



**Review of Child Safeguarding Practice  
in the  
  
Legion of Christ (Ireland)**

**undertaken by**

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

**Date: July 2015**

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## **Background**

The National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) was asked by the Sponsoring Bodies, namely the 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 purpose of the review 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, child safeguarding practice in each Church authority is to be reviewed through an examination of case records and through interviews with key personnel involved both within and external to a diocese or other authority.

This report contains the findings of the *Review of Child Safeguarding Practice within the Legion of Christ, Ireland*, undertaken by the NBSCCCI in line with the request made to it by the Sponsoring Bodies. It is based upon the case material made available to the reviewers by the congregation, along with interviews with selected key personnel who contribute to child safeguarding within the Legion of Christ. The NBSCCCI is of the view that all relevant documentation for these cases was passed to the reviewers and the congregation has confirmed this.

The findings of the review have been shared with a reference group, in redacted form, before being submitted to the Territorial Director/Provincial, Fr. Andreas Schöggel, along with any recommendations arising from the findings.

## **Introduction**

At the request of Fr. Andreas Schöggel, Territorial Director for the Legion of Christ, reviewers from the NBSCCCI engaged in a process of reviewing the Child Safeguarding Policy, Procedures and Practice of the Legion of Christ on the 21<sup>st</sup> and 22<sup>nd</sup> of July 2015. Over the two day fieldwork period, case files were examined and interviews were conducted with key personnel, religious and lay, in the congregation's child safeguarding structure. Recent appointments to these safeguarding roles have meant that there is now a mix of religious and lay, as well as a gender mix.

The reviewers also examined the following documents, which were evaluated against the 2009 NBSCCCI *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*:

- 'Child Safeguarding Policy, Legion of Christ in Ireland (Lay)' dated 2011
- 'Child Safeguarding Policy, Legion of Christ in Ireland' (Legion of Christ and consecrated members of Regnum Christi) dated 2011
- Child Safety Assembly pack for Woodlands Academy, dated 21.9.15 (prepared for the forthcoming academic year)
- Child Safeguarding Training Information: Best practice in ministry with children and young people in the local community, dated September 2011.
- Protecting Our Students, the Role Adults Play in Child Safeguarding, undated
- 2012 Internal audit document, undated (Safeguarding).
- 2014 Internal Audit Document (Safeguarding)
- Review of Child Protection Procedures, Dublin, dated 17.2.07
- Dublin Oak Academy Staff, Technology Acceptable Use Policy (undated).
- Woodlands Academy, ipad and computer, Acceptable Use policy (undated).

### **General introduction to The Legion of Christ Congregation, and its presence in Ireland.**

The Legion of Christ is an international congregation of priests with some 1725 members (between priests and seminarians) and ministries in over 20 countries. The Legion of Christ form part of the Regnum Christi movement which is an association of priests and lay people. Inside the Regnum Christi movement there are consecrated men and women who live in community. The principal areas of ministry of the Legion of Christ and Regnum Christi are education at all levels (from kindergarten through to university), youth work, formation of the laity, family life apostolate and missions. In exceptional circumstances the Legion of Christ run parishes but they have none in Ireland.

### **Structure of the Congregation**

The Legion of Christ and the consecrated members of Regnum Christi (both male and female) have their headquarters in Rome and each branch has its separate General Director and Council. The congregation is divided into territories and Ireland is under the Territorial Director/Provincial for Western and Central Europe. The Territorial Director and his council are elected for a three year term which is renewable. The current Territorial Director was elected in 2012 for a three year period which was renewed in 2015 for three more years.

The Legion of Christ was founded in Mexico in 1941 by Marcial Maciel Degollado<sup>1</sup> and came to Ireland in 1960. The congregation's first house was in Bundoran, Co. Donegal and in 1962 the congregation moved to Dublin (Malahide, Clondalkin and finally to their present location in Leopardstown in 1969). At this time they are present in the Archdiocese of Dublin (Leopardstown) where a permanent community of 8 priests and 4 religious reside. In Kilcronee, Co. Wicklow they have two second level language academies for overseas students. The building in Leopardstown formerly housed the novitiate of the congregation which was discontinued in 2011. As well as being the residence of the community, spiritual activities and retreats are held there for adults and young people. There is a team of consecrated women of Regnum Christi based at Woodlands Academy.

The Legion of Christ run a Faith and Family Centre in Blackrock Dublin and the two language academies in Kilcronee, Co. Wicklow. The academies are Dublin Oak Language Academy for boys and Woodlands Language Academy for girls, the latter under the direction of the consecrated women of Regnum Christi. The language academies are on a residential basis and are for non-Irish students aged between 12 and 16 who come to Ireland for a year to learn English. The majority of the students have Spanish as their main language. The academies have been running since the 1970's. The Legion of Christ also organise summer camps for young people (local and non-Irish) in Leopardstown or at the academies.

Programmes are run in the Family centre which engage children in group settings as well as whole family events.

Legionary priests help out in local parishes at the request of parish clergy. Legionary priests also minister to Regnum Christi members (adults) in the dioceses of Down and Connor, Armagh and Tuam.

**Age profile of the congregation:**

The average age of the priests based in Ireland is approximately 40 years. At the time of the review there were also eight brothers in Ireland, all seminarians on pastoral placement, with an average age of 25 years.

Responsibility for the protection of children and young people rests with the Territorial Director and his council. The Legion of Christ appointed a Designated Liaison Person and a Deputy Designated Person, who are accountable to the Territorial Director and who relate, on child safeguarding matters, to designated child safeguarding persons in each of the ministries. In 2012 the Deputy Designated Person was named Designated Person and the former Designated Person took charge of the area of international cases. At the time of this review (July 2015), the Designated Person is a Legionary priest and the Deputy Designated Person is a female staff member. There is also a Designated Liaison Person for international cases when the respondent no longer lives in Ireland.

The Constitution of the Legion of Christ, 1<sup>st</sup> edition initially in 1981 and 2<sup>nd</sup> edition in 1994 and valid until 2014, contained many disciplinary norms that governed the life of its members and

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<sup>1</sup> **Removed from Ministry in 2006 due to allegations of child sexual abuse and other matters.**

included various aspects with regard to ministry in schools and with young people. In the 1990's an employee handbook was developed for the language academies which included a chapter (part 13) titled 'Appropriate Adult/Child Relationships' which stipulated concrete norms and a process for reporting 'child related problems'. This is a precursor to the different documents developed in Ireland by the Legion of Christ in relation to child safeguarding.

In 2006 a canonical investigation by the Congregation for the Doctrine of Faith (CDF) reached sufficient moral certainty to impose grave canonical sanctions on Fr Marcial Maciel (founder of the Legion of Christ), corresponding to the accusations made against him, including sexual abuse of minor seminarians. Fr Maciel, due to his advanced age and health, was sanctioned to a reserved life of prayer and penance, renouncing all public ministries. Fr Maciel died in January 2008.

In early 2007, the then Designated Person conducted a review of child protection procedures at Legionary of Christ institutions where each person was confirmed in his/her safeguarding role and specific responsibilities assigned.

In May of 2009 the Territorial Director signed a Memorandum of Understanding with The National Board of Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) and thereby agreeing to adhere to *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*.

In July 2009 the congregation published its child safeguarding policy, entitled *Safeguarding Our Children*.

This child safeguarding policy was reviewed in 2012. A further review of the policy was put on hold earlier in 2015 to bring it into line with the new standards of the NBSCCCI due to be published early in 2016.

The congregation uses the services of the NBSCCCI's National Case Management Committee (NCMC).

In Ireland the Legion of Christ has a Superior for their community who is also Chaplain to the Regnum Christi Consecrated Women.

