

Information sheet two

The National Review Process

Brief summary of chapters 4.4.1 and 4.4.2 in the CSAS Safeguarding Procedures manual:

This fact sheet sets out the National Review Protocol and Guidance, where a review is sought of the recommendations made by a Safeguarding Commission after an investigation of an allegation concerning an office-holder, employee, volunteer, deacon, priest or religious. The recommendations by the Safeguarding Commission are made to the Bishop/Congregational Leader, who will make a decision with consequences in canon law.

A Review of the evidence of the case and the process of enquiry may be sought prior to the decision being made by the Bishop/Congregational Leader. The Bishop/Congregational Leader may request the review if:

- ✦ s/he is dissatisfied with the recommendation of the Commission and has decided not to request the Commission to undertake further enquiries;
- ✦ the Commission has decided that there is no issue to investigate or not to proceed further with a complaint, and a written request for a review has been received from the victim/complainant;
- ✦ the victim/complainant has expressed concerns in writing about the course of action recommended at the completion of a full enquiry.

A review of the evidence of a case and the process of enquiry may be requested by the accused person in writing after notification of the recommendations of the Safeguarding Commission.

The Bishop/Congregational Leader or the accused person must notify the Safeguarding Coordinator of an intention to seek review within 10 working days of receiving the recommendations.

The complainant can request a review through the Bishop/Congregational Leader within 10 working days of receiving the recommendations and in response the Bishop/Congregational Leader has 10 working days to decide whether or not to hold a review.

Once it has been decided to hold a Review the Bishop/Congregational Leader must consult with the Catholic Safeguarding Advisory Service (CSAS) within 3 working days. A Review Panel and suitable Chair must be appointed from the register operated by CSAS within 10 working days. The panel will consist of 3 people, one of whom is a Canon Lawyer.

If subsequently the complainant decides to withdraw the request for a Review, this may only be acceded to with the consent of the Bishop/Congregational Leader.

The accused person and the complainant will be kept notified of all practical arrangements by the Safeguarding Coordinator. All documentation will be sent to the accused person 20 days prior to the Review Panel meeting.

Where the Review Panel is in receipt of material evidence that should have been made available to the Safeguarding Commission at the original determination but was not, then the case must be referred back. Similarly, where any new evidence comes to light which might have affected the outcome of the Safeguarding Commission's investigations, the case must be referred back.

Within 10 days of its final meeting the Review Panel will notify all parties in writing of the recommendations and the reasons for them. Records of the Review process will be kept by CSAS.

The Review Panel should usually come to a decision within 4 months of being established.

On receipt of the Review Panel's recommendation, the Bishop/Congregational Leader must make a decision as to the appropriate course of action within 28 days in writing. CSAS and the Review Panel members will be informed at the same time.

Any complaints about the Review Panel process must be made to the Bishop/Congregational Leader.