge has been proven the judges must have “moral certainty”; this is equivalent to the criminal standard in Scottish courts of “beyond reasonable doubt”. The penalties depend on the offence and on the presence of mitigating or aggravating factors, but for child sexual abuse the maximum penalty is dismissal from the clerical state.

The judges will write a sentence explaining their decision and the accused will receive a copy of that. The sentence is confidential and is not given out to the public. The accused and the Promoter of Justice both have the right to appeal to the Congregation for the Doctrine of the Faith against conviction and/or penalty.



## Stage 3B: The Administrative Process

In some cases, the Congregation for the Doctrine of the Faith will order the bishop to conduct an administrative process rather than having a trial before a tribunal. An administrative process is conducted by the bishop personally, or by a delegate. The process is simpler than the judicial one, but the accused still has the right to know the accusation, to present evidence, and to see the evidence used by the bishop and to present legal arguments against it with the aid of an Advocate.

The bishop, having considered the evidence and legal arguments with the aid of two assessors, writes a decree at the end of the process, setting out his decision and, if appropriate, imposing a penalty. The penalty of dismissal from the clerical state may only be imposed with a mandate from the Congregation for the Doctrine of the Faith. The accused can challenge the bishop's decision at the Congregation for the Doctrine of the Faith.

## Stage 3C: Immediate Action by the Holy See

In cases which are especially clear-cut, or in cases where the accused admits his guilt and voluntarily seeks to leave the priesthood, the above processes can be omitted, and the Holy See can take immediate action to remove the accused priest from the clerical state.

## Other Alleged Canonical Offences by Diocesan Clerics

(matters not reserved to the Congregation of the Doctrine of the Faith)

For offences that are not subject to the Congregation of the Doctrine of the Faith, such as the sexual abuse of a vulnerable adult, the judicial or administrative processes set out above still apply, but with these modifications:

- Precautionary restrictions under c.1722 cannot be imposed until after the preliminary inquiry has concluded (but the restrictions on ministry set out in the next section can be applied when necessary).
- The bishop himself, rather than the Congregation, decides whether a case should be opened, and which process should be followed.
- Challenges to the final decision follow the standard paths (judicial appeals to the Roman Rota or the local appeal tribunal; administrative recourse to the Congregation for the Clergy).

- Ordinarily, dismissal from the clerical state cannot be imposed by the administrative process, but in some cases the Congregation for the Clergy can be asked to agree to this.

An important factor to remember is that, for cases not subject to the Congregation for the Doctrine of the Faith, there is an unremovable time-limit for prosecutions of 3 or 5<sup>67</sup> years (depending on the accusation). After this time limit has passed, cases cannot be prosecuted canonically. The time limit starts running at the commission of the offence, not from its discovery. The fact that a person cannot be punished does not, however, prevent the bishop from taking action, similarly to what is set out below.

## Responding to Alleged Behaviour by Diocesan Clerics that is not a Canonical Offence

There are many safeguarding issues that are not canonical offences (such as non-coercive sexual relations with a vulnerable adult or the physical abuse or neglect of children or vulnerable adults)<sup>68</sup>, and so the above processes cannot be applied. The Church nonetheless needs to be able to respond to such behaviour and there are various ways of doing so:

- *Canon 1399*: behaviour that is not explicitly an offence can be treated as one if there is an especial gravity to the violation and an urgent need to prevent/remove scandal, as long as it is behaviour that is contrary to divine law or canon law. If this canon can be applied, then the processes set out above can be applied.
- *Canon 1339*: if a bishop believes that a person is in immediate danger of committing a canonical crime, or if a bishop has grave suspicions that a person has already committed a crime (but cannot prove it), he can issue the person with a warning. The bishop can also rebuke any person whose behaviour has caused public scandal. A bishop can add penances to a warning or a rebuke.
- *Removing a Parish Priest*: a parish priest can be removed from office if his ministry has become harmful or ineffective. The bishop must discuss the case with two other parish priests chosen from a pre-selected group established by the Council of Priests. The parish priest has the chance to present arguments against being removed and to suggest evidence in support of his case. The final decision is then made by the bishop, but the priest can challenge the decision before the Congregation for the Clergy.
- *Removing another priest or deacon from office*: the bishop can remove other priests or deacons from any office they hold or ministry they perform if he has sufficient cause.

<sup>67</sup> Increasing to 7 years after the new Book VI takes effect.

<sup>68</sup> Some sexual relations with vulnerable adults will be canonical offences after the new Book VI takes effect, and so new cases will be dealt with as set out in the previous section. Allegations relating to behaviour before 8th December 2021 will still need to be dealt with as set out in this section.

Before doing so, he gathers any evidence and gives the person an opportunity to respond, and then gives his decision in writing. The person can challenge the decision, usually before the Congregation for the Clergy.

- *Imposing Restrictions on Ministry*: concerns about a person may not be sufficient to need them to be removed from office or ministry but may require some restrictions to protect them or those they work with. To do so, the bishop gathers any evidence and gives the person an opportunity to respond, and then gives his decision in writing. The bishop can, if necessary, threaten penalties for failure to comply with the restrictions. The person can challenge the decision, usually before the Congregation for the Clergy.
- *Imposing specific requirements on individuals*: rather than removal from office or general restrictions on ministry, a bishop may decide that some reasonable specific step needs to be taken to ensure the safety of the person or those they work with, e.g., that they complete safeguarding training. The bishop can impose this requirement if he has sufficient cause, having heard the person involved, and can prevent their engaging in ministry/volunteering until they do so if that is necessary. The person can challenge the decision, usually before the Congregation for the Clergy.

