



THE NATIONAL BOARD FOR
SAFEGUARDING CHILDREN
IN THE CATHOLIC CHURCH

Private and Confidential

Review of Safeguarding Practice

in the

PATRICIAN BROTHERS

undertaken by

The National Board for Safeguarding Children in the

Catholic Church of Ireland (NBSCCCI)

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Leader of the Patrician Brothers**

Date 25.03.14

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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, 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 Safeguarding Practice within the Patrician Brothers* 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 brothers, along with interviews with selected key personnel who contribute to safeguarding within the congregation. The NBSCCCI believes that all relevant documentation for these cases was passed to the reviewers and the Provincial Leader has confirmed this.

The findings of the review have been shared with a reference group before being submitted to the Patrician Brothers, along with any recommendations arising from the findings.

Introduction

The Patrician Brothers is a congregation dedicated to the religious and literary education of youth and instruction of the faithful in Christian piety. The Patrician Brothers were founded in Ireland in 1808 by Daniel Delaney. Over the last two centuries, in addition to their work in schools in Ireland, they have established missions in India (1870s), Australia (1880s); U.S.A (1940s) and Africa (1960s). There are three provinces, the Irish province, of which Kenya is a region, the Australian Province, of which Papua New Guinea is a region and the Indian province, of which Ghana is a region. The U.S.A mission, based in California, reports directly to the Congregational Leader. The total size of the congregation world- wide is in the region of two hundred brothers, with its biggest concentration (of some one hundred brothers) in India. The present Congregational Leader, Jerome Ellens, is Indian. Education is and has been the main focus of the Patrician Brothers, but they also provide some prison chaplain and nursing services.

The Patrician population in Ireland is declining and currently stands at twenty three brothers, the majority of whom are in their later years. The youngest brother is in his mid-fifties, and there are no brothers in formation. Twenty one of the brothers in Ireland have retired, with only two involved in teaching (one of whom is employed part time). The brothers are dispersed in seven locations in Ireland, Finglas, Newbridge, Mountrath, Abbeyleix, Fethard, Tullow, Ballyfin and Galway. The Patrician website also makes reference to Belfast, although it states that there is no residence there. The Patricians previously managed a network of primary and secondary schools throughout the country, but have almost completely withdrawn from this activity, transferring control to lay or diocesan management. In recent times they have transferred management of four secondary schools (Newbridge, Fethard, Finglas and Galway) via the Le Cheile Foundation. Some of their previous primary schools continue to bear the Patrician name in their title, but have been transferred to diocesan control and have no active formal connection with the congregation. The congregation's contact with children and young people is currently small and takes place through the two remaining teaching brothers. It was pointed out to the reviewers that, in addition to the Patrician Brothers' own safeguarding protocols, these men are also subject to safeguarding regulation through the internal school policy and procedures.

This review was carried out over a two day period in December 2013. The reviewers were given access to all of the safeguarding files held by the Patrician Brothers. They examined all of the files relating to brothers against whom allegations had been made who are still alive and a sample of files relating to allegations concerning men who are deceased. The safeguarding structure of the Patrician Brothers revolves around two senior brothers, the Provincial Leader and the Designated Safeguarding Person, who have combined some of the roles and carried out the safeguarding function since the late 1990s. They were interviewed in the course of the review and provided input in relation to background, policy and operational matters. The review included an assessment of the Patrician Brothers safeguarding policy (2010) and other written data provided by the Designated Safeguarding Person. The reviewers have also spoken by telephone with representatives of an Garda Síochána and the HSE Child Protection services who have had contact with the Patricians in relation to child safeguarding.

The purpose of this review is set out within the Terms of Reference that are appended to this report. It seeks to examine how case management practice conforms to expected standards in the Church, both at the time an allegation was received and currently. Just as importantly, the review evaluates the efforts that have been made to create safe environments for children to ensure their

current and future safety. To achieve these two objectives, the review process uses the seven standards outlined within the 2009 *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* as an assessment framework.

The review was initiated through the signing of a data protection deed, allowing full access by review fieldwork staff from to all case management records. This access does not constitute disclosure as the reviewers through the deed were deemed to be nominated data processors of the material for the Patrician Brothers.

