

# NEWSLETTER



## OUR CHILDREN, OUR CHURCH, OUR NEW POPE

When I was a child, my parents told me that if I needed to cross a busy road I should ask an adult for assistance. The adults I did ask always held me by the hand as they steered me safely to the other side. I was, of course, warned about strange men who might try to lure me into their cars by offering me sweets but I was also told that if someone was bothering me I should go into a shop or approach an adult for assistance. I was aware that there were some adults who posed a potential risk to children but, in general, I understood that adults would help me if I asked

for their assistance. Most adults were predisposed to help children and not just children known to them. There was a shared assumption in 1960s Ireland that adults took care of children. That assumption no longer holds true for reasons that do not require explanation here.

Nowadays parents are wary of adults who take an interest in their children. Adults, fearful that their actions may be misconstrued, think twice about offering assistance to children. Nowhere is this more apparent than in our attitude to physical contact.

Many adults are uncomfortable about any kind of physical contact with children to whom they are not related. There are some sensible guidelines about physical contact with children and we should follow these. There are, equally, situations where

children seek out physical contact and the appropriate response is a positive one: a small child putting his hand in an adult's, a distressed child needing a reassuring arm around a shoulder. Holding back in these circumstances has more to do with adult fears of being misunderstood than it has to do with meeting the needs of children. Caring for others always involves taking some risks.

Safeguarding guidelines emphasise transparency and accountability: being open (and seen) in our contacts with children and being prepared to offer explanations for what we do and what we have done. Safeguarding is not about a withdrawal from children.

It is by his actions, as much as by anything he says, that Pope Francis is renewing the Church.

*Andrew Fagan*

# RETENTION OF SAFEGUARDING RECORDS IN PARISHES

We receive many queries about retention of safeguarding records. Parishes accumulate records such as parental consent forms obtained for the purpose of the involvement of children in a particular activity. Should these records be retained by the parish and for how long?

Once the children are no longer involved in the activity in question there would appear to be no valid reason for retaining the consent forms. However if there was a complaint made by or about a child while he or she was involved in the particular activity the parish would need to have a record that the child's parent consented to his or her involvement in the activity.

There are other considerations. Over time, the volume of such records is likely to become considerable. The parish then has to make arrangements for these records to be safely and securely stored, as required under the data protection legislation, and for their easy retrieval. The gathering and retention of personal information by parishes has to be done in accordance with the eight rules of data protection. One of these is that records should be retained for no longer than is necessary for the purpose for which the information was obtained.

It may be helpful to try to think what kinds of records might be kept in parishes.

## **1 Records relating to child protection concerns (allegations or suspicions that a child has been abused) involving church personnel.**

Where the concerns relate to a priest of the parish, such records will be retained in the offices of the CSPS and there is no need for separate records to be retained in the parish.

Where the concerns relate to a lay employee or volunteer such records should, according to the advice given by the National Board for Safeguarding Children in the Catholic Church

(NBSCCC), be kept for a period of 100 years. Contact should be made with Diocesan Archives to make arrangements for the long term storage of these records.

## **2 Vetting records**

Once the vetting form has been signed by the Parish Priest, it is sent to the Diocesan Vetting Office where the record will be retained for the appropriate period. The Parish Priest may need to keep a record of the names of each of those vetted and the outcome of the vetting but this should only be retained as long as the person concerned is involved with the parish and all other records should be held by the Vetting Office only.

## **3 Records relating to the recruitment and employment of lay staff and volunteers.**

Detailed guidance on the retention of such records is contained in the *Parish HR Data Protection Policy* issued by the Diocesan HR Department.

The advice of the NBSCCC is that records, including application forms, declaration forms and references for successful candidates, should be retained for a period of 20 years in case any child protection concerns arise in relation to the individuals concerned.

## **4 Children's application and consent forms, parental consent forms.**

These forms should not be retained for longer than is necessary. They should be shredded one year after the child to whom they refer has ceased the activity for which application was made and consent sought. A simple record should be retained that contains the following information: child's name, date of birth and address, activity (e.g. altar server), date activity commenced, date activity ceased, name of consenting parent/s or guardian/s and date consent obtained. This record should be safely and securely stored in the parish and retained for 20 years.

## LEARNING FROM OUR PAST



Senator McAleese's report on the Magdalen Laundries was published in February. That same month the Health Information and Quality Authority (HIQA) reported on foster care services in Dublin North West. These two reports describe very different services provided in very different circumstances. Nonetheless, some of what is described in the former finds echoes in the latter. It is incumbent on all of us to learn the lessons of the past so that mistakes, and the suffering they caused, are not repeated.