## Allegations against Bishops

The previous paragraphs describe how bishops are to respond to allegations. As set out in Standard 3, the Church also has a special process to respond to allegations made against bishops.<sup>69</sup>

When a complaint is received, it is sent to the Holy See and to the Metropolitan (the local Archbishop)<sup>70</sup>. The Holy See then instructs the Metropolitan – or someone else if the Holy See so decides – how to proceed. The Metropolitan undertakes a preliminary investigation, and – ideally within ninety days – sends a report to the Holy See detailing what he has discovered. Having received the report, the Holy See decides how to proceed, whether to have a judicial trial or an administrative process, etc. This is all quite similar to what is set out above, with the modifications necessary to ensure the independence of the process from the bishop concerned. Although Scottish bishops may be asked by the Holy See to conduct investigations and to liaise with all involved, all major decisions are made by the Holy See and, so, are outside of the control of the Scottish bishops.

<sup>69</sup> Or others in senior leadership positions in the Church.

<sup>70</sup> If the complaint is about the Metropolitan, or if the Metropolitan See is vacant, the complaint is sent to the senior diocesan bishop instead.

## Allegations Against Religious

Although Bishops can take canonical actions against religious, usually major religious superiors will deal with allegations against religious<sup>71</sup>.

The concept of “religious”<sup>72</sup> covers a wide variety of situations in life. Some religious are priests or deacons or are in preparation for Ordination, some are laypeople, brothers and sisters. Some religious live in monasteries and convents, focusing primarily on prayer, others are active in the world, working in parishes, schools, hospitals, care homes, etc. Some religious stay in the same religious house all their lives, others are missionaries who can be sent all around the world. Each religious order is autonomous from the local diocese and bishops’ conference, and has its own internal rules, and so the generic situation described in this text needs to be seen in the light of their own specific provisions.

Religious clerics are generally subject to the same processes set out above for diocesan clerics and in these cases references above to “bishop” should be read as references to “major religious superior”.

A religious cleric who is a parish priest or who holds another diocesan or parish office can be removed from office by the bishop or major religious superior without the formal process required to remove diocesan clerics from these roles. All that is required is a letter from the bishop to the major religious superior (or vice-versa) and a letter to the cleric.

Religious who are not clerics (sisters and brothers) are unlikely ever to be subject to the penal processes for safeguarding matters set out above<sup>73</sup>, but instead, to ensure that any offences committed by them are properly dealt with, they may be subject to some of the following actions, which also apply to religious clerics:

- *Canon 1339*: if a bishop<sup>74</sup> believes that a religious is in immediate danger of committing a canonical crime, or he has grave suspicions that a religious has already committed a crime (but cannot prove it), he can issue the person with a warning. He can also rebuke any person whose behaviour has caused public scandal. He can add penances to a warning or a rebuke.

<sup>71</sup> There are a number of practical reasons for this – the religious superiors will have access to the religious cleric’s files and records, the religious cleric may be subject to concerns or allegations across multiple dioceses as they usually work in a variety of different places in their religious life, and the religious institute will be responsible for the ongoing care and support of both accusers and accused.

<sup>72</sup> Throughout *In God’s Image* we use the term “religious” to cover all those in the canonical categories of members of Institutes of Consecrated Life, of Secular Institutes, and of Societies of Apostolic Life. The canonical differences between these types of organisations do not affect the safeguarding situation that applies to all of them.

<sup>73</sup> Under the current law, most canonical offences connected to safeguarding only apply to clerics. Some sexual acts by lay religious with children or vulnerable adults will be canonical offences after the new Book VI takes effect, and so new cases may be dealt with as set out in the section on offences by clerics. Allegations relating to behaviour before 8th December 2021 will still need to be dealt with as set out in this section.

<sup>74</sup> Or a major religious superior of a clerical religious institute (but not a major religious superior of a lay religious institute, whether male or female).

- *Dismissing a Religious from their Religious Institute*: a religious, male or female, may be dismissed from their Institute for behaviour that is sexually abusive or otherwise gravely scandalous. This process is begun by the major religious superior after consulting the council<sup>75</sup>. The major religious superior gathers the evidence, gives the accused the right to self-defence and the opportunity to reform, and then presents the case to the Supreme Moderator<sup>76</sup> and council for a final decision. If they decide to dismiss the member, this must be confirmed by the Holy See (or by the bishop for diocesan religious orders). This must all be done in accordance with the detailed provisions of the constitutions and internal rules of the institute.
- *Removing a Religious from a Ministry*<sup>77</sup>: the bishop can remove a religious from any diocesan or parish office or ministry, having informed the major religious superior. The major religious superior can remove a religious from any diocesan or parish office or ministry, having informed the bishop, and/or from any office or ministry in the religious institute, subject to the constitution and internal rules of the institute.
- *Imposing Restrictions on Ministry*: concerns about a religious may not be sufficient to need them to be removed from office or ministry but may require some restrictions to be imposed by the major religious superior, or by the bishop (only as regards ministry in the diocese or parish, not as regards the internal life of the institute), to protect them or those they work with. This should be done in writing. The constitutions and internal rules of the institute may provide more details about these powers.
- *Imposing specific requirements on individuals*: rather than removal from office or general restrictions on ministry, a major religious superior, or bishop (only as regards ministry in the diocese or parish, not as regards the internal life of the institute), may decide that some reasonable specific step needs to be taken to ensure the safety of the person or those they work with, e.g., that they complete safeguarding training.

