



Private and Confidential

Review of Safeguarding Practice

in the Presentation Brothers

Anglo-Irish Province

undertaken by

The National Board for Safeguarding Children in the

Catholic Church in Ireland (NBSCCCI)

**The content of this Report is not to be accessed or shared without the consent of the
Province Leader, Brother Andrew Hickey.**

Date: January 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 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 Presentation Brothers Congregation* 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 the Presentation Brothers, along with interviews with selected key personnel who contribute to safeguarding within the Presentation Brothers. The NBSCCCI believes that all relevant documentation was passed to the reviewers by the Province Leader, Brother Andrew Hickey, during the process of this review.

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

Introduction

At the request of Brother Andrew Hickey, staff from the NBSCCCI engaged in a process of reviewing the safeguarding children policy, procedures and practice on January 28th and January 29th, 2014. Over the two-day fieldwork period, case files were examined and interviews were conducted with key personnel, religious and lay, in the Province's safeguarding structure. The reviewers also read the Presentation Brothers' (Anglo-Irish Province) safeguarding policy and procedures documents and evaluated these against the 2009 NBSCCCI *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*.

The Presentation Brothers Congregation

The Presentation Brothers is an international congregation of laymen which owes its origin to Edmund Ignatius Rice when, in 1802, he founded the Society of the Presentation. The communities inspired by Edmund Rice adopted a modified form of the rules of the Presentation Sisters and were under the jurisdiction of the bishops of their local dioceses. In 1820, Pope Pius VII granted Edmund Rice's application for his society to be given papal approbation and a constitution. Under this new constitution, all the houses became united under a Superior General except for the house in Cork, where Bishop Murphy refused his consent, despite the desire of most of the Brothers to be part of Brother Rice's wider congregation. In 1826, the Cork house joined the others but one of the Brothers, Brother Michael Augustine Riordan, dissented and offered his services to the Bishop of Cork who placed him in charge of a school in the south of the city. With his secession, the teaching congregation known as the Presentation Brothers was created.

The Presentation Brothers continued to be subject to their respective bishops until 1889, when Pope Leo XIII approved the congregation and all the houses united under a Superior General. This independent status allowed the Congregation of the Presentation Brothers to expand further, with branches in all the provinces of Ireland, and houses in England and Canada.

In 2014 there are in excess of 100 Brothers living and working in Ireland, England, USA, Canada, Ghana, Nigeria and Grenada. The Brothers live in community houses and there are a total of 22 communities across 7 countries worldwide. The smallest community contains 2 Brothers and the largest has 16 Brothers.

The Presentation Brothers take vows of poverty, chastity and obedience. The motto of the congregation is '*Ad majorem Dei Gloriam*' and the Brothers place the initials F.P.M. after their name (Fratres Presentationis Mariae). Their mission is 'to form Christ in the young' through education. Their work is with disadvantaged and marginalised people, both young and old.

From 1871 to 31.3.1959, when the Brothers closed the school, the Brothers were responsible for St Joseph's Industrial School, Greenmount, Cork. This school's history of allegations and management of child abuse is dealt with within the Commission to Inquire into Child Abuse (Ryan Report), Volume 2, Chapter 4. The NBSCCCI was approached by three survivors of this industrial school who wished to be heard by the reviewers. They were duly met during the fieldwork time. The NBSCCCI sought legal advice around access to files and information regarding the Commission to Inquire into Child Abuse and the Redress Board. The legal advice was clear in stating that the

legislation that underpinned both the Redress Board and the Commission to Inquire into Child Abuse prohibits the disclosure of any information outside of those processes, therefore this review will not comment, beyond offering a brief summary of the survivors' views.

Current situation.

The Presentation Brothers Generalate is located at Mount St. Joseph in Cork, Ireland. The current congregation leader is Brother Martin Kenneally FPM. The congregation is divided into three provinces: -

1. Anglo-Irish Province (Ireland and England); subject of this review process
2. Our Lady of the Americas Province (Canada, US, Grenada)
3. West Africa Province (Ghana, Nigeria)

There are forty five Brothers in the Anglo-Irish Province with an average age of 75 years. Most are retired but about 50 % are engaged in some form of pastoral ministry. The Brothers live in nine communities, eight in Ireland and one in England. Within Ireland there are 4 communities based in Cork city, one in Birr, one in Co Dublin, one in Killarney and one in Dungarvan, Co. Waterford. One Brother is a member of an International Community of Christian Brothers and Presentation Brothers in Mount Sion, Waterford, where Edmund Rice founded the two congregations.

