



**Private and Confidential**

**Review of Safeguarding Practice of  
St Joseph's Society for Foreign Missions,  
a Missionary Society of Apostolic Life  
undertaken by**

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

**This review was undertaken at the invitation of Fr. Michael Corcoran,  
Provincial MHM**

**October 2014**

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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 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 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, 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 the Missionary Society.

This report contains the findings of the *Review of Safeguarding Practice within the Irish Region of St Joseph's Society for Foreign Missions* 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 us by St Joseph's Society, along with interviews with selected key personnel who contribute to safeguarding within the Society. The NBSCCCI believes that all relevant documentation for these cases was passed to the reviewers, and the General Superior has confirmed this.

The findings of the review have been shared with a reference group before being submitted to Anthony Chantry, General Superior, along with any recommendations arising from the findings.

## **Introduction**

Saint Joseph's Society for Foreign Missions (also known as the Mill Hill Missionaries) is an international fellowship of missionaries – consisting of priest members, lay members and lay associates – founded in 1866 by Fr (later Cardinal) Herbert Vaughan, in Mill Hill, NW London. Its founding mission was to labour for the conversion of people in foreign countries and to 'plant' the structures of the Church. The society now has a focus on marginalized, poor, and oppressed peoples and defines its key activities in the areas of primary evangelization, the pursuit of justice, peace and integrity, mission animation, development work, and inter-faith dialogue. The headquarters of the society is at 6 Colby Gardens, Maidenhead, Berkshire, England. The society, canonically a Missionary Society of Apostolic Life, has some 400 personnel, located in Europe, North and South America, Asia and Africa and in New Zealand. The society does not have its own mission territories. Members and associates in missionary and pastoral ministries in Africa and Asia work under the direction of the local Churches. Almost one third of the personnel are deployed in Africa and Asia, one third in Europe and North and South America (many of whom are semi-retired) and approximately one third are fully retired (mainly in their countries of origin in Europe). There are some 130 students in formation, all of them from the countries in Africa and Asia. There are no students from Europe in formation and consequently there has been a significant shift in the growth of the society in recent decades from Europe and North America to Africa and Asia. The society is governed by a General Superior, assisted by a three man General Council, who has direct and personal authority over the society missions, members and associates. The society is divided administratively into the Africa Mission, the Asia Mission and the Europe/America Mission. Europe/America is sub-divided into the British region, the Dutch region, the German speaking region, the Irish region and the North America and South America areas.

The Irish region has 40 resident priest members and 20 priests working outside Ireland. There are no students in formation in the Irish region, the average age of the priest members is 73 years and the population is in decline. The leader of the Irish region is called the Regional Representative and is assisted by a three man Regional Council. The Irish regional council does not have autonomy and does not have authority to make major decisions.

The society established its first foundation in Ireland in 1932 through a secondary school (junior seminary) at St Joseph's College, Freshford, Co Kilkenny, which was run by the society until 1983 and which closed in 1985. The society acquired a house in Orwell Park, Rathgar, Dublin in 1958, which was used as a residence for students studying philosophy in U.C.D. and/or Milltown, until 1999. At present the society uses a building, constructed in 2004 on part of the original site, as its retirement home and regional administrative centre. It also has a house in Kilkenny, which is its publication and fund raising centre. 20 members reside in Rathgar, of whom 14 are retired, 5 reside in Kilkenny, 4 reside in full-time nursing home care and 11 are seconded to ministries in dioceses. These members minister under the direction of the dioceses in which they are located. The society has responsibility for St Mary's Parish in Belfast, where its 3 members minister under the safeguarding policies of the Diocese of Down and Connor.

Additionally 2 members of the Society from Africa resided in Rathgar in 2013-2014, whilst following courses in Dublin. The society does not run any schools, educational or training courses in Ireland. Apart from the members engaged in diocesan ministry, society members have very little direct contact with children or young people.

The safeguarding review of the Irish region was carried out at St Joseph's House, 50 Orwell Park, Rathgar on the 5<sup>th</sup> and 6<sup>th</sup> June 2014. Data on safeguarding activity was supplied by the society in advance of the review. The reviewers examined a total of 9 case files held at Orwell Park, relating to 8 priests in respect of whom safeguarding allegations had been made within the time frame of the terms of reference (2 of whom are deceased). Interviews were also carried out with the General Superior and Regional Representative, the Designated Safeguarding person, a representative from the Safeguarding Committee and a Priest Advisor. The reviewers were given access to a range of documentation, including the society's Irish region safeguarding policy, the society's code of conduct, the society's protocol on dealing with abuse of children and vulnerable adults, Chapter 2010 documents, training and newsletter material, correspondence files and Safeguarding Committee minutes. The reviewers also spoke by telephone to representatives of An Garda Síochána and TUSLA, the Child and Family Agency and considered material on the society's website.