Reviews into safeguarding have two objectives, to establish how concerns of clerical 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. To achieve these two objectives, the review process uses the seven standards outlined within the NBSCCI document *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 policies and practices in preventing abuse and the ability of the relevant personnel within the congregation to assess and manage risk to children. Recommendations for improvements are made where considered appropriate. In carrying out this review the reviewers acknowledge that the safeguarding standards, consisting of 7 standards broken down into 48 criteria, is a detailed framework geared to shape and direct the Church's safeguarding project in medium to large scale organisations (such as dioceses and larger congregations). A challenge presented by small congregations is how to implement and assess a safeguarding structure, proportionate to size and in particular with limited inter-action with children and young people. The report notes that a majority of the safeguarding criteria are met by the Patricians and that a further number are assessed as partially met.

The reviewers consider that the Provincial Leader and Designated Safeguarding Person have shown commendable awareness and leadership in implementing safeguarding to date and have commended in particular their approach to working with victims. The small number of criteria assessed as "not met" does not reflect poor practice, but rather reflects the fact that the Patrician Brothers (due to the ageing profile of the congregation) currently have no contact with children and young people in their ministry and do not provide any services for children or young people in this country. There are two teaching brothers referred to above who are regulated by the schools in which they teach and are required to apply the Department of Education's Child Protection Procedures in their school ministry. The report has identified areas where the Patricians' safeguarding document should be strengthened in order to produce a more consistent policy which addresses all of the standards, including external input. A number of the recommendations are designed to improve risk management. Others address actions and processes in areas such as communication, training, complaints and support structures, which require to be adapted to scale. All of these can be taken forward through a review of the child safeguarding document which is now under way.

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*. 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 Patrician Brothers. 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 congregation meets the requirements of all nine criteria against which the standard is measured.

Criterion

Number	Criteria	Met fully or Met partially or Not met
1.1	The Church organisation has a child protection policy that is written in a clear and easily understandable way.	Met fully
1.2	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 partially
1.3	The policy states that all Church personnel are required to comply with it.	Met fully
1.4	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
1.5	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
1.6	The policy states how those individuals who pose a risk to children are managed.	Not met
1.7	The policy clearly describes the Church’s understanding and definitions of abuse.	Met fully
1.8	The policy states that all current child protection concerns must be fully reported to the civil authorities without delay.	Met fully
1.9	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 Patrician Brothers is entitled *Child Protection Protocol (2010)*. It is endorsed by the Provincial Leader and states in the introduction that “*at the heart of education*

is the child, his or her dignity, rights and duties.” It goes on to recognise 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. Everyone in the Church has an obligation to ensure that the fundamental rights of the child are respected. The policy document is well structured and easily read. The reviewers consider that Criterion 1.1 is fully met and that Criterion 1.2 is partially met, requiring the formal signature of the Provincial Leader for completion. Criterion 1.3 is fully met. In relation to Criterion 1.4, the reviewers have noted that the policy was produced in 2010 and is due for revision and updating. The reviewers have been advised that the congregation is now working on an updated protocol in line with NBSCCCI recommendations and they hope to publish this shortly. For this purpose the review is timely and its recommendations can be included in the new version. Criterion 1.5 is fully met. Criterion 1.6 requires that the safeguarding policy should set out the steps that will be taken by the congregation to assess and to manage any brothers in respect of whom civil processes have been activated, but have not resulted in conviction, and where there still exist reasonable grounds for concern. This process is not addressed, and Criterion 1.6 is therefore judged not to be met. Criteria 1.7, 1.8 and 1.9 are fully met.

RECOMMENDATION 1

The Provincial Leader ensures that three yearly reviews and updates of their Child Safeguarding policy and procedures *Child Protection Protocol 2010* is conducted.

RECOMMENDATION 2

The Provincial leader ensures that reference is made in the revised *Child Protection Protocol (2010)* to the internal process for assessment and management of any brothers in respect of whom allegations have been made, where the civil processes have not resulted in conviction, and where there still remain reasonable grounds for concern about risk to children or young people.

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 the Patrician Brothers meets the requirements of all seven criteria against which the standard is measured.

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.	Met partially
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 fully
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.	Met fully

The reviewers consider that Criteria 2.1 – 2.4 are fully met. In relation to Criterion 2.5, the *Child Protection Protocol (2010)* recognises the need for a complaints process to be implemented in relation to adults or children, with appropriate time scales for resolution. However the reviewers did not see a completed complaints procedure. The document does address Criterion 2.1 which is

step by step guidance on responding to allegations of abuse, but does not address what to do when the complaint concerns unacceptable behaviour. Criteria 2.6 and 2.7 are fully met

RECOMMENDATION 3:

The Provincial Leadership team (PLT) should develop a complaints process for adults and children in relation to unacceptable behaviour towards children, to be included in the revised Protocol.