The Anglo-Irish Province Leadership Team is led by Brother Andrew Hickey. Three of the Irish based Brothers remain in school ministry where there is the direct provision of services to children. Two are school chaplains and one is a teacher. In these school settings these Brothers are also subject to conforming to the child protection procedures of the Department of Education and Skills as well as the safeguarding policy of the Presentation Brothers.

As well as maintaining their links with their schools, the Brothers are also involved in: An Ecology and Spirituality centre "Glór na hAbhann", in west Waterford; one Brother works in the House of Mercy hostel for homeless young people in Dartford, U.K; and one Brother is the Director of the Integration and Support Unit (ISU) for immigrants at Mount Sion, Waterford where a teenage integration programme is delivered.

The development of the Youth Ministry has been enhanced by the appointment of a lay person as the Coordinator of Youth Ministry. This ministry links the congregation, in particular, with *SHARE* which is an accommodation and friendship programme for older persons in Cork city which is supported on a voluntary basis by students from many secondary schools in Cork city. The Youth Ministry also supports the Edmund Rice Action Camps.

Since 2009 the trusteeship of the Presentation Brothers' schools was transferred from the Province Leadership Team to the lay-led Presentation Brothers Schools Trust (PBST). The Youth Ministry Coordinator maintains a link with these schools.

NBSCCCI Reviews

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

The review was initiated through the signing of a Data Protection deed, allowing full access by staff from NBSCCCI to all case management and relevant records held by the Province (outside the Commission to Inquire and Redress Board). The access does not constitute disclosure as the reviewers through the deed were deemed to be nominated data processors of the material for the province leader.

The review involved the fieldwork team reading all case management records of living Brothers who are members of the Presentation Brothers and against whom a child-safeguarding allegation of sexual abuse had been made, or about whom a concern had been raised. Case management files relating to men who had left the congregation during the relevant time period and had been the subject of similar allegations or concerns were also read by the reviewers. The reviewers also read a sample of case management files relating to deceased Brothers about whom concerns had been raised, either while they were alive or after their death. Additional files regarding deceased Brothers were read following the initial period of fieldwork, at the request of the Province Leader. In addition, interviews were held with Brother Andrew Hickey (Province Leader), the designated person (a lay woman who is a qualified social worker), the deputy designated person, the facilitator of a Relapse Prevention Group, members of the Province Safeguarding Committee, the Coordinator of Youth Ministry who is also the Safeguarding Trainer, plus a representative from TUSLA (former HSE, now Child and Family Agency) and An Garda Síochána. As previously noted the reviewers also met three survivors from Greenmount Industrial School, which was reviewed within the Commission to Inquire into Child Abuse (Ryan Report), and who had access to the redress process. The reviewers were not able to discuss issues already raised by the survivors in the redress process in line with the requirements of that legislation.

From 1994 to March 2012 the Presentation Brothers had a Safeguarding Advisory Panel in place. Since March 2012 the Presentation Brothers have used the National Case Management Review Group (NCMRG) of the NBSCCCI in Maynooth and so has ceased to need its own Advisory Panel.

The review team conducted an assessment of the Presentation Brothers' policy and procedures against the standards set down in *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*. All other written material provided to the reviewers was evaluated for relevance and accuracy, as was the child safeguarding information contained on the website of the Presentation Brothers.

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

It should be noted that in carrying out this audit the reviewers acknowledge that the NBSCCCI's standards, consisting of seven standards subdivided into forty-eight criteria, is a detailed framework aimed towards shaping the Catholic Church's safeguarding structure primarily in dioceses and the larger congregations. The profile of the Presentation Brothers has changed in recent years. Reduced numbers of applicants in Ireland to join the Brothers coupled with an increasingly older age-profile and only three Brothers in active school ministry with children pose a serious challenge for the province in meeting all standards. The reviewers recognise that the province prepared assiduously and recognises the work put into completing the pre-audit assessment tool. A review of the current safeguarding policy document due in 2014, has also commenced and the interim protocols, developed to date, were made available to the reviewers from this process. The interim protocols clearly will play a significant role in the redrafted 2014 safeguarding documentation but have been regarded as drafts for the purpose of this review as that document is not yet finalised.

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 Presentation 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.