The introduction of its Irish policy document entitled *Policy Document on Safeguarding Children (2009)* provides a short history of the management of safeguarding within the Irish region, referring to:

- 1994 statement on sexual abuse of minors (interim implementation of the document *Child Abuse- Pastoral and Procedural Guidelines* issued by the Catholic Bishops of England and Wales in 1994.
- Society Code of Conduct 2003 – including a declaration to be signed up to by all temporary and perpetual members and associates stating that they have received, understood and accepted it.
- Acceptance by the regional council in Ireland of the documents *Child Sexual Abuse - Framework for a Response (1996)* and *Our Church – Our Children (2005)* as the region's policy.
- Acceptance by the regional council of *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* as the core document of the society in Ireland. All members of the Irish region have been given a copy of the standards and guidance document.

As noted above, the reviewers were also given copies of the society's *Protocol on Dealing with Abuse of Children and Vulnerable Adults (2010)*, which is a society wide document which addresses the context of the abuse crisis in the Church, the inter-action between the processes of civil and canon law, the canonical process and related issues and pastoral care for victims and alleged perpetrators. In relation to the interface between the civil and canon law processes, this protocol establishes that members of the society

are required in the first instance to follow and implement the local statutory and procedural safeguarding framework in each jurisdiction where they are based.

The review was facilitated by the Designated Safeguarding Person, who was direct and helpful and whose work in developing the safeguarding agenda in the society, supported by the Regional Representative, is commended. The reviewers have taken into account the age profile of this community, allied with its limited direct contact with children and young people, in applying the criteria which make up the safeguarding standards and it is accepted that a number of these, whilst not met, have limited active application in this setting. The review has concluded that the society has met a majority of the criteria which do apply, but has identified a number of areas where development is necessary. Overall the reviewers are satisfied that core safeguarding requirements are in place and that the practice of safeguarding in Ireland has improved in recent years. There is a need to cross reference the Irish policy more clearly with some of the guidance and principles set out in the society's general governance in relation to safeguarding. The Irish regional safeguarding policy is due for revision and areas identified for attention include policy for visiting religious, complaints procedure, victim support, and communication.

## **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's *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*. 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 St Joseph's Society for the Foreign Missions. 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 society 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 partially
<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 partially
<b>1.6</b>	The policy states how those individuals who pose a risk to children are managed.	Met fully
<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 society's safeguarding document for the Irish region, *Policy Document on Safeguarding Children (2009)* was signed off by the (then) Regional Representative. The paper quality and formatting is of a very basic standard and should be improved. The document states that each child shall 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. The document states that the policy has been written to ensure that the society takes every possible measure to prevent abuse and to ensure that none of its personnel or volunteers engages in behaviour that could allow abuse to occur or actions that could be misinterpreted by children, their families or other adults as constituting or leading to abuse.

The reviewers consider that Criteria 1.1, 1.2 and 1.3 are fully met in the policy, although the requirement that all Church personnel must comply with it could be stated more explicitly. In relation to Criterion 1.4, the reviewers have noted that the policy requires updating. Members of the society explained that they were aware of this but decided to await the outcome of the review before updating the policy. Criterion 1.5, *Child protection in different aspects of the church's work* is not addressed in the safeguarding policy. One very prominent aspect of the work of the society is the transient population of priests from Ireland who work abroad and who come home on vacation or for courses or other reasons. All priests are required to have letters of good standing from the Church authority in which they work, which are renewed annually, before they are allowed to minister in Ireland. The reviewers were unable to source this practice, which is good practice, in a policy form. It is recommended that the policy for visiting and transient religious is clearly articulated in the safeguarding policy review, in order to fully meet Criterion 1.5.

