

Delivering Change and Building Trust

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Update

- From Carol Lawrence, Project Implementation Director

This newsletter comes some three weeks after the last edition and in that time we have celebrated Easter, with all the hope for renewal that this time of year brings. Many of those involved in the project took the opportunity to spend time away from work with family and loved ones and so the newsletter was deferred for a week.

The financial workstream has held an initial meeting to look at the business plans for the CSSA and NTS. This important group has been formed to work as a 'think tank' by bringing together those with expertise in both Diocesan and Religious Life Group administration and finance, with the aim of producing proposals for wider consultation. What it is not is a negotiating forum between Dioceses and Religious. The remit of the workstream is two-fold, to scrutinise the robustness of the business plans, and to consider how the funding requirements should be allocated between Dioceses and Religious Life Groups on a just and equitable basis. The latter will include identifying and then considering the impact of a range of factors which could potentially be taken into consideration. For example, this may include the level of historical allegations, the relative size of organisations, engagement with the public (risk), and individual financial circumstances. The list is not exhaustive and represents only those factors identified during the work on the Elliott Review and no doubt other factors will be identified as the work takes place. News on the workstream will be shared at the appropriate point.



As always if you have any queries please do get in touch either through the website or by email to info@catholicsafeguarding.org.uk



Catholic Safeguarding Standards Agency

Building trust, delivering change.

Workstream Progress

- Dr Colette Limbrick

Progress continues apace, with four important workstreams developing well:

Parish Resource pilot survey

The pilot which took place in five dioceses has now closed and the responses will be evaluated before the survey is finalised for roll-out across all dioceses.

National training framework

A draft framework has been produced by the working group and in due course will be submitted to the STTG.

Disclosure and Barring Service

The application has been made to the DBS for the new CSSA Registered Body. The CSAS Registered Body will continue to operate until the new Registered Body is fully operational.

Route-map for ending alignment

The first meeting of the working group took place on Monday 12th April 2021 and established the following initial principles and areas that will need to be addressed over the coming weeks. This is not a finite list and will be developed as the work progresses.

Principles

- There needs to be early communication between dioceses and aligned religious orders to provide assurance that there will not be gaps in service provision during the transition from alignment to services being provided by the Religious Life Safeguarding Service
- Particular attention must be paid to ensuring that victims and survivors are to be supported during and after the transition, taking into account trusting relationships that may have been established
- Key individuals within dioceses and religious orders will need to be identified to take the lead on the transition by sharing information, mapping processes and agreeing timescales
- There will be a need to maintain relationships between religious orders and the diocese they are present in

Issues to address

- Timely transfer of open cases and ownership of case records currently held in diocesan offices
- Responsibility for some individuals subject to safeguarding plans, where this may appear unclear
- Transition of/access to electronic DBS records
- Transfer of training records

Please feed in any thoughts about principles and issues to address by contacting colette.limbrick@catholicsafeguarding.org.uk

In the next 2 weeks:

- Analysis will start on the responses to the Parish Resource Survey;
- Further work will take place on developing the CSSA website;
- The first meeting of the national complaints mechanism workstream will take place.



Religious Life Safeguarding Resource

- Fr David Smolira SJ

Work continues apace! Since the last newsletter, the Religious Working Group has been considering the financial modelling for the Religious Life Safeguarding Service (RLSS) and giving initial consideration to the proportion of the costs of the Catholic Safeguarding Standards Agency (CSSA) and the National Tribunal Service (NTS) which the Religious of England and Wales should contribute.

Attention has also been given to looking at issues of governance (what is the best management body for the RLSS) and job descriptions for the Service Manager and possible Chair of a Board of Directors.

On the 13th of April, the third Religious Consultation Meeting took place. Fr David presented attendees with the preferred model for the Religious Life Safeguarding Service, based on the feedback sent to him by Religious Congregation Leaders and Religious Safeguarding Leads so far. The most likely model seems to be the one which has two contracts (between each Religious congregation and the CSSA and separately between each Religious Congregation and the RLSS). Those present then had the opportunity to vote in favour or against the proposed model. Fr David will shortly be sending out an email to all Congregation Leaders in England and Wales to seek their confirmation of the proposed model. Those present at the meeting were also given the opportunity to renew Fr David's mandate to proceed with the implementation of the RLSS and to settle on behalf of the Religious of England and Wales the proportion of the costs of the CSSA and the NTS which the Religious will pay. Fr David received confirmation of his mandate.



We had hoped to welcome Dr Ed Morgan QC to this meeting, to explain to Religious the purpose of the National Tribunal Service and how it will serve Religious. Unfortunately, due to illness, Dr Morgan was not able to attend. We hope to invite him to our next Religious Consultation meeting on the 6th May.

The implementation process for the RLSS is now at a critical point and many of the seemingly disparate strands of work should come together over the next week or two and the RLSS should begin to take shape. We will certainly not have a fully functioning service for all Religious Congregations by June of this year, but work is currently being done on the transition of diocesan aligned Religious Congregations to the new RLSS. This transition will have to take place over many months to ensure a smooth transfer of responsibility to the RLSS, making sure that no victims /survivors are inconvenienced, or the conduct of cases delayed.

