

Safeguarding Guide

Information regarding the process
when allegations of abuse are made
against persons in the Catholic Church



**Archdiocese
of St Andrews
& Edinburgh**

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Basic information

The information in this document is relevant to all in the Catholic Church who work with children, young people and/or vulnerable adults. It applies to ordained, religious and lay people, in paid posts or voluntary.

It is intended to help you understand the process which is followed when responding to allegations of abuse.

You will be informed if an allegation has been made against you. Police Scotland have primacy with regards to the investigation and on occasions the exact nature of the allegation may not be initially disclosed until the investigation process advances. The information provided about the nature of the allegation will be determined by the Police based on a number of factors.

Mandatory reporting

The Catholic Church in Scotland follows a policy of **mandatory reporting of all allegations of abuse** to Police Scotland, whether the allegation is current or non-recent, and whether the accused is alive or deceased. For more information see In God's Image (2).*

***In God's Image (2) is a document that explains and directs the approach to Safeguarding that is to be practised at every level of the Catholic Church in Scotland.**

<https://www.bcos.org.uk/InGodsImageV2>

Allegation received directly from a complainant:

When an allegation is received directly from a complainant, the mandatory reporting procedure of the Scottish Catholic Church ensures that the Archdiocese must inform Police Scotland, who will open a criminal investigation.

The Standard 5 Protocol will be followed from In God's Image (2).

Standard 5

Standard 5 of In God's Image (2) relates to the Management and care provision for respondents to allegations of abuse.

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"When an allegation of abuse is received concerning clergy, religious, lay employees or volunteers, we offer pastoral care, support and fair treatment to the respondent and we monitor their conduct and welfare."

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Investigations undertaken by Police Scotland

Police Scotland may make an arrest, or they may contact the Archdiocese as part of an investigation.

If an arrest is made, there needs to be reasonable grounds for suspecting that the person has committed or is committing an offence.

Even if you are certain that you have not been involved in a crime, it is very important to consult with a solicitor before being interviewed by the Police.

Advice from a solicitor is free of charge if you are in police custody.

Information can be obtained from:

<https://www.mygov.scot/arrested-your-rights>

Legal Costs

When an allegation is made there is **mandatory reporting to the Police** by the Archdiocese.

If the Police assess that a sufficiency of evidence exists to bring a charge and the accused wants legal advice, he/she must apply for legal aid or fund their legal costs from their own resources.

If he/she chooses to take legal advice before a police decision is reached, or if the police assess that an insufficiency of evidence exists to libel charges, then the priest must fund this himself.

More information is available at: <https://www.slab.org.uk/>

Notification of an allegation

If you are the first person to be told of the allegation, then you must notify the Archbishop / Vicar General of Safeguarding immediately.

Following consultation with the statutory authorities and after discussion with the Safeguarding Advisor/DRAMT, the Archbishop may decide on any of the following actions further to advice and dependent on the role you undertake.

- To request you stand down from all duties and public ministry, without prejudice, until all investigations are concluded (Criminal and Canonical).
- To request you sign a Clergy Welfare and Monitoring Plan which imposes restrictions on you.
- To move you from your place of residence.
- To require you, if a volunteer or employee, to stand down from your role, post, without prejudice.

Who might be involved in the process?

The Archbishop will be a key point of contact for you. He will meet and discuss with you what arrangements may be required to be put in place, particularly if there is a criminal or other Police investigation taking place. Consideration will be given to continuing in your role and advice sought from the Police/statutory services in relation to this.

Statutory Services (Police/Social Work) are likely to be involved if there has been an allegation of abuse made.

Disclosure Scotland (in respect of any PVG matters/ notification requirements).

You may need to seek advice from a **Canon lawyer**, this will be at your own expense. See Appendix 1, In God's Image Canonical norms for responding to allegations.

The **Diocesan Safeguarding Advisor (DSA)** of the Archdiocese will oversee the implementation of In God's Image (2). The DSA, alongside the Vicar General for Safeguarding, will meet with the Diocesan Risk Assessment Team (DRAMT). The DRAMT will discuss, in strict confidence, the matters and the Risk assessment, and it is their function to make recommendation to the Archbishop.

In addition, a **Support Person / Support Priest** will be assigned to offer a priest support during this process. The role of this person is described in In God's Image (2). For clergy of the Archdiocese an offer of professional counselling support is made in addition, recognising the potential impact on the priest accused.

Key points to remember

- During this very stressful time, care of your physical and emotional health is most important.
- It may be wise to speak to your GP.
- You may find that continuing spiritual direction will be particularly important at this time.
- You should find the support offered by your allocated Support person/priest helpful.
- You must not contact or attempt to contact, directly or indirectly, the person who has made the allegation.
- You are asked not to pursue your own investigation.