The requirements of Criterion 1.6, in relation to the management of individuals who pose a risk to children, are fully addressed in Chapter 3 of the Irish safeguarding policy and are also spelt out in the society document *Protocol on Dealing with Abuse of Children and Vulnerable Adults (2010)*. Criteria 1.7 and 1.8 are fully met in Chapter 1 of the Irish safeguarding policy. Criterion 1.9 is also fully met in that the Irish policy has been created at the appropriate congregational level. However there are a number of overlaps between the content of the Irish policy document and the content of the two general society documents, the society *Code of Conduct 2007* and the *Protocol on Dealing with Abuse of Children and Vulnerable Adults (2010)*, which need to be more explicitly cross referenced (e.g. Criterion 1.6 above). These will be highlighted further in this document.

## **RECOMMENDATION 1**

**The General Superior and Regional Representative should initiate an immediate formal review and updating of the Irish safeguarding policy (2009) and ensure that the new edition of the Irish safeguarding policy is fully cross-referenced with the appropriate requirements and standards as set out in the general society documents *Code of Conduct (2003)* and the *Protocol on Dealing with Abuse of Children and Vulnerable Adults (2010)*.**

**RECOMMENDATION 2**

**The General Superior and Regional Representative should ensure that the review of the Irish safeguarding policy (2009) includes a statement describing the procedure regarding visiting and returning priests and lay members, including having letters of good standing, vetting and referencing the population of priests and lay members who are transient.**

## 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 a congregation meets the requirements of all seven criteria against which the standard is measured.

### Criteria

Number	Criterion	Met fully or Met partially or Not met
2.1	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
2.2	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
2.3	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
2.4	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
2.5	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.	Not met
2.6	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 partially
2.7	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.	Not met

The reviewers consider that Criteria 2.1, 2.2, and 2.3 are fully met in that there is step by step guidance on managing allegations, which is consistent with national legislation and the designated safeguarding person has been in place for some time. The process for recording information, as required by Criterion 2.4, is addressed in page 19 of the society's safeguarding policy. The use of Child Protection Recording Form based on the Resource 16 template is evidenced in the files and files are stored securely. This criterion is therefore met. There is however no reference in the society's safeguarding policy to a complaints procedure for adults and children in response to unacceptable behaviour towards children (as distinct from a process for making an abuse allegation) and Criterion 2.5 is not met. Criterion 2.6, in relation to information sharing and confidentiality and the Seal of Confession is not addressed in the Society's Irish safeguarding policy, but is referenced in the Code of Conduct (2003), which refers to *reasonable action to inform potential victims and/or inform proper responsible authorities..... when abuse is involved (p7)*. Guidance on the Seal of Confession is addressed in Page 16 of the *Protocol on Dealing with Abuse of Children and Vulnerable Adults* (2010). Criterion 2.6 is therefore assessed as partially met in that it is addressed in these other documents. This issue, however, needs to be included in the recommended review of the Society's Irish policy. The reviewers noted that no information has been listed in the Irish policy to sign-point contacts for the relevant civil agencies, and Criterion 2.7 is not met.

### **RECOMMENDATION 3**

**The Superior General and Regional Representative should ensure that the review of the Irish Safeguarding policy (2009) includes Criteria 2.5 (Complaints), 2.6 (Confidentiality) and 2.7(Contact details).**

**Table 1**

**Incidence of safeguarding allegations received within the Missionary Society against priests, from 1<sup>st</sup> January 1975 up to time of review**

<b>St Joseph's Society for the Foreign Missions</b>		
<b>1</b>	Number of Society priests against whom allegations have been made since the 1 <sup>st</sup> January 1975 up to the date of the review.	<b>8</b>
<b>2</b>	Total number of allegations received by the Society since 1 <sup>st</sup> January, 1975.	<b>13</b>
<b>3</b>	Number of allegations reported to An Garda Síochána/PSNI involving priests / religious of the Society since 1 <sup>st</sup> January 1975.	<b>13</b>
<b>4</b>	Number of allegations reported to the HSC/HSE (or the Health Boards which preceded the setting up of the HSE,) involving priests of the Society since 1 <sup>st</sup> January 1975.	<b>12</b>
<b>5</b>	Number of priests (still members of the Society) against whom an allegation was made and who were living at the date of the review.	<b>4</b>
<b>6</b>	Number of priests against whom an allegation was made and who are deceased.	<b>2</b>
<b>7</b>	Number of priests against whom an allegation has been made and who are in ministry.	<b>2</b>
<b>8</b>	Number of priests against whom an allegation was made and who are "Out of Ministry, but are still members of the Society.	<b>2</b>
<b>9</b>	Number of priests against whom an allegation was made and who are retired	<b>None</b>
<b>10</b>	Number of priests against whom an allegation was made and who have left the Society.	<b>2</b>
<b>11</b>	Number of priests of the Society who have been convicted of having committed an offence or offences against a child or young person since the 1 <sup>st</sup> January 1975.	<b>None</b>