Finally, responses to the questionnaires mentioned in the last issue of the newsletter are coming in. Fr David wants to thank all those who have submitted their responses and asks any in Religious Congregations or their trustee bodies who have not yet done so, to please submit their responses as quickly as possible. If you haven't received the details of how to access the questionnaires, please email SIP@jesuit.org.uk and Fiona will forward on the links to you. The data that this will generate will be very helpful in finalising a number of matters including the financial formula for payments from Religious to the RLSS.

The next Religious Consultation meeting will take place on the 6th of May from 10.00 to 12.00. At this meeting, we hope to have Dr Morgan talking to us about the National Tribunal Service. Dr Colette Limbrick has kindly agreed to postpone her presentation on the Safeguarding Standards and audit processes until the following meeting on Wednesday, 16th June at 10.00am.

Please continue to keep the development of this safeguarding project in your prayers.

National Tribunal Service FAQs – Vulnerable Witnesses

- Dr Edward Morgan QC

This document is next in a series of fact sheets; intended to give a general understanding of how the National Tribunal Service (The NTS) will contribute to the “One Church” commitment. The drafting of the Tribunal Rules continues and will shortly move to its final scrutiny prior to submission to the Holy See.

Accessibility and Participation?

As noted in the previous Q&A Sheets, the NTS is intended to serve as a resource for the Church in England and Wales in relation to: (i) investigation; (ii) adjudication; and (iii) education. Experience has shown that investigation and adjudication depend upon accessibility and participation. It is therefore not only desirable, but necessary, that the Rules of Procedure include appropriate measures to aid the participation of those who may be considered vulnerable. Such measures are necessary to ensure that witnesses and other participants are given the opportunity to be heard.

What happens now?

The Code of Canon Law invests judges with wide ranging powers over the reception of evidence. In this way, witnesses and other participants are provided with the opportunity to participate in the legal process with suitable procedural safeguards; including the conduct of questioning controlled and conducted by judges themselves. In recent years, similar forms of protection have been adopted in the secular courts. These arrangements are sometimes referred to as ‘special measures’.

How might things change?

As indicated in the previous FAQs, the investigatory and decision-making processes will be conducted under the jurisdiction of the NTS. The Rules of Procedure will detail the ‘special measures’ available to facilitate the participation of witnesses and other vulnerable parties in the investigation and determination of cases. In line with current practices adopted elsewhere, it is anticipated that these will include:

- Witness support group arrangements;
- The production of guidance material for witnesses and other participants to aid informed participation;
- The use of interpreters and aids;
- The modification of procedures or physical arrangements to accommodate disabilities;
- Where appropriate, the use of assessors and/or expert evidence;
- Video recording of testimony; and
- The use of modern forms of communication and technologies to enable remote participation.

The NTS Rules do not seek to change the existing Canon Law of the Church. However, it is anticipated that they will provide clarity as to how Canon Law is to be applied. It is intended that the personnel of the NTS will receive specialist training upon the use of these measures.

How does this support a One Church Approach?

The publication of the NTS Rules will ensure that all stakeholders have the prospect of reaching a shared understanding of these legal processes and their role within them. The special measures themselves will address the most frequently encountered concerns of participation, whilst at the same time having the ability to engage with the particular needs of participants upon a case by case basis.

If there is a question you would like to be included in the series of factsheets, please do get in touch, either through the website or by emailing info@catholicsafeguarding.org.uk



Work Plan

In the last two weeks we said we would:	And we have:	In the next two weeks we will:
Continue the process of recruiting new directors for the CSSA, undertaking due diligence, through Saxon Bamfylde on the long-listed candidates.	Continued with this process and due diligence.	Short list candidates for interview
Review the responses to the template for gathering information on resources in parishes for use in pilot parishes	Reviewed responses and amended these ready for issue to all parishes	Finalise review and then issue
Continue to work on proposed survivor reference charter on engagement with survivors.	Paused work due to Easter	Continue work with survivors on this document.
Collect data from Religious to explore anticipated service needs and support, etc, ensuring that we have a representative sample and then begin analysis	Continue collection and analysis	Complete collection and analysis of responses received.
Meet Easter Week to begin the workstream to consider financial arrangements to ensure allocation models are fair and representative	Met in Easter week	Continue the work over the coming weeks.
Continue work on drafting the Rules of Procedure for the National Tribunal Service, and produce the next in the series of FAQs	Continued work.	Continue work, including extending the series of FAQs

Project Prayer

Heavenly Father,

Guide our work for all your people, to bring your healing love for young and old.

Inspire us with wisdom and justice, to serve you with integrity and truth.

Enable us to be Christ-like in our wounded world, to defend the powerless and safeguard the abused.

Embolden us with the fire of your Spirit, to become the renewed church of tomorrow.

Amen