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Preamble

The procedures which follow in this document have been approved by the Provincial in Council during the Provincial Council meeting of June 14 and 15, 2010. This policy is for the use of all Missionaries of the Sacred Heart resident in Ireland and for those visiting Ireland either on holiday or on sabbatical or to work. We are all obliged to familiarize ourselves with the procedures and to implement them, without exception, in our personal lives, in our communities and in the places where we work. This document supersedes the earlier documents of 1997 and 2002, *Procedures in Cases of Alleged Child Sexual Abuse*.

The procedures are based on **Safeguarding Children, Standards and Guidance Document for the Catholic Church in Ireland** to which the Irish Province of the Missionaries of the Sacred Heart is fully committed, having signed a formal Memorandum of Understanding with the National Board.

Members in England must adhere to the safeguarding guidelines as demanded in that jurisdiction. The Regions and Sections of the Province must draw up and implement their own standards and guidance for the safeguarding of children according to the laws of each jurisdiction, notwithstanding the demands of the Standards and Guidance Document of the Catholic Church in Ireland.

The Irish Province of the Missionaries of the Sacred Heart undertakes to do all in its power to create a safe environment for children, young people and vulnerable adults. The Missionaries of the Sacred Heart will liaise closely with the statutory agencies to ensure that any allegations of abuse are promptly and properly dealt with, victims supported and perpetrators held to account.

We express our collective shame and sorrow that incidents of abuse have occurred. On behalf of the Missionaries of the Sacred Heart we apologise to all who have suffered because of abuse. We recognise the hurt and sense of isolation which those who have been victims of child abuse by priests and religious have experienced. We declare that those who have suffered abuse and their families have first call on the pastoral concern of the Missionaries of the Sacred Heart.

The procedures which follow recognise the paramount need to safeguard the welfare of children and vulnerable adults.

All child abuse is a betrayal of trust which is given to those who have responsibility to safeguard the well-being of children with whom they are in contact, however temporary that contact may be. It is most abhorrent when the position of trust is that of a member of the clergy or religious congregation. Child abuse by priests and religious is a betrayal of their calling to serve others. It is a betrayal too of the Christian community which has entrusted them with particular authority and responsibility. Instead of their special position in the Church being a means through which God's care for his people is revealed, priests and religious who abuse children take advantage of that position to gratify their own desires and sense of power.

The response of the Irish Province of the Missionaries of the Sacred Heart to allegations of child abuse against an MSC must include respect for the rights of the person who has been accused. In particular, with due regard to the paramount need to protect children, care should be taken that the good name and reputation of the MSC who is accused is not unjustly tarnished. The fundamental presumption of innocence must be upheld and respected, unless the contrary has been established. Careful attention must be given to the spiritual and emotional well-being for the accused person. This must extend throughout the period of investigation of an allegation and beyond, whatever the outcome of the investigation may be.

In cases where an MSC has been found to have abused, some people may feel that any continued care and concern for the abuser is misplaced. This is understandable, given the gravity of child abuse in terms of its violation of the abused person's rights and the danger that its effects may have long-term consequences for his or her well-being. However, priests and religious who offend are members of the Church which is founded on the Gospel message of hope and the possibility of change and renewal even from the depths of sin and despair. This core belief has direct implications for those who abuse. It should mean that they hope for, and work towards, healing and the possibility of living offence-free lives. This support of the Christian community is a vitally important element in the prevention of abuse and the protection of children. The Missionaries of the Sacred Heart

remain mindful also of the hurt experienced by families of accused members.

In the constitutions of the Missionaries of the Sacred Heart we read: “we are sent into the world to proclaim the Good News of the love and kindness of God our Saviour and to bear witness to it in the whole of our lives.” (No. 4) We pray that in following the procedures outlined in this document we may remain ever faithful to the noble calling which we have all received.

May the Sacred Heart of Jesus be everywhere loved.

Declaration

Through its signing of a **MEMORANDUM OF UNDERSTANDING** with the National Board for Safeguarding Children in the Catholic Church, dated the 4th of April 2009, the Provincial and Council of the Irish Province of the Missionaries of the Sacred Heart “ ... agree to adhere to ‘*SAFEGUARDING CHILDREN, Standards and Guidance Document for the Catholic Church in Ireland*’ (24th February 2009) and such other supplementary documents as may be issued by the Company from time to time ... ” The following *Child Protection Policy*, drawn up as required by *Standard n 1* of the above Document, is an aid to the members of the Province in the implementation of the *Standards and Guidance Document*.

Signed by the Provincial in Council on 14th June 2010

**REV. PATRICK COURTNEY MSC,
PROVINCIAL SUPERIOR.**

INTRODUCTION

The abuse of children and vulnerable adults is both immoral and a crime.

The Missionaries of the Sacred Heart in Ireland, endeavouring to live according to the Gospel, where Jesus said “*Let the children come to me; do not stop them*” [Matthew 19:14] and who warned anyone who would offend against them, that it would be better for such a person “*to have a great millstone hung around his neck and to be drowned in the depths of the sea*” [Matthew 18:6], recognises the dignity and rights of children, especially their right to develop their relationship with God without interference.

Hence, we abhor all instances of abuse and affirm that the Gospel value of respect for all persons is foundational to our way of life. We pledge ourselves to treat with compassion all those afflicted by abuse, especially

the primary victims and their families. We also pledge to assist those members of our community, who have abused, to lead offence-free lives thus preventing the further abuse of children. Our aim is to restore and enhance the dignity of all persons wounded by this evil and bring them healing, a cessation of abuse and, where feasible, reconciliation. To achieve this aim, the leadership of the Irish Province of the Missionaries of the Sacred Heart and all the members of the Province, rededicate themselves to Our Lord Jesus Christ and the way of life inspired by his Gospel and pledge to observe carefully the child safeguarding guidelines set forth in this protocol.

[What follows below is to be contained in a permanent framed notice and exhibited in a prominent place in the porch of the MSC Churches, chapels etc.]

We in the MISSIONARIES OF THE SACRED HEART value and encourage the participation of children and young people in our liturgies and in activities that enhance their spiritual, physical, emotional and social development. We recognize the dignity and rights of all children and are committed to their protection and support.