### **NBSCCCI Review**

The purpose of this NBSCCCI review is set out within the terms of reference that are appended to this report. It seeks to examine how practice conforms to expected standards in the Church, both at a time when an allegation is received and in the present time. It is an expectation of the NBSCCCI that key findings from a review will be shared widely so that public awareness of what is in place and what is planned may be enhanced, as well as increasing confidence that the Church is taking steps to safeguard children.

The review was initiated through the signing of a Data Protection Deed, allowing full access by staff from NBSCCCI to all case management and relevant records held by the Legion of Christ

Ireland. The access does not constitute disclosure as the reviewers through the deed were deemed to be nominated data processors of the material for the Territorial Director/Provincial.

The review involved the fieldwork team examining all case management records of living and deceased members of the Legion of Christ against whom a child safeguarding allegation of child sexual abuse had been made, or about whom a concern of a similar nature had been raised.

Interviews were held with: the Designated Person, the Deputy Designated Person who is also the Safeguarding Coordinator, the former Designated Person, the Legionary of Christ who is currently responsible for international abuse cases when the respondent no longer lives in Ireland, a Safeguarding Representative who is also a member of one of the Safeguarding Committees and the incoming Designated Person who is also the Director of the Faith and Family Centre.

An Garda Síochána and TUSLA were also contacted. Neither authority expressed any concerns with regard to their engagement with the Legion of Christ in respect of child safeguarding issues.

To date the congregation has accessed the NBSCCCI for advice and is a member of the NCMC.

The reviewers conducted an assessment of the Legion of Christ's child safeguarding policies and procedures against the standards set down in *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*. All other written material provided to the reviewers was evaluated for relevance and accuracy, as was the child safeguarding information on the websites of the Legion of Christ.

Reviews into safeguarding have two objectives, to establish how concerns (complaints, allegations, knowledge, suspicions or concerns) of child sexual abuse have been managed in the past and to evaluate the efforts that have been made to create safe environments for children to ensure their current and future safety. In order to achieve these two key objectives the review process employs seven standards outlined within *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* as an assessment framework. The report below discusses the findings of the reviewers under each standard. Conclusions are drawn regarding both the effectiveness of the Legion of Christ's policies and practice in the prevention of abuse and the ability of the relevant personnel within the Legion of Christ's structure in Ireland to assess and manage risk for children. Recommendations for future practice have been made where it is considered appropriate.

It should be noted that in carrying out this review that the reviewers acknowledge that the NBSCCCI's standards, consisting of seven standards, subdivided into forty-eight criteria, is a detailed framework. This document is aimed towards shaping the Roman Catholic Church's child safeguarding structure primarily in dioceses and the larger congregations. The reviewers noted that in preparing for this review, the congregation addressed all the criteria in significant detail, in the preparation process. A review of the current child safeguarding policy was underway and was to be finalised following the completion of this review and the implementation of the revised NBSCCCI national standards.

## **STANDARDS**

This section provides the findings of the review. The template employed to present the findings are the seven standards, set down and described in the Church guidance, *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland Guidance*. This guidance was launched in February 2009 and was endorsed and adopted by all the Church authorities that minister on the island of Ireland, including the Legion of Christ. The seven standards are:

**Standard 1** A written policy on keeping children safe

**Standard 2** Procedures – how to respond to allegations and suspicions in the Republic of Ireland and Northern Ireland

**Standard 3** Preventing harm to children:

- recruitment and vetting
- running safe activities for children
- codes of behaviour

**Standard 4** Training and education

**Standard 5** Communicating the Church's safeguarding message:

- to children
- to parents and adults
- to other organisations

**Standard 6** Access to advice and support

**Standard 7** Implementing and monitoring the Standards

Each standard contains a list of criteria, which are indicators that help decide whether this standard has been met. The criteria give details of the steps that a Church organisation - diocese or religious order - needs to take to meet the standard and ways of providing evidence that the standard has been met.



**Standard 1**

*A written policy on keeping children safe*

*Each child should be cherished and affirmed as a gift from God with an inherent right to dignity of life and bodily integrity, which shall be respected, nurtured and protected by all.*

Compliance with Standard 1 is only fully achieved when a diocese/ religious congregation/society/order meets the requirements of all nine criteria against which the standard is measured.

**Criteria**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>1.1</b>	The Church organisation has a child protection policy that is written in a clear and easily understandable way.	Met fully
<b>1.2</b>	The policy is approved and signed by the relevant leadership body of the Church organisation (e.g. the Bishop of the diocese or provincial of a religious congregation).	Met fully
<b>1.3</b>	The policy states that all Church personnel are required to comply with it.	Met fully
<b>1.4</b>	The policy is reviewed at regular intervals no more than three years apart and is adapted whenever there are significant changes in the organisation or legislation.	Met fully
<b>1.5</b>	The policy addresses child protection in the different aspects of Church work e.g. within a church building, community work, pilgrimages, trips and holidays.	Met fully
<b>1.6</b>	The policy states how those individuals who pose a risk to children are managed.	Met partially
<b>1.7</b>	The policy clearly describes the Church's understanding and definitions of abuse.	Met fully
<b>1.8</b>	The policy states that all current child protection concerns must be fully reported to the civil authorities without delay.	Met fully
<b>1.9</b>	The policy should be created at diocese or congregational level. If a separate policy document at parish or other level is necessary this should be consistent with the diocesan or congregational policy and approved by the relevant diocesan or congregational authority before distribution.	Met fully

The safeguarding policy of the Legion of Christ, Ireland is titled *Child Safeguarding Policy, Legion of Christ, Ireland, 2011*. The sign off for this document was confirmed by letter, dated 9.2.11, on behalf of the General Director of the Legion of Christ.

The document is currently in two versions, one for lay staff and volunteers and one for Legion of Christ priests, brothers and consecrated members of Regnum Christi. The second document had additional appendices. The critical core safeguarding information is in both documents but during the review feedback was given to the congregation that any revised policy document should be combined into one document for all members of the Legion of Christ, staff and volunteers.

On the basis of the above information Criteria 1.1 and 1.2 are met fully.

The following recommendation is felt to be appropriate:

**Recommendation 1**

**That the Territorial Director ensures that when reviewing the current child safeguarding policy document, that there will be an outcome of one integrated document, for all personnel.**

Criterion 1.3 is met fully.

The safeguarding policy document of the Legion of Christ in Section 1.2 states that the document is *directed to all those who participate in the spiritual, academic, disciplinary, athletic, or cultural formation of children or young people in our centres of education, and in the youth and family activities organised by members of the Congregation. The contents of this document are obligatory for the priests and religious of the Legion of Christ, the consecrated members of the Regnum Christi movement, the directors, teaching and administrative personnel of all our institutions in Ireland and by all volunteers.*

The policy also extends this directive to service providers and external personnel and states, *Service providers and external personnel must also observe this document in all matters relating to their contracts with our institutions.*

Criterion 1.4 is met fully.

The 2011 child safeguarding policy document is currently under review. This process will not be finalised, under advice from the NBSCCCI, until the revised national standards are implemented and this review process is completed.

Criterion 1.5 is met fully.

A number of sections within the child safeguarding policy document address, in detail, the child protection requirements of the different aspects of the work of the Legion of Christ in Ireland.

Section 3.2.1 dealing with *General Conduct*, gives clear guidance to staff when engaging with children. It also sets out explicit staff to children ratios in any activities, including transporting children. The issue of gender-appropriate supervision of children is also addressed in this section and also in academy related documents reviewed by the auditors.

Section 3.2.4 *Meetings with Children and Young People*, relates that, if a child or young person needs to be met on their own, for pastoral reasons, that certain safeguards must be put in place.

Section 3.2.10 refers explicitly to *Trips Away from Home*. In view of the fact that these trips are planned into the curriculum of the academies' academic year and for other community based activities through the family centre, this procedure is a critical component in the protection and safeguarding response of the Legion of Christ. Clear and concise guidance is available for staff and volunteers with regard to trips away both in 3.2.10 and in the reviewed documentation made available by the academies.