An inter-departmental group, chaired by Senator McAleese was asked to report on State involvement in the Magdalen Laundries, something that the State had denied up to that point. It found that there was significant, and varied, State involvement in the laundries. For example, about a quarter of all those placed in Magdalen Laundries were referred to them by State agencies, including the Courts. The religious orders who ran the laundries

accepted responsibility for some of the most vulnerable members of society at a time when the State had made no provision for their care.

The importance of the McAleese Report for those women who lived in the laundries or spent time in them should not be underestimated. It led to a long overdue acknowledgement of the wrongs done to them and to measures that will hopefully help them to live out the rest of their days in some peace and comfort.


Sally Mulready and Phyllis Morgan of the UK based Irish Women Survivors Network provided a summary of the main issues for their members. One of the key issues was the manner in which the women were denied information about their situation and explanations for what was happening in their lives. This was the source of significant suffering for the women concerned.

Many of the members of the Network had been in industrial schools or reformatories before

being placed in the laundries. When young women were transferred from one institution to the next the industrial school or reformatory manager retained the power to recall them, if she deemed that their welfare required this. This power of the industrial school and reformatory managers, and the fact that it was time limited, was never made clear to the women involved, leaving them with the belief that their lives were controlled by others. Indeed, very little, if anything, was ever explained to these women. This comes through very powerfully in the summary provided by Sally Mulready and Phyllis Morgan.

"The psychological and physical impact of their experience has been devastating and has stayed with them throughout their adult lives. Their suffering was greater still because they did not know why they were there, or who was responsible for placing them in these laundries. They had no idea when they would be released".

They explained how they were



moved from one institution to another without any preparation or opportunity to say goodbye to those with whom they had spent their childhoods.

"Transportation of 14-16 year old girls from Industrial Schools to the laundries was a common occurrence. It was carried out very like the system of transferring prisoners from one prison to another, with no consent sought or given by the young women themselves and little or no explanation of where they were going or why this was happening.

Many women tell us how heartbroken they were to know they were never returning to their friends and to the place, the only place, which they knew of as home. The callous way in which this was done is often highlighted as a major reason for the heartache it caused. You were given no warning and no chance to say goodbye to friends....

Women were given so little information about their detention that they frequently believed that no-one on the outside world knew about them, no one would come for them and that they would die in the laundries. One woman recently told us that "I knew nobody on the outside and so I wrote to nobody. I was not aware if anyone knew I was there". Women speak of severe distress and anxiety and how they cried often at night in the darkness of their dormitories. Crying themselves to sleep in utter despair about their future lives was common".

One of the constants in the accounts of those who, as adults, tell stories of childhood abuse is their determination that other children should not experience what they experienced. We are indebted

to those like the Irish Women Survivors Network who come forward and tell their stories because we have much to learn from them.

In contrast to the situation of the women of the Magdalen Laundries, many of the children in foster care in Dublin North West told the HIQA inspectors that they were happy in their placements. Nonetheless there were some aspects of their situation that were less than satisfactory.

The HIQA report found that some children were placed with carers who had not been properly assessed and approved and that some child protection concerns (allegations or suspicions that children had been abused or were at risk of such abuse) had not been adequately addressed. A long standing problem for some HSE alternative care services has been that not all children placed by the HSE in alternative care (that is, apart from their parents) have had social workers to ensure that their new placements are meeting their needs. In this inspection, it was found that over 100 children had social workers allocated to them shortly before the inspection began. This meant, in effect, that there had been prolonged periods when there was very little contact between the HSE and these children.

The HSE is subject to constant criticism, much of it unfair and ill informed. Most of the children in the care of the HSE are being looked after safely and well and this is reflected in the inspection reports published by HIQA. The HSE can only provide adequate services if it is given adequate resources to do so. Dublin North West contains some of the most deprived areas in

the country and we live in times of austerity. There is pressure on services to the most vulnerable and marginalised in our society.

As a society, we must ensure that those children who, for whatever reason, cannot be looked after by their own parents are being cared for by others who have been carefully selected, suitably trained and adequately supported. In particular, children placed in alternative care settings must have someone whose responsibility it is to ensure that they are being cared for safely and well, who will explain to them why they cannot live with their own parents and will ensure that they are consulted and involved when it comes to making plans for their future. Within our system, this is the role of the child's social worker.

Pope Francis has made clear his commitment to the marginalised and the 'preferential option for the poor' is one of the central tenets of Catholic Social Teaching. As a Christian Community we must ensure that the very necessary and painful changes that we are experiencing in our society and our economy do not become a pretext for taking away much needed services for some of the most vulnerable children in our society.

## TOPICS FOR FORTHCOMING REPORTS

If there is a topic or issue that you would like to see discussed in forthcoming reports please email your suggestions to: [andrew.fagan@dublindiocese.ie](mailto:andrew.fagan@dublindiocese.ie).