In keeping with this we will work to do all in our power to create safe environments for children and young people in order to secure their protection and enable their full participation in the life of the Church.

(To be followed by contact details for An Garda Síochána, HSE, local Child Protection Representative and the Provincial Designated Person.) See Appendix for this document.

THE PRINCIPLES UNDERLYING OUR DOCUMENT

The Principles are derived from:

- Gospel Values
- International Law
- Domestic Legislation

These Principles include the following:

The principles derived from Gospel values are:

- Each child shall be cherished and affirmed as a gift from God with an inherent right to dignity of life and bodily integrity which shall be respected, nurtured and protected by all.
- Everyone in the Church has an obligation to ensure that the fundamental rights of children are respected.
- A child's right to safety and care is inalienable.
- Children have a right to an environment free from abuse or neglect.
- Children have a fundamental right to justice and freedom; they have a right to be listened to and to be heard.
- Children have a right to good role models whom they can fully trust, who will respect them and nurture their spiritual, physical and emotional development.
- Those who have suffered child abuse by Church personnel should receive a compassionate and just response and should be offered appropriate pastoral care as they seek to rebuild their lives.

The principles derived from civil sources are:

- All adults have a duty to report allegations or suspicions of child abuse, where reasonable grounds for concern exist, irrespective of the status of the person suspected or his/her relationship to them or to the child.

- Due regard must be given to the criminal dimension of any action.
- All information regarding concern or assessment of child abuse should be shared on a need to know basis in the interests of the child.
- No undertakings as to secrecy can be given and this should be made known to all parties involved.
- Giving information to others for the protection of a child is not a breach of confidentiality.
- Information gathered for one purpose must not be used for another without consulting the person who provided that information.
- It is the **statutory duty** of the civil authorities, not individuals or organisations, to investigate reports of child abuse.
- A proper balance must be maintained between protecting children and respecting the needs and rights of carers and adults. However, where there is a conflict, the welfare of the child must be paramount.
- Actions taken to protect a child should not in themselves be abusive or cause the child unnecessary distress. Every action and procedure should consider the overall needs of the child.
- Organisations have a corporate responsibility to operate effective systems to assure the protection of children. They should ensure best practice in relation to recruitment and selection processes, provide appropriate training and ensure that all personnel are aware of their responsibility both to prevent child abuse and to report concerns about child abuse.
- All agencies and disciplines concerned with the protection and welfare of children must work cooperatively in the best interests of children.

DEFINITION OF CHILD ABUSE

The rationale behind drawing up a Policy for the Irish Province of the Missionaries of the Sacred Heart is based on best practice as outlined in Church and Statutory Guidelines. With this in mind, perhaps it is helpful at this point to define what is meant by child abuse¹.

Definition of Child Abuse

Child abuse occurs when the behaviour of someone in a position of greater power than a child or young person abuses that power and causes harm to that child or young person. Child abuse, for our purposes, is categorised into four groups:

1. Emotional abuse
2. Physical Abuse
3. Sexual Abuse
4. Neglect

Emotional abuse:

Emotional abuse is the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. Emotional abuse is normally found in the relationship between a care-giver and child.

Physical abuse:

Physical abuse is any form of non-accidental injury or injury which results from wilful or neglectful failure to protect a child; e.g. shaking a child, excessive force.

Sexual abuse:

Sexual abuse occurs where a child is used by another person for his or her gratification for sexual arousal or for that of others.

Indirect abuse of children occurs where children have been photographed, videotaped or filmed for pornographic purposes or subjected to gross and obscene language or indecent images.

Definition of Neglect:

Neglect can be defined in terms of an omission, where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, and medical care.

Neglect generally becomes apparent in different ways over a period of time rather than at one specific point. It is the persistent failure to meet a child's physical, emotional and/or psychological needs that is likely to result in significant harm.

Examples of neglect include:

- Where a child suffers a series of minor injuries as a result of not being properly supervised or protected.
- The consistent failure of a child to gain weight or height may indicate that they are being deprived of adequate nutrition.
- Where a child consistently misses school, this may be due to bullying or deprivation of intellectual stimulation and support.

When developing structures to safeguard children in our Communities and Parishes, sensitive cognisance is taken of children with special vulnerabilities who may need additional support.

¹*For Signs and Symptoms of each type of abuse, see Appendix 1*

CHILD PROTECTION REPRESENTATIVE
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As part of our policy Communities and/or Parishes will nominate a Child Protection Representative in accordance with the **STANDARDS AND GUIDANCE DOCUMENT (2008)**.

The responsibilities of the Child Protection Representative will be:

- To promote awareness of the Church's child protection policies.
- To ensure that the public has ready access to contact details for the Provincial Child Safeguarding Designated Person (Rev. David

Smith, MSC, 34 Mount Merrion Ave, Blackrock, Co. Dublin.
Telephone: 086-8221894).

- To facilitate anyone in the community and/or parish in bringing an allegation or suspicion of child abuse to the attention of the Child Safeguarding Designated Person, should they wish to have such support.
- **Copies of the Child Protection Recording Form (Resource n 16 : *Standards and Guidance Document* p 89) should be readily available to facilitate the recording of allegations, if needs be.**
- The Community/Parish Child Protection Representative should be appointed by the Community Leader/Parish Priest after appropriate consultation and agreement with the Provincial Council/Parish Council. The person appointed should have the personal qualities, interest and life experience fitting to the tasks involved. He or she will be given a role specification, be required to undergo training and will be able to draw on expert help and support from the Provincial Designated Person.
- The Child Protection Representative will be given every assistance by the Community Leader-local community/Parish Pastoral Council in carrying out his/her task.
- The Child Protection Representative does not deal with the reporting of child abuse him/herself, but refers it to the Provincial Child Safeguarding Designated Person.

MAKING INFORMATION AVAILABLE

To assist the reporting of child protection concerns, the contact details of the *Provincial Child Safeguarding Designated Person, the H.S.E. and the Gardai* will be made widely available at community/parish level. They will, for example, be displayed in clearly visible and accessible places, such as the entrance to the Church and in other relevant community buildings.