<sup>75</sup> A “major superior” is the member of the religious order in charge of a particular area or an autonomous house. In most orders the areas are called Provinces and the major superior is called the Provincial. Sometimes superiors are elected by the members of the order, sometimes appointed from above. Each superior has a council, made up of members of the order, which assists the superior in governance.

<sup>76</sup> A “supreme moderator” is the overall head of a religious order, elected by the members, and assisted by a council.

<sup>77</sup> Some religious who are employed by dioceses may have additional rights under their contracts of employment.

## Allegations Against Lay Employees and Volunteers

Laypeople, whether employees or volunteers, are unlikely ever to be subject to the penal processes for safeguarding matters set out above<sup>78</sup>. Employees will be subject to the disciplinary processes required by employment law and/or set out in their contracts.

Generally speaking, a bishop, parish priest, or religious superior<sup>79</sup> may ask lay volunteers to stop volunteering or change what they do without having to follow any canonical process. However, when volunteers are asked to stop volunteering or are asked to change what they do because of safeguarding concerns or allegations, it is important that a consistent process is followed so that there is a written record of what was done and why. This is necessary to ensure that future bishops, parish priests, or religious superiors are aware of the concerns or allegations and are able to protect children and vulnerable adults, and also to ensure that the volunteer has the opportunity to defend themselves against accusations which, if unfounded, could seriously damage their good name.

- *Removing a volunteer:* The bishop, parish priest, or religious superior can remove volunteers from any office they hold or ministry they perform if there is sufficient cause. Before doing so they should gather any evidence, give the person an opportunity to respond and then give a decision in writing. The decision can be challenged: if the decision was made by a parish priest, the volunteer can ask the bishop to reconsider; if the decision was made by a local religious superior the volunteer can ask a higher authority in the religious institute to reconsider (if that is allowed by the religious institute's own constitutions or internal rules); if the decision is made by the bishop or the highest authority in the religious institute, then it can be challenged at the Vatican.
- *Imposing Restrictions on Volunteering:* Concerns about a volunteer may not be sufficient to require their removal from office or ministry, but they may require some restrictions to protect them or those they work with. In such a case, the parish priest, bishop or religious superior must gather any evidence, give the person an opportunity to respond, and then give a decision in writing. The decision can be challenged: if the decision was made a parish priest, the volunteer can ask the bishop to reconsider; if the decision was made by a local religious superior, the volunteer can ask a higher authority in the religious institute to reconsider (if that is allowed by the religious institute's own constitutions or internal rules); if the decision was made by the bishop or the highest authority in the religious institute, then it can be challenged at the Vatican.

<sup>78</sup> Under the current law, most canonical offences connected to safeguarding only apply to clerics. Some sexual acts by lay people with children or vulnerable adults will be canonical offences after the new Book VI takes effect, and so new cases may be dealt with as set out in the section on offences by clerics. Allegations relating to behaviour before 8th December 2021 will still need to be dealt with as set out in this section.

<sup>79</sup> Throughout this section references to "religious superior" would not necessarily be to a "major" superior, it might more often be the religious brother or sister responsible for a local religious community who makes these decisions.

- *Imposing specific requirements on individuals:* Rather than impose removal from office or general restrictions on ministry, a parish priest, bishop, or religious superior may decide that some reasonable specific step needs to be taken to ensure the safety of the volunteer or those they work with, e.g., that they complete safeguarding training and are not permitted to engage in ministry/volunteering until training has been undertaken. The decision can be challenged: if the decision was made by a parish priest, the volunteer can ask the bishop to reconsider; if the decision was made by a local religious superior, the volunteer can ask a higher authority in the religious institute to reconsider (if that is allowed by the religious institute's own constitutions or internal rules); if the decision was made by the bishop or the highest authority in the religious institute, then it can be challenged at the Vatican.

## Conclusion

This Appendix is a summary, an attempt to put the various canonical processes into understandable terms. While it is an accurate account of the law at present, anyone involved in these processes should seek professional advice and not just rely on what is contained in this Appendix, especially as the law can change from time to time and this Appendix may not necessarily be up to date. Everything in this Appendix should be read in the light of the full text of 'In God's Image'. These canonical processes are part of the response to concerns or allegations set out in the main text and must be seen in the context of the wider safeguarding setting.

## APPENDIX 2: Protecting Vulnerable Groups (PVG) Scheme

- 1 The Disclosure (Scotland) Act 2020<sup>80</sup> provides the legislative framework that governs the disclosure system in Scotland. It focuses on safeguarding children and vulnerable adults, while balancing the need for people with criminal convictions to be able to move on from past convictions and contribute to society. The main changes to the disclosure system brought about in the Act are:
  - It will be mandatory for those carrying out regulated roles with children and protected adults to be a member of the Protecting Vulnerable Groups (PVG) Scheme.
  - The lifetime PVG scheme membership will end and be replaced with a five year membership period.
  - Failure of a person involved in a regulatory role to renew a PVG will constitute an offence.
  - The Act will reduce the number of disclosure levels.
  - Disclosure Scotland will have new powers to impose conditions on individuals while they are being considered for listing.
  - Applicants will be able to request a review of certain disclosure content from an independent reviewer.
  - Those with childhood convictions eligible for review will be able to explain the context of their previous behaviour before any disclosure to a third party is made.
  - The Act provides new referral powers for Scotland's councils and integration joint boards.