Table 1

Incidence of Safeguarding allegations received within the Patrician Brothers from 1st January 1975 up to the time of review.

1	Number of Brothers against whom allegations have been made since the 1 st January 1975 up to the date of the Review	15
2	Total number of allegations received by the congregation since 1 st January 1975	22
3	Number of allegations reported to An Garda Siochana involving Brothers of the Congregation since 1 st January 1975	22
4	Number of allegations reported to the HSE (or the Health Boards which pre-ceded the setting up of the HSE) involving Brothers of the Congregation since 1 st January 1975	21
5	Number of Brothers (still members of the Congregation) against whom an allegation was made and who were living at the date of the Review	1
6	Number of Brothers against whom an allegation was made and who are deceased	9
7	Number of Brothers against whom an allegation has been made and who are in ministry	0
8	Number of Brothers against whom an allegation was made and who are 'Out of Ministry but are still members of the Congregation'	1
9	Number of Brothers against whom an allegation was made and who are retired	1
10	Number of Brothers against whom an allegation was made and who have left the Congregation	5
11	Number of Brothers who have been convicted of having committed an offence or offences against a child or young person since 1 st January 1975	0

Footnote: The term allegation in this table includes complaints and expressions of concern.

The management of child abuse allegations in the Patrician Brothers is undertaken by the Designated Safeguarding Officer, accountable to and supported by the Provincial Leader. The Provincial Leader has previously carried out the Designated Safeguarding Officer role, in fact it has been alternated between the same two men since 1997.

The record reveals that a total of 22 allegations of child sexual abuse have been made against 15 Patrician Brothers in the period from 1st January 1975 to the present. In the vast majority of cases, the events which gave rise to the allegations may have taken place several decades before they were reported to the congregation and refer to alleged abuse between the 1950s -1980s. No brother has been convicted as a result of the allegations made against them. Whilst the current record establishes that all of the allegations have been reported to the civil authorities, the reviewers note that in 2013 the congregation carried out a full review of its files and engaged in a full re-reporting exercise to ensure of all the historical allegations were in the hands of both An Garda Síochána and the HSE Child Care services.

The historical pattern shows that there were quite significant variations in the time taken to report individual cases to An Garda Síochána at the time when they became known. In many instances where information was shared with An Garda Síochána, it took further periods of time to be passed on to the HSE Child Protection service. The reviewers were advised that this was because there was some confusion about the operation of the 1995 guidance, “Notification of Suspected Cases of Child Abuse between Health Boards and Gardai”. The congregation (mistakenly) believed that a report made by the congregation to An Garda Síochána would automatically be notified by An Garda Síochána to the relevant Health Board as the congregation understood that the 1995 guidelines required both agencies to share all suspected cases of abuse with one another.

The Patrician Brothers committed to the NBSCCCI safeguarding standards in 2008 and cases coming to their attention since then have been reported promptly. In the past the Patricians have made extensive use of legal advice as their first step in processing safeguarding information to support and assist them with their responsibilities. The instructions given to the legal advisors by the Province Leader and the Designated Safeguarding Person is that they should adopt a strongly victim-centric pastoral response to allegations received. In some cases allegations were passed to the civil authorities via a firm of solicitors. The reviewers believe that greater clarity would be achieved if allegations were shared directly between the recipient (the Designated Safeguarding Officer) and the civil agencies. A key aspect of the role of the Designated Safeguarding Officer is not just to report the allegation, but to participate as appropriate in the strategy for setting up and conducting the investigation (as is recognised in the Patrician Brothers’ Child Safeguarding document).

Of the total of 15 brothers subject of allegations, nine are deceased and five have left the congregation. One brother remains in the congregation. The reviewers have read the files of all six men who are still alive, as well as the files of four deceased brothers. The five men who have left the congregation did so in excess of thirty years ago and have had no subsequent contact with the congregation. In all cases the allegations were made some considerable time after they had left. In two cases brothers left not long after the alleged time of the abuse. The reviewers were assured by the Provincial Leader that any decision to leave the congregation was entirely a matter for the individual brother and that the congregation was not in possession at the time of

information relating to the allegations. The fact of their dis-engagement from the congregation and the lack of knowledge of their whereabouts,(as well as the time factor), has meant that the responsibility for risk assessment and management lay with the civil agencies. The congregation has advised that it is not entitled to obtain information on what happened in any of the five cases against former brothers. It does not know and has no way of finding out what steps the civil authorities took to assess or manage risk. The reviewers suggest that, in the event of new allegations coming to the attention of the Patricians against former brothers, that in notifying the civil authorities they request acknowledgment that the allegation has been received and is being acted upon.

