

From: The Child Protection Commission
Diocese of East Anglia

To: Cumberlege Commission

The Child Protection Commission of the Roman Catholic Diocese of East Anglia welcomes the opportunity to comment on the implementation of the Nolan Report and the work of COPCA.

Mrs Barbara Warwick* and Fr David Jennings were entrusted with giving a summary contribution to the Cumberlege Commission

Other contributors to this appraisal are:

- Mr Dennis White – Chair of the Commission and solicitor
 - Mr David Kerr – Child Protection Administrator
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Do you think the implications of Lord Nolan's report, 'A Programme for Action', has worked?

The Commission feels that Lord Nolan's Report has given clear directions to the whole Catholic community about the Protection of children and, by implication, vulnerable adults. Moreover it has promoted the establishment of good practice throughout the dioceses and parishes of the Catholic Church in England and Wales.

We would wish to note the effectiveness of the documents relating Organizational Structures and Code of Practice which has created a safe working environment for all. In particular we have been relatively happy with the CRB procedures which, working together with the Organizational Structures, have proved an effective means of vetting volunteers.

Overall, it has raised greater awareness among church leaders and volunteers and continually reminds us all of our responsibilities and duties for the care of children, young people and vulnerable adults.

Do you think that the processes introduced.....serve the Church Community?

Overall we believe that the processes have attempted to strike the right balance between creating a safe environment and being fair and just to those who serve the Church. However, we would wish to make the following observations:

1. There is some concern that historical cases and present cases receive the same type of procedural removal of clergy onto administrative leave. We believe that a case by case review needs to be undertaken so as to determine that a one-off historical case which blemishes an otherwise exemplary career should not be judged equally with a case of a present and 'live' allegation.
2. There is some concern about the length of time a cleric is determined to be on administrative leave. This may further infer his guilt, alienate him from his home and parish community and traumatize him psychologically.
3. We believe that an immediate Risk Assessment should be available and that COPCA provide each diocese with a recommended list of approved Risk Assessors.
4. It is of some concern of the apparent total rigidity by COPCA in enforcing its directives. We would recommend a more flexible working partnership between CPC, Child Protection Commission, Diocese and COPCA and which would best serve a given situation (all things taken into consideration)
5. We would recommend that the principle of subsidiarity be applied and a trusting bond be developed at all levels.

Q3 – Lord Nolan recommended.....National Child Protection unit (COPCA) be established.....

- a. COPCA has fulfilled these functions and has served to give a National Identity to Church's responsibility and care for children and vulnerable adults

We believe that COPCA has a managerial and strategic role in the monitoring, support and training of personnel in the future but needs to move away from an over-directional role it presently has.

COPCA must realize that:-

1. it is heavily dependant upon the good will of volunteers.
2. It must strive to be supportive of those who give of their time and energy freely for the good of the Church while recognizing their limited capacity and the constraints in which their time and good will is given.
3. It must strive to enhance its reputation especially among the clergy and recognize that their support is vital

Alison Flath – Vice-chair of our commission adds:-

“it is important that COPCA sets and maintains standards but this should facilitate the work – not hinder it”.

“The Commission’s expectations of Dioceses are very high - the requirements to check all Eucharistic Ministers, to have ‘safe houses’ and a single Diocesan support person for individuals who have been accused of being perpetrators. However, as long as we consider these and are able to justify any way that we deviate from the standards it seems fine. Failure to comply is unavoidable when an organization advocates best practice the way that COPCA does. As long as we do the basics thoroughly we will not go far wrong”.

Denis White – Chair of our Commission adds:-

We are in the process of reviewing a complaints procedure to be adopted when a complaint is made by someone not satisfied with the child protection arrangements within the Diocese.

We have considered models from other Dioceses and in common with those models are encouraging informal resolution at a local level but publication of a formal complaints procedure to be investigated by an appointed officer (normally this will be the Child Protection Officer of the Diocese) followed by a report for consideration by the Child Protection Commission followed by a recommendation to the Bishop for final decision.

We do however believe that the procedure should provide for some sort of appeal/review of that process as otherwise there could effectively be no redress for a complaint against the way the Commission itself has dealt with the issue and/or concluded its recommendations to the Bishop.

We have considered inserting in the procedure a provision for the complainant to apply for a review of the Bishop's decision and for the Bishop to refer the matter to another panel. However, it is difficult for us to think of another panel within the Diocese which would have the same expertise as the expertise in this Diocese on the Child Protection Commission.

Accordingly the Commission believes that it would be appropriate for such an appeal/application for review, to be referred to a Child Protection Commission in another Diocese so that there could be an independent assessment of the decision reached by the Commission in this Diocese.

We appreciate that this suggestion will involve consideration of national procedures and would probably involve consideration by the Bishops of England and Wales to introduce a system whereby a disaffected complainant could ask for a review of the Commission's recommendations by an independent Commission from another Diocese. We believe however that this would be a fair way to deal with such complainants and still retain the expertise of those dealing with the complaint/appeal/review.

Of course we appreciate the final decision will always lie with the Bishop for the time being of this Diocese, but in this way we believe the Bishop would have access to a specialized second opinion when appropriate when he reviews the decision he may have made on the recommendation of the Commission in this Diocese."

We trust that these observations are of help in your deliberations

Mrs Barbara Warwick
Father David Jennings