The changes to the disclosure system are being implemented over a period of time to allow time for Disclosure Scotland to develop their processes and for organisations to prepare for their new responsibilities. The information provided in this Appendix was accurate at the time of first publication of IGIv2. As a result of changes introduced by Disclosure Scotland, the Church is reviewing its Safe Recruitment processes. Further details are provided in Appendix 3.

<sup>80</sup> Disclosure (Scotland) Act 2020



- 2 Membership of the Protecting Vulnerable Groups (PVG) Scheme is mandatory for anyone who is employed, or who volunteers, to work with vulnerable groups within the Catholic Church in Scotland. The care and protection of the vulnerable must be paramount in their concerns.
- 3 When a conviction is recorded on a PVG Certificate, the DRAMT must consider the relevance of the conviction (in the context of the role being considered) and must offer recommendations to the bishop as to whether the person should be given full or restricted approval as a volunteer.
- 4 Certain convictions will mean that an application cannot be progressed because it is not safe for the individual to act as a volunteer with children and vulnerable adults. Such convictions would include serious sexual offences and being 'Listed and Barred' from working with children or adults.
- 5 If a person is being considered for Listing, either at the point of joining the PVG Scheme or whilst a member, then Disclosure Scotland will inform the Church. This is intended to ensure that the applicant does not commence his/her role or, if already in post, is suspended from this role until a final decision has been made by Disclosure Scotland.
- 6 Once the decision has been made, Disclosure Scotland will inform the applicant and the office that collated the original PVG application. The DRAMT must then be convened to consider if the cleric, religious, employee or volunteer can commence (or continue) in the role, if the decision has been made that he/she will not be Listed. If the applicant is 'Listed & Barred', it would be illegal for him/her to apply for a PVG in order to commence (or to continue) any work involving contact with vulnerable groups. If the individual were a parish volunteer, the Diocesan Safeguarding Adviser must inform the Parish Priest and the Parish Safeguarding Co-ordinator. No one who is 'Listed & Barred' can take up any paid or voluntary position involving contact with children or vulnerable adults.
- 7 If a cleric, a religious or a church employee has been dismissed or a volunteer has been deemed unsuitable to be working with any vulnerable groups, there is a legal requirement on a diocese / religious institute to refer the individual to Disclosure Scotland for consideration under the 'Listing & Barring' process. The DRAMT must consider all grounds for making such a referral and must make an appropriate recommendation to the bishop / major religious superior who must be the signatory to the referral. Guidance on the completion of a referral is available from Disclosure Scotland.

## APPENDIX 3: Our Safe Recruitment Process

While this process is still under development, it is important to seek advice from the Safeguarding Adviser in your diocese or religious community.

Changes to the Disclosure Scotland Act 2020, Criminal Age of responsibility Act 2019, and The Management of Offenders Act 2019, have required the Bishops' Conference of Scotland to review their current safe recruitment processes, and to make appropriate changes to ensure compliance with the requirements determined by Disclosure Scotland.

In terms of the PVG scheme there are some significant changes that will alter the way dioceses, parishes, religious institutes, and Catholic organisations recruit those professed, employed, or volunteering in the Catholic Church in Scotland. While it is recognised that even the best recruitment processes may not deter someone who is determined to harm, a rigorous and consistent application of the Church's safe recruitment process will greatly contribute to ensuring that our Church environments are welcoming, nurturing and safe.

At the time of publication, work was underway to develop a tiered approach that will specify the recruitment processes that will apply to specific voluntary roles in the Church, according to their eligibility for membership of the PVG scheme necessitated by the above changes in legislation. The tables below indicate the roles that are being planned for assignment to **TIER 1** or **TIER 2**.

TIER 1	
Those volunteering in a regulated role with <b>children and young people</b>	Regulated work with children is paid or unpaid work with those under 18 years of age.
Those volunteering in a regulated role with <b>protected adults</b>	For a volunteer role to be eligible for PVG membership in this category, certain criteria must apply. It is important that safeguarding teams in parishes and religious communities work together with their diocesan/religious safeguarding teams to determine which volunteer roles meet these criteria.

### Tier 1 Regulated Roles

Volunteers working with the groups or involved in the activities listed below are **Tier 1 volunteers**. Please note that this list is not exhaustive, and it is important to seek advice from the diocese/religious community when deciding which tier volunteers belong to.

- Children's Liturgy group
- Youth Club
- Breakfast Club (for children)
- Altar Servers
- Afterschool Club
- Wednesday Club
- Children's Music Group/ Choir
- Children Catechist group
- Alma
- Eucharistic Minister visiting private homes
- Lourdes pilgrimages
- SPRED
- Prison Visits
- Hospital Visits
- Ozanam

### Safe recruitment requirements for all involved in Tier 1 roles are:

- a completed application form
- 2 independent references (that are not from family members)
- successful application for PVG membership
- completion of mandatory safeguarding training (Induction Part 1)
- A letter of approval from the diocese/religious institute/Catholic organisation confirming that all stages of safe recruitment have been met.

**TIER 2**

Those volunteering with vulnerable/protected groups, but whose role no longer requires membership of the PVG scheme, due to changes in legislation.

This tier will include volunteer roles where there might be risks that a volunteer could build an inappropriate relationship with a vulnerable adult.