Criteria

Number	Criterion	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 fully
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 fully
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.	Partially 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 Presentation Brothers is titled *Child Safeguarding Protection Policy and Procedures (September 2011)*. It was approved and signed by the province leader on 9/9/2011. The introduction affirms that ‘the mission of the Congregation of the Presentation Brothers is Christian formation, primarily of youth and in particular of the poor and disadvantaged’. It quotes also their General Chapter of 2005 in that “the Congregation had committed itself to providing a safe and caring environment to all those in our care and to safeguarding them from abuse of any kind”. The introduction also recognises the international nature of the congregation and states “in each country where we have a presence the Congregation is committed to complying with the civil laws concerning child protection and of observing the best professional standards in the safeguarding of children”.

The document is well set out and readable. A copy of the document is also available in the safeguarding section of the congregation’s website. The reviewers are of the view that Criteria 1.1 and 1.2 are met fully based on an examination of the written documentation.

In addition, Criterion 1.3 is also met fully. (Reference page 2, Paragraph 5 and page 7, Paragraph 3 and 4 of the safeguarding policy). With regard to Criterion 1.4, as previously noted, the policy review due in 2014 has commenced and interim protocols have begun to be produced and will be commented upon as they are relevant within this report. As such Criterion 1.4 is fully met. Criterion 1.5 is also fully met and is supported, in particular within the policy document where the issue of ‘guidelines for trips away from home’ and ‘codes for behaviours’ are addressed. (Reference page 37 regarding “Guidelines for trips away from home” and page 34 regarding “Code of Behaviour”).

Technically Criterion 1.6 is not properly or explicitly referenced in the Presentation Brothers policy document, however, the reviewers were satisfied that there are good management plans in place and that these are routinely reviewed. For that reason, the reviewers assess that this criterion is partially met. The policy deficit in respect of written plans will be addressed by the province in the revised 2014 safeguarding policy under Interim Protocol 5 “ Safety plans/ Agreements/Contracts.”

Recommendation 1: The Province Leader should ensure that in the revision of the Presentation Brothers safeguarding policy and procedures explicit reference is made to how individuals who are deemed a risk to children are managed.

In the view of the reviewers Criterion 1.7 is met fully. (Reference “Definitions of Abuse”, Pages 3, 4. Safeguarding Policy); as is Criterion 1.8. (Reference page 8, “Responding to child abuse allegations and suspicions”; Page 9, “Role of the Designated Person”; Page 15, “Referral of disclosures, allegations or suspicions”); and Criterion 1.9 is fully met within the safeguarding policy covering the Anglo Irish Province.

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.	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; (Northern Ireland) the local health and social services trust and the PSNI.	Met partially

Standard 2 concerns the management of allegations/concerns and how appropriately these have been responded to by the Presentation Brothers. It is important to have clarity in the written guidance but equally important for the practice to adhere to the written guidance. In terms of written guidance, Criterion 2.1 is fully met. The guidance document contains a flow chart which sets out how allegations are managed within the Presentation Brothers. The only additional requirement to the existing 'Responding to child abuse allegations and suspicions' flow chart is for the details of the civil authorities in Northern Ireland to be added in. The Presentation Brothers have worked within both jurisdictions in the island of Ireland and therefore it is important that all civil authorities are referenced in their documentation. This has already been noted in the ongoing review of policy and procedures by the province and is being rectified in the revision of their policy and procedures document.

Criterion 2.2 is fully met. It has already been stated that the existing policy document is clear and easy to read. It was approved by the NBSCCCI in 2011. The province leader advised the reviewers that the policy review which is in process will also take on board the implications of *Children First (2011)* and any other legislative changes during the course of the revision. It will also take into consideration any recommendations made by this review.

Criterion 2.3 is fully met and the role of the designated person is set out clearly in the existing policy document. In reviewing this section the reviewers feel that there should be clarity around the role and functions of the deputy designated person in any future version of the policy. The present deputy designated person was previously the designated person from 2005 to 2011. He also leads on some aspects of victim support work and is a religious advisor/supervisor; he is also a member of the Province Leadership Team. This Brother's commitment to the safeguarding process and his experiences to date continues to make him a vital person within the safeguarding structure. The reviewers recognise that within a small province it may be difficult to separate roles and identify appropriate personnel to fill those roles. However it is our belief that the province would benefit from clarity of roles and functions for this person and other key post holders within the structure.

Recommendation 2: The Province Leadership Team should review the current role descriptions for the designated person, the deputy designated person, victim support personnel and other relevant personnel within the safeguarding structure.