RECOMMENDATION 4

The Designated Safeguarding Person should ensure that all new safeguarding allegations are reported directly from his office to the civil agencies.

RECOMMENDATION 5

The Province Leader should write to An Garda Siochana and TUSLA upon receipt of an allegation against a former brother and request that they confirm that the responsibility for conducting inquiries, assessing and managing risk rests with them.

Of the four deceased brothers whose files were examined, one had left the congregation and three remained. In four cases where brothers had remained in the congregation after allegations had been made, there was variable evidence of internal management of risk. In one case, within hours of an allegation being received, the Provincial was so concerned, that immediate action involved him personally driving to the establishment where the respondent brother was and removing him. The Provincial then placed him in another location where he could not have any contact with children and issued a precept placing restrictions on his ministry.

In this case there is no record of a written risk assessment but the Patrician Brothers felt they took all reasonable steps to address the risk. In another case, the file records a formal risk assessment and management plan agreed with the civil authorities and implemented by the Patricians. In the third case there no reference on file to risk assessment or management, but the reviewers were given assurances that a process of close supervision of this man by the Designated Safeguarding Officer had been in place. In the final case in this group there was no file evidence of risk assessment or management, but the reviewers were again assured that appropriate supervision was being implemented. The reviewers were informed that the Patricians do not have an Advisory Committee and that it is now their policy to refer to the NBSCCCI National Case Management Reference Group (NCMRG) for specialist advice about the management and assessment of brothers, as required.

RECOMMENDATION 6

The Provincial Leadership Team (PLT) ensures that all risk management and monitoring plans in relation to any living Brother against whom an allegation is received are written and reviewed regularly by the Designated Safeguarding Officer.

The files are well structured and organised. A number of the files record lengthy correspondence of a legal nature (where the Congregation was sued by the victim). In some files, the record of outcome of investigations by civil authorities is not well documented and as noted above, risk management has not always been evidenced.

The reviewers saw evidence of a considerable commitment by the Patricians to meet with, listen to and acknowledge the suffering and pain experienced by victims and to offer and provide support. Members of the congregation have been prepared to travel considerable distances in Ireland and in Britain in order to do this. The files contain material from victims acknowledging appreciation for the efforts to reach out to them. This approach to victims is 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.

Criteria – safe recruitment and vetting

Number	Criterion	Met fully or Met partially or Not met
3.1	There are policies and procedures for recruiting Church personnel and assessing their suitability to work with children.	Met fully
3.2	The safe recruitment and vetting policy is in line with best practice guidance.	Met fully
3.3	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

Number	Criterion	Met fully or Met partially or Not met
3.4	The Church organisation provides guidance on appropriate/expected standards of behaviour of, adults towards children.	Met Fully
3.5	There is guidance on expected and acceptable behaviour of children towards other children (anti-bullying policy).	Not Met*

3.6	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
3.7	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 Partially*
3.8	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 Partially*
3.9	Policies include guidelines on the personal/ intimate care of children with disabilities, including appropriate and inappropriate touch.	Not met*

** Reviewers are required to comment on all the standards as set out in the NBSCCCI guidelines. The paragraph denoted by the asterisk recognizes the context of small congregations with limited contact with children and that the not met should not be seen as a criticism, but rather is a reflection of the limited if any contact with children.*

Criteria – Operating safe activities for children

Number	Criterion	Met fully or Met partially or Not met
3.10	There is guidance on assessing all possible risks when working with children – especially in activities that involve time spent away from home.	Met fully
3.11	When operating projects/ activities children are adequately supervised and protected at all times.	Met fully
3.12	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 Partially*

**These criteria are component parts of Standard 3, which is a core standard relating to prevention of harm to children and the maintenance of safe environments. It is recognized that there are a number of small religious congregations where direct contact with children and young people is very limited and where the profile of the criteria in everyday practice is low.*

In assessing Standard 3, the reviewers acknowledge that the very low level of direct contact between the brothers and children and young people. As noted the congregation has emphasised that, where this does occur (in teaching roles), brothers are also bound by comprehensive school safeguarding policies, anti-bullying procedures and Codes of Behaviour. The Patrician Brothers do not currently make use of volunteers, nor are they involved in organising activities or in for children and young people in any other setting.