Appendix 3 (Safeguarding Policy document) also gives detailed guidance to consecrated members in the sections referencing *Conduct in Ministry* and *Interaction with Minors*.

Taking into account the guidance in the child safeguarding policy document and from the academies, as stated above, Criterion 1.5 is met fully.

Criterion 1.6 is met partially. The current safeguarding policy references the management of individuals who pose a risk to children in Appendix II *Investigating allegations* and in Appendix IV *Access to Advice and Support for Legion of Christ and consecrated members of Regnum Christi*. Appendix II refers to options being considered of:

- Psychological and medical assessment and intervention.
- Requiring that the Legionary or Regnum Christi must submit to a 'Safety Plan'

Appendix IV refers to withdrawal from ministry *until the case has been resolved*.

Neither appendix however, set out a formal response with a safety plan, outlined in detail, if required, nor how and by whom such a safety plan would be supervised.

### **Recommendation 2**

**That the Territorial Director must ensure that the current review of the child safeguarding policy document includes a clear process, including review, in the management of individuals who pose a risk to children within the Legion of Christ and the consecrated members of Regnum Christi.**

Criteria 1.7, 1.8 and 1.9 are met fully.

The safeguarding policy document defines the primary forms of abuse as in:

2.2.1 Neglect

2.2.2 Emotional abuse

2.2.3 Physical abuse

2.2.4 Sexual abuse

In addition it references:

2.3.1 Children with special vulnerabilities

2.3.2 Peer abuse

With regard to reporting child protection concerns to the civil authorities and without delay, Section 1.3 of the safeguarding policy states that *all knowledge or suspicion of abuse will be reported without delay to the civil authorities.*

The child safeguarding policy document has been developed for all Legion of Christ services in Ireland and is applicable in all locations.

## Standard 2

### *Management of allegations*

*Children have a right to be listened to and heard: Church organisations must respond effectively and ensure any allegations and suspicions of abuse are reported both within the Church and to civil authorities.*

Compliance with Standard 2 is only fully achieved when Legion of Christ Ireland meet the requirements of all seven criteria against which the standard is measured.

### Criteria

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>2.1</b>	There are clear child protection procedures in all Church organisations that provide step-by-step guidance on what action to take if there are allegations or suspicions of abuse of a child (historic or current).	Met fully
<b>2.2</b>	The child protection procedures are consistent with legislation on child welfare civil guidance for child protection and written in a clear, easily understandable way.	Met fully
<b>2.3</b>	There is a designated officer or officer(s) with a clearly defined role and responsibilities for safeguarding children at diocesan or congregational level.	Met fully
<b>2.4</b>	There is a process for recording incidents, allegations and suspicions and referrals. These will be stored securely, so that confidential information is protected and complies with relevant legislation.	Met fully
<b>2.5</b>	There is a process for dealing with complaints made by adults and children about unacceptable behaviour towards children, with clear timescales for resolving the complaint.	Met partially
<b>2.6</b>	There is guidance on confidentiality and information-sharing which makes clear that the protection of the child is the most important consideration. The Seal of Confession is absolute.	Met fully
<b>2.7</b>	The procedures include contact details for local child protection services e.g. (Republic of Ireland) the local Health Service Executive and An Garda Síochána; (Northern Ireland) the local health and social services trust and the PSNI.	Met partially

Criterion 2.1 is met fully.

Sections 2.4 and 2.5 of the safeguarding policy are the relevant sections for this criterion. Section 2.4 deals specifically with the steps for reporting a concern and section 2.5.1 references the steps to be taken by the Designated Person on receipt of a concern. Both sections are unequivocal in the required responses and procedures when an abuse concern is received by the Legion of Christ.

Criterion 2.2 is met fully.

The safeguarding procedures are written *in a clear easily understandable way* and are consistent with current legislation.

Criterion 2.3 is met fully.

The Designated Person, the Deputy Designated Person and the incoming Designated Person were all interviewed by the reviewers. In addition, the former Designated Person who is still responsible for international cases was interviewed. There are clear roles definitions set out for the Designated Persons and the Deputy Designated Person.

The arrangements around responding to allegations and case management are split between personnel within two separate jurisdictions, Ireland and USA. The local Designated Person, in Ireland has responsibility for the management of all cases when the respondent lives in Ireland. The Designated Person for international cases has responsibility for the management of cases where the respondent lives outside Ireland. All files are kept in Ireland and are readily accessible to the Designated Persons and the Deputy Designated Person.

The congregation was aware that in reviewing their policy document the details of the Designated Person and the Deputy Designated Person need to be updated. Other public notices and website information are up to date.

Criterion 2.4 is met fully.

The process for recording incidents, allegations and suspicions and referrals is set out in sections 2.4 and 2.5 of the safeguarding policy document. It is the view of the reviewers that the process would be enhanced by outlining in more detail, in the already referenced revised policy, the creation of a case file, on receipt of an abuse allegation plus a clear access policy to such files.

### **Recommendation 3**

**The Territorial Director must ensure that in both policy and in practice, case records are maintained according to the NBSCCCI's template.**

Criterion 2.5 is met partially.

It was the Legion of Christ's view that the current Grievance Procedure was an appropriate process for *dealing with complaints made by adults...about unacceptable behaviour towards children, with clear timescales for resolving the complaint.*' On receiving this documentation the reviewers would not share this view in absolute terms, as the procedure does not specifically address such complaints nor does it set out timescales for resolving the complaint. There also does not appear to be a specific complaints policy for children to raise complaints about unacceptable behaviour towards children. Many of the children who access Legionary services in Ireland come from foreign countries, English is not their first language and they reside in a boarding school environment, away from their families. In such circumstances, it is critical that they have access to a transparent process for raising concerns and complaints and that their parents/guardians are also enabled to raise concerns. Overall given the extent of ministry with children and their families within the Legion's services in Ireland, particularly the academies and the Family Centre, a child's complaints procedure, written in child friendly terms is essential.

#### **Recommendation 4**

**The Safeguarding Committees, who are responsible for all aspects of policy and guidance, must develop a specific Complaints Procedure for responding to complaints from adults and children regarding unacceptable behaviour towards children. In addition the Committee should consider mechanisms for enabling children to speak to "outside" personnel about any concerns they may have.**

It was noted that there is a complaint form for the children to use, this form could be simplified and also be made available in Spanish.

The contact details for *Childline* are made available to the children on the safeguarding noticeboard for children and in the first assembly in the language schools they receive information on this topic.

Criterion 2.6 is met fully.

Appendix I in the safeguarding policy for Legion of Christ and consecrated members of Regnum Christi references the issue of confidentiality. In this appendix, section 2.1. states, *if the knowledge or suspicion of abuse of a minor is obtained through spiritual direction or formation dialogue, the spiritual director or formation guide is obliged to report it to civil authorities.* In section 3.1 the policy also emphasises that *the confidentiality needed by the adolescent child to foster openness of dialogue (in formation dialogue as spiritual direction) will not be extended to situations involving abuse of a minor.... but will be reported to the appropriate authority...*

Criterion 2.7 is met partially.

The reviewers examined the safeguarding policy document and this document references the relevant civil authorities in the Republic of Ireland and Northern Ireland but it does not give actual contact details. Any revision must ensure that all centres, which have child safeguarding policy statements, should also provide these contact details, including contact details for Northern Ireland.

In view of the fact that most of the academy students have Spanish as their first language the reviewer's recommend the development of a Spanish version of the child safeguarding policy document, as per the example of the notice board child safety information.

