



THE NATIONAL BOARD FOR
SAFEGUARDING CHILDREN
IN THE CATHOLIC CHURCH

**Review of Child Safeguarding Practice
in the religious order of**

The Conventual Franciscans (Greyfriars)

undertaken by

**The National Board for Safeguarding Children in the
Catholic Church in Ireland (NBSCCCI)**

Date December, 2015

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Review of Child Safeguarding Practice – The Conventual Franciscans (Greyfriars)

Background

The National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) was asked by the Sponsoring Bodies, namely the Irish Episcopal Conference, the Conference of Religious of Ireland and the Irish Missionary Union, to undertake a comprehensive review of safeguarding practice within and across all the Church authorities on the island of Ireland.

The NBSCCCI is aware that some religious congregations have ministries that involve direct contact with children while others do not. In religious congregations that have direct involvement with children, reviews of child safeguarding have been undertaken by measuring their practice compliance against all seven Church standards. Where a religious congregation no longer has, or never had ministry involving children and has not received any allegation of sexual abuse, the NBSCCCI reviews are conducted using a shorter procedure. The size, age and activity profiles of religious congregations can vary significantly and the NBSCCCI accepts that it is rational that the form of review be tailored to the profile of each Church authority, where the ministry with children is limited or non-existent. The procedure for assessment of safeguarding practice with such congregations is set out in the contents page of this report. The NBSCCCI welcomes that in order to have full openness, transparency and accountability, religious congregations that do not have ministry with children have made requests to have their safeguarding practice examined and commented upon.

The purpose of this review remains the same and it is to confirm that current safeguarding practice complies with the standards set down within the guidance issued by the Sponsoring Bodies in February 2009 *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* and that all known allegations and concerns had been appropriately dealt with. To achieve this task, safeguarding practice in each of these Church Authorities is reviewed through an examination of policy and procedures, and through interviews with key personnel involved both within and external to the Religious Congregation.

This report contains the findings of the *Review of Child Safeguarding Practice in the religious order of the Conventual Franciscans (Greyfriars)* of Great Britain and Ireland (Ireland only for review purposes) undertaken by the NBSCCCI in line with the request made to it by the Sponsoring Bodies.

The findings of the review have been shared with a reference group before being submitted to Friar Peter Damian, Provincial Custos, along with any recommendations arising from the findings. The review is not based on a review of case material as during the relevant time period there were no allegations made against members of the congregation that were within the Terms of Reference. There also were no allegations in respect of other forms of abuse within the time period, in respect of deceased and living members of the congregation. The review therefore is primarily based on policies and procedures made available plus interviews with key personnel involved in the safeguarding process within the congregation, particularly in the services run by the congregation.

Introduction

The presence of the Anglo Irish Franciscans began on the Dover shore in England where the first nine Friars, sent by St. Francis of Assisi landed with letters of introduction from Pope Honorius III for King Henry III. On 10th September 1224 the mission of the Greyfriars in Great Britain was established in Canterbury. Two days later, two of the Friars left for London, and in November 1224, two others left for Oxford. The Friars expanded their religious life to Ireland, and it was between 1230 and 1232 that the Province of Ireland became independent from England. By 1390 Ireland had 35 Franciscan Houses.

Between 1535 and 1538 the Province of England was destroyed by the edict of Henry VIII, and all 61 Friaries were suppressed. The Friaries in Ireland were suppressed between 1541 and 1565.

In 1649, seven Franciscan friars were killed when Oliver Cromwell's forces invaded Wexford; with another four members of the community killed. Friars who were not present during the massacre returned and were able to continue the Franciscan tradition in secret until the political situation had improved. The Franciscans made a public return in 1660 and the church was re-opened in 1673. The new church was built on the site of the old medieval friary in 1690, and was the only church open in Wexford during the long and harsh Penal period. However, in 1698 the friars were banished from Ireland. The friary in Wexford was built in 1802 and has been home to the Franciscans ever since.

The restoration of the Friars in Great Britain and Ireland began in 1907 and has built up to its present strength. In 2007, the Greyfriars took over St. Francis Friary in Wexford. For over seven hundred and fifty years Franciscan Friars, in one form or another, have been present in Wexford. While after an absence of almost 450 years since the suppression of religious houses in Ireland at the time of the reformation, the permanent transfer of the Church of the Visitation of the Blessed Virgin Mary in Fairview to the care of the Conventual Franciscans, occurred 27th on March 1987. The Parish – and the Friars – continues to provide religious service to the community.