The reviewers consider that Criteria 3.1 – 3.3 in relation to Safe Recruitment and Vetting are fully met in the policy. The Patricians have not established a Safeguarding Committee because of their small scale and responsibility for vetting consequently lies with the Designated Safeguarding Officer (who also carries out vetting for all Primary schools in the diocese that come under the patronage of the local bishop, being approximately 168 schools in total, and is therefore active in the role).

The Patrician Brothers current safeguarding policy and procedures states (3.2) that the code of behaviour should be read, understood and signed by every worker and every volunteer before starting their role and Criterion 3.4 in relation to guidance for adults in relation to their behaviour towards children is judged to be fully met. Criterion 3.5 relating to an anti-bullying policy is not addressed as a specific issue (see comments regarding smallness of congregation and lack of ministry with children above). Criteria 3.6 - 3.8 relating to whistle blowing, dealing with problematic behaviour and anti-discriminatory policy require more emphasis (see * above). There is reference to the increased risk of abuse for children from minority ethnic groups in section 2 of the Patrician Brother's Child Protection Protocol (2010), although this is not an anti-discriminatory statement. Whilst there is also reference to the vulnerability of children with disabilities in section 2, guidelines in relation to intimate care required to satisfy Criterion 3.9 are not addressed (see*above).

Criterion 3.10 in relation to risk assessment is met fully (although the reviewers would suggest that this should be supplemented by reference to training for volunteers and staff). Criterion 3.11 relating to ratios for supervision and protection is met fully. Criterion 3.12 relating to the use of information technology is partially met (see *above). Brothers have pointed out that where they work with children, in schools and in teaching roles, they are bound by comprehensive school Child safeguarding policies, which include anti-bullying procedures, codes of behaviour, appropriate use of information technology, such as mobile phones, email, digital cameras, websites, and use of the internet. The reviewers recommend that these important safeguarding measures should also be referenced in the Patrician Brother's child safeguarding document, drawing closely from the NBSCCCI *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* in order to address the gaps.

RECOMMENDATION 7

The PLT should review and revise section 3 of the Patrician Brother's Child Safeguarding Document. The wording of this should be agreed with the NBSCCCI in order to reflect the congregation's very limited direct contact with children and young people and in a way which does not dilute adherence to the Church's safeguarding standards.

Standard 4

Training and Education

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

Criteria

Number	Criterion	Met fully or Met partially or Not met
4.1	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
4.2	Identified Church personnel are provided with appropriate training for keeping children safe with regular opportunities to update their skills and knowledge.	Met fully
4.3	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
4.4	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

The requirements of Standard 4 in relation to Training are not addressed in the Child Safeguarding Policy and procedures document. As noted, the Patricians have not put in place a Safeguarding Committee (one of whose functions would be to oversee training) and the role of managing and co-ordinating training lies with the Designated Safeguarding Officer and the Provincial Leader.

Members of the congregation point out that the Child Safeguarding Protocol is publicised in all of the congregations houses and that each community has a Designated Liaison Person, one of whose key roles is to promote awareness about the safeguarding of children. These are very small communities, mostly of retired brothers. The reviewers were told that the training needs were low and that the main need for the congregation is for the Designated Liaison Person to be aware of policy development and this is achieved through attendance at national NBSCCCI training events. The congregation has not carried out a training needs analysis. The reviewers are satisfied that, given the small scale of the safeguarding project in the congregation, Criterion 4.1 in relation to induction and Criterion 4.2 in relation to training for key personnel are met in practice. The congregation needs to give more thought to identified training needs in relation to more specific areas (such as managing risk) and for this reason Criterion 4.3 in relation to training is judged to be partially met. Criterion 4.4 (accreditation of training by NBSCCCI) is met as the, the only two brothers who are actively involved in child safeguarding matters (the Provincial Leader and the Designated Liaison

Person) regularly attend NBSCCCI training events. The reviewers recommend that, alongside its review of the Child Safeguarding Protocol, the brothers take stock of the training agenda and of what is needed in the future.

RECOMMENDATION 8

The PLT need to (a) include a commentary on Standard 4 in relation to training for keeping children safe in the revised Child Safeguarding Policy and procedures document and (b) undertake a formal review of training needs.