**Recommendation 5**

**The Safeguarding Committee must develop a Spanish language version of the child safeguarding policy statement.**



**Table 1**

**Incidence of child safeguarding allegations received within the Legion of Christ from 1<sup>st</sup> January 1975 up to time of review.**

1	Number of Congregational priests and brothers, against whom allegations have been made since the 1 <sup>st</sup> January 1975 up to the date of the Review	4 (includes 1* unidentified)
2	Total number of allegations received by the Congregation since 1 <sup>st</sup> January 1975	4
3	Number of allegations reported to An Garda Síochána/PSNI involving Members of the Congregation since 1 <sup>st</sup> January 1975	4
4	Number of allegations reported to the TUSLA (or the HSE, or Health Boards which preceded the setting up of the HSE) involving members of the Order since 1 <sup>st</sup> January 1975	4
5	Number of Members (still members of the Congregation) against whom an allegation was made and who were living at the date of the Review	0
6	Number of Members against whom an allegation was made and who are deceased	1
7	Number of Members against whom an allegation was made and who are in ministry	1 priest outside Ireland)
8	Number of Members against whom an allegation was made and who are "Out of ministry, but are still members of the Order"	0
9	Number of priests and brothers against whom an allegation was made who are retired.	0
10	Number of priests and brothers against whom an allegation was made who have left the Congregation	2
11	Number of priests and brothers of the Congregation who have been convicted of an offence against a child/young person since 1 <sup>st</sup> January 1975	0

**Footnote:** The term allegation in this table includes complaints and expressions of concern that abuse of a child/young person could have occurred.

**\*Please note that the complainant was unable to identify the respondent in one case.**

**Table 1 Analysis**

The lead person, up to 2011, in the Legion of Christ responding to child abuse allegations was the former Designated Person who had the responsibility of managing the case files. This person remains as a Designated Person for international cases where the respondent lives outside of Ireland.

The responsibilities of the Designated Person were set out in letter format by the Territorial Director to the incoming Deputy Designated Person on 24.6.15 and to the incoming Designated Person on the 15.7.15. The primary tasks of the Designated Person are stated as:

1. Hearing child safeguarding concerns
2. Passing a child safeguarding concern to the civil authorities
3. Managing cases and all associated documents
4. Liaising with the Support Person, Advisor and the Church Authority
5. Passing on child safeguarding concerns to the NBSCCCI and Dublin Diocese (if relating to religious)
6. Conducting internal inquiries
7. Contributing to upholding the seven standards in practice and behaviour
8. Completing an annual report regarding compliance with standards 2, 3 and 4 for the Church Authority

Since 2012, if advice was required in managing an allegation outside the congregation's safeguarding structure then the Designated Person has sought the advice of the National Case Management Committee (NCMC) under the auspices of the NBSCCCI.

The incoming Designated Person is a Legionary of Christ priest and the Deputy Designated Person is a female member of staff who is also the Safeguarding Coordinator for the Legion of Christ. The Designated Person for international cases remains in his role. The Designated Persons report to the Territorial Director in matters of child safeguarding. The Territorial Director is the Director of Safeguarding for the Legion of Christ in Ireland.

The information supplied in Table 1 records a total of 4 allegations, of a child sexual abuse nature, known to the Legion of Christ, since 1.1.75 to the date of this review. The 4 allegations were made in respect of 4 members of the Legion of Christ, one of which was unable to be identified by his complainant. The time period covered by these allegations is from approximately 1973/74 to 2011.

At the time of receiving the allegations one member was deceased, one was a member of the congregation who had left the congregation, one had left the congregation but was in ministry in a diocese outside Ireland and the fourth could not be identified by the complainant.

### **Priest A**

With regard to the deceased Legion of Christ member, the complainant reported in 2011 and disclosed alleged sexual abuse happening in 1991 on one occasion, when he was aged 16 years, when this priest was visiting the Leopardstown house. It is recorded on file that this complainant stated that in 1992 he tried to disclose to two members of the Legion of Christ that he had been abused. The alleged recipient of this disclosure and a second member were subsequently approached by the Legion of Christ's Designated Person, in 2011, but could not recall any such conversations taking place. The priest who was the subject of this complaint is deceased.

The Designated Person notified in 2011 the HSE, An Garda Síochána, Dublin Archdiocese, the NBSCCCI and the Territorial Director of this allegation. Once the An Garda Síochána received confirmation on Priest A's death they closed the case.

The complainant was met by the Designated Person on three occasions and was offered the option of counselling but did not wish to pursue this offer at that time as he had already received counselling.

**Brother B.**

A concern was raised by a student in one of the academies in 2011 that one of the Brothers was not observing the physical boundaries with another student. As the other student was from outside the jurisdiction his parents were informed within 24 hours of this issue being raised. An Garda Síochána and HSE were notified by the Deputy Designated Person within a matter of days. Dublin Archdiocese was also notified and the NBSCCCI was consulted. A support person was appointed for the student and an advisor was appointed for the Brother concerned.

On receipt of the concern the Legion of Christ, as a precautionary measure, removed the Brother from ministry, moved him to another location, so that he could not have contact with children or young people.

The HSE investigated the concern, including interviewing the named student. They deemed that the Brother's behaviour was "over friendly" and did not reach the threshold of abuse. The student's family did not want him to engage with An Garda Síochána, therefore no statement was made to the criminal investigating authority.

As the HSE assessed that there was no abuse and there was no complaint to An Garda Síochána, a church inquiry under canon law was not necessary.

The Brother did not wish to continue in the congregation and requested dispensation from vows.

In August 2012 the congregation received feedback from the NBSCCCI's National Case Management Committee that all appropriate actions had been taken by the Legion of Christ in responding to the concern raised.

**Priest C.**

A sexual abuse allegation was received by the Legion of Christ in respect of a former member in 2009. This alleged sexual abuse took place when the complainant was assisting with a retreat in 1994 and the respondent was a novice at the time with the Legion of Christ.

At the time of making the report the complainant had already notified the HSE and An Garda Síochána. The respondent had left the congregation and returned home. The Designated Person duly notified the HSE, An Garda Síochána, Dublin Archdiocese and the NBSCCCI. During the course of the investigation it became known that the

respondent had subsequently been accepted into a diocesan seminary and been ordained as a diocesan priest in another country. The congregation was not consulted about his suitability when he was accepted into the seminary. When this information was made known, the congregation notified the bishop of the relevant diocese that An Garda Síochána were conducting inquiries into this person concerning an allegation of child abuse and the respondent was contacted by the civil authorities in his country of residence and by his diocesan superiors.

In early 2010 it was confirmed that the diocese had asked priest C to step aside from ministry due to the allegations in Ireland. Later in 2010 the Director of Public Prosecutions confirmed there was to be no prosecution in the case.

In 2011 the complainant agreed that his contact details could be given to the diocese to allow them to progress their investigations. Management of the accused rests with the current diocese with control over the respondent, which has responsibility for ensuring that any risk to children is assessed.

### **Priest D**

A sexual abuse allegation was received in respect of an unidentified member of the Legion of Christ in 2009. The allegation related to the alleged sexual abuse of a 16/17 year old male in the Leopardstown centre in 1973. The Designated Person engaged with the complainant, particularly in respect of trying to identify the Legionary concerned. Counselling support was also put in place and funded by the Legion of Christ up to the end of 2010.

In 2009 notifications were made by the Legion of Christ, in respect of the allegations, to the HSE, An Garda Síochána, Dublin Archdiocese and the NBSCCCI.

In view of the difficulty encountered in identifying the respondent, the HSE and An Garda Síochána were unable to progress the case beyond acknowledging receipt of the notifications.

As noted above the Legion of Christ does not have any members in ministry who have been subject to child sexual abuse allegations. To date their response to complainants coming forward is deemed to have been appropriate and supportive. In addition, any notifications required to be made to the statutory authorities have been timely and they have displayed a clear understanding of the roles of An Garda Síochána and TUSLA in the safeguarding process.