The contact details for the Community/Parish Child Protection Representative are also to be made available.

Each volunteer worker, together with the MSCs (and the Parish Pastoral Council), will be given a copy of the Provincial Child Protection Policy document and asked to read it to ensure that everyone knows the Provincial Policy on Child Protection.

We recommend that all groups operating in a church setting, including visiting groups, be made aware of the policies and procedures for child protection in operation in the community/parish and shall be asked to confirm that they will implement these policies and procedures. Responsibility for ensuring that our Policy has the agreement of such groups will fall on the Community Leader with the assistance of the Child Protection Representative.

<p style="text-align: center;">BEST PRACTICE AND CODE OF BEHAVIOUR WHEN WORKING WITH CHILDREN AND YOUNG PEOPLE</p>

Code of Good Practice

A customised Code of Good Practice for working with children should be drawn up by all organisations or groups within the Church. The aim of this is to ensure the safety of children and young people, to enhance the work practices of Church personnel, and to reassure parents and guardians, as well as children themselves, that there is a commitment to best practice.

The Code will include positive child-centred statements about the importance of:

- Listening to children and young people;
- Valuing and respecting them as individuals;
- Rewarding their efforts as well as achievements;
- Involving them in decision making (where appropriate);
- Encouraging and praising them.

General Conduct

- Physical punishment of children is not permissible under any circumstances.
- Verbal abuse of children or telling jokes of a sexual nature in the presence of children can never be acceptable. Great care should be taken if it is necessary to have a conversation regarding sexual matters with a child or young person.
- Being alone with a child or young person may not always be wise or appropriate practice. If a situation arises where it is necessary to be alone with a child, another responsible adult should be informed immediately, by telephone if necessary. A diary note that the meeting with the young person took place, including the reasons for it, should be made.
- Best practice in relation to travel with children and young people should be observed. Personnel should not undertake any car or minibus journey alone with a child or young person. If, in certain circumstances, only one adult is available, there should be a minimum of two children or young people present for the entire journey. In the event of an emergency, where it is necessary to make a journey alone with a child, a record of this should be made and the child's parent or guardian should be informed as soon as possible.
- Children and young people should not be permitted to work or remain in churches, parish property or schools unless there are at least two adults present.
- All children and young people must be treated with equal respect; favouritism is not acceptable.
- Personnel should not engage in or tolerate any behaviour – verbal, psychological or physical – that could be construed as bullying or abusive.
- A disproportionate amount of time should not be spent with any particular child or group of children.
- Under no circumstances should Church personnel give alcohol, tobacco or drugs to children or young people.
- Alcohol, tobacco or drugs must not be used by personnel who are supervising or working with children or young people.
- Only age-appropriate language, material on media products (such as camera phones, internet, video) and activities should be used when

working with children and young people. Sexually explicit or pornographic material is never acceptable.

Respect for Physical Integrity

- The physical integrity of children and young people must be respected at all times.
- Personnel must not engage in inappropriate physical contact of any kind – including rough physical play, physical reprimand and horseplay (tickling, wrestling). This should not prevent appropriate contact in situations where it is necessary to ensure the safety and well-being of a child (for example, where a child is distressed).

Respect for Privacy

- The right to privacy of children and young people must be respected at all times.
- Particular care regarding privacy must be taken when young people are in locations such as changing areas, swimming pools, showers and toilets.
- Photographs of children or young people must never be taken while they are in changing areas (for example, in a locker room or bathing facility).
- Written consent from parents or guardians should always be sought before taking photographs.
- Tasks of a personal nature (for example, helping with toileting, washing or changing clothing) should not be carried out for children or young people if they can undertake these tasks themselves.

Meetings with Children and Young People

- If the pastoral care of a child or young person necessitates meeting alone with them, such meetings should not be held in an isolated environment. The times and designated locations for meetings should allow for transparency and accountability (for example, be held in rooms with a clear glass panel or window, in buildings where other people are present, and with the door of the room left open).
- Both the length and number of meetings should be limited.

- Parents or guardians should be informed that the meeting(s) took place, except in circumstances where to do so might place the child in danger.
- Visits to the home or private living quarters of Church personnel should not be encouraged, nor should meetings be conducted in such locations.
- When the need for a visit to the home of a child or young person arises, professional boundaries must be observed at all times.

Children with Special Needs or Disabilities

- Children with special needs or disability may depend on adults more than other children for their care and safety, and so sensitivity and clear communication are particularly important.
- Where it is necessary to carry out tasks of a personal nature for a child with special needs, this should be done with the full understanding and consent of parents or guardians.
- In carrying out such personal care tasks, sensitivity must be shown to the child and the tasks should be undertaken with the utmost discretion.
- Any care task of a personal nature which a child or young person can do for themselves should not be undertaken by a worker.
- In an emergency situation where this type of help is required, parents should be fully informed as soon as is reasonably possible.

Vulnerable Children and Adults

- Since especially vulnerable children may depend on adults more than other children for their care and safety, sensitivity and clear communication are of utmost importance.
- Workers should be aware that vulnerable children may be more likely than other children to be bullied or subjected to other forms of abuse, and may also be less clear about physical and emotional boundaries.
- It is particularly important that vulnerable children should be carefully listened to, in recognition of the fact that they may have difficulty in expressing their concerns and in order that the importance of what they say is not underestimated.

Trips away from Home

- All trips, including day trips, overnight stays and holidays, need careful advance planning, including adequate provision for safety in regard to transport, facilities, activities and emergencies. Adequate insurance should be in place.
- Written consent by a parent or guardian specifically for each trip and related activities must be obtained well in advance.
- A copy of the itinerary and contact telephone numbers should be made available to parents and guardians.
- There must be adequate, gender-appropriate, supervision for boys and girls.
- Arrangements and procedures must be put in place to ensure that rules and appropriate boundaries are maintained in the relaxed environment of trips away.
- Particular attention should be given to ensuring that the privacy of young people is respected when they are away on trips.
- The provision of appropriate and adequate sleeping arrangements should be ensured in advance of the trip.
- Sleeping areas for boys and girls should be separate and supervised by two adults of the same sex as the group being supervised.
- At least two adults should be present in dormitories in which children or young people are sleeping. Under no circumstances should an adult share a bedroom with a young person.
- If, in an emergency situation, an adult considers it necessary to be in a children's dormitory or bedroom without another adult being present they should (a) immediately inform another adult in a position of responsibility and (b) make a diary note of the circumstances.