The safeguarding files held by the society are well structured and the material is ordered and accessible. The total number of abuse allegations received and managed by the society since 1975 amounts to 13, involving 8 priests, of whom 2 are now deceased. Two have left ministry. Of the 4 who remain in the society, 2 have been withdrawn from public ministry and are subject of restrictions and are under supervision. A total of 5 of the allegations, involving 3 priests, refer to events when they were ministering outside Ireland. In a further case the abuse of children in another country came to light as a result of the priest's own self-disclosure and the victims have not been traced (although efforts

were made to identify them). In the remaining 8 instances the abuse was alleged to have involved 4 priests and to have occurred in Ireland. Most of these were made by former students in the society's college (closed in 1985), who were under eighteen years of age at the time.

All of the safeguarding files on individual priests were opened as a result of allegations recorded as coming to the attention of the society between 1997 and the time of the review, although the reviewers queried one case where there was an allegation referenced in the mid-1980s. As noted above, the society signed up to the NBSCCCI safeguarding standards in 2009. Files in relation to two priests were opened in the period between 2009 and the present.

The reviewers have noted that 2 of the safeguarding cases managed by the society were the subject of media attention in Ireland in 2011 as a result of RTE Primetime's *Mission to Prey* programmes. The media coverage, not just in Ireland but also in Kenya and in other African countries, did not result in any new allegations to the society.

The time frames for referral to the civil authorities have been variable. All of the cases were referred to An Garda Síochána but delay is evident. Of the 8 cases, 2 were notified to the society by An Garda Síochána. One case, already in the public domain, was formally notified quite quickly. In the remaining 5, there were delays by the society of between 1-13 months in making notifications to An Garda Síochána. In some of these instances there were longer delays in notifying the HSE. One case (that of the earliest referral in 1997), was not referred to the HSE (the society has pointed out that it was its understanding at the time that the statutory bodies shared case information).

There have been no criminal convictions of any priest from the Irish region of the society, either in Ireland or abroad. Consequently the society has had to respond to all of the allegations through Church processes and the reviewers were told that it has been on a learning curve in this respect. The files reviewed indicate that historically practice was inconsistent in relation to basic safeguarding processes, time frames for informing the civil authorities, addressing the status of the priest pending the outcome of investigations, carrying out risk assessments and in instigating the canonical process where appropriate. It is evident in several cases that a change in safeguarding practice occurred in the middle of the first decade of this century, which placed greater emphasis on the early implementation of restrictions on accused priests pending investigation and on the application of canonical procedures. This approach, however, works best where there is voluntary acceptance of restrictions. One case, that of Father B, the difficulties of ensuring both the human rights of the accused and the safeguarding of children is illustrated. Father B was the subject of an allegation that he had abused a teenage boy in the past (which he consistently and vehemently denied). An Garda Síochána was informed quickly, but this did not lead to a prosecution. No action was subsequently taken by the society for a period of 3 years. Father B successfully resisted subsequent attempts by the society to place formal restrictions on him pending the outcome of a civil action by the alleged victim, which was discontinued on this person's death. No risk assessment was undertaken. He has remained in ministry. In hindsight the society missed

a vital opportunity post the conclusion of the Garda inquiries to pursue the Church inquiry.

In the case of Father A who was alleged to have abused a teenage girl in another jurisdiction and where the victim indicated at an early stage that she did not wish to pursue a criminal investigation, it took the society (in that jurisdiction) 7 months to assess the allegation. The civil authorities were informed as soon as the matter was passed to the Irish region after this initial assessment and he was promptly, placed in restricted ministry and under supervision, with an adviser. It then took well over a year to start a risk assessment and for Father A to be sent to therapy, a number of precepts were subsequently issued imposing restrictions on public ministry. Post allegation, it took 6 years to refer to the CDF and in excess of 8 years to instigate a preliminary canonical investigation. Whilst there was significant internal delay by the society in managing this case, it is acknowledged that Father A's resistance to the processes, as well as unclear direction from advisory and professional bodies, were also contributory factors in the delays. The reviewers note and commend the determination of the Designated Liaison Person in ensuring the focus remained on the safeguarding of children, in trying to manage this priest.