In respect of all four cases reviewed the reviewers noted that timely notifications were made to the statutory authorities and to the relevant diocese and the NBSCCCI. Wherever possible the complainants were met and counselling support was offered. Some complainants were already in counselling and in one case the Legion of Christ funded that person's counselling costs for a period of time.

The Legion of Christ in Ireland has, in the opinion of the reviewers, established robust child safeguarding responses to allegations of abuse. The reviewers are satisfied that their responses in

Ireland have been in line with statutory requirements and the Church's standards for safeguarding children.

### **Standard 3**

#### ***Preventing Harm to Children***

*This standard requires that all procedures and practices relating to creating a safe environment for children be in place and effectively implemented. These include having safe recruitment and vetting practices in place, having clear codes of behaviour for adults who work with children and by operating safe activities for children.*

Compliance with Standard 3 is only fully achieved when a congregation meets the requirements of all twelve criteria against which the standard is measured. These criteria are grouped into three areas, safe recruitment and vetting, codes of behaviour and operating safe activities for children.

#### **Criteria – safe recruitment and vetting**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>3.1</b>	There are policies and procedures for recruiting Church personnel and assessing their suitability to work with children.	Met fully
<b>3.2</b>	The safe recruitment and vetting policy is in line with best practice guidance.	Met fully
<b>3.3</b>	All those who have the opportunity for regular contact with children, or who are in positions of trust, complete a form declaring any previous court convictions and undergo other checks as required by legislation and guidance and this information is then properly assessed and recorded.	Met fully

#### **Criteria – Codes of behaviour**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>3.4</b>	The Church organisation provides guidance on appropriate/ expected standards of behaviour of, adults towards children.	Met fully

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<b>3.5</b>	There is guidance on expected and acceptable behaviour of children towards other children (anti-bullying policy).	Met fully
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<b>3.6</b>	There are clear ways in which Church personnel can raise allegations and suspicions about unacceptable behaviour towards children by other Church personnel or volunteers ('whistle-blowing'), confidentially if necessary.	Met partially
<b>3.7</b>	There are processes for dealing with children's unacceptable behaviour that do not involve physical punishment or any other form of degrading or humiliating treatment.	Met fully
<b>3.8</b>	Guidance to staff and children makes it clear that discriminatory behaviour or language in relation to any of the following is not acceptable: race, culture, age, gender, disability, religion, sexuality or political views.	Met fully
<b>3.9</b>	Policies include guidelines on the personal/ intimate care of children with disabilities, including appropriate and inappropriate touch.	Met fully

**Criteria – Operating safe activities for children**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>3.10</b>	There is guidance on assessing all possible risks when working with children – especially in activities that involve time spent away from home.	Met fully
<b>3.11</b>	When operating projects/ activities children are adequately supervised and protected at all times.	Met fully
<b>3.12</b>	Guidelines exist for appropriate use of information technology (such as mobile phones, email, digital cameras, websites, the Internet) to make sure that children are not put in danger and exposed to abuse and exploitation.	Met fully

**Safe Recruitment and Vetting**

Criteria 3.1, 3.2 and 3.3 are met fully.

The Legion of Christ have a rigorous process in place for recruiting personnel, including staff and volunteers and in vetting regular contracted service workers on their sites. The reviewers examined the data base which ensured that all the critical components are tracked including:

- Application form
- Declaration form
- Garda vetting
- Police certificate (for applicants where the person has lived or worked for more than 6 months since their 18<sup>th</sup> birthday)
- Photographic ID
- References x 2 (not applicable for Legion of Christ members and Consecrated members of Regnum Christi)
- Attendance at Child Safeguarding Training
- Have read and signed the Legion of Christ Child Safeguarding Policy

The child safeguarding *Safe Recruitment* checklist states quite clearly that *Safe Recruiting is mandatory and applies to all Legionaries, members of Regnum Christi, staff and volunteers, full time and part time.*

The Legion of Christ also insist, in Appendix V *Police Background Checks/Requirements before arriving in Ireland*, that police background clearance certificates and declarations of disclosure of any past convictions or pending prosecutions are mandatory for all Legion of Christ and consecrated members of Regnum Christi working in Ireland or visiting Ireland for a period of one month or more.

Before the individual arrives in Ireland the Rector/Director has to receive the following;

- a) Notification of their visit, purpose of visit, dates of arrival and departure
- b) Copies of their police certificate, sent from the General Secretariat in Rome to ensure verification of originals
- c) Photographic ID
- d) Signed declaration of disclosure form of past convictions or pending prosecutions

The Rector/Director on receipt of the notification of a member's arrival in Ireland will also request from the Territorial Director and General Directorate in Rome if the Legion of Christ or Regnum Christi have ever received or are aware of an allegation of abuse committed by the member, and if there are any past or pending child safeguarding issues with this person.

Finally, on arrival in Ireland the member attends an information session on the Legion of Christ's child safeguarding policy in Ireland and sign compliance to abide by it.

Of particular note in this area of safe recruitment and vetting is the fact that the process is also applied to contract staff that service the Legion of Christ sites where there are children present on site, e.g. building contractors and taxi firms.

In summary, the Legion of Christ have in place very effective policies for safe recruitment and vetting which is in line with safe practice guidance. The evidence of the implementation of this policy was seen in the database and the manual files that are held on all individuals subject to the recruiting and vetting procedures.



## **Codes of Behaviour**

Criterion 3.4 is met fully.

The Legion of Christ *General Code of Behaviour and Practices for Safeguarding Children* is set out in the child safeguarding policy document. In the version that is currently applied to the Legion of Christ and the consecrated members of Regnum Christi there is additional guidance which these members must adhere to. In the latter guidance there is particular emphasis on promoting environments safe for children e.g. when *in ministry* and detailed guidance with regard to *interaction with minors*.

The child safeguarding policy document states (P50) that *the code of conduct is a basic pillar of the Legionaries of Christ's efforts to safeguard children*.

Criterion 3.5 is met fully.

The child safeguarding policy document has clear guidance on *Peer Abuse* (2.3.2) and *Bullying* (2.3.3). The section on bullying also references *cyberbullying* involving the use of information and communication technologies.

The *Code of Behaviour* in the academies, for students, also highlights the issue of bullying. This code is integrated during the taught curriculum in the formal classes and during night talks and/or with guest speakers.

The information supplied and reviewed by the auditors for Woodlands Academy relates to a specific anti-bullying policy which commits to providing students with a safe environment in which all members of the school community are treated with dignity and respect. It states that *this academy has a zero tolerance towards bullying and will not tolerate any behaviour that is classified under the definition of bullying and will take steps needed to eliminate such behaviour*.

The academy's website gives further details of their Anti-Bullying Policy under *Student Anti-Bullying Behaviour Policy*. This latter policy has been developed with regard to the Department of Education and Skills Anti-Bullying Guidelines and the Cool School Programme.

Criterion 3.6 is met partially.

Section 2.4 in the child safeguarding policy document references that if a member of staff and/or a volunteer has concerns about a child, they must act promptly. This section does not, however, reference a specific 'whistle blowing' policy. Appendix III in the safeguarding policy document under the section *Dealing with boundary violations among Legion and Consecrated members* states that "The Territorial Director and Superior should work to ensure that the Legionary or Consecrated member bringing forward a report of a boundary violation (with a child) does not suffer unfair treatment for having done so." Neither of these sections however, deals comprehensively with the protection

of ‘whistle blowers,’ coming forward to report unacceptable behaviour towards children. It is accepted that safeguarding personnel within the Legion of Christ are currently working on developing such a policy.

Criterion 3.7 is met fully.