BEST PRACTICE PROCEDURES

In order to implement the MSC/Parish Policy the following procedures will be put in place:

1. PARENTAL CONSENT

- Ensure that a signed consent form from parents or guardians is obtained prior to the participation of children and young people in events, activities and groups.
- Parents or guardians should be asked to indicate if the children have any specific dietary requirements, medical needs or special needs

2. RECORD KEEPING

- An accurate record should be kept for each child and young person participating in activities, including, but not limited to, attendance, programme details and medical information. This record should include a copy of the consent form or letter signed by the parent or guardian. It should also contain details of emergency contact numbers.
- A written record of organisers, supervisors, employees and volunteers in attendance at events, such as meetings, choir rehearsals and sports activities, should be kept.
- An Incident/Accident Report Form should be completed in the event of an accident or incident relating to a child.

3. USE OF COMPUTERS

- Every Church organisation should have a clear policy in place regarding the use of email and the internet.
- Where a computer is used by more than one person, each person should be obliged to have a unique username and password, or where this is not possible, to maintain a signed record of the date, time and duration of their use of the computer.
- Where a computer in a Church organisation or institution can be accessed by children or young people, it should be accessible only through the use of a username and password unique to each child. Where this is not possible, the children or young people should be obliged to provide a signed record of the date, time and duration of their use of the computer.

- Computers which can be accessed by children or young people should always have appropriate filtering software.
- All computers in Church organisations and institutions should be monitored regularly to ensure that they are being used in accordance with the stated policy. Where there is any suspicion or doubt, a person with specialist knowledge of computer hardware and software should be asked to assess the purposes for which the computer has been used.

RECRUITMENT

GENERAL PRINCIPLES : RECRUITMENT

‘Safe practice starts with safe recruitment procedures.’ Most people who apply to work with children and young people in the Church are well-motivated and potentially suitable for the various tasks involved. It is most important, however, that all reasonable steps are taken to ensure that this is, in fact, the case. As well as enhancing the prospects of identifying the best person for the post, rigorous recruitment procedures can act as a deterrent to unsuitable applicants.

Some of the principles which enhance the safety of recruitment include:

- Always applying thorough selection procedures regardless of who the applicant is and whether the position is full-time, part-time, permanent, paid or voluntary.
- Judging the suitability of applicants across a broad range of criteria through interview.
- Ensuring that interviews are conducted by more than one person and that at least one of those interviewing has established competence in interviewing and selecting for posts involving work with children.
- Taking all reasonable steps to exclude unsuitable candidates by insisting on, and verifying references, qualification and previous records of employment and garda vetting.

Please see Appendices 6 to 8 for our Recruitment and Selection Checklist and examples of our Application and Declaration Forms. The Garda Vetting Forms are obtained when required directly from the relevant Authorised Signatory.

TRAINING OF PERSONNEL, STAFF AND VOLUNTEERS

Training

As of now, the main vehicle for Training Personnel (including MSCs in formation) Staff and Volunteers in the Province is the *Keeping Safe* Training Programme which has been devised by the Volunteer Development Agency in Belfast. The Training Programme is delivered by Fr Paul Murphy, a certified *Keeping Safe* trainer, but many personnel around the country have also availed of *Keeping Safe* type training provided by their local dioceses.

The *Keeping Safe* Training Programme has been carefully structured on sound pedagogical lines so as to communicate the principles of child protection effectively, how these principles are shaped into policies, and how these policies are implemented through procedures carefully honed according to the experience of professionals in the field. Its content is child centred and aims at spelling out the steps to be taken to ensure their protection in every conceivable situation where children may find themselves in organisations catering for children in the community. This training programme facilitates the participants in growing in awareness of child protection issues. It helps them to understand child protection procedures and tailor them to their own specific pastoral needs. It assists participants to appreciate the value of safe environments for children and how to create them. It also helps bodies such as our Province to review our child protection policies and procedures and helps us ensure that they meet current child protection standards. Followed faithfully, the *Keeping Safe* programme ensures the implementation of the recommendations of the *Ferns Report (2005)*.

This programme is being adapted to the needs of the Province, taking special account of where MSCs are likely to meet with children in the course of their ministry. Also, the Training Programme is being adapted to the implementation requirements of the *Standards and Guidance Document*. The National Board expects to have a comprehensive training programme of its own in place shortly.

As far as documentary evidence is concerned the Programme is based on the *Keeping Safe Training Manual* and the *Standards and Guidance Document*.

Please see *Standards and Guidance Document: Section 3, Resource n 8*.

Managing Allegations and the Accused

The Complainant and the Province

The Province's Child Protection Policy explained to the complainant.

The complainant is invited to meet with the Provincial, and/or the Designated Person, and others as appropriate, when the Province's Policy Procedures regarding the handling of allegations are explained to them. As sensitively as possible, the Policy of the Province, especially regarding the reporting of all allegations to the civil authorities is stated. They are assured that if they are unwilling to make a statement to the Gardaí, they will not be compelled by law to do so. They will be reminded that the safety of other children may depend on the decisions they make.

Support offered to the complainant.

The complainant is offered counselling. He or she is also informed that a Support Person is available to him or her should they wish to avail of his or her support. If they accept such support, the Support Person for victims of abuse in the Province contacts the victim. However, if the person making the allegation wishes to be supported by someone other than the one appointed by the Province, this is respected, and the work of their Support Person is facilitated by the Province.

The complainant is kept informed of developments following the allegation.

Either directly, or through their Support Person, the complainant is kept informed of developments in the case.

The Accused and the Province

Preliminary steps.

When an allegation of child sexual abuse against a member of the Congregation comes to the attention of the Provincial Designated Person,

he informs the Provincial, who issues a Decree under canon 1717 commencing a canonical investigation into the offence. However, he immediately suspends the canonical investigation in deference to any civil investigation that may take place, the priority of the latter being recognised.