In the case of Father C, who was accused of abusing teenage boys, the society withdrew him from ministry, instigated a risk assessment and initiated the canonical process within an acceptable time frame. There was a delay of some 13 months from the date of receipt of the initial information (in another jurisdiction) to the date of notification of An Garda Síochána. Father C has been dismissed from the clerical state and formally dismissed from membership of the society by the General Superior with the consent of the General Council. He was subject to supervision until responsibility for his management passed to the civil authorities.

In the 2 new cases referred since 2009, the reviewers have seen evidence of timely transfer of information to the civil authorities in Ireland, swift action to withdraw priests from ministry pending investigations and referral for risk assessment and canonical process. One of these cases that of Father D, was highlighted in "*Mission to Prey*". In this case Father D took and won a High Court defamation action against RTE and the outcome has been a public apology in which RTE accepted that the allegations were baseless, without any foundation whatever and untrue. He received compensation and was fully re-instated to ministry. Having read the safeguarding records, the reviewers concur with the decision to return this priest to ministry. In the other case, Father E remains out of public ministry, is under supervision and appropriate notifications have been made to the civil authorities.

**RECOMMENDATION 4**

**The General Superior and Regional Representative should ensure that the process for stepping aside priests against whom allegations are made and for applying restrictions on ministry pending investigation, are clearly stated in the Irish safeguarding policy, and that all members of the society agree to comply with this process by signing up to the Irish safeguarding policy (and updating this annually).**

In conclusion the reviewers commend the work of the designated person in managing allegations; his determination to “do the right thing” is evident in his file recordings and in his actions. The Society has been challenged by some difficult cases where accused men have challenged safeguarding actions and valid restrictions. In one case the accused managed to persuade colleagues to support a plea for his return to ministry but the Society thwarted these efforts through the diligence of the designated person and the leadership and this is to be commended.

### 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.

(Where criteria are denoted with \*, it is recognized that the range of activity relating to children and young people is very limited and that the criteria have minimal application)

#### **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.	Not met*
<b>3.2</b>	The safe recruitment and vetting policy is in line with best practice guidance.	Met partially
<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
<b>3.5</b>	There is guidance on expected and acceptable behaviour of children towards other children (anti-bullying policy).	Not met*

<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.	Not met*
<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.	Not met*
<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.	Not met*
<b>3.9</b>	Policies include guidelines on the personal/ intimate care of children with disabilities, including appropriate and inappropriate touch.	Not met*

**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.	Not met*
<b>3.11</b>	When operating projects/ activities children are adequately supervised and protected at all times.	Not met*
<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.	Not met*

*\*Denotes limited applicability.*

The society, as already noted, has very little direct contact with children or young people outside its work in some parishes in these parishes its members follow the policies of the diocese including the prevention measures listed in this standard). It does not recruit or use volunteers for this purpose. Criterion 3.1 has no active application in this instance. In relation to Criteria 3.2 (Recruitment and Vetting) the reviewers were informed that priests originating from Ireland are Garda vetted. It is not always possible to vet visiting priests and religious from other countries in a timely manner. As discussed in 1.5 (above) all priests are required to have letters of good standing from the Church authority in which they work, which are renewed annually, before they are allowed to minister in

Ireland. As noted (Recommendation 3), this practice needs to be stated in a policy form and included in the revised safeguarding policy and for this reason Criterion 3.2 is judged to be partially met. Criterion 3.3 is assessed as fully met, in that the society priests who have routine contact with children and young people in parish work are not only subject to Garda vetting and letters of good standing, but are also governed by diocesan safeguarding policies. The society's safeguarding policy (page 19) addresses Criterion 3.4 and is fully met. Criteria 3.5 – 3.12 do not have active application.

#### **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 partially
<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 partially
<b>4.4</b>	Training programmes are approved by National Board for Safeguarding Children and updated in line with current legislation, guidance and best practice.	Met fully

The reviewers accept that the society meets Criteria 4.1 and 4.4 in relation to Training. However the number of personnel who have received training is very low reflecting the age profile of the members and their decline in numbers (as outlined in the introduction). As a result training is effectively restricted to the Designated Person and those immediate colleagues who have roles in the safeguarding structure. The Designated Person attends appropriate training events run by the National Office for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI), as do the others with safeguarding roles. Training appears to be availed as opportunities arise. The reviewers would like to see an approach to training that is tailored to the age and activity profile and identified needs of the group, in the form of an annual training needs assessment and it is for this reason that Criterion 4.2 and 4.3 are assessed as partially met. Training is an important part of raising awareness of the policies and procedures and good safeguarding practice. Regular awareness raising sessions allow for exchange of information, promotion of good practice and opportunities for members to raise any worries or concerns that they may have.