The Conventual Franciscans (Greyfriars) have had no allegations that fall under the remit of this review.

Role Profile (past and present role with children):

The Conventual Franciscans describe their religious ministries as varied; striving to meet a particular need at a particular time. They consider their ministry as 'where they are most needed'. Throughout their existence they have provided religious care under a variety of ministries. However, today in Ireland, they have two religious locations, that of the Parish of Our Lady of the Visitation Friary in Dublin; and the Shrine Church in St. Francis Friary, Wexford. The Friars from the parish in Dublin are involved in normal Sacramental activities of a parish, and also provide pastoral care to two schools within their catchment. The Friars in Wexford have no specific ministries with children.

Profile of Members:

There are ten Conventual Franciscan Friars in Ireland, who are involved in pastoral work in the Church of the Visitation of the Blessed Virgin Mary in Fairview, Dublin; and St Francis Friary, Wexford. The age profile is relatively young, varying from the youngest Friar at 33 years old to the oldest who is 79, with the average age approximately 53 years old.

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The Friars in Dublin provide normal Sacramental activities for the parish, and also provide pastoral care to two schools within the parish boundaries. St Francis Friary is a Shrine Church, and is within a diocesan parish. While the priests from the diocese undertake parish activities, the Friars provide ministry to a hospital in Wexford Town, and strive to contribute to the spiritual life of local people.

Policy and Procedures Document:

The Franciscans Conventual (Greyfriars) have a 29 page safeguarding policies and procedures document; *Policies for Maintaining Ethical Ministry with Minors*. The publication is an international document, providing guidance and education to Friars in multiple jurisdictions. The safeguarding policy is comprehensive in its direction, but does not reference national legislation or guidelines. While the Greyfriars' policy document reflects safeguarding practices, themes, and expectations set out by *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland (2009)* and *Children First (2011)*, their policies and procedures does not reference either document.

The reviewer was impressed with the comprehensiveness of *Policies for Maintaining Ethical Ministry with Minors*, and commends the Conventual Franciscans for their thoroughness in developing safeguarding policies and procedures relevant to all potential aspects of their religious life with young people.

The Greyfriars Safeguarding document states the intent of the Order to:

'Assist Friars in making decisions about interactions with minors in Church sponsored and affiliated programs, in parishes, social service areas, and even with members of their own families'.

The document also asserts;

'Abuse and neglect of minors are contrary to human rights and dignity, the teachings of the Church and are prohibited. Friars have a responsibility to protect minors from all forms of abuse and neglect'

As mentioned, the safeguarding policies and procedures are comprehensive. They provide the Friars with assistance and direction in safeguarding under six sections;

- Section 1. Standards of Conduct for Ministry with Minors
- Section 2. Reporting Procedures for Reporting Abuse of Minors or Vulnerable Adults
- Section 3. Responding to Incidents and Allegations of Sexual Abuse
- Section 4. Review Boards
- Section 5. Supervision and Care of Members Who Have Abused Minors or Vulnerable Adults
- Section 6. Communication with Minors and Vulnerable Adults through Social Media

While the format may be different, the reviewer is satisfied that the majority of criteria within the seven Standards, set out by the National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI), are substantially met within the Greyfriars safeguarding policy document.

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The Greyfriars have expressed a commitment to reviewing their safeguarding policies and procedures every three years and have commissioned a private company based in Arlington, United States to carry out those reviews. This company specialises in providing private child protection corporate assessments.

However, while acknowledging that *Policies for Maintaining Ethical Ministry with Minors* is an international document, reviewed and applied internationally; it lacks specific reference to Irish information. For example, there is no contact information available within the document of statutory services; or contact details for a local Designated Liaison Person. Again, there are variations in the safeguarding approach adopted by the Conventual Franciscans from that normally reviewed by the NBSCCCI. *Policies for Maintaining Ethical Ministry with Minors* sets out that safeguarding allegation or concerns should be reported to the Custos (Religious Superior), and the reviewer accepts the Custos' role is comparable to that of Designated Liaison Person. However, contact information for the Custos is provided in *Appendix E* of the safeguarding document, and in the reviewer's opinion, it is not obviously available to individuals who may wish to report child protection concerns.