N.B. Where a role has previously required a PVG, it is not envisaged that volunteers will be removed from the system immediately. It is anticipated that these changes will come into effect when a volunteer's PVG comes up for renewal. At that time, the diocese/religious institute/catholic organisation can simply not apply to renew the individual's PVG membership.

**Tier 2 Regulated Roles**

Volunteers working with the groups or involved in the activities listed below are **Tier 2 volunteers**. Please note that this list is not exhaustive, and it is important to seek advice from the diocese/religious community when deciding which tier volunteers belong to.

- Prayer Group
- Lunch Group
- RCIA
- Bereavement Group
- Soup Kitchen
- Care Group
- Driver (not SPRED)
- ESOL English Classes
- Wayside Club

**Safe recruitment requirements for all involved in Tier 2 roles are:**

- a completed application form
- 2 independent references (that are not from family members)
- completion of mandatory safeguarding training (Induction Parts 1 & 2)
- A letter of approval from the diocese/religious institute/Catholic organisation confirming that all stages of safe recruitment have been met.

## APPENDIX 4: Texts referenced in IN GOD'S IMAGE

**Circular letter to Assist Episcopal Conferences in Developing Guidelines for Dealing with Cases of Sexual Abuses of Minors Perpetrated by Clerics**, Congregation for the Doctrine of the Faith, May 2011

**Report of the McLellan Commission:** a review of the current safeguarding policies, procedures and practice within the Catholic Church in Scotland, August 2015

**As a loving Mother, Apostolic letter Motu Proprio**, Pope Francis, 4th June 2016

**The Gift of the Priestly Vocation (Ratio Fundamentalis Institutionis Sacerdotalis)**, Congregation for the Clergy, 6th December 2016

**Letter of His Holiness Pope Francis to the People of God**, August 2018

**Concluding address by Pope Francis at the Meeting on “The Protection of Minors in the Church”**, 25th February 2019

**Vos Estis Lux Mundi**, Apostolic Letter issued Motu Proprio, Pope Francis, 7th May 2019

**Caring Safely for Others: Pastoral Standards and Safe Conduct in Ministry**, Catholic Bishops' Conference of England and Wales, July 2020

**Vademecum on Certain Points Of Procedure In Treating Cases Of Sexual Abuse Of Minors Committed By Clerics**, Congregation for the doctrine of the Faith, July 2020

**Pascite Gregem Dei**, revised Book VI of the Code of Canon law, 1st June 2021

## Glossary

Glossary item	Definition
Abuse	A form of maltreatment of a child or a vulnerable adult. Somebody may abuse a person by inflicting, or by failing to act to prevent, significant harm to the person. People may be abused in a family or in an institutional setting, by those known to them or, more rarely, by a stranger. The main types of abuse are: PHYSICAL, EMOTIONAL, SEXUAL, NEGLECT.
ALMA (Association of Lourdes Motherwell Aid)	This Association, in the Diocese of Motherwell, has two distinct but integral functions. One branch of ALMA works in the community with people who have additional support needs, providing regular social activities. The other branch is a group of young volunteers who accompany the diocesan pilgrimage to Lourdes, giving essential support to the sick, elderly and infirm.
Adult at risk	<p>Section 3(1) of the Adult Support and Protection Act 2007 defines "adults at risk" as persons aged 16 or over who:</p> <ul style="list-style-type: none"> <li>• are unable to safeguard their own well-being, property, rights or other interests;</li> <li>• are at risk of harm; and</li> <li>• because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.</li> </ul> <p>The presence of a particular condition does not automatically mean an adult is an "adult at risk". Someone could have a disability but be able to safeguard their well-being etc. It is important to stress that all three elements of this definition must be met. It is the whole of an adult's particular circumstances which can combine to make them more vulnerable to harm than others.</p>
Allegation of Abuse	An ALLEGATION of ABUSE relating to a Church activity or to Church personnel is the disclosure of the abuse of a child or vulnerable adult, either recently or in the past by a bishop, priest, religious, seminarian, Church employee or volunteer. The disclosure may be made by the abused person, by a family member or friend or by another person. An allegation may be made initially without the knowledge or consent of the victim.

Glossary item	Definition
<b>Apostolic Nuncio</b>	Sometimes referred to as “Papal Nuncio”, he is the Holy See’s representative to the Church in the nation that he serves. A permanent diplomatic representative of the Holy See to a state, having the rank of an ambassador extraordinary and plenipotentiary, and the ecclesiastical rank of titular Archbishop.
<b>Bishop</b>	An ordained minister who holds the fullness of the sacrament of holy orders and is responsible for teaching doctrine, governing Catholics in his jurisdiction, sanctifying the world and representing the Church. A bishop oversees a diocese, which is a collection of local parishes; and an archbishop administers an archdiocese.
<b>Bishops’ Conference of Scotland (BCOS)</b>	The forum in which the Roman Catholic bishops in Scotland work together to undertake nationwide initiatives through their commissions and agencies. The members of the Bishops’ Conference are the bishops of the eight Scottish Dioceses.
<b>Canon law (Code of)</b>	The codified Universal Law of the Church. The present Code was first issued in 1983 with various amendments having since been published. It applies to the Latin Rite Church.
<b>Celebret</b>	A document issued by a Catholic bishop or major religious superior to testify that the bearer is a priest and asking that he be permitted to celebrate Mass in dioceses other than his own.
<b>Child</b>	While a “child” can be defined differently in different legal contexts, the universal law of the Church understands a child (‘minor’) to be: “any person under the age of 18, or who is considered by law to be the equivalent” (Vos Estis Lux Mundi, Art.1, §2, a, Apostolic Letter promulgated by Pope Francis, 7th May 2019).
<b>Child Abuse</b>	A form of maltreatment of a child. Somebody may abuse a child by inflicting, or by failing to act to prevent, significant harm to the child. Children may be abused in a family or in an institutional setting, by those known to them or by a stranger. The main types of abuse of children are: physical, emotional, sexual, neglect.
<b>Child Pornography</b>	Any representation of a minor, regardless of the means used, involved in explicit sexual activities, whether real or simulated, and any representation of sexual organs of minors for primarily sexual purposes. (VELM, Art. 1, §2, c)