#### **RECOMMENDATION 5**

**The General Superior and Regional Representative should ensure that the training needs of personnel involved in safeguarding children and young people in the society are assessed and that a training plan is in place. Consultation with NBSCCCI should take place to ensure that training is appropriate to the ministry of those involved.**

## **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 partially
<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.	Not met*
<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 partially

Notice boards with information on the Irish regional safeguarding policy are on display in the two society houses. The region however does not have its own website and arrangements have not yet been made to publish the Irish safeguarding policy on the society website. Criterion 5.1 is therefore assessed as partially met. The society should consider at the very least creating a link which facilitates access by its own members and members of the public to the Irish regional safeguarding policy. Criterion 5.2 has no active application in this instance. The small size of the community in Ireland ensures that the Designated Person is visible in his role, and Criterion 5.3 is judged to be met.

More could be done, to publicize contact details for the relevant civil authorities, on the policy and on the notice boards; therefore Criterion 5.4 is only partially met.

Representatives from An Garda Síochána and TULSA have confirmed to the reviewers that communication with the society in relation to safeguarding is very clear and Criterion 5.5 is fully met.

In relation to Criterion 5.6, whilst the reviewers have seen good attempts by the Regional representative and Designated Person to raise awareness of safeguarding within the community (including for example, invited speakers at Regional Assemblies and features in newsletters), there is no established communications policy. Criterion 5.6 is therefore partially met. A link to the society website or a website for the region needs to be looked at in the immediate future.

**RECOMMENDATION 6**

**The General Superior and Regional Representative should ensure that the review of the Irish Safeguarding policy (2009) includes Criteria 5.4 (civil agency contact details) and 5.6 (communications policy).**

**RECOMMENDATION 7**

**The General Superior and Regional Representative should ensure that the review Irish Safeguarding policy (2009) is publicly available on the society website.**

**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 partially
<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 partially
<b>6.4</b>	Information is provided to those who have experienced abuse on how to seek support.	Met partially
<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

The society does not have an Advisory Committee, but regularly consults the NBSCCCI's staff on case management issues. They are not formal members of the NBSCCCI's National Case Management Reference Group (NCMRG) and in the absence of their own Advisory Panel they should seek to join the NBSCCCI's panel. Criterion 6.1 is therefore assessed as partially met. It is necessary, therefore after joining the NCMRG to formally state this position in the revised safeguarding policy. Assessment of Criterion 6.2 has to take into account the small scale of child related activity, as well as a management/accountability structure which is located outside Ireland. The main external activity by the society in relation to safeguarding children in Ireland is generated through its relationship with the NBSCCCI, which provides it with policy advice, specialist case advice and training. The designated person consults the NBSCCCI on a regular basis, in

relation to all aspects of case management. The reviewers consider that Criterion 6.2 is therefore met.

Considering Criterion 6.3 relating to survivor support, the reviewers have noted that there is evidence of outreach and support in some of the individual case files. This includes written apologies, financial settlements and payment of counselling fees. In one case survivors have not been identified, although attempts were made to do so. In other cases, survivor contact was defined through the litigation process. A further consideration pointed out by the society is that in some non-western societies prevailing cultural attitudes to sexuality and especially to same sex liaisons may result in a second 'punishment' of notoriety or shaming and victims who wish for redress usually report to Church personnel rather than state agencies. Survivor support is not addressed in the Irish regional safeguarding policy, although Chapter 4 of the society's *Protocol on Dealing with Abuse of Children and Vulnerable Adults (2010)* establishes principles for a pastoral care policy. The reviewers consider that Criterion 6.3 is partially met and that there is good evidence of survivor awareness and of survivor centred practice. This however needs to be consolidated into a formal survivor support policy, incorporated into the Irish regional safeguarding policy. This should be supplemented with a more pro-active approach to getting information to survivors, through communication material. Criterion 6.4 is assessed as partially met.

The reviewers have noted that risk assessments and counselling have been made available to priests who have been subject to allegations. Priest advisors have been identified in the more recent cases, and supervision arrangements are now in place for those priests who have remained within the society, but who have not been returned to full ministry. Members of the society have highlighted the need for guidance on supervision of men out of ministry. The reviewers consider that Criterion 6.5 is met.