It is also notable that safeguarding information is not provided on the Conventual Franciscan website (<http://www.thegreyfriars.org>), and there is no safeguarding statement, specific contact information, or access to safeguarding policies and procedures on the site. The Conventual Franciscans are asked to consider providing easily accessible child safeguarding information on their website; including specific contact details for a Designated Liaison Person. The reviewer also views the omission of this information from the Greyfriars policies and procedures document, as a significant deficit of safeguarding practices within the Order. Consideration should be given to providing unambiguous information on Irish child protective statutory authorities, and contact details for safeguarding personnel within the Conventual Franciscans.

Structures:

The Irish Conventual Franciscan Friars are part of an Anglo – Irish Province within the Order. The Order coordinates closely with diocesan child protection structures in Ireland and the UK, with diocesan policies and procedures taking precedent in safeguarding matters. The Provincial Custos holds responsibility for the management of safeguarding within the Order. Given the small number of Greyfriars in Ireland, and their roles within their religious communities, the NBSCCCI is satisfied with the safeguarding structures provided by the Conventual Franciscans.

Management of Allegations and liaison with the statutory authorities:

The Conventual Franciscans have no child safeguarding allegations under the remit of the NBSCCCI review. Consequently, the Order has had no need for direct contact with statutory authorities on safeguarding matters.

As part of the review views were sought and received from TUSLA as follows:

“The Conventual Franciscan Friars (OFM Conv) have been categorised as Category 2 meaning there have been no child sexual abuse allegations against members and whose ministry does involve children in Ireland.”

Conclusion:

This review has established that the Conventual Franciscans is a congregation with only limited contact with children. The Friars in Wexford provide ministry within St Frances Friary, and are not involved in youth ministries. The Greyfriars in Dublin are predominantly involved in providing the parochial service; while other activities are subject to the Diocesan safeguarding policies and procedures.

As already mentioned, the Conventual Franciscans' safeguarding policies and procedures is a comprehensive document, which provides guidance, expectation, and direction to members of the Order. The comprehensiveness of the document indicates the significance placed by the Greyfriars on safeguarding within their religious activities. The Provincial Custos expresses a commitment to safeguarding on behalf of the Order; and the regular review of safeguarding policies and procedures within the Greyfriars is tangible evidence of that commitment. The Conventual Franciscans substantially address the NBSCCCI safeguarding standards.

Recommendation One

The Provincial Custos must ensure that the Safeguarding Policy reflects legislation and Standards in Ireland; this policy must be easily accessible and available on the Order's website. This should include with specific contact details for Irish safeguarding structures and contact information for the statutory authorities and for the Order's Designated Liaison Person.

Review of Safeguarding in the Catholic Church in Ireland

Terms of Reference (which should be read in conjunction with the accompanying Notes)

Small Religious Congregations

Introduction

In order for the National Board to be able to state that all Church Authorities on the island of Ireland have been evaluated in respect of their child safeguarding policies and practices, both historical and current, then some form of appropriate assessment has to be conducted of every one of these. It is rational however that the form of assessment is tailored to the profile of each Church Authority, and that needless expenditure of resources and unnecessary interference in the life of religious orders and communities that have no children-specific ministry would be avoided.

This Review seeks to examine the current arrangements for safeguarding children across small Religious Congregations /Orders, and Missionary Societies in Ireland who have limited or no direct contact with children as part of the Congregations ministry.

It would also scrutinize practice within all known cases to ensure that they have been responded to appropriately.

The review's methodology is an adaptation of the methodology developed for all Dioceses and large religious congregations and missionary societies, where the ministry involves regular contact with children.

The proposed Review would consider the following:-

- (a) Former role with children
- (b) Allegations of child abuse against members and how these have been responded to
- (c) Existing relationships with statutory authorities such as the HSE, Gardai in the Republic and the HSCT or PSNI in Northern Ireland.
- (d) Policies in place and being applied for safeguarding children
- (e) Roles and responsibilities and where they exist the operation of Advisory Panels, and Safeguarding Committees

The objective of the Review would be to confirm if there have been any allegations and how known allegations have been responded to; in addition the review seeks to confirm what the current arrangements for safeguarding children are. In particular, emphasis will be placed on establishing how policies and practice matches up to the standards set down in the Safeguarding Children Guidance published by the National Board for Safeguarding Children in the Catholic Church launched in February 2009. Priority, at all times, will be given to how policy and practice can be improved and strengthened. If policies and/or practices are identified that are concerning, inadequate, or dangerous, they will be addressed through the provision of guidance and support, and through the reporting of these situations to the appropriate statutory authorities, if this has not already happened. Similarly, those that are good examples will be highlighted with a view to them being adopted comprehensively across all parts of the Church. All cases that relate to alleged or known offenders that are alive will be read and included in the Review. In cases where the alleged or known offender

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is deceased, these will be sampled in an attempt to gather learning from them that will be used to inform the framing of recommendations.