Glossary item	Definition
Church Personnel	In this context, this term refers to clergy, religious, lay employees and volunteers who act on behalf of the Church to safeguard others.
Clergy / Cleric	An ordained man: bishop, priest or deacon.
Complaint	In the context of safeguarding, this refers to a report of dissatisfaction with how the Church has responded to an allegation of abuse.
Complaints Policy (Safeguarding)	A written explanation of how someone can report their dissatisfaction with how the Church (a diocese or a religious institute) has responded to an allegation of abuse. The policy also explains how a complaint will be responded to within a certain timescale.
Concern (Safeguarding)	A safeguarding concern relating to a Church activity or to Church personnel may arise from the observation of the conduct of Church personnel/volunteers, or from worrying signs in the behaviour or appearance of a child or vulnerable adult.
Confessor	A priest given faculties by a bishop or major religious superior to celebrate the Sacrament of Penance (Confession) with penitents. Such faculties are usually universal i.e. can be used anywhere.
Congregation of the Doctrine of the Faith (CDF)	The CDF is the body that deals with serious sexual offences perpetrated by clerics against minors. The Apostolic Constitution on the Roman Curia Pastor Bonus states: "The duty proper to the Congregation for the Doctrine of the Faith (CDF) is to promote and safeguard the doctrine on the faith and morals throughout the Catholic world: for this reason, everything which in any way touches such matter falls within its competence".
Convent	A type of religious house where a group of religious brothers or sisters live by their proper constitutions. A religious house, which is established in a diocese with the express permission of the diocesan bishop, is subject to the authority of a major religious superior.
Criminal Justice (system)	A system of practices and institutions of governments directed at upholding social control, deterring and mitigating crime, or sanctioning those who violate laws with criminal penalties and rehabilitation efforts.



Glossary item	Definition
CRS (Conference of Religious in Scotland)	CRS members represent the different Catholic religious orders, congregations and societies in Scotland. CRS aims to promote the welfare of religious institutes and societies of apostolic life in Scotland while respecting the autonomy, nature and spirit of each.
CRSSC (Conference of Religious in Scotland Safeguarding Commission)	Works in collaboration with the Scottish Catholic Safeguarding Standards Agency to support religious institutes in complying with the safeguarding standards of the Catholic Church in Scotland.
Data Protection Act (DPA)	Controls how personal information can be used and your rights to ask for information about yourself.
Diocese	A territorial area administered by a bishop.
Diocesan Risk Assessment and Management Team (DRAMT)	The purpose of the DRAMT is to advise the bishop on: the management of allegations against clergy and diocesan personnel; the risks posed by convictions on PVGs and those who are Listed and Barred or are being considered for such; the monitoring of Safe Worship plans; design of Welfare Monitoring plans. In all these matters they assess any potential risks and make recommendations to the bishop for further action.
Diocesan Safeguarding Adviser (DSA)	The role of the DSA is to assist the bishop with the development and management of Diocesan Safeguarding approaches. Has a central role in providing support and may also chair the DSAG meetings (and any subgroups thereof).
Diocesan Safeguarding Advisory Group (DSAG)	Its purpose is to ensure that the bishop has available to him the necessary advice, support and expertise in relation to child protection and vulnerable adult issues. The core membership of the group includes relevant experts and representatives from appropriate diocesan agencies.
Diocesan Safeguarding Officer	A person who supports the DSA and the DSAG in relation to the safe recruitment of volunteers and the provision of Safeguarding training in the Diocese.
Disclosure Scotland	An executive agency of the Scottish Government, providing criminal records disclosure services for employers and voluntary sector organisations.

Glossary item	Definition
Disqualified from Working with Adults List (DWAL)	A list maintained by Disclosure Scotland for those barred from working with adults.
Disqualified from Working with Children List (DWCL)	A list maintained by Disclosure Scotland for those barred from working with Children.
Harm	<p>Harm” is any detrimental effect of a significant nature on a person’s physical, psychological or emotional wellbeing.</p> <p>“Risk of harm” refers to the likelihood that a person may suffer physical, psychological or emotional harm as a result of what is done (physical, sexual or psychological abuse) or not done (neglect) by another person.</p> <p>“Significant harm” is harm that is not minor or trivial and may reasonably be expected to cause a substantial, negative impact on a person’s safety, welfare or wellbeing.</p>
HCPT (Hosanna House & Children’s Pilgrimage Trust)	A charity offering pilgrimages to Lourdes for disabled and disadvantaged children and young people from around the UK and further afield.
High Risk Offender	In this context, this term refers to sex offenders and other offenders, such as violent offenders, who may pose a risk.
Holy See	The Holy or Apostolic See is the jurisdiction of the Bishop of Rome (the Pope) and the central governing organ of the universal Roman Catholic Church. In international law it enjoys an international juridic personality.
Independent Review Group (IRG)	Established by the Bishops’ Conference of Scotland in response to one of the recommendations made by the McLellan Commission to ensure external and independent scrutiny of the Safeguarding policies and practices of the Catholic Church in Scotland.
Information Commissioner’s Office	An independent regulatory office (dealing with the Data Protection Act 1998 and the Privacy and electronic Communications (EC Directive) Regulations 2003 across the UK.