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

Number	Criterion	Met fully or Met partially or Not met
5.1	The child protection policy is openly displayed and available to everyone.	Met fully
5.2	Children are made aware of their right to be safe from abuse and who to speak to if they have concerns.	Met partially
5.3	Everyone in Church organisations knows who the designated person is and how to contact them.	Met fully
5.4	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 fully
5.5	Church organisations establish links with statutory child protection agencies to develop good working relationships in order to keep children safe.	Met fully
5.6	Church organisations at diocesan and religious order level have an established communications policy which reflects a commitment to transparency and openness.	Met partially

The Child Safeguarding Protocol does not specifically address the criteria for Standard 5 in relation to communication of the safeguarding message, although some of the requirements are evident in other sections of the document. As already noted in relation to the sections on training and maintaining a safe environment, the Patricians do not have a Safeguarding Committee whose function would include Communication. This function is undertaken by the Designated Safeguarding Officer and by the Provincial Leader.

The reviewers accept that Criterion 5.1 in relation to open display of the safeguarding document is fully met. The right of children to be safe from abuse is recognised in the document. The need for this to be communicated directly to children or young people, as required to meet Criterion 5.2 is low in practice because of limited contact . The reviewers note that there is no Patrician website for the Irish Province but steps are being taken to establish one shortly. It is anticipated

that the safeguarding policies and procedures will be available on that website. The criteria for contact with the Designated Person and for contact details for statutory agencies, in Criterion 5.3 and 5.4 are fully met. In relation to 5.5, representatives from An Garda Síochána and the HSE Child Protection Service have stated that there are clear and effective lines of communication with the Patricians in relation to safeguarding. The Patricians do not have a written communications policy. However the small size of the congregation facilitates easy and clear internal communication. The safeguarding work of the congregation would benefit from a clearer commitment to external communication. Criterion 5.6 is therefore judged as partially met.

RECOMMENDATION 9

The PLT should formally review their arrangements for external communication in relation to safeguarding, including the publication of the safeguarding document on their website (once established) and a statement for children and young people.

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.

Criterion

Number	Criteria	Met fully or Met partially or Not met
6.1	Church personnel with special responsibilities for keeping children safe have access to specialist advice, support and information on child protection.	Met fully
6.2	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
6.3	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
6.4	Information is provided to those who have experienced abuse on how to seek support.	Met fully
6.5	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 partially

The reviewers were informed that the Designated Safeguarding Officer and the Provincial Leader can access advice to specialist support as required by Criterion 6.1. In addition to their use of the NCMRG, the congregation can call on the services of a religious sister who has considerable expertise in the field of child protection and on a legal firm with specialist knowledge in this area. The Designated Safeguarding Officer also told the reviewers that he has the discretion to buy in specialist advice as required. The reviewers agree that Criterion 6.2 is also met through the NBSCCCI link. The Child Safeguarding Document (2.6) provides the guidance consistent with Criterion 6.3. The reviewers were impressed with the consistency of response to alleged victims, in relation to both counselling and other forms of support and consider that Criterion 6.4 is fully met. In relation to Criterion 6.5 the reviewers were informed that mentoring and supervision of the one living brother against whom allegations have been made has been carried out by the Designated Safeguarding Officer. Although the numbers have been very small and there is no current demand, the reviewers have concerns that one person is expected to carry out dual roles in relation to victims and perpetrators. Criterion 6.5 is judged as

partially met for this reason and the Child Safeguarding Document needs to be revised to address the role of Advisor. It is recommended that the congregation take steps to identify individuals (within or outside the congregation) who are capable of taking on the role of Advisors and that the appropriate training (see Recommendation 8b) is put in place. Guidance on what is needed is also available from the NBSCCCI as any new cases emerge.

RECOMMENDATION 10

The PLT should review the role of Advisor in the Child Safeguarding document and ensure that it is separated from the role of the Designated Safeguarding Officer. Steps need to be taken to identify individuals who are able to become Advisors and to provide the necessary training and support and ensure separation between advisors to victims and perpetrators.

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.