Guidance Documents

The Review will be guided by the following:-

- (a) Safeguarding Children: Standards and Guidance;
- (b) Children First Guidance in ROI; and Regional Child Protection Guidelines in Northern Ireland;
- (c) Legislation that exists in each jurisdiction which contributes to safeguarding children and young people.

The Review will be undertaken by the National Board for Safeguarding Children through their National Office and led by the Chief Executive Officer.

The Review process will be overseen by a **Reference Group** to whom the CEO will report on a regular basis. The membership of this **Reference Group** has been drawn from each of the statutory child protection agencies in both jurisdictions, along with eminent individuals in the field from academia. The current Reference Group consists of : Dr Helen Buckley (TCD); Mr Paul Harrison (Tusla), and John Toner (SBNI).

It is important to confirm that the value of the Review is dependent upon full and complete access to all relevant documentation and information relating to the abuse of children known to the individual Church authorities. The Review will proceed on the basis that willingness exists on the part of each of the subjects of the Review to provide full access to the fieldwork team, subject, where relevant, to the terms of the Data Processing Deed agreed between the Sponsoring Bodies and entered into between the parties hereto.

Step Guide to the Review Process

Step 1.

A letter of invitation to review is sent by the Provincial/Regional Superior or other person responsible for the Congregation/ Order or Missionary Society (hereinafter referred to as ‘the Ordinary’).

Step 2.

The CEO will forward a survey to the provincial which will identify:

- Current number of members
- Past role with children
- Current role with children
- Total number of allegations received up to 2014
- Number of living members against whom there are allegations

Step 3.

For any Order where there have been allegations a full review will proceed, as per step 4 - 23. For those Orders where there have been no known allegations a desk top examination of policies and procedures will take place followed by a site visit to interview all relevant personnel within the safeguarding structure. For these orders **step 5 and 13-23** will apply.

Step 4.

The CEO and Ordinary will confirm the dates for the fieldwork for the Review, and names of the fieldwork team.

Step 5.

The Church Authority will be asked to make available all of the case files and related documentation in respect of any safeguarding concerns that have been identified within the diocese. The Church Authority will make available a room with wireless internet access for the reviewers to conduct their review of files, so that any records made by the reviewers can be directly typed and stored onto a secure server which is only accessed by the reviewers. In the absence of internet access the reviewers will type their notes onto a secure encrypted usb stick for later uploading onto the secure server.

Step 6.

The Church Authority will be requested to sign the revised Data Processing Deed prior to the arrival of the team.

Step 7.

The Church Authority will arrange a schedule of interviews with all who hold safeguarding roles within its functional area. The designated person and the Church Authority will be available to the reviewers throughout the period of fieldwork.

Step 8.

The fieldwork team when they arrive on site will firstly confirm that they have a suitable place to work in and that all the required documentation has been provided to them for their Review. In the event that the fieldwork team forms the opinion that the Church Authority has not provided access to all such documents, the Board shall give notice in writing to the Church Authority of the opinion of the fieldwork team and such notice shall specify the reasons for same. Thereupon, the Church Authority shall respond in detail to the Notice. Each party shall use its best endeavours to resolve any differences of opinion which shall arise and, in the event that resolution is not arrived at, the parties will attempt to resolve the dispute by recourse to the services of a mediator agreed between them or nominated for the purpose at the request of any of them without prejudice to the Board's entitlement to terminate the Review. In the event that resolution has not been arrived at following mediation, either party shall be at liberty to terminate forthwith the Review.

Step 9.

On arrival, the fieldwork team should be supplied with a single case file index that lists all the cases that have been created within the diocese. These may be divided into two groups. The first group will contain all allegations that relate to living alleged or known perpetrators. The second will contain any that are deceased.