Glossary item	Definition
<b>Listing and Barring</b>	Refers to the process by which someone is considered for Listing and Barring and, if listed, is then placed on the DWCL or DWCA List or both.
<b>MAPPA (Multi Agency Public Protection Arrangements)</b>	The set of arrangements which the police service, local authority, prison service, health service and others are statutorily obliged to operate on a multiagency basis, with the objective of protecting the public from the risks that may be posed by high risk offenders, including sex offenders.
<b>Major [Religious] Superior</b>	Responsible for the leadership in a particular part of a religious institute.
<b>Metropolitan</b>	A metropolitan, who is the archbishop of his own diocese, also presides over an ecclesiastical province. The other dioceses in a province are known as suffragan. The Metropolitan has no power of governance over any suffragan bishop or diocese.
<b>McLellan Commission</b>	Established in 2013 by the Bishops' Conference of Scotland as an independent group to review the suitability and robustness of the Safeguarding procedures and protocols of the Catholic Church in Scotland.
<b>National Child Abuse Investigation Units (NCAIU)</b>	Specialist units, within Police Scotland, to support the investigation of complex child abuse and neglect across Scotland.
<b>Norms of the CDF</b>	These Norms, which are additional to the universal law of the Church, govern, amongst other things, how the CDF responds to allegations of the sexual abuse of minors.
<b>Novitiate</b>	Can refer to both the house where novices undergo their novitiate and to the process of the novitiate itself. The process is one whereby those seeking entry to a religious institute discern, and are assessed, prior to any admission to temporary profession as a member of a religious institute.
<b>Offender Management Unit (OMU)</b>	A dedicated unit within each Division of Police Scotland with specialist officers working in partnership through Multi-Agency Public Protection Arrangements (MAPPA) to manage Registered Sex Offenders.

Glossary item	Definition
<b>(Permanent) Diaconate</b>	<p>A deacon is an ordained cleric with certain proper functions in the life of the Church, subject to proper ecclesiastical authority. Transitional deacons are on the way to ordination to the priesthood and take a promise of lifelong celibacy.</p> <p>Permanent deacons are ordained to fulfil the ministry and office of Deacon in the life of a diocese; they may be married men. The role of the deacon is to assist the priest in preaching, the conferral of baptism, performance of marriage, the administration of parishes and similar duties.</p>
<b>Pontifical Commission for the Protection of Minors</b>	An advisory body of international experts, established by Pope Francis to advance the commitment of the Church to ensure the protection of minors and vulnerable adults.
<b>Presbytery</b>	The residence of the priests in a parish.
<b>Propaedeutic period</b>	The time for candidates preparing to be admitted to seminary to follow the formation programme that leads to ordination to the Priesthood. The participants normally share a common life in a seminary setting under the direction of a Rector.
<b>Protected adult</b>	In terms of Disclosure Scotland and the PVG scheme, a “protected adult” is defined as an individual aged 16 or over with particular needs who is provided with a type of care, support or welfare service. A “particular need” is defined as a specific requirement an individual may have arising from either physical or mental illness, or physical or mental disability which may disadvantage that person when compared to the rest of society.
<b>Public Protection Unit (PPU)</b>	A dedicated unit within each division of Police Scotland with specialist officers working in relation to child protection, neglect and abuse investigations, the management of high risk offenders i.e. Multi-Agency Public Protection Arrangements (MAPPA), domestic abuse, rape and sexual assault including historical sex offences and the protection of vulnerable adults.

Glossary item	Definition
Protection of Vulnerable Groups (PVG) scheme	Managed by Disclosure Scotland, the PVG Scheme is intended to ensure that all who work with children, young people and vulnerable adults have been vetted to ensure their suitability for such work.
Raphael Counselling Service	A counselling service for survivors of abuse, provided by various professional bodies or qualified specialists, independent of the Catholic Church.
Rite of Christian Initiation of Adults (RCIA)	Through the Rite of Christian Initiation of Adults (RCIA), people who are interested in becoming members of the Catholic Church are officially welcomed by the Church as members of the faith community.
Registered Sex Offender (RSO)	Sex offenders, when convicted of a specified offence, are placed on the Sex Offenders Register, commonly referred to as the register. All offenders placed on the Sex Offenders Register are recorded and managed on the ViSOR database that is used by all police forces in Great Britain as well as number of other agencies including Criminal Justice Social Work and the Scottish Prison Service.
Regulated Roles	There are two types of regulated roles – those which involve activities with children and those which involve activities with protected adults. Regulated roles include caring responsibilities, teaching or supervising children and/or protected adults, providing personal services to children and/or protected adults or working directly with children and/or protected adults.
Religious, a	A person (priest, deacon, brother or sister) who is a professed member of a religious institute. The term “religious” is also often analogously used to refer to members of societies of apostolic life.
Religious Institute	A religious institute (often referred to as a religious order) is a type of institute of consecrated life where its members take religious vows and lead a life in community with fellow members. Religious institutes are one of the two types of institutes of consecrated life; the other is that of the secular institute, where its members are "living in the world".
Respondent	A person against whom safeguarding allegations have been made.
Sacristan	A person who prepares the Church for the celebration of the sacraments.

