

Kilmore Diocese

Guidance on Reporting of Allegations of Abuse

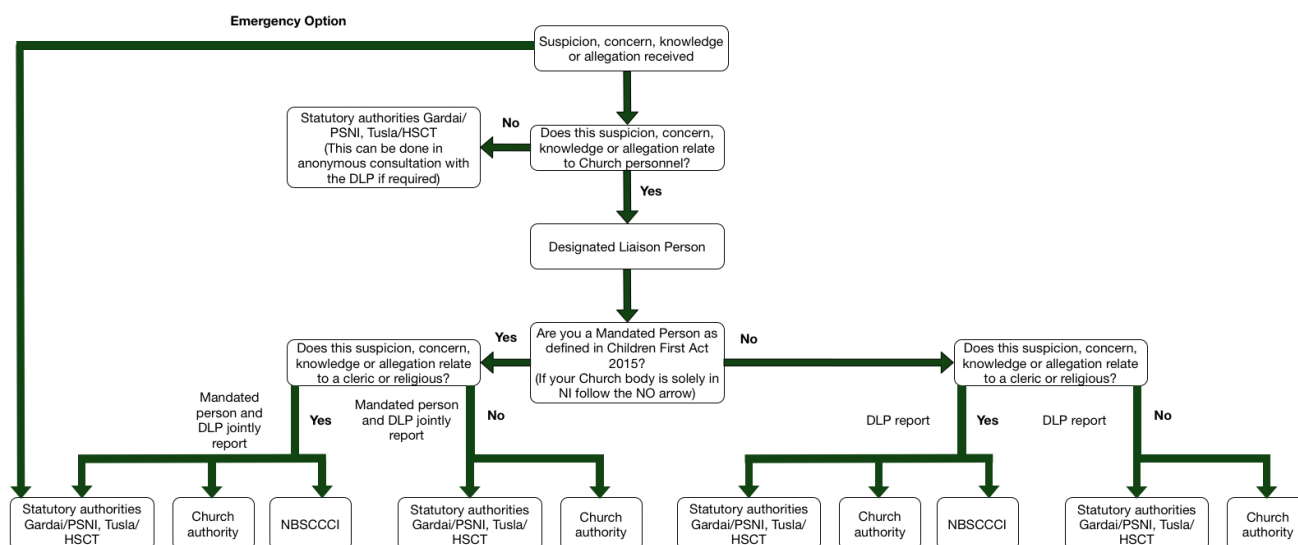
Children occupy a central place in the heart of the Christian community. They have a right to be listened to and heard. The paramount consideration in all matters relating to children is their safety and protection from all forms of abuse.

To create and maintain a safe environment, the diocese must respond effectively and ensure all allegations and suspicions of abuse are reported, both within the Church and to statutory authorities. This responsibility to report is mandatory, and the only exception to this rule is the receipt of any information by a cleric under what is termed as the sacramental Seal of Confession.

The diocese provides guidance and training on recognition of abuse, and clear procedures on what to do when a child protection concern arises, so that everyone knows how to respond appropriately. This involves knowing who to tell and how to record it. The local reporting procedures are fully consistent with statutory legislation, regulations and guidance.

Reporting a concern can be a challenging responsibility. The diocesan procedure ensures that everyone is clear what steps to take to ensure that the safety of children is the paramount consideration.

The reporting flow chart below refers to any child protection concern, *including* where the concern is about a situation or person involved in the Church. It is the responsibility of everyone in the Church to ensure that children who may need help and protection are not left at risk of abuse.



1. Following receipt of an allegation, suspicion or concern, the following steps should be taken.

If the respondent (person against whom the allegation is made) is not a member of Church personnel:

- **and the complainant is an adult in ROI** - the person who receives the allegation should complete Tusla's Retrospective Abuse Report Form on www.tusla.ie and forward it to Tusla and the Gardaí, or they can use the web portal www.tusla.ie/children-first/web-portal. They can consult the DLP anonymously about this.
- **and the complainant is a child in ROI** - the person who receives the allegation should complete Tusla's Child Protection and Welfare Report Form and forward to Tusla and the Gardaí, or they can use the web portal www.tusla.ie/children-first/web-portal. They can consult the DLP anonymously about this.

- **and the complainant is an adult or child in NI** - the person who receives the allegation must report it to the HSCT and PSNI using the Kilmore Safeguarding Children Referral Form. They can consult the DLP anonymously about this.

