

Loreto Sisters

Guidance on a Pastoral Response to Complainants

The province leader must identify who is best placed to offer pastoral care to complainants, and must recognise that providing pastoral care may not be the sole responsibility of any one person.

It is the responsibility of the DLP managing the case to ensure that the support person offers support and pastoral care to the complainant.

The province leader should offer to meet with the complainant at appropriate points during the process to listen to concerns, if this is the wish of the complainant.

Awareness of the impact of abuse on a complainant

People who have been abused want to be heard and to have their very real pain acknowledged. They want a compassionate response from the Church and to see action take place to ensure children are now safe. A person who has suffered abuse will have significant strengths, as well as potential complex needs.

Disclosing abuse takes enormous courage and calls for a high level of trust. Child abuse by its very nature can damage trust; it is therefore imperative that when a complainant is ready to tell their story, the listener responds with great sensitivity and compassion.

There will be a complex mix of feelings and emotions where abuse has been at the hands of someone the complainant has trusted, and even more so if the respondent holds a position of spiritual or moral responsibility. This may then include the challenging process of re-establishing relations with a faith community and with God.

Process of ensuring a pastoral response

Initial contact

In line with the reporting procedure once an allegation has been received by the DLP, they should:

- Make contact with the complainant to arrange a meeting (unless this is against the wishes of the complainant) and, with the knowledge and agreement of the complainant, allow the support person to attend the initial meeting or to meet with the complainant immediately thereafter.
- If a face-to-face meeting has been agreed, meet the complainant at a time and place that is convenient and acceptable, along with a family member or friend whom they may have asked to accompany them for emotional support. The support person may also attend this meeting, if agreed in advance with the complainant.
- Give the complainant an opportunity to give a detailed account of the allegation(s) – the account should be recorded, signed and dated by both parties.
- Accept third-party accounts from family or friends of the complainant, if the complainant wishes.
- Explain to the complainant that the Church has a duty to provide appropriate support, counselling and pastoral care to all complainants of abuse. Details of the Towards Healing counselling service should be provided, as well as the offer of assistance in making an appointment. This step should be carried out by the support person, if they are present.
- In a situation where the complainant is still a child, particular sensitivity is required. A parent/ guardian should always be present with their child, and the offer of care and support should be made to the child's parents/guardians.
- Every complainant is offered access to a support person. The role of the support person is to ensure that the complainant is appropriately supported throughout the process of disclosure and thereafter. It is the prerogative of the complainant whether or not they wish to accept the assistance of a support person.
- After the meeting, the DLP should review the allegation(s) in an effort to establish if the threshold for reporting has been reached. If it has, the DLP should, without delay, refer the allegation(s) to the statutory authorities and the NBSCCCI.

- The DLP shall assist the support person in drawing up an outline of a supportive response, appropriate to the individual and the circumstances.
- The DLP presents their findings and the recommended support response to the province leader for approval.
- The support person presents their proposed response to the complainant.
- The DLP and/or the support person contacts the complainant and communicates the decision of the province leader on how to proceed, and they discuss the next stages of the process.

None of the above actions should interfere with any criminal investigation.

Meeting with the Church authority

Once a process of pastoral care and support is in place, the DLP should offer to set up a meeting with the Church authority, if it is the wish of the complainant.

It is important that the agenda, time and venue of any such meeting are negotiated by the support person, in consultation with the complainant, the DLP and the province leader.

It is important that all parties are fully prepared for the meeting. It could be helpful in some instances to arrange to have a facilitator or mediator present, if this is deemed to be in the best interest of the complainant.

It must be understood by all that:

- The overall purpose of the meeting is to **listen** to the complainant.
- The meeting is not about determining the outcome of any investigation that might ensue. Towards the end of this meeting, ongoing support can be reviewed and any required changes can be agreed upon.

Ongoing support

Contact with the support person should always be led by the needs of the complainant.

Meeting the pastoral and support needs of complainants can be best achieved when the Church authority is open to:

- Travelling to meet those who wish to disclose abuse when the complainant is unable or unwilling to come to meet the identified Church personnel. This can be delegated by the Church authority to the DLP and/or support person, if appropriate.
- Facilitating those living abroad to travel to Ireland to meet with child safeguarding personnel and make a statement to An Garda Síochána.
- Seeking the assistance of the local Church body in situations where those living overseas wish to disclose abuse to a person or persons in their country of residence.
- Allowing sufficient time for the complainant to give a complete account of the allegation(s). This can take a number of meetings.

Some complainants may also wish to remain engaged with their Church despite the effect that the abuse may have had on their relationship with it, and, perhaps, with God. By meeting with and listening to complainants, the response from the Church that might best meet their spiritual needs can be identified with them. Towards Peace may be of assistance in this regard.

The support person liaises with the DLP for information sharing and accountability purposes, and should provide them with a summary of dates on which they have met with the complainant, along with any relevant child safeguarding concerns that may arise during these meetings. The DLP will store these in the third-party information section of the file.

Mediation

The services of a mediator/facilitator may be used by common agreement between the complainant and the province leader. There are organisations that provide professional facilitators who arrange and mediate meetings between complainants, their families and members of the Church bodies that are part of the Catholic Church in Ireland. The function of the facilitator is to arrange and moderate a process of communication between the complainant and the province leader. For instance, this may involve a meeting, managed by the facilitator, in which a formal apology can be made to the complainant, and their unresolved problems addressed.

The facilitator should be aware of the ongoing needs of the complainant, and should seek to know the response of the province leader to those needs. The facilitator should also seek to know the support needs of the complainant's family and of the community in which the abuse occurred, if the abuse is publicly known.

The facilitator should seek to identify any outstanding issues where the complainant is not satisfied with the response from the province leader, and should explore with both parties the best means of dealing with such issues.

The complainant or province leader may choose to have support at the meeting.

The province leader should bear all ordinary and reasonable expenses attributed to the process of facilitation.

Financial compensation

Some complainants may wish to claim financial compensation for the harm they have suffered. All complainants should be advised of their right to seek legal advice if they wish to pursue a civil case against their alleged abuser and/or the province leader. Complainants need to be informed of the adversarial nature of litigation and the inevitable process of disclosure involved.

Some Church bodies have decided to use mediated settlements in situations where complainants do not wish to take a civil case.



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