Meeting between the accused and the Provincial.

The Provincial then summons the member in question and informs him that an allegation has been made against him. The Provincial does not require him to make any response to the allegation but reminds him of his right to consult with a solicitor and a canon lawyer. The accused is asked not to contact the person making the allegation (if known) or his or her family, or to try to get in touch with them through others.

Removal from a parish.

If the accused is in a parish, he is removed to a non-parochial house of the Congregation. The bishop is informed of this transfer and the reason for it.

Restrictions imposed.

The Provincial then asks him, without prejudice, to step aside from all ministry and to cease from wearing the religious habit, or clerical garb, until the civil authorities have investigated the allegation. A ‘contract’ is drawn up in which restrictions governing the life of the accused in community, his travel arrangements and communications with persons outside the Congregation, are set forth. Principal among the restrictions is the prohibition on his having unsupervised access to children. He is asked to sign this agreement and the local superior also signs it and it is witnessed.

Long term supervision of the accused in the Province.

In those cases in the Congregation where the accused has admitted to the offence, or where the accused has denied the truth of the allegations made against him, but doubt remains as to his culpability, the policy of the Province, to date, has been not to dismiss the member in question from the Congregation in the interests of the protection of children, but, rather, to endeavour to help him lead an offence-free life, by requesting him to go for assessment and treatment and continuing therapy, if need be, along with daily supervision of his living under restriction (above) within the

community and encouragement to enter into *'the life of penitence'* enjoined on all members of the Congregation, leading to repentance.

Reporting to the civil and Church authorities.

In the meantime the Designated Person informs the Detective Inspector in the Domestic Violence and Sexual Assault Investigation Unit of the National Bureau of Criminal Investigation in Harcourt Street, Dublin 2, or the Gardaí in the area in which the alleged abuse occurred, of the allegation and inquires if the accused can be informed of the details of the allegation and who the complainant is; when permission is given the DP informs the accused of these details. The DP also informs the HSE Child Care Manager of the Area in which the member is now living, giving his present address and listing the houses of the Province, where he has resided in the course of his life as an MSC. The bishop where the accused is now living is informed, as is also the bishop where the offence is said to have taken place, if it differs from the former.

When the accused is deceased.

If the member is deceased the same procedure is followed.

If there is doubt regarding the allegations as to the presence of 'reasonable grounds'.

If there is doubt as to whether the allegation is well founded, the HSE and the Gardaí are consulted.

The Provincial Advisory Panel.

Following the reporting of the allegation to the civil authorities and the notification of the Church authorities, the Provincial asks the DP to convene the Provincial Advisory Panel which will advise the Provincial on the management of the case from that point on.

If concerns remain following the conclusion of the civil investigation.

Should the complainant not make a Statement to the Gardaí, or should the DPP not prosecute, but concerns remain regarding the culpability of the accused, the Provincial, pursuant of canon 1717, can initiate an independent investigation by qualified personnel, the results of which will go to inform a canonical process which will, it is hoped, reach a definitive judgement on the case.

Restoration of the good name of the accused.

If and when the allegation against the MSC is withdrawn, or proved to be false, the Provincial will take whatever steps are necessary to restore the good name of the MSC in question.

If the accused is an employee or volunteer.

Should an employee or volunteer be accused of sexual abuse, they are immediately suspended from their duties, consideration being also given to the requirements of labour law.

APPENDIX 1

SIGNS AND SYMPTOMS OF ABUSE

Signs and Symptoms of Emotional Child Abuse

- Rejection
- Lack of praise or encouragement
- Lack of comfort and love
- Lack of attachment
- Lack of proper stimulation
- Lack of continuity of care
- Serious over-protectiveness
- Inappropriate non-physical punishment
- Family conflicts and/or violence
- Inappropriate expectations of a child's behaviour – relative to his or her age and stage of development
- Every child who is abused sexually or physically is also emotionally abused

Signs and Symptoms of Physical Abuse

- Bruises
- Fractures
- Swollen joints
- Burns or scalds
- Abrasions or lacerations
- Haemorrhages
- Damage to body organs
- Poisonings – repeated
- Failure to thrive
- Coma or unconsciousness
- Death

Signs & Symptoms of Child Sexual Abuse

- Bleeding from vagina or anus
- Difficulty or pain in passing urine or faeces
- An infection may occur secondary to sexual abuse, which may or may not be a definitive sexually transmitted disease. Professionals

should be informed if a child has a persistent vaginal discharge or has warts or a rash in the genital area.

- Noticeable and uncharacteristic change or behaviour
- Hints about sexual activity
- Age-inappropriate understanding of sexual behaviour
- Inappropriate seductive behaviour
- Sexually aggressive behaviour with others, uncharacteristic sexual play with peers or with toys
- Unusual reluctance to join in normal activities which involve undressing, for example, games or swimming

Particular behavioural signs and emotional problems suggestive of child abuse in young children (0-10)

- Mood change; for example acting out or the child becomes fearful or withdrawn
- Lack of concentration (change in school performance)
- Bed wetting, soiling
- Psychosomatic complaints: pains, headaches
- Skin disorders
- Nightmares, change in sleep patterns
- School refusal
- Separation anxiety
- Loss of appetite
- Isolation

Particular behavioural signs and emotional problems suggestive of child abuse in older children (over 10)

- Mood change, for example, depression, failure to communicate
- Running away
- Drug, alcohol, or solvent abuse
- Self-mutilation
- Suicide attempts
- Delinquency
- Truancy
- Eating disorders
- Isolation

Signs and Symptoms of Child Neglect

- Abandonment or desertion
- Children persistently left alone without adequate care and supervision
- Malnourishment, lacking food, inappropriate food or erratic feeding
- Lack of warmth
- Lack of adequate clothing
- Lack of protection and exposure to danger, including moral danger, or lack of supervision appropriate to the child's age
- Persistent failure to attend school
- Non-organic failure to thrive, that is, a child not gaining weight, not alone due to malnutrition but also due to emotional deprivation
- Failure to provide adequate care for a child's medical problems
- Exploited, overworked

APPENDIX 2

MSC Community/Parish Policy Statement

We in the MSC Community/parish of N....., value and encourage the participation of children and young people in parish liturgies and in activities that enhance their spiritual, physical, emotional and social development. We recognize the dignity and rights of all children and young people and are committed to their protection and support.

