

Protocol & Practice Guidance for Conducting Past Cases Review Work in Dioceses

1. Introduction

This Protocol and Practice Guidance is compiled to provide the framework for dioceses to implement the recommendations from the report of the Independent Scrutiny Team (IST). (See Background and Overview document). This practice guidance is written to provide a detailed and evidence-based approach for undertaking independent, safeguarding-led case reviews in each diocese. This churchwide process is referred to as Past Case Review Two (PCR2)

This guidance has been informed by the knowledge and expertise of DSAs and has been written to capture the lessons learned across different dioceses during the decade since the church's original Past Case Review (PCR1). It has also been informed by feedback from those with a lived experience of abuse within the church and has incorporated advice from survivors themselves. The guidance is written so that all the advice and information available in relation to conducting a proactive Past Case Review, is in one place and can be easily accessed by those managing the review process in their contexts.

The specific objectives of the PCR2 are:

- **To identify all cases of concern relating to clergy or church officers causing harm to children or adults (including where domestic abuse is alleged) and ensure they have been independently reviewed.**
- **To ensure that all identifiable safeguarding concerns relating to living clergy or church officers have been referred to the Diocesan Safeguarding Advisers.**
- **To ensure any allegation made since the original PCR took place has been handled appropriately and proportionately to the level of risk identified and that the support needs of survivors have been considered.**
- **To ensure that cases meeting the relevant thresholds have been referred to statutory agencies and that all cases are managed in line with current safeguarding practice guidance.**

This practice guidance is written with reference to current House of Bishops' Safeguarding Policy Promoting a Safer Church. (2017)

Where cases are identified that require action then the practice guidance: Responding to, assessing and managing concerns or allegations against church officers practice guidance (2017) is relevant.

Responding well to those who have been sexually abused practice guidance (2011) remains the practice guidance that supports our work with survivors however, there is additional information and advice included in this practice guidance that has been drawn from the contribution of survivors themselves and from professionals with expertise in trauma informed practice.

2. Files in scope of PCR2

Those subject to review are: every living clergy person and all other living church officers whether or not they are engaged in ministry or in paid or voluntary work at the time of the review. Those who are not in ordained or licensed ministry become subject to review because their church role requires them to have contact with children and/or adults at risk of abuse. The proportion of files to be included in scope is directly related to the extent of independent review work that has been previously undertaken, as per the categories identified by the IST.

The report from the IST placed each diocese into one of the following three categories:

- A. **Those dioceses who do not need to carry out a repeat of the original PCR and who have done further review work since January 2007**
- B. **Those dioceses who do not need to carry out a repeat of the original PCR but who have not conducted further review work since January 2007**
- C. **Those dioceses which need to repeat the original PCR**

Dioceses in Categories A and B need to review:

- All clergy blue files and the equivalent personal files of diocesan staff, readers and other lay ministers and (where they exist) the files of other church officers, which **were not** reviewed as part of the original PCR and where the individuals are required to have direct contact with children within their church roles.
- All clergy blue files and the equivalent personal files of diocesan staff, readers and other lay ministers and (where they exist) the files of other church officers, where these individuals are required to have direct contact with adults at risk of abuse as part of their church role and: where those files have not been previously reviewed **with a focus on identifying incidents of abuse of adults, including domestic abuse.**

Particular attention must be paid to identifying and reviewing:

- The files of those individuals whose behaviour has been identified as potentially posing a risk to children whose file/information **was not** considered as part of the original PCR or whose behaviour has become of concern **since** the original PCR.