Section 3.2.2 *Respect for Physical Integrity* in the child safeguarding policy document, states explicitly that, *the members, volunteers and staff of our institutions will not use corporal punishment under any circumstances*. This section also states, in detail, as guidance, the forms of punishment and behaviour management which are acceptable.

Again, the information available in the academies’ documentation is comprehensive and gives examples of possible disciplinary sanctions ranging from reasoning with the student, to loss of privileges i.e. restricted internet usage to the final sanction of expulsion by the Academy Director. It is noted that expulsion will only be initiated in extreme cases of unacceptable behaviour. This response to managing behaviour is within the overall Code of Behaviour for students which emphasises the fostering of good behaviour and right relationships.

Criterion 3.8 is met fully.

Section 1.4 *Guiding Principles* in the child safeguarding policy states clearly that *all children have a fundamental right to be respected, nurtured, cared for and protected*. The section on *Discrimination* 2.3.4, in the child safeguarding policy also states that *all discrimination against people for the motives previously stated (social behaviour that separates and considers people inferior based on their race, social class, sex, religion, language and culture) is contrary to the dignity of the human person and of the guiding principles on this document...*

Guidance produced by the congregation and examined by the reviewers for Woodlands Academy also deals with discriminatory behaviour within the context of their student anti-bullying behaviour policy. This document also relates preventative strategies which are available to all students and staff.

Criterion 3.9 is met fully.

Section 3.2.5 of the child safeguarding policy addresses the subject *Children with Special Needs or Disability*. Additionally Section 3.2.3 of the child safeguarding policy headed *Respect for Privacy* deals with inappropriate and appropriate touching.

### **Operating Safe Activities for Children**

Criterion 3.10 is met fully.

As noted already in this review report, the Legion of Christ services have comprehensive guidance on assessing possible risks when working with children, particularly in

activities that involve time away from their base/home e.g. the academies of Dublin Oak and Woodlands.

Section 3.2.10 of the child safeguarding policy document sets out the key requirements for *Trips away from Home* and Section 3.2.1 under *General Conduct* also gives guidance for events such as Family Days.

Both academies have detailed Health and Safety Statements which are supported by staff and volunteers being required to reference a customised version of *Handbook for Group Leaders* published by the UK Department of Education. Every trip, whether for a day or a longer period, is planned in advance and is subject to an individualised risk assessment signed off by the overall person responsible for the event.

Criterion 3.11 is met fully.

Section 3.2.1 of the child safeguarding policy in respect of *General Conduct* specifically addresses the ratio of adults to children and young people regarded as best practice guidance. The evidence of this being implemented was seen in the detailed examples examined by the reviewers of supervision requirements across 24 hour periods i.e. in the residential setting and/or in daytime activities. Examples of weekly review meetings were also examined by the reviewers, and annual analysis meetings where child safeguarding including the requirements for supervision of children and young adults were discussed and recorded.

The current version of the child safeguarding policy of the Legion of Christ and the Regnum Christi movement, also states in *Interaction with Minor* Section 21, *During activities that involve overnights (such as camps, retreats and pilgrimages) Legionaries and Consecrated members should have sleeping locations that are separate from the minors, but in a place that allows them to monitor their activity.*

It is also standard practice that signed parental/guardian consent is secured prior to the involvement of children and young people in events, activities and groups.

Criterion 3.12 is met fully.

Section 3.2.11 of the child safeguarding policy sets out the general policy in respect of the use of computers by children and young people and staff.

An example of guidelines in use for staff was viewed, *Dublin Oak Academy, Technology Acceptable Use Policy*’ this includes an *Internet Usage Policy*. This document clearly sets out guidance in respect of appropriate use of such technology by all staff.

In view of the fact that all academy students are required to have iPads, an example of guidance in this area of technology was also assessed by the reviewers. This was from Woodlands Academy, *IPad and Computer Acceptable Use Policy* “ all students and

parents are required to review this documentation and sign their willingness to adhere to it”.

Parental consent is also required for any photos or videos to be taken of the child or young person and the iPad policy also states quite clearly in Section 3.6 that “*using the iPad to photograph, video, or record staff or students without their explicit permission is strictly prohibited.*”

The children within the academies are away from home, living in a boarding school environment and do not have English as a first language. They need additional safeguards and should have regular contact with their parents/guardians through secure personal e-mails and telephone contact to enable them to raise any worries they may have.

The Parents Handbook for Woodlands Academy was examined by the reviewers and this sets out clearly how technology can be used by parents to keep regular contact with their children and what methods that can be used outside of the normal system if they have any concerns about their child’s welfare. This use of technology for parents and their children is important in view of the fact that all academy students are from outside Ireland.

## **Standard 4**

### ***Training and Education***

*All Church personnel should be offered training in child protection to maintain high standards and good practice.*

#### **Criteria**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>4.1</b>	All Church personnel who work with children are inducted into the Church's policy and procedures on child protection when they begin working within Church organisations.	Met fully
<b>4.2</b>	Identified Church personnel are provided with appropriate training for keeping children safe with regular opportunities to update their skills and knowledge.	Met fully
<b>4.3</b>	Training is provided to those with additional responsibilities such as recruiting and selecting staff, dealing with complaints, disciplinary processes, managing risk, acting as designated person.	Met fully
<b>4.4</b>	Training programmes are approved by National Board for Safeguarding Children in the Catholic Church in Ireland and updated in line with current legislation, guidance and best practice.	Met fully

### **Training and Education for keeping children safe**

Criterion 4.1 is met fully.

All personnel involved in the Legion of Christ are inducted into the Church's policies and procedures on child protection and safeguarding. This is also extended to a safeguarding policy briefing to all contracted staff and those involved in services such as maintenance and the transport of children and young people. To date this training has been delivered by a Dublin diocesan trainer or an NBSCCCI accredited trainer.

Earlier this year the Dublin Archdiocesan Safeguarding and Protection Services raised a concern about whether they were authorised or permitted to provide training to the teachers in the academies, effectively it was deemed to be outside the terms of reference for their trainers. Since then the Legion of Christ have agreed an interim solution with the Department of Education where the majority of the teaching staff should be able to access that department's child protection training. Discussions are on-going to secure a more permanent training solution for all the teaching staff.

As noted previously the data base held by the Safeguarding Coordinator keeps a record of attendance at staff training by personnel.

**Recommendation 6**

**That the Territorial Director ensures that all personnel of the Legion of Christ including religious, staff, volunteers and contracted staff receive child safeguarding training as part of their induction, from accredited trainers.**

Criterion 4.2 is met fully.

The Legion of Christ have, to date, ensured that key safeguarding post holders have attended relevant training with the NBSCCCI. The recently appointed Deputy Designated Person has attended Designated Person training. Members of the four Safeguarding Committees have also attended safeguarding training with NBSCCCI relevant to their role in these fora.

Training for the support persons and the advisors has been accessed by some and will be accessed by the newly appointed when it becomes available. One of the current advisors was trained by the NBSCCCI in May 2015.

Criterion 4.3 is met fully.

The human resources person who is also the Child Safeguarding Coordinator is trained in recruitment, processing complaints and disciplinary procedures. As noted previously, she has also attended training in her other roles of Deputy Designated Person and safeguarding committee member.

The issue of managing risk is dealt with primarily by raising awareness within the Legion of Christ safeguarding policy and by practical application and analysis of the operational activities.

Criterion 4.4 is met fully.

Up to the date of the review the training programmes delivered have been either through Dublin Archdiocesan trainers or from NBSCCCI accredited trainers. It is envisaged by the Legion of Christ that the content of the training programmes will need to be changed when the NBSCCCI revised child safeguarding standards are implemented.