In keeping with this we will work to do all in our power to create safe environments for children and young people in order to secure their protection and enable their full participation in the life of the Church.

APPENDIX 3

MSC Community/Parish Policy Statement

Contact Personnel

Provincial Child Safeguarding Designated Person

086-8221894

Garda Vetting

Dublin MSCs

Ms Ashling Keane, Human Resources Dept.,
Diocesan Offices, Clonliffe College.
01-8379253

Local Leaders of the Communities in **Cork, Galway, and Waterford** shall contact the local diocesan Child Protection Delegate/HSE Child Protection Manager for information as to who is the local **Garda Vetting Recognised Signatory** for their area.

MSC Community/Parish Office Number :

Local Garda Siochana contact details :

Principal Area HSE Social Worker contact details :

Parish Child Protection Representatives:

Mobile numbers for each

Faoiseamh Helpline	1800 331234
Samaritans Helpline	1850 609 090
Childline	1800 666 666
Emergency Numbers	999 or 112

Children's Code of Behaviour

1. Treat all other children with respect, and do not use bullying tactics.
2. Be fair and do not tell lies about others or adults.
3. Abide by the rules as set out in the Church policy on Child Protection.
4. Respect the house of God and promote good behaviour.
5. Do not spread rumours.
6. Do not harm any other children, or church property.
7. Do not shout or argue in God's house.
8. Children must not keep secrets, especially if they have caused harm.
9. Do not use violence or physical contact with others.
10. Never cheat.
11. Talk to the person in charge if you have a problem of any kind.
12. Behave in a manner that coincides with the dignity of the Church of God.
13. Do not use or bring unwarranted or dangerous substances into the Church.
14. The use of mobile phones is prohibited within the Church.

APPENDIX 5

Travelling Permission Consent Form:

Event: _____

Venue: _____

Date: _____ *Pick-up location:* _____

Drop off time: _____ *Drop off location:* _____

Children:

(Altar Servers/Children's Liturgy) X as appropriate

I have read and accept the conditions and rules as set out in the Code of Ethics and good behaviour when travelling to and from parish organised trips and I agree to abide by the rules.

Name: _____ Date: _____

Parent/Guardian:

I have read and accept the conditions and rules as set out in the Code of Ethics and good behaviour when my child is travelling on a MSC Community/parish organised trip.

Name of Child(ren): _____

Parent/Carer's name: _____

Emergency contact number: _____

Date: _____

APPENDIX 6

Safe recruitment and selection checklist

1. **Contact with children:**

- 1) What contact with children will the job involve?
- 2) Will the employee/volunteer have unsupervised contact with children or hold a position of trust?
- 3) What other forms of contact will the person have with children, e.g. email, telephone, letter, internet?

2. **Defining the role:**

- 1) Have the tasks and skills necessary for the job been considered?
- 2) Does the job description make reference to working with and having responsibility for children?

3. **Key selection criteria:**

- 1) Has a list of essential and desirable qualifications, skills and experience been developed?

4. **Written application (see below p15 for example of Application Form):**

- 1) Have all the applicants been asked to supply information in writing including personal details, past and current work/volunteering experience?
- 2) Have you developed application forms?

5. **Interview:**

- 1) Have at least two representatives from the organisation been identified to meet with an applicant to explore information contained in their application?

2) Have the applicant and the application forms been carefully considered, highlighting points to raise in the interview including :

- I. the applicant's attitudes towards working with children.
- II. areas you want to explore in more detail.
- III. gaps in employment history.
- IV. vague statements or unsubstantiated qualifications.
- V. frequent changes in employment.

6. Declaration (see below p17 for example of Declaration Form):

- 1) Have applicants been asked to sign a declaration stating that there is no reason why they would be considered unsuitable to work with children?
- 2) Have applicants been asked to declare any past criminal convictions and cases pending against them?

7. Identification:

- 1) Have applicants been asked for photographic documentation to confirm their identity, e.g. birth certificate, passport?
- 2) Is documentation relating to the applicant's identity and relevant qualifications checked at interview?

8. Qualifications:

- 1) Are applicants asked for documentation to confirm qualifications?

9. References:

- 1) Are applicants asked to supply the names of two referees who are not family members and ideally who have first hand knowledge of the applicant's experience of work/contact with children?
- 2) Are referees asked specifically to comment on the applicant's suitability to work with children?
- 3) Are all references provided in writing and followed up with a telephone call if appropriate?
- 4) Is the identity of referees verified?

10. Vetting procedure:

- 1) Has the vetting procedure that you will need for your selected applicant been considered? (In the Republic of Ireland An Garda Síochána central vetting unit if applicable, in Northern Ireland POCVA vetting.)
- 2) Has the applicant been informed that you will need to conduct essential background checks before they take up any appointment?

11. Records:

- 1) Are details kept of the selection and induction process on the personal file of the person appointed?
- 2) Are references kept on file as part of the record of the recruitment process?

12. Confidentiality:

- 1) Is information about the applicant only seen by those directly involved in the recruitment process?
- 2) Are applicants reassured that information about them, including information about convictions, will be treated in confidence and not used against them unfairly?

(Standards and Guidance Document, Section 3 : Resource 3)

APPENDIX 7

**CONFIDENTIAL APPLICATION FORM
ADULT VOLUNTEER ¹**

Diocese: Parish:.....

Surname: First Name:.....

Address:.....

.....

Date of birth:..... Tel. Email.....

Are you (*please tick*)

Employed	<input type="checkbox"/>	Unemployed	<input type="checkbox"/>	Student	<input type="checkbox"/>
Homemaker	<input type="checkbox"/>	Retired	<input type="checkbox"/>	Other	<input type="checkbox"/>

Previous work experience

Have you previously been involved in voluntary work? Yes No

If yes, please give details

Why do you want to get involved with this diocesan activity/ministry?