Two priests have left the society. The allegation against Father F came more than thirty five years after the alleged event and some thirty years after the priest had left the society and the priesthood. An Garda Síochána determined that there was no case to answer. The second is Father C (already referred to), who left more recently.

#### **RECOMMENDATION 8**

**The General Superior and Regional Representative should formally join the NBSCCCI's National Case Management Reference Group (NCMRG) for case management advice and guidance.**

#### **RECOMMENDATION 9**

**The General Superior and Regional Representative should ensure that the review Irish Safeguarding policy (2009) includes a formal statement affirming the society's commitment to pastoral care, stating the survivor support principles and practice guidance, and on developing communication material for victims.**

**RECOMMENDATION 10**

**The Regional Leader and Designated Person should meet with NBSCCCI to discuss their needs for support and training around the implementation of supervision plans for priests out of ministry.**

## **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 partially
<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 partially
<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.	Not met*
<b>7.5</b>	All incidents, allegations/ suspicions of abuse are recorded and stored securely.	Met fully

The reviewers have seen a short plan on file which describes key safeguarding actions for 2014. This document should be backed up with review of safeguarding to date, identifying strengths and weaknesses and setting out the strategic priorities with associated time scales. Criterion 7.1 is assessed therefore as partially met. The reviewers have been assured that financial support for safeguarding is not an obstacle and that Criterion 7.2 is met. The implementation of actions related to Criterion 7.3 requires a functioning Safeguarding Committee to be in place. The society's Safeguarding Committee is limited and requires to be reviewed. The terms of reference of the Committee need to be clarified, the reviewers had some concern that it has been functioning as an internal co-ordinating and advisory group. Its role in relation to the monitoring of safeguarding activity, review of policy and training needs assessment needs to be re-stated and its composition needs to be extended beyond society personnel. It is recommended that it is supplemented by lay input and that the issue of gender balance is addressed. The priority agenda item for a revised Committee will be the review and updating of the Irish regional safeguarding policy. Criterion 7.3 is therefore assessed as partially met. Criterion 7.4 is not met, but has no active application in this instance because of small scale and because it is expected that actions to ask parishioners for their views on safeguarding are covered by the policies of the host dioceses. Safeguarding files are stored securely in the office of the regional representative and Criterion 7.5 is fully met.

**RECOMMENDATION 11**

**The General Superior and Regional Representative should ensure that the society draws up a written strategic safeguarding plan for the Irish region, which is used to ensure continued good practice regarding the safeguarding of children by the region and its members.**

**RECOMMENDATION 12**

**The General Superior and Regional Representative should ensure that the terms of reference and composition of the society's Safeguarding Committee are reviewed, so that its function is more closely aligned with the NBSCCCI's guidelines.**

## **Recommendations**

### **RECOMMENDATION 1**

The General Superior and Regional Representative should initiate an immediate formal review and updating of their Irish safeguarding policy (2009) and ensure that the new edition of the Irish safeguarding policy is fully cross-referenced with the appropriate requirements and standards as set out in the general society documents *Code of Conduct (2003)* and the *Protocol on Dealing with Abuse of Children and Vulnerable Adults (2010)*.

### **RECOMMENDATION 2**

The General Superior and Regional Representative should ensure that the review of their Irish safeguarding policy (2009) includes a statement describing the procedure regarding visiting and returning priests and lay members, including having letters of good standing, vetting and referencing the population of priests and lay members who are transient.

### **RECOMMENDATION 3**

The Superior General and Regional Representative should ensure that the review of their Irish Safeguarding policy (2009) includes Criteria 2.5 (Complaints), 2.6 (Confidentiality) and 2.7(Contact details).

### **RECOMMENDATION 4**

The General Superior and Regional Representative should ensure that the process for stepping aside priests against whom allegations are made and for applying restrictions on ministry pending investigation, are clearly stated in the Irish safeguarding policy, and that all members of the society agree to comply with this process by signing up to the Irish regional safeguarding policy (and updating this annually).

### **RECOMMENDATION 5**

The General Superior and Regional Representative should ensure that the training needs of personnel involved in safeguarding children and young people in the society are assessed and that a training plan is in place. Consultation with NBSCCCI should take place to ensure that training is appropriate to the ministry of those involved.

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**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: Standards and Guidance Document for the Catholic Church in Ireland (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>1</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>1</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 1st 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.