Criterion

Number	Criteria	Met fully or Met partially or Not met
7.1	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
7.2	The human or financial resources necessary for implementing the plan are made available.	Met fully
7.3	Arrangements are in place to monitor compliance with child protection policies and procedures.	Met fully
7.4	Processes are in place to ask parishioners (children and parents/ carers) about their views on policies and practices for keeping children safe.	Not applicable
7.5	All incidents, allegations/ suspicions of abuse are recorded and stored securely.	Met fully

The reviewers accept that Criterion 7.1, which requires a strategic safeguarding plan to be in place, is geared for medium – large Church organisations. Its practical relevance to a small, declining congregation is limited. Safeguarding Committees bring together expertise and knowledge from people who are not directly involved in the safeguarding operation and this overview role is important in planning strategically. The absence of a Safeguarding Committee means that a number of key developmental roles are combined and fall on the same two men, the Designated Safeguarding Officer and the Provincial Leader. The reviewers consider that the Patricians should consider whether there is a Safeguarding Committee model (in terms of scale, frequency etc.) which is proportionate to the needs of such a small congregation.

The de -facto plan for the Patricians is the Child Safeguarding Document. The review has demonstrated that there are a number of aspects of the Child Safeguarding Document which need to be revised or implemented and for this reason Criterion 7.1 is assessed as partially met. This has been addressed in several of the above recommendations. The reviewers understand that financial input to safeguarding is not an obstacle to progress and that Criterion 7.2 should be regarded as fully met. Criterion 7.3 requires religious organisations to have in place reporting systems which enable superiors to regularly review progress and trends. This function is undertaken by the Designated Safeguarding Officer and the Provincial Leader, but not in a regular or formal manner (related to the very low activity level). Given the size and volume, the reviewers accept that this arrangement meets Criterion 7.3. The Patrician Brothers do not have parishioners and very minimal contact with children, parents and carers and Criterion 7.4 is

considered by the reviewers as not applicable in the specific circumstances of this congregation. Criterion 7.5 relating to the storage of records is fully met.

RECOMMENDATION 11

The PLT give consideration to the formation of a Safeguarding Committee to provide external advice and support for the development of the safeguarding plan, to include monitoring of activity, maintaining safe environments, training and communication.

Recommendations

RECOMMENDATION 1

The Provincial Leader ensures that three yearly reviews and updates of their Child Safeguarding policy and procedures *Child Protection Protocol 2010* is conducted.

RECOMMENDATION 2

The Provincial leader ensures that reference is made in the revised *Child Protection Protocol (2010)* to the internal process for assessment and management of any brothers in respect of whom allegations have been made, where the civil processes have not resulted in conviction, and where there still remain reasonable grounds for concern about risk to children or young people.

RECOMMENDATION 3:

The Provincial Leadership team (PLT) should develop a complaints process for adults and children in relation to unacceptable behaviour towards children, to be included in the revised Protocol.

RECOMMENDATION 4

The Designated Safeguarding Person should ensure that all new safeguarding allegations are reported directly from his office to the civil agencies.

RECOMMENDATION 5

The Province Leader should write to An Garda Siochana and TUSLA upon receipt of an allegation against a former brother and request that they confirm that the responsibility for conducting inquiries, assessing and managing risk rests with them.

RECOMMENDATION 6

The Provincial Leadership Team (PLT) ensures that all risk management and monitoring plans in relation to any living Brother against whom an allegation is received are written and reviewed regularly by the Designated Safeguarding Officer.

RECOMMENDATION 7

The PLT should review and revise section 3 of the Patrician Brother's Child Safeguarding Document. The wording of this should be agreed with the NBSCCCI in order to reflect the congregation's very limited direct contact with children and young people, and in a way which does not dilute adherence to the Church's safeguarding standards.

RECOMMENDATION 8

The PLT need to (a) include a commentary on Standard 4 in relation to training for keeping children safe in the revised Child Safeguarding Policy and procedures document and (b) undertake a formal review of training needs.

RECOMMENDATION 9

The PLT should formally review their arrangements for external communication in relation to safeguarding, including the publication of the safeguarding document on their website (once established) and a statement for children and young people.

RECOMMENDATION 10

The PLT should review the role of Advisor in the Child Safeguarding document and ensure that it is separated from the role of the Designated Safeguarding Officer. Steps need to be taken to identify individuals who are able to become Advisors and to provide the necessary training and support and ensure separation between advisors to victims and perpetrators.

RECOMMENDATION 11

The PLT give consideration to the formation of a Safeguarding Committee to provide external advice and support for the development of the safeguarding plan, to include monitoring of activity, maintaining safe environments, training and communication.

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 1st 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 1990¹ 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.”

¹ 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.