In terms of evidencing the Legion of Christ's response to *Training and Education for keeping children safe* the following information was viewed by the auditors:

- Attendance records at safeguarding training events
- Copies of individual certificates of attendance at safeguarding training
- Copies of PowerPoint presentations given to trainees, including that of Child Protection and Safeguarding Service, Dublin Diocese
- Copy of a presentation on child safety to the school assembly for Woodlands Academy for next academic year (September 2015)

On the basis of the above information it is the opinion of the reviewers that Standard 4 is met in full.

## **Standard 5**

### ***Communicating the Church's Safeguarding Message***

*This standard requires that the Church's safeguarding policies and procedures be successfully communicated to Church personnel and parishioners (including children). This can be achieved through the prominent display of the Church policy, making children aware of their right to speak out and knowing who to speak to, having the Designated Person's contact details clearly visible, ensuring Church personnel have access to contact details for child protection services, having good working relationships with statutory child protection agencies and developing a communication plan which reflects the Church's commitment to transparency.*

### **Criteria**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>5.1</b>	The child protection policy is openly displayed and available to everyone.	Met fully
<b>5.2</b>	Children are made aware of their right to be safe from abuse and who to speak to if they have concerns.	Met partially
<b>5.3</b>	Everyone in Church organisations knows who the designated person is and how to contact them.	Met fully
<b>5.4</b>	Church personnel are provided with contact details of local child protection services, such as Health and Social Care Trusts / Health Service Executive, PSNI, An Garda Síochána, telephone helplines and the designated person.	Met partially
<b>5.5</b>	Church organisations establish links with statutory child protection agencies to develop good working relationships in order to keep children safe.	Met fully.
<b>5.6</b>	Church organisations at diocesan and religious order level have an established communications policy which reflects a commitment to transparency and openness.	Met fully

Criterion 5.1 is met fully.

Part of the role of the safeguarding representatives at each location is to ensure the availability of the child safeguarding policy document. Printed copies are also available at all locations and via the website of the Legion of Christ.

Criterion 5.2 is met partially.

The reviewers were given an example of Woodlands Academy's Child Safety Information which is available to students. This is in English and Spanish which is to be commended.

The Legion of Christ may wish to give consideration to giving each Safeguarding Committee the role of ensuring that safeguarding signage is being displayed in appropriate localities. A recommendation has already been made about translating the full policy into Spanish.

The reviewers were also given copies of the child safeguarding policy statements for the following Legion of Christ locations:

- Dal Riada Faith and Family Centre
- Legion of Christ Central Office
- Dublin Oak Academy
- Woodlands Academy

All these documents give a clear message as to a child's right to be safeguarded and who they should speak to if they have concerns. All relevant contact people/services were listed and their contact numbers except as in 2.7 the statutory authorities in Northern Ireland. A recommendation has already been made in respect of addressing this gap which should now be covered in amending the child safeguarding policy and associated notices to include the Northern Ireland contact information.

Criterion 5.3 is met fully.

The Designated Liaison Person and Deputy Designated Liaison Person are identified on all relevant safeguarding notices both by name/s, contact numbers and email addresses.

Criterion 5.4 is met partially.

Significant evidential material was reviewed in respect of child safeguarding policy statements, reporting flowcharts and training session materials, but again the contact details for the statutory authorities in Northern Ireland was not evident.

Criterion 5.5 is met fully.

The Legion of Christ safeguarding personnel appear to have a positive working relationship with the Child Protection and Safeguarding Services of Dublin Archdiocese. The Legion of Christ also seem to have strong links with the NBSCCCI both from the perspective of accessing training and from being a member of the NCMC. When contacted by the reviewers An Garda Síochána and TUSLA raised no difficulties with regard to their engagement with the Legion of Christ in respect of child safeguarding issues.



Criterion 5.6 is met fully.

The reviewers examined a copy of a communications plan for child safeguarding for the Legion of Christ in Ireland (undated). This plan was structured to apply across all the Legion of Christ locations, with clear actions, how they would be implemented, by whom and the frequency of communications.

## **Standard 6**

### ***Access to Advice and Support***

*Those who have suffered child abuse should receive a compassionate and just response and should be offered appropriate pastoral care to rebuild their lives.*

*Those who have harmed others should be helped to face up to the reality of abuse, as well as being assisted in healing.*

### **Criteria**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>6.1</b>	Church personnel with special responsibilities for keeping children safe have access to specialist advice, support and information on child protection.	Met fully
<b>6.2</b>	Contacts are established at a national and/ or local level with the relevant child protection/ welfare agencies and helplines that can provide information, support and assistance to children and Church personnel.	Met fully
<b>6.3</b>	There is guidance on how to respond to and support a child who is suspected to have been abused whether that abuse is by someone within the Church or in the community, including family members or peers.	Met fully
<b>6.4</b>	Information is provided to those who have experienced abuse on how to seek support.	Met fully
<b>6.5</b>	Appropriate support is provided to those who have perpetrated abuse to help them to face up to the reality of abuse as well as to promote healing in a manner which does not compromise children's safety.	Met fully

Criterion 6.1 is met fully.

All key safeguarding personnel, including those appointed this year, have or will have received training in their respective roles by year end. This is dependent on the training calendar of the NBSCCCI.

Advice, outside of the Legion of Christ system, can also be sought from the Dublin Archdiocesan Child Safeguarding and Protection Services and the NBSCCCI's National Case Management Committee.

Criterion 6.2 is met fully.

As advised already the Legion of Christ safeguarding personnel have made effective links with TUSLA and An Garda Síochána. The child safety notices also relay contact details for Childline.

Criterion 6.3 is met fully.

Clear guidance is available in the child safeguarding policy document on how to respond to a child who is suspected to have been abused. In section 2.4 this is dealt with in the context of a disclosure being received by a member, staff or a volunteer.

Support persons have recently been identified by the Legion of Christ and they will be receiving training in due course.

Criterion 6.4 is met fully.

Information with regard to the support services provided by *Towards Healing*, and *Towards Peace* is provided by the Legion of Christ to anyone who has experienced abuse. The reviewers noted that in all cases and situations reviewed as part of the case management files, an offer of counselling for the complainant was evidenced.

Criterion 6.5 is met fully.

The Legion of Christ have appointed advisors to support those who have perpetrated abuse. Appendix IV in the safeguarding policy document sets out how access to advice and support will be managed for Legion of Christ and consecrated members of Regnum Christi if an abuse allegation is received.

Once a report is received and the statutory civil authorities are notified the respondent is withdrawn from ministry until the case is resolved. In addition to withdrawal from ministry the Territorial Director also indicates to the Legionary or consecrated member where he is to reside during the period of the investigation.

During this period of withdrawal from ministry support is received from an advisor. As appropriate the Legion of Christ also provide legal and/or canonical support for the respondent.

Where an allegation is established the Territorial Director considers the possibility of the following actions:

- Application of Canon law.
- Psychological and medical assessment and intervention.
- A *Safety Plan* i.e. detailed restrictions on personal activities and other directives aimed at prevention of recidivism.

On the basis of the above information it is the view of the reviewers that Standard 6 is met in full.

## **Standard 7**

### ***Implementing and Monitoring Standards***

*Standard 7 outlines the need to develop a plan of action, which monitors the effectiveness of the steps being taken to keep children safe. This is achieved through making a written plan, having the human and financial resources available, monitoring compliance and ensuring all allegations and suspicions are recorded and stored securely.*

### **Criteria**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>7.1</b>	There is a written plan showing what steps will be taken to keep children safe, who is responsible for implementing these measures and when these will be completed.	Met fully
<b>7.2</b>	The human or financial resources necessary for implementing the plan are made available.	Met fully
<b>7.3</b>	Arrangements are in place to monitor compliance with child protection policies and procedures.	Met fully
<b>7.4</b>	Processes are in place to ask parishioners (children and parents/ carers) about their views on policies and practices for keeping children safe.	Met fully
<b>7.5</b>	All incidents, allegations/ suspicions of abuse are recorded and stored securely.	Met fully

Criterion 7.1 is met fully.

