
National Tribunal Service FAQs - The Basics

Introduction

The Elliott Review recommended that separate organisations be set up to deal with safeguarding related concerns and governance within the Catholic Church in England and Wales. This includes ensuring that procedures are both **consistent** and **transparent**. These recommendations were approved by a panel of representatives and have been adopted by the CBCEW.

In his recent documents, Pope Francis has declared the need for a "One Church" approach. The Elliott review is intended to deliver that goal. Part of this relates to how we in the church investigate and respond to issues of potential misconduct and the role we have in contributing to a safe environment for all; especially those who are least able to protect themselves.

This short document is intended to give a general understanding of how the National Tribunal Service (The NTS) will contribute to this "One Church" aim.

What happens at the moment?

At present, many Religious Institutes and Religious Orders draw upon the services of a local Diocesan Commission to investigate matters of safeguarding concern. The safeguarding commission provides advice to the religious leader in order that he or she may make decisions in relation to members of their community. In the most serious of cases, the religious leader is required to report the concern to Rome and decisions may be taken by others.

How might things change?

The National Tribunal service is intended to support religious leaders and bishops in three main areas:

- **Education** - to communicate standards and procedures in canonical decision-making processes;
- **Investigation** - to investigate concerns as and when they arise.
- **Deciding cases** - providing the canonical expertise necessary to make decisions on cases where disciplinary proceedings have been considered appropriate.

In each of these areas, the intention is the Church in England & Wales will be able to draw upon the National Tribunal in each of these areas and in doing so, promote a One Church approach which is able to enjoy the confidence of all of those likely to be affected; whilst providing decisions which will be open and transparent.

Will my religious leader be excluded?

The short answer is: 'no'. By drawing upon the NTS, the religious leader is being supported in the exercise of their authority on behalf of the community they represent.

The investigatory role of the NTS will ensure that the religious leader is in a position to make informed evidence-based decisions. Similarly, where a decision has been made to proceed to disciplinary action, it will be a matter for the religious leader (whether alone or in conjunction with others) to identify the process to be followed. Thereafter, that decision will be implemented (as is the case now) by means of an independent canonically competent panel.

What about rights of members in Canon Law?

These arrangements will operate in full conformity with the Code of Canon Law. The purpose of the NTS is to ensure that those rights have the prospect of being realised and respected. Use of the NTS will provide the guarantee that the Code of Canon Law is given its due prominence and consistency of process.

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