Have you previously received any training for working with children or young people?

Yes

No

If yes, please give details

Do you have any spare time for hobbies, interests or activities?

Any other relevant information?

Is there any medical or other reason why you may be deemed unsuitable to carry out this work?

Yes

No

If yes, please give details

Please provide the names and addresses of two people whom we could contact for a reference (not relatives)

Name _____ Name _____

Address _____ Address _____

Tel. _____ Tel. _____

Email _____ Email _____

I declare that the above information is true and that I am fit to serve as a volunteer with this parish ministry/activity. I agree to abide by and accept the terms and conditions of participation.

Signed: Date:.....

¹ adapted from : Depart of Health & Children *Our Duty to Care: the Principles of Good Practice for the Protection of Children and Young People*. Dublin Stationary Office 2001 pp 41-42

APPENDIX 8

**CONFIDENTIAL
Declaration Form Adult Volunteers ¹**

Surname:.....

Forename:.....

Date of Birth:..... Place of birth:.....

Any other name previously known as:

Have you ever been convicted of a criminal offence or been the subject of a Caution or of a Bound Order?

Yes No

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

Nature of offence:

Date of offence:

Signed: _____ Date: _____

¹ adapted from *Our Duty to Care (Northern Ireland*

APPENDIX 9

Annual Self-Audit Scheme and National Board's Audit

MISSIONARIES OF THE SACRED HEART IRISH PROVINCE CHILD SAFEGUARDING POLICY AND PROCEDURES SELF-AUDIT

Name of MSC Community: _____ Date: _____

Please encircle Yes/No as appropriate:

1. 'CHILD PROTECTION POLICY'

Is the Policy prominently displayed in the Community?	Yes	No
In the Church porch?	Yes	No
In the Church Hall?	Yes	No
In the Sacristy?	Yes	No
In the Parish School?	Yes	No
Has the Policy been published in the Newsletter?	Yes	No

2. A CHILD PROTECTION REPRESENTATIVE (CPR)

Name of CPR or MSC undertaking this role _____

Has the CPR/MSC participated in Child Protection Training? Yes No

3. REPORTING PROCEDURES – Contact Details

Are the contact numbers for the following available and displayed prominently in the Community Church? Yes No

- The local Child Protection Representative
- The Duty Social Worker of the local HSE
- The local Garda Station
- The Designated Person: Rev David Smith, MSC (086 8221894)
- And other useful numbers, e.g. Faoiseamh (1800 33 1234)

IMPORTANT:

All child protection concerns must be reported to the civil authorities through the Provincial Child Safeguarding Designated Person or directly.

4. PROPER RECRUITMENT AND SELECTION PROCEDURES

In recruiting CPR/Volunteers does the MSC Community make use of?

- | | | |
|--|-----|----|
| a) An Application Form | Yes | No |
| b) A Declaration Form (Resource 4, 'S & G' doc. p 67) | Yes | No |
| c) References | Yes | No |
| d) Garda Vetting | Yes | No |
| e) Has each volunteer received a copy of the Child Protection Policy and a 'code of behaviour' in respect of relating to children and young people ? | Yes | No |

5. Checklist

- | | | |
|--|-----|----|
| a) Do you have a list of all groups/individuals using the MSC property? | Yes | No |
| b) Has the Province Child Protection Policy and Practice been communicated to the local MSC congregation/parish ? | Yes | No |
| c) Is the question of child protection on the agenda of local Community Meetings and all Parish Pastoral Council Meetings? | Yes | No |
| d) Does the Child Protection Representative report regularly to the Local Leader or Parish Priest? | Yes | No |

6. This MSC Community/Parish accepts that it is essential to have Child Protection Policy and Procedures in place.

This MSC Community/Parish has such a policy.

Signed by any two of the following signatories on behalf of the MSC Community/Parish:

(Preferably signed by all three)

_____ (*Leader/ Parish Priest*)

_____ (*Chairperson, Parish
Pastoral Council*)

_____ (*Child Protection
Representative*)

Date: _____

Section 2 of the *Standards and Guidance Document* sets out checklists for each of the Seven Standards and they will be most helpful in meeting the requirements of the Annual Audits of the National Board (Section 3 : Resource 14).

APPENDIX 10

Template for Notice posted in the Porch of each MSC Church in the Province.

The Missionaries of the Sacred Heart in Ireland

Child Protection Policy and Procedures

Policy

We, the Missionaries of the Sacred Heart in the MSC COMMUNITY of etc. value and encourage the participation of children and young people in our Community liturgies and in activities that enhance their spiritual, physical, emotional and social development. We recognize the dignity and rights of all children and are committed to their protection and support. In keeping with this we will work to do all in our power to create safe environments for children and young people in order to secure their protection and enable their full participation in the life of the Church.

Reporting Procedure

Child abuse of whatever kind is a sin and a crime and we request that all complaints of abuse against personnel connected with this MSC Community - MSCs, employee or volunteers - be reported immediately to the Child Protection Representative or directly to An Garda Síochána and the Health Service Executive.

Contact Details

The Child Protection Representative in this MSC Community is : Fr
and/or Ms....

Fr ... may be contacted at

Ms ABC may be contacted at

The Address of the local Garda Station is :

Location

Phone number

The Address of the local Health Service Executive Office is :

**Child Care Manager/Principal Social
Worker**

Location

Phone number

The Child Safeguarding Designated Person for the MSC Congregation in
Ireland is :

**Rev David Smith, MSC, 34 Mount Merrion Ave, Blackrock, Co.
Dublin 086-8221894**

**Missionaries of the Sacred Heart Irish Province
Child Protection Policy
Summary**

The Missionaries of the Sacred Heart in Ireland, endeavouring to live according to the Gospel, where Jesus said “*Let the children come to me; do not stop them*” [Matthew 19:14] and who warned anyone who would offend against them that it would be better for such a person “*to have a great millstone hung around his neck and to be drowned in the depths of the sea*” [Matthew 18:6], recognises the dignity and rights of children, especially their right to develop their relationship with God without interference. Hence, the Congregation is committed to the safeguarding of children by its members, its employees and voluntary co-workers, in its churches and houses and in its ministry.