Step 10.

Depending on the volume involved a decision should be made as to whether all or a random sample of the "deceased group" should be reviewed. Care should be taken to include all prominent cases in the sample.

Step 11.

Each case file will be reviewed by each fieldworker independently in the first instance. They will create a written summary with chronological information of the case. In certain cases a second reader may be required, this will be discussed and agreed between the fieldworkers.

Step 12.

Following the reading of the case and the creation of a summary, the fieldworkers will analyse and assess the actions taken in the case. They will assess compliance with agreed Church policy that was extant at that time. They will also indicate whether any current risk exists in respect of the information contained within the file and advise the church Authority of necessary safeguarding action to reduce the risk.

Step 13.

When all the case files have been read, the fieldwork team will then examine and review any procedures or protocols that exist within the diocese to confirm that they are in compliance with the *Safeguarding Children: Standards and Guidance* document issued by the NBSCCCI in February of 2009.

Step 14.

To complete the Review, the fieldwork team will then seek to speak to those directly involved in the safeguarding structure in the diocese. This should include the Advisory Panel, a sample of parish safeguarding representatives, the designated person, the safeguarding committee, victim support and advisors and the Bishop/Provincial. The purpose of these interviews is to form a view of the competence and effectiveness of the safeguarding structure that exists within the Church Authority.

Step 15.

The fieldwork team will also seek to speak to representatives of the key statutory agencies to provide them with an opportunity to express their views on the quality of the working relationships that exist between them and the Church Authority.

Step 16.

A verbal feedback session on initial key findings will be given to the Church Authority.

Step 17.

Upon completion of the field work, the team may request to take materials – other than casework records to review off-site; this alongside all materials gathered by the reviewers, including written notes on cases and meetings, will be analysed and will form the basis of the draft assessment review report.

Step 18.

The draft will be forwarded to the Church Authority for factual accuracy checking.

Step 19.

Alongside all other reports under review, the report will be presented in draft to the Reference Group for their critique and comment. If further work is required at the direction of the Reference group the CEO will ensure this work is completed and advise the Church Authority accordingly.

Step 20.

The report will be legally proofed by NBSCCCI lawyer.

Step 21.

The report will be forwarded to the National Board for approval

Step 22

A final draft report will then be submitted to the Church Authority. The expectation would be that the Report will be published by the Church Authority at an agreed time in the future.

Step 23.

All case material written, including summaries, as part of the review, which are for the reviewers use only, will be stored on a secure server.

Guide for Reviewers

In terms of small (female religious orders) reference should be made to the following:

1. Has the Order provided alternative care to children in an orphanage, industrial school or children's residential home, but no longer is engaged in running such services;
2. Has the order provided education to children, in both or either boarding schools and day schools, but no longer does so ;
3. Has the order provided medical and/or nursing services to children, but no longer does so;
4. Has the order provided any other services to children, in community services centres, youth clubs etc., and no longer does so;
5. Does the order currently provide any sort of service to children and families that brings them into regular contact with children;
6. Has the order never provided any service to children (e.g. contemplative orders).

In relation to category 1 above;

1. The reviewers will establish whether any service they provided is included in the list of children's residential services produced by the Residential Institutions Redress Board (RIRB);
2. If this is the case, reference should be made to this.
3. If complaints have been referred to the Redress Board or Ryan Commission, this review cannot access these records and that will be stated in the report.
4. If the order has received complaints which have not been processed through Redress or Ryan these cases will be thoroughly examined as detailed above.

Review of Policy and Procedures

1. It is recognised that not all Orders will have any ministry with children and therefore their policies and procedures should reflect the work that they do with children.
2. If the Order only works through other organisations, example in Diocesan work or in schools, they are required to follow the policies of those organisations.
3. If there are gaps in the policy document an assessment should be made as to whether the ministry engaged in requires full compliance with all criteria attached to the seven standards
4. Where it is clear that the criteria do not apply a reference should be made at the beginning of the review report that the Order's ministry is not directly with children and therefore adherence to particular criteria do not apply.
5. In the Order is a contemplative Order, there is no expectation that they will have detailed policies and procedures, but reference should be made to their ministry and that they have no contact with children.
6. In all cases, contact will be made with the civil authorities to identify if they have any child safeguarding concerns in relation to the order.