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STANDARD 4**Care and Management of the Respondent**

It is important that there is fair procedure with regard to the management and investigation of allegations. A proper balance should be struck between protecting children/young people and respecting the rights of respondents. Where there is a conflict, the child/young person's welfare must come first.

The Dominican Order employ different processes regarding the management of the respondent, depending on the stage the case is at. Care is an important element at every stage as people who have received an allegation against them are recognised as being vulnerable.

4.1 Management and care are provided by specific personnel in the safeguarding structure.

The DLP/Deputy DLP has case management responsibility and for ensuring that appropriate protective measures have been taken, and that support is offered to the respondent. Through this time, it is important that the good name of the respondent is maintained.

Internal Case Management

- ◇ On receipt of an allegation, the priority is to ensure that information that has reached the threshold for reporting is referred to the statutory authorities.
- ◇ The DLP/Deputy DLP will check with the Gardai/PSNI if there is any reason as to why the information cannot be shared at that time with the respondent. In rare circumstances, the Gardai/PSNI will ask the DLP/Deputy DLP to delay this so as not to hamper an investigation.
- ◇ If the threshold for reporting has been reached, a preliminary investigation in accordance with canon law will be initiated by the Provincial (CIC, c. 1717). This canonical inquiry will be paused to allow any statutory investigation to take place.
- ◇ At the earliest opportunity, the Provincial will call a meeting with the respondent, for the purpose of informing him that an allegation has been made and invite him to bring a person for support (Advisor)
- ◇ The role of the Advisor is to support the respondent at meetings, direct him to counselling or other professional services, and to keep him informed of the progress of the case.
- ◇ At a further meeting, the DLP/Deputy DLP will share the details of the allegation with the respondent. The respondent will be offered canonical and civil legal advice. He will be advised that he can respond to the allegation if he wishes and that this response will in

shared with the statutory authorities. However, he is advised that he does not need to make a response at this stage.

- ◇ A decision will be made as to whether an interim management plan is required, which may include restrictions to sacred ministry. This plan includes a written reminder from the Provincial to the respondent advising him to continue to adhere to the child safeguarding policies and procedures.
- ◇ If required, the DLP/Deputy DLP and Advisor will meet the respondent and present him with the interim management plan, which the respondent will be asked to agree to and sign. During this meeting, the respondent must be advised that the preliminary investigation will be resumed following the conclusion of any statutory authority enquiries.
- ◇ The Provincial and leadership team have responsibility to oversee the case and ensure that the relevant personnel are in place and acting in accordance with their role.

4.2. Canonical Inquiry including Preliminary Investigation

- ◇ The preliminary investigation is the initial stage of the canonical inquiry. The preliminary investigation is completed once formal confirmation is received from the statutory authorities that their investigations have concluded.
- ◇ The preliminary investigation is an inquiry into the facts and circumstances and imputability of the alleged delict. The person conducting the investigation produces a written report for the Provincial. The DLP/Deputy DLP may complete the investigation with the support of a canon lawyer or the Provincial may appoint another appropriate person.
- ◇ If, as a result of the preliminary investigation, the Provincial concludes there is no case to answer, he informs the respondent of the decision and that he is friar in good standing.
- ◇ However, if the Provincial finds there is a case answer, the Provincial must forward a report to the Congregation of the Doctrine of the Faith (CDF).
- ◇ The CDF will authorise the appropriate canonical process to be followed (e.g., a judicial penal process, an administrative penal process, confirm precept).

4.3. Support

While statutory and/or church investigations are underway, pastoral support is offered to the respondent. It is recognized that this is an especially difficult time for any person, and they will be vulnerable. They are offered the support of an Advisor and offered therapeutic support and canonical and legal advice.

If at the end of a preliminary investigation, it is found there is no case to answer it is important that all outstanding matters be dealt with to allow the person to move forward with their life and ministry. Therefore, in preparation, the respondent should be provided with counselling and support to assist

them to deal with any residual anger/distress. This may include spiritual direction, reflection and discussions with the Provincial or a member of the leadership team.

If the allegations are substantiated at the end of the canonical process, the person requires pastoral and therapeutic support and to help address any offending behaviour.