If the respondent is a member of Church personnel but is not a cleric or religious (lay personnel):

- **and the complainant is an adult in ROI** - the person who receives the allegation must report it to the DLP who will complete the Retrospective Abuse Report Form for Tusla and the Gardaí or use the web portal www.tusla.ie/children-first/web-portal. If the person who received the allegation is a mandated person they will complete the form jointly with the DLP. The DLP will also report it to the bishop.
- **and the complainant is a child in ROI** - the person who receives the allegation must report it to the DLP who will complete the Child Protection and Welfare Report Form for Tusla and the Gardaí or use the web portal www.tusla.ie/children-first/web-portal. If the person who received the allegation is a mandated person they will complete these forms jointly with the DLP. The DLP will also report it to the bishop.
- **and the complainant is an adult or child in NI** - the person who receives the allegations must report it to the DLP who will then make the referral to the HSCT and PSNI using the Kilmore Safeguarding Children Referral Form. The DLP will also report it to the bishop.

If the respondent is a member of Church personnel and is a cleric or religious:

- **and the complainant is an adult in ROI** - the person who receives the allegation must report it to the DLP who will complete the Retrospective Abuse Report Form for Tusla and the Gardaí or use the web portal www.tusla.ie/children-first/web-portal. If the person who received the allegation is a mandated person they will complete these forms jointly with the DLP. The DLP will also report it to the bishop and to the NBSCCCI using the Kilmore Safeguarding Children Referral Form.
- **and the complainant is a child in ROI** - the person who receives the allegation must report it to the DLP who will complete the Child Protection and Welfare Report Form for Tusla and the Gardaí or use the web portal www.tusla.ie/children-first/web-portal. If the person who received the allegation is a mandated person they will complete these forms jointly with the DLP. The DLP will also report it to the bishop and to the NBSCCCI using the Kilmore Safeguarding Children Referral Form.
- **and the complainant is an adult or child in NI** - the person who receives the allegation must report it to the DLP who will then make the referral to the HSCT and PSNI using the Kilmore Safeguarding Children Referral Form. The DLP will also report it to the bishop and to the NBSCCCI using the Kilmore Safeguarding Children Referral Form.

If there is any uncertainty about whether the allegation/concern meets the threshold for reporting, a consultation should take place with the DLP (anonymously if required) who may consult with the statutory authorities, who will advise on the requirements for notification. It is important to remember that the web portal is only for Tusla, and will not allow you to print out forms, it is therefore advisable to complete the form manually, so it can be forwarded to the Gardaí and retained in the case file.

Remember – it is not your role to investigate.

2. Whenever possible and practical, take notes during the conversation. Always ask permission to do this and explain the importance of recording all information. Where it is not appropriate to take notes at the time, make a written record as soon as possible afterwards or before the end of the day. Record the time, date, location, persons present and how the allegation was received, e.g. by telephone, face-to-face conversation, letter, etc. This initial recorded information will be transferred to the Kilmore Safeguarding Children Referral Form and will become the first entry in a file of information about the case that will be retained by the DLP. Please always sign and date the record.

3. The record would also normally include:

- Accurate identifying information of the complainant, as far as it is known. This should include the name, address and age of the complainant when the alleged abuse occurred.
- Where the person who has raised a concern/allegation is a child, details of parents/ guardians should also be given.
- Name of the individual against whom the concern/allegation is being raised, and any other identifying information.
- Dates when the concern arose, or when the incident occurred.
- The person's own words they used to describe the event or incident. Do not make assumptions about the intended meaning of the words used.
- Details of any action already taken about the incident/concern/allegation.
- Do not be selective. Include details that to you may seem irrelevant. This may prove invaluable at a later stage in an investigation. All original records, including rough notes, should be passed immediately to the DLP. Any copies of retained records should be kept secure and confidential.

In cases of emergency (and/or outside normal business hours), where a child appears to be at immediate and serious risk, an urgent report must be made to Tusla / HSCT, as well as to the DLP. Where the appropriate Tusla / HSCT staff are not available, An Garda Síochána / PSNI must be contacted to ensure that under no circumstances a child is left in a dangerous situation pending Tusla /Health and Social Services intervention.

4. In all cases, consideration should also be given as to whether an immediate referral is necessary in order to preserve and safeguard against the possibility of any loss, deterioration or destruction of forensic or other potential evidence.

5. Explain to the person raising the concern what will happen next. You should inform the person making the suspicion, concern or allegation that their identity and the identity of the respondent and complainant will be shared with the statutory authorities. Leave contact details of the DLP if the referrer needs to ask questions later. The concern should not be shared with anyone other than those who need to know, apart from the statutory authorities and the bishop as detailed in these procedures.

6. Written confirmation should be given to the person making the referral to the DLP that the information has been passed on to the statutory authorities. If this has not happened, an explanation should be recorded (this will not be possible when dealing with anonymous allegations).

The appropriateness of the response given to a complainant is vital to ensure that they feel heard and taken seriously.

Further guidance is provided for:

An adult making an allegation.

A child making an allegation.

An anonymous allegation.

Someone who admits abusing a child.

Someone who makes an allegation that does not relate to church personnel.

Allegations against church authorities and lay personnel.

Mandated persons.

Responding to allegations against a deceased priest or religious.