Glossary item	Definition
<b>Sacristy</b>	The part of a Church where preparations are made for the celebrations in the Church. It is usually a discrete room where vestments, sacred vessels and other items are stored. It would normally be the place where those involved in celebrations congregate and vest prior to the celebration.
<b>Safe Recruitment</b>	The process by which ordained clergy, members of religious institutes, employees and volunteers are carefully selected to prevent risk when working with children and vulnerable adults.
<b>Safe Worship Plan</b>	An agreed and documented plan that enables individuals who are under supervision and may present a continuing risk to the community (including sex offenders) to participate in public worship safely.
<b>Safeguarding</b>	The actions that the Church takes to promote the welfare of children and vulnerable adults in order to protect them from harm. This includes making sure that the appropriate policies, practices and procedures are put in place.
<b>Safeguarding Learning Network</b>	This term refers to the range of training events, as well as formal and informal networking opportunities, designed to develop the safeguarding skills, knowledge and expertise of clergy, religious employees and volunteers.
<b>Safeguarding Link Co-ordinator (SLC)</b>	A member of a religious institute in Scotland who has been appointed by the institute leader to help them to ensure that all safeguarding policies approved by the Bishops' Conference of Scotland are effectively and appropriately implemented within the institute.
<b>Safeguarding risk assessment</b>	Procedures to assess potential safeguarding risk in certain environments and activities and to identify actions to mitigate such risk.
<b>Safeguarding Training Advisory Group (STAG)</b>	To be established by the Scottish Catholic Safeguarding Standards Agency, in collaboration with key stakeholders, this group will be expected to support the development of a framework of nationally agreed safeguarding training to meet specific training needs identified by various groups – bishops, clergy, religious, employees, and volunteers.

Glossary item	Definition
<b>Social Care Institute for Excellence (SCIE)</b>	An agency that was commissioned by the IRG to carry out independent safeguarding audits of Catholic diocese in Scotland.
<b>Scottish Child Abuse Inquiry (SCAI)</b>	Established by the Scottish Government in October 2015 with the overall aim of raising public awareness of the abuse of children in care, covering from living memory to 2014.
<b>Scottish Government Survivor Scotland Strategy</b>	This strategic team's focus is to improve and develop workforces and the services they deliver that treat, care for and support survivors across all domains of health and well-being.
<b>Secular Institute</b>	Members of secular institutes, who live entirely in the world as lay people, are professed members of an institute of consecrated life and governed by canon law. Like all other lay people, they share the responsibility to live gospel values and attitudes in family and social relationships and in the workplace. They are also committed to being involved in the life of the Church. They are called to live their commitment through poverty, chastity and obedience.
<b>Seminarian</b>	A man who is in formation and is preparing for ordination as a priest.
<b>Seminary</b>	A place where academic, pastoral, human and spiritual formation takes place for seminarians preparing for ordination as priests.
<b>Society of Apostolic Life</b>	Members of societies of apostolic life are men or women who live in common without religious vows. They pursue the particular apostolic purpose of the society and lead a life as brothers or sisters in common, according to a particular manner of life. The members strive for the perfection of charity through the observance of their constitutions. There are also societies in which the members embrace the evangelical counsels of poverty, chastity and obedience. Societies of apostolic life can be clerical or lay, male or female.
<b>Spiritual Director</b>	Akin to a counsellor, he/she normally works on a one-to-one basis, assisting another on their spiritual journey. In seminaries and novitiates, the spiritual director has a specific role in formation of candidates.

Glossary item	Definition
Special Religious Development (SPRED)	A group which provides friendship, catechesis and opportunities for people with learning disabilities to be fully included in the liturgical life of the parish.
Statutory Authorities	Refers to a range of public services provided by: local authority social work departments, health boards and police.
Survivor	This term is used generically in this document to refer to someone who has experienced abuse in the Church. However, it is recognised that not everyone who has experienced abuse will identify themselves with this term.
Survivor Reference Group	This term is used in this document to refer to a forum that is to be established by the Scottish Catholic Safeguarding Standards Agency for the purpose of engaging with, and seeking the views of, those who have experienced abuse so that Church safeguarding policies can be informed by their perspectives.
Volunteer Scotland Disclosure Services (VSDS)	Volunteer Scotland Disclosure Services (VSDS) is funded by the Scottish Government to support the voluntary sector with processing disclosure checks.
Vulnerable Adult	<p>In the context of safeguarding, “vulnerable adult” can be understood to refer to an adult whose ability to protect himself or herself from violence, abuse, neglect or exploitation is significantly impaired due to personal limitation or life situation and due to the exploitation of a power imbalance in a relationship by the person with power, authority or status.</p> <p>The universal law of the Church defines a “vulnerable adult” as: “any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist the offence”. (VELM, Art.1, §2, b)</p>
Welfare Monitoring Plan	An agreed and documented plan that is put in place by a bishop or major religious superior to outline the actions being taken to monitor the welfare of a respondent while an allegation being investigated.
Whistleblowing	When someone (clergy, religious, lay employee or volunteer) reports suspected wrongdoing, 'making a disclosure in the public interest'. Someone can report things that aren't right, are illegal or if someone is neglecting their duties.



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