

Royal Commission into Institutional Responses to Child Sexual Abuse: Case Study 50

10 February 2017

The fifth day of the Royal Commission's Catholic "wrap up" hearing was held today in Sydney. The Commission today had just a single witness, Teresa Devlin, the CEO of the National Board for Safeguarding Children in the Catholic Church in Ireland.

Background

Ms Devlin is a trained social worker, and after serving as the Director of Safeguarding for the National Board for Safeguarding Children in the Catholic Church in Ireland for a number of years, took on a role as its CEO.

National Board of Safeguarding Children

The National Board was established in 2006 following various inquiries into institutional child sexual abuse in Ireland. The National Board was not created as a result of any recommendation from an inquiry, but in anticipation of the outcomes of the inquiry. In this vein, it seems similar to the recent establishment of National Professional Standards Limited by the Australian Catholic Bishops.]

It is not compulsory for a diocese or religious order to sign up to the National Board, but all Irish dioceses and religious institutes have signed up, as well as certain Church agencies. Ms Devlin said that there was no significant Church body missing, but said that schools were covered by state regulations and so were outside the jurisdiction of the National Board.

The National Board is technically "independent" but fully funded by the Catholic Church. She said that the Board's funding has never been threatened as a way for pressure to be exerted, but said that there can be debates, discussion and arguments amongst the Board and those within the Church, commenting that they "fight hard" to maintain their independence.

She then outlined the various roles of the National Board, including case management, policy and guidance, monitoring, review and training.

Case Management

The National Case Management Committee made is a separate body, to which dioceses, religious orders and agencies can "opt in." Its role is to provide advice on each stage of the process after receiving an allegation. Broadly speaking, the process is as follows:

- A complaint is received by the diocese or religious institute and a report to police and social services.
- A decision as to whether to stand an accused aside is made on advice from the Case Management Committee. If the accused has a public role or contact with children, the recommendation is that they be stood aside.
- A process under Canon Law is initiated, and immediately suspended until the end of the criminal and social services process (the canonical process can continue during civil litigation).
- At the conclusion of the civil process, the suspended canonical process resumes.

- If a preliminary investigation shows that the allegation is credible, the matter is referred to the Congregation for the Doctrine of the Faith (**CDF**).

Ms Devlin said that the canon law processes were helpful, because criminal convictions are rare, and so the Church processes are a way to provide justice to both complainant and accused. She did, however, say that there were delays experienced in sending documents to the CDF, explaining that because of the gravity of the matters, all CDF members read and deliberate each case. She said an alternative process needs to be considered.

She told the Commission that she believed that any documents held by the Vatican were also held in Ireland, and so did not believe there were secret documents out of the reach of civil authorities.

Policy and guidance

The National Board sets broad policy and standards, which are compulsory for members which sign up, but also detailed guidance – 300+ pages in length – which is not compulsory but is aimed to assist in the implementation of the standards.

Monitoring

The National Board also monitors the processes which occur, because it is expected that a diocese or religious order will involve them from the beginning, ie as soon as an allegation is made.

Safeguarding reviews

The National Board also conducts safeguarding reviews, which involves visiting the relevant diocese or religious institute, reviewing files and meeting with people. The review is announced ahead of time, giving lay people the opportunity to contact and meet the reviewers. After the review, a report is finalised and given to the Bishop or Provincial. It is expected that these reports are made public, with Ms Devlin noting that they attract huge media interest.

Training

The National Board provides training for those who will train other staff, and also role-specific training.

Effectiveness

Ms Devlin told the Commission that children are now safer in the Catholic Church than ever and that, while the State will not admit it, it has been acknowledged privately that Church processes are better than State ones.

She said the big concern now is complacency. She said that we like to believe that this is behind us; and with a single complaint being made in 2011 and another single complaint in 2015, it can appear to be the case. But she mentioned that new forms of risk to children (eg, child pornography) are appearing, and the Church must be vigilant to ensure environments are safe and keeping up with the latest risks.

The hearing will recommence on Monday.