There is a written child safeguarding plan in place for the Legion of Christ Ireland to cover the period September 2015 to August 2018. This plan has clear objectives, is time framed and identifies which individual group/individual will be responsible for implementation of each objective.

Criterion 7.2 is met fully.

The reviewers were advised that *there is an annual budget for child safeguarding for each school/centre to include salaries, training, garda vetting applications, and support for anyone who has suffered abuse...*

Criterion 7.3 is met fully.

Audits of safeguarding practice had already been initiated by the Legion of Christ Ireland prior to this audit, in 2012, 2014 and 2015. From 2016 onwards, as per their safeguarding plan, the congregation will be carrying out an annual audit of their child safeguarding policies and procedures.

In the interim it is assumed that the newly established Child Safeguarding Committees will play a lead role in their audit process in respect of each location.

Criterion 7.4 is met fully.

The Legion of Christ use their website to publicise the issue of child safeguarding and advise that they are open to hearing views of children, parents and the Legion of Christ staff and religious community.

The Faith and Family Centre also has feedback sessions after events they run and have a suggestions box.

The auditors also had access to notes of staff meetings where child safeguarding was discussed and any implications for practice were discussed, particularly in terms of the possible requirements to change practice to maintain keeping children/young people safe.

Criterion 7.5 is met fully.

The case files are stored securely in the central office of the Legion of Christ Ireland in Dublin. As advised already in this report an access policy needs to be developed separately, with regard to access to this information.

On the basis of the above information it is the view of the auditors that Standard 7 is met in full.

In summary, the reviewers acknowledge the cooperation received, in completing this child safeguarding review, from the key religious and lay members responsible for safeguarding children within the Legion of Christ Ireland.

Of particular note in the Legion of Christ Ireland is the range of new child safeguarding appointments which give a healthy mix of skills to the safeguarding process, both from a lay and religious perspective as well as a gender balance.

It is hoped that this report will be a positive contribution towards maintaining the child safeguarding standards in place within the Legion of Christ Ireland and that the recommendations made by the reviewers will further strengthen the safety of children/young adults within their services and their care.

**Recommendations:**

- 1. That the Territorial Director ensures that when reviewing the current child safeguarding policy documents that there will be an outcome of one integrated document, for all personnel.**
- 2. That the Territorial Director must ensure that the current review of the child safeguarding policy document needs to include a clear process and review structure to manage individuals who pose a risk to children within the Legion of Christ and the consecrated members of Regnum Christi**
- 3. That the review of the safeguarding policy will detail the process for creating a case file and a clear access policy to such files.**
- 4. The Safeguarding Committees, who are responsible for all aspects of policy and guidance, must develop a specific Complaints procedure for responding to complaints from adults and children regarding unacceptable behaviour towards children.**
- 5. The Safeguarding Committee must develop a Spanish language version of the child safeguarding policy statement.**
- 6. That the Territorial Director ensures that all personnel of the Legion of Christ including religious, staff, volunteers and contracted staff receive child safeguarding training as part of their induction, from accredited trainers.**

**Review of Safeguarding in the Catholic Church in Ireland**

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

1. To ascertain the full extent of all complaints or allegations, knowledge, suspicions or concerns of child sexual abuse, made to the Church Authority (Diocese/religious congregation/missionary society) by individuals or by the Civil Authorities in the period 1<sup>st</sup> January 1975 up to the date of the review, against Catholic clergy and/or religious still living and who are ministering/or who once ministered under the aegis of the Church Authority, and examine/review and report on the nature of the response on the part of the Church Authority.
2. If deemed relevant, select a random sample of complaints or allegations, knowledge, suspicions or concerns of child sexual abuse, made to the Church Authority by individuals or by the Civil Authorities in the period 1st January 1975 to the date of the review, against Catholic clergy and/or religious now deceased and who ministered under the aegis of the Church Authority.
3. Examine/review and report on the nature of the response on the part of the Church Authority.
4. To ascertain all of the cases during the relevant period in which the Church Authority
  - knew of child sexual abuse involving Catholic clergy and/or religious still living and including those clergy and/or religious visiting, studying and/or retired;
  - had strong and clear suspicion of child sexual abuse; or
  - had reasonable concern;
  - and examine/review and report on the nature of the response on the part of the Church Authority.

As well as examine

- Communication by the Church Authority with the Civil Authorities;
  - Current risks and their management.
5. To consider and report on the implementation of the 7 Safeguarding Standards set out in *Safeguarding Children* (2009), including the following:
    - a) A review of the current child safeguarding policies and guidance materials in use by the Church Authority and an evaluation of their application;

- b) How the Church Authority creates and maintains safe environments.
- c) How victims are responded to by the Church Authority
- d) What training is taking place within the Church Authority
- e) How advice and support is accessed by the Church Authority in relation to victim support and assessment and management of accused respondents.
- f) What systems are in place for monitoring practice and reporting back to the Church Authority.



## **Accompanying Notes**

### **Note 1: Definition of Child Sexual Abuse:**

The definition of child sexual abuse is in accordance with the definition adopted by the Ferns Report (and the Commission of Investigation Report into the Catholic Archdiocese of Dublin). The following is the relevant extract from the Ferns Report:

“While definitions of child sexual abuse vary according to context, probably the most useful definition and broadest for the purposes of this Report was that which was adopted by the Law Reform Commission in 1990<sup>2</sup> and later developed in Children First, National Guidelines for the Protection and Welfare of Children (Department of Health and Children, 1999) which state that “child sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal or that of others”. Examples of child sexual abuse include the following:

- exposure of the sexual organs or any sexual act intentionally performed in the presence of a child;
- intentional touching or molesting of the body of a child whether by person or object for the purpose of sexual arousal or gratification;
- masturbation in the presence of the child or the involvement of the child in an act of masturbation;
- sexual intercourse with the child whether oral, vaginal or anal;
- sexual exploitation of a child which includes inciting, encouraging, propositioning, requiring or permitting a child to solicit for, or to engage in prostitution or other sexual acts. Sexual exploitation also occurs when a child is involved in exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, video tape, or other media) or the manipulation for those purposes of the image by computer or other means. It may also include showing sexually explicit material to children which is often a feature of the ‘grooming’ process by perpetrators of abuse.”

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<sup>2</sup> This definition was originally proposed by the Western Australia Task Force on Child Sexual Abuse, 1987 and is adopted by the Law Reform Commission (1990) *Report on Child Sexual Abuse*, p. 8.

**Note 2: Definition of Allegation:**

The term allegation is defined as an accusation or complaint where there are reasonable grounds for concern that a child may have been, or is being sexually abused, or is at risk of sexual abuse, including retrospective disclosure by adults. It includes allegations that did not necessarily result in a criminal or canonical investigation, or a civil action, and allegations that are unsubstantiated but which are plausible. (NB: Erroneous information does not necessarily make an allegation implausible, for example, a priest arrived in a parish in the Diocese a year after the alleged abuse, but other information supplied appears credible and the alleged victim may have mistaken the date).

**Note 3: False Allegations:**

The National Board for Safeguarding Children in the Catholic Church in Ireland wishes to examine any cases of false allegation so as to review the management of the complaint by the Diocese/religious congregation/missionary society.

**Note 4: Random sample:**

The random sample (if applicable) must be taken from complaints or allegations, knowledge, suspicions or concerns of child sexual abuse made against all deceased Catholic clergy/religious covering the entire of the relevant period being 1<sup>st</sup> January 1975 to the date of the Review.

**Note 5: Civil Authorities:**

Civil Authorities are defined in the Republic of Ireland as the Health Service Executive and An Garda Síochána and in Northern Ireland as the Health and Social Care Trust and the Police Service of Northern Ireland.