5. Reviewing the cases held by the NST

All safeguarding casework since the inception of the NST in 2015 will be included in PCR2. There is clear value in the inclusion of the safeguarding records held by the NST. The casework undertaken by the NST involves complex cases often worked between several dioceses and the NST. Including this work in PCR2 enables the same assurances regarding the quality of response in relation to safeguarding to be provided across every context of the church's safeguarding work. In order to connect the PCR work in Dioceses with the files held by the NST the following approach will be applied:

- The NST will prepare, diocese by diocese, a list of all cases referred to it since its inception in 2015
- The relevant list will be sent to each of the DSAs. Where there are cross-diocesan cases more than one DSA may receive information about a single case. Each DSA will also be asked to identify any further such cases which their records indicate were referred to the NST but which have not been included on the lists they have received.
- Diocesan independent reviewers will be asked to review these cases first, looking particularly for evidence of communication or of agreed actions being taken forward. In some cases, this will be without access to the blue clergy file which may be held by another diocese. It is the role of the DSA in the dioceses that do not hold the relevant file, to ensure that cases where evidence is found of any failures of communication or of actions not being followed through, are listed and sent to the National Director of Safeguarding.
- The Director of Safeguarding will arrange for the appointment of an IR to review all the NST information held on those cases referred by diocesan IRs. The IR in the NST may liaise with the diocesan IR and they will jointly agree any recommendations for remedial actions.
- The NST IR should prepare a short report on the number of cases and the broad outcomes. This report will be sent to the Director of Safeguarding and the PCR2 Management Board.

6. The involvement of victims, survivors and those with a lived experience of abuse

This section is based on the advice and comments from survivors and those with lived experience of abuse.

PCR2 is a central part of the church's proactive approach to identifying where abuse allegations have not been managed appropriately or safely or with the needs of the vulnerable at the centre of its decision making. This section of the guidance is important and applies to all dioceses and to all church bodies. **The welfare of children or of adults at risk abuse must be of paramount importance in the planning and execution of PCR 2.**

The Diocesan Safeguarding Team is the point of contact for anyone wanting to disclose information or contribute to the review. The DSA, DSAP Chair and Diocesan Bishop will have agreed their survivor-care strategy at Phase One and must keep this under constant review with the DSAP PCR Reference group throughout the PCR process.

A dedicated telephone helpline operated independently from the church has been set up. As part of the preparation for this review the Archbishops' Council has published a statement providing information for anyone who wishes to make representations to the church as part of PCR 2. The telephone helpline number and details of how to make contact directly with the diocesan safeguarding team should be promoted locally by each diocese. For example, these two sets of contact details might appear on the front page of the diocesan website during the review period. Where a survivor makes contact with the helpline or the diocese disclosing new information they will be supported in line with current policy.

Where someone makes contact seeking to make representations to PCR2, the DSA will liaise with the PCR Reference Group lead for survivor engagement and the IR to plan how best to receive the feedback.

Where safeguarding professionals or diocesan clergy are in **current contact** with victims and survivors who have experienced abuse by clergy or church officers, an invitation should be extended to them to have contact with the Independent Reviewer if they so wish. Any such approach should be planned by the DSA with the nominated person on the PCR reference group who has oversight for survivor support and well-being. Consideration must be given as to how approaches may appropriately be made to parents or guardians of people under the age of 18. Similar consideration must be given to approaching those with advocacy or support roles for individuals with diminished capacity.

Notes on best practice in direct engagement

In every case where engaging with those with lived experience of abuse is considered, their well-being must be the paramount consideration. It is very important that time is taken to consider the **current circumstances** of the individual and whether they have previously indicated their willingness to be contacted by the diocese in this way. Planning the approach to any individual should always involve a gentle, non-intrusive approach to see if further discussion or involvement would be welcomed. Independent sources of support should be available and contact with these supporters must be immediately available to anyone that the diocese seeks to engage with in this way.

Any contact with an individual inviting them to express their views to the IR should make clear that the IR is not able to pursue any personal concerns or issues which individuals may have. If there are unmet support needs or unmitigated risk identified, then the IR will pass these to the DSA. The DSA will address these as per the usual work of the Diocesan Safeguarding Team in line with House of Bishop's current practice guidance. Those survivors who, after consideration of their needs, are approached, should be made aware that the purpose of their invitation to engage with the IR is to generate information about how victims and survivors have been responded to by the church. They should be invited to comment on how helpful they found the response; and what could have been done differently to assist them more. These insights will be utilised to assist the dioceses and the NST to improve their responses to victims and survivors.