Through its signing of a Memorandum of Understanding with the National Board for Safeguarding of Children in the Catholic Church in April 2009, the Missionaries of the Sacred Heart in Ireland has adopted the Board’s policy and procedures document *Safeguarding Children : Standards and Guidance Document for the Catholic Church in Ireland (2009)*, and the documents that may be added to it from time to time, as its basic regulation in all matters pertaining to the protection of children and, hence, for all procedures relating to our child safeguarding practice we will follow those as contained in this document. Furthermore, regarding its implementation of the said document, it accepts the supervisory role of officials of the Board’s National Office and pledges its cooperation with them in their work.

Conscious of its grave responsibility to prevent the sexual, physical and emotional abuse of children and their neglect, the Congregation undertakes to report all allegations made to it of such abuse to the civil and church authorities without delay; it also urges all who disclose allegations of abuse against its members, or anyone else, to do likewise. Anyone making an allegation of abuse will be received with respect and listened to, will be informed of actions taken as a result of their disclosure and will have their

need for counselling met, if required. Those against whom allegations of abuse have been made will be given every opportunity to vindicate their good name, but, without prejudice, will be asked to stand aside from all ministry, not wear the habit or clerical garb, until the civil authorities have completed their investigations. However, should a Garda investigation find that an allegation is false everything shall be done to restore the good name of the accused. Otherwise, the Congregation undertakes to cooperate fully with the HSE and An Garda Síochána in assisting those who have abused children to live offence free lives.

APPENDIX 12

Example of Training Resource made available to local communities in the Study of the Child Protection Policy Summary.

Aid for study of the Provincial Child Protection Policy at the Local Community. Please note that according to the Standard 1, Criteria 1.3, “ ... all Church personnel are required to comply with [it] the Policy.” Hence, each MSC should have a copy of the Policy together with Standard n 1 p 14 and pp 37 – 38 of the *Standards and Guidance* document. (Relevant staff and volunteers should have a copy of the Policy too.)

Missionaries of the Sacred Heart Irish Province

The Policy should be created at congregational level. [Standard n 1, Criteria 1.9.]

Child Protection Policy

All Church organisations that work directly or indirectly with people under 18 have a written policy on keeping children safe. This is generally known as a *Child Protection Policy*. [Standard n 1. pp 14, 37 – 38.]

The Missionaries of the Sacred Heart in Ireland, endeavouring to live according to the Gospel, where Jesus said “*Let the children come to me; do not stop them*” [Matthew 19:14] and who warned anyone who would offend against them, that it would be better for such a person “*to have a great millstone hung around his neck and to be drowned in the depths of the sea*” [Matthew 18:6],

The Policy communicates the principle derived from the Gospel that the Church is committed to keeping children safe. [Standard n 1.]

recognises the dignity and rights of children, especially their right to develop their relationship with God without interference.

Each child should be cherished and affirmed as a gift from God with an inherent right to dignity of life and bodily integrity which shall be respected, nurtured and protected by all. [Standard n 1. Principle]

Hence, the Congregation is committed to the safeguarding of children by its members, its employees and voluntary co-workers,

The policy states that all Church personnel are required to comply with it. [Standard n 1. Criteria 1.3]

in its churches and houses and in its ministry.

The Policy addresses child protection in the different aspects of Church work e.g. within a church building, community work, pilgrimages, trips and holidays. [Standard n 1. Criteria 1.5]

Through its signing of a Memorandum of Understanding with the National Board for Safeguarding of Children in the Catholic Church in April 2009,

The Policy is approved and signed by the relevant leadership body of the Church organisation e.g. the Provincial and Council. [Standard n 1. Criteria 1.2]

the Missionaries of the Sacred Heart in Ireland has adopted the Board's policy and procedures document *Safeguarding Children : Standards and Guidance Document for the Catholic Church in Ireland (2009)*, and the documents that may be added to it from time to time,

The Policy is reviewed at regular intervals no more than three years apart and is adapted whenever there are significant changes in the organisation or legislation. [Standard n 1. Criteria 1.4]

as its basic regulation in all matters pertaining to the protection of children and, hence, for all procedures relating to our child safeguarding practice we will follow those as contained in this document. Furthermore, regarding its implementation of the said document, it accepts the

supervisory role of officials of the Board's National Office and pledges its cooperation with them in their work.

Conscious of its grave responsibility to prevent the sexual, physical and emotional abuse of children and their neglect,

The Church clearly describes the Church's understanding and definitions of abuse. [Standard n 1, Criteria 1.7, see Resource n 10 pp 73 – 74]

the Missionaries of the Sacred Heart undertakes to report all allegations made to it of such abuse to the civil and church authorities without delay; it also urges all who disclose allegations of abuse against its members, or anyone else, to do likewise.

The Policy states that all current child protection concerns must be fully reported to the civil authorities without delay. [Standard n 1. Criteria 1.8, see also Resource n 2 and Resource n 16.]

Anyone making an allegation of abuse will be received with respect and listened to, will be informed of actions taken as a result of their disclosure and will have their need for counselling met, if required. Those against whom allegations of abuse have been made will be given every opportunity to vindicate their good name, but, without prejudice, will be asked to stand aside from all ministry, not wear the habit or clerical garb, until the civil authorities have completed their investigations. However, should a Garda investigation find that an allegation is false, everything shall be done to restore the good name of the accused. Otherwise, the Congregation undertakes to cooperate fully with the HSE and An Garda Síochána in assisting those who have abused children to live offence free lives.

The Policy states how those individuals who pose a risk to children are managed. [Standard n 1. Criteria 1.6.]

Evidence of Implementation

The following documents can be used to provide evidence to the National Office for Audit purposes that Standard n 1 has been met:

- 1) A copy of the *Missionaries of the Sacred Heart Child Protection Policy*.**
- 2) Minutes of the Provincial Council Meeting where the *Policy* was signed.**
- 3) Written evidence of how abuse is dealt with in the Missionaries of the Sacred Heart Irish Province – records of how an allegation is processed.**
- 4) Timetable of review: In keeping with Criteria n 1.4 above, review would normally occur before each Provincial Chapter.**