Management of Allegations and Concerns

Policy

Allegations against individuals with roles within the Church

In accordance with article 19 of Pope Francis' Apostolic Letter, "*Vos Estis Lux Mundi*", 7 May 2019[1], it is the policy of the Catholic Church in England and Wales[2] to report to the statutory authorities, all allegations of abuse made against those working in the name of the Church, regardless of whether the allegations or concerns relate to a person's behaviour in relation to their role within the Church or another setting.

This policy must be applied in all situations where it is alleged that a member of the Clergy or Religious Community, lay persons, and volunteers:

- has behaved in a way that has harmed or may have harmed a child or an adult at risk;
- have possibly committed a criminal offence against or related to a child or an adult at risk;
- has behaved towards a child(ren) or an adult(s) in a way that indicates they may pose a risk of harm to children or adults;
- has behaved or may have behaved in a way that indicates they may not be suitable to work with children or adults at risk;
- has behaved in such a way that, by actions or omissions, his or her conduct has been intended to interfere with or avoid civil investigations or canonical investigations, whether administrative or penal, against a cleric or a religious regarding the above[3]

These behaviours are to be considered within the context of the different categories of abuse and include sexual, physical and emotional abuse; neglect and self-neglect; domestic abuse, including controlling or coercive behaviour and/or economic abuse; exploitation by criminal gangs and organised crime groups; trafficking; online abuse; sexual exploitation; the influences of extremism leading to radicalisation; psychological abuse; financial or material abuse; modern slavery; discriminatory abuse; organisational abuse.

For children, this includes:

- having a sexual relationship with a child under 18 if in a position of trust in respect of that child, even if consensual (see **ss16-19 Sexual Offences Act 2003**); or with someone over 18 that was groomed into the relationship while still a child (i.e., under 18 years);
- 'grooming', i.e. meeting a child under 16 with intent to commit a relevant offence (see **s15 Sexual Offences Act 2003**);

[1] In England and Wales, articles 1 and 19 of Pope Francis' Apostolic Letter, "*Vos Estis Lux Mundi*", 7 May 2019, mean that sexual acts, including pornography, committed by clergy or members of Institutes of Consecrated Life or Societies of Apostolic Life against an adult at risk must be reported to the statutory authorities. It is the policy of the Catholic Church in England and Wales to extend this to all forms of abuse against children or adults at risk by any abuser.

[2] This includes certain areas outside of England and Wales which are the responsibility of dioceses within England and Wales e.g. the Channel Islands and Isle of Man

[3] This means wilfully; a deliberate attempt to interfere with or prevent civil or canonical investigations.

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- other 'grooming' behaviour giving rise to concerns of a broader child protection nature e.g. inappropriate text / e-mail messages or images, gifts, socialising etc
- possession of indecent photographs / pseudo-photographs of children.

All images[4] that appear to be indecent, nude/semi-nude, or abusive (photographic, digital, or other medium) must always be given to the Police to determine whether they are of children and whether an offence has been committed. A decision about whether the images are of children must not be taken within the Church.

If an adult with capacity explicitly refuses the making of a referral about abuse that occurred in their childhood, consideration will be given to whether the accused person has access to children who may be at risk. In these circumstances, the name of the accused and details of the allegation will be referred to the statutory authorities, without disclosing the name of the alleged victim where they have refused consent to do so.

Allegations against an individual who does not hold a role within the church

It is the policy of the Catholic Church in England and Wales to report to statutory authorities where a child or an adult is at immediate risk of harm, or there is concern that a child is suffering or is likely to be suffering from significant harm, from somebody who does not hold a role within the Church.

Concerns about the welfare of a child or young person

Where it is believed that a child would be likely to benefit from family support services, with the agreement of the person who has parental responsibility, it is our policy to refer to the Local Authority Children's Services Department, within 1 working day.

Reporting requirements

All clergy, religious, lay employees and volunteers are required to report allegations of abuse, and concerns to the safeguarding lead within the diocese or religious order, who will ensure a referral is made to statutory authorities within 1 working day.

If a child or young person, or an adult, is in immediate danger this must be reported immediately to the Police.

Regardless of whether the accused person is living or deceased, where it is believed that a criminal offence may have taken place, the allegation must be referred to the Police within one working day.

[4] This includes:
1.Indecent images of children under the Protection of Children Act 1978 which includes:
Indecent photographs
Pseudo photographs
Tracings or
Derivatives of photographs/pseudo photographs

2.Prohibited images of children under S.62 Coroners and Justice Act 2009 which includes:
Computer generated images (CGI)
Cartoons
Manga images
Drawings

3. Possession of Paedophile Manual under S.69 Serious Crime Act 2015 which is defined as 'in possession of any item that contains advice or guidance about abusing children sexually' e.g. include how to produce images/groom

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When a person's conduct towards a child or an adult may impact on their suitability to work with or continue to work with children or adults, the allegation must be referred to the local authority's designated officer [5] for safeguarding or adults within 1 working day.

Where a safeguarding allegation or concern relates to someone who is aged 18 years or over but is still receiving children's welfare services, the matter will be addressed using adult safeguarding arrangements[6].

Risk Management

Risk will be managed using Safeguarding Plans which are reviewed at least annually.

Initiating a process of dispensation from vows or the clerical state, in accordance with the norms of canon law, will be considered following every conviction or caution for an offence against a child or an adult at risk.

Responsible officer	Head of Safeguarding
Date first approved by Trustees	December 2022
First Review date	December 2023
Next review date	December 2025
Author	M Anderson

Detail of specific reviews and key changes made:

Reviewer (s)	Date	Review Actions	Approved by Board
M Anderson	December 2024	Reviewed and wording amended in consultation with Survivor group.	December 2024

[5] This role is responsible for overseeing concerns or allegations made against employees, volunteers and others working within organisations and ensuring that the approach taken is coordinated and matters are investigated, recorded, followed up and concluded in a timely manner.

[6] Care and support statutory guidance (DOH, 2016)

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