Criterion 2.4 is met fully. The case files, when created, are kept in a secure cabinet. There is a clear process in place for recording incidents and for the management of allegations. Standard forms are appropriately used. However, in practice the case files when reviewed, do not always contain full information. This is because the province leader, who can also receive information relating to concerns, is not on the same site as the management files. This, therefore, presents logistical challenges in terms of ensuring that the case file contains all information at any one point in time. It is essential for the management of cases that one set of records relating to case management is maintained

on each accused Brother. It should be the responsibility of the designated person to create and maintain the case file and ensure that records from any other person are placed in the file. The reviewers were advised that an Interim Protocol, 'Access to safeguarding files' is in draft format. The reviewers would suggest that this protocol provides absolute clarity around the creation, management and storage of, and access to, records; the reviewers further advise that there should be a quarterly review of the master files to ensure that all key information is on file.

Recommendation 3: The Province Leader in consultation with the designated person must develop a clear protocol around the creation and maintenance of case records. In addition the master files should be reviewed a minimum of every quarter to ensure full information is on the case management file.

Criterion 2.5 is met partially. Reviewers found that the current policy document does not deal specifically with complaints relating to unacceptable behaviour towards children which is not an allegation of child abuse. The reviewers note that Interim Protocol 6 will correct this deficit and that the final revision will contain a Complaints and Whistle-blowing policy of the Presentation Brothers.

Recommendation 4: That the Province Leader ensures that the revised policy document should include the Interim Protocol on complaints and whistle-blowing procedures.

Criterion 2.6 is met fully. (Reference page 12, "Receiving allegations and disclosures of abuse" and page 15, "Referral of disclosures, allegations and suspicions". Safeguarding Policy).

Criterion 2.7 is met partially as the contact details for Northern Ireland civil authorities do not appear consistently throughout the documentation. The province leader has confirmed that this omission will be addressed in the 2014 revision of the documentation in respect of safeguarding by the province.

Table 1
Incidence of Safeguarding allegations received within the religious congregation against Presentation Brothers from 1st January 1975 up to the time of this review.

1	Number of Brothers against whom allegations have been made since the 1 st January 1975 up to the date of the Review	28*
2	Total number of allegations received by the Congregation since 1 st January 1975	54
3	Number of allegations reported to An Garda Síochána/PSNI involving Brothers of the Congregation since 1 st January, 1975	54
4	Number of allegations reported to the HSC/HSE (or the Health Boards which preceded the setting up of the HSE) involving priests of the Congregation since 1 st January 1975:	54
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	7
6	Number of Brothers against whom an allegation was made and who are deceased	16
7	Number of Brothers against whom an allegation was made and who are in ministry	1
8	Number of Brothers against whom an allegation was made and who are 'Out of ministry, but are still members of the Congregation	2
9	Number of Brothers against whom an allegation was made and who are retired	4
10	Number of Brothers against whom an allegation was made and who have left the Congregation	4
11	Number of Brothers of the Congregation who have been convicted of having committed an offence or offences against a child or young person since the 1 st January 1975	0

** Includes one unnamed Brother*

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

Table 1 Analysis

The management of child abuse allegations in the Presentation Brothers is undertaken by the designated person, supported by the deputy designated person. The designated person reports to the province leader.

In each community there are safeguarding representatives who are members of the province Safeguarding Committee. The Safeguarding Committee is responsible for the coordination of the safeguarding practices in the Anglo–Irish Province of the Presentation Brothers and for monitoring compliance. In particular the safeguarding policy document is subject to annual review in this forum. Neither the safeguarding representatives nor the Safeguarding Committee have any role in the management of abuse allegations, however the safeguarding representatives do have a role in monitoring Brothers who are the subject of a safety plan.

Advice on case management, when required, is sought from the National Case Management Reference Group (NCMRG) under the auspices of the NBSCCCI.

The information supplied in Table 1, records a total of 54 allegations of suspected child sex abuse received by the Presentation Brothers from 1/1/1975 to the date of this review (January 2014). These 54 allegations were made in respect of 28 Presentation Brothers. The time period covered by the alleged abuse is from the 1940s to approximately 2001. The majority of the allegations relate to incidents of abuse having taken place in schools in Ireland. In the time period under review there have been no convictions as a result of child sex abuse allegations against Presentation Brothers.

As previously noted, in the past, allegations were not passed on to the civil authorities promptly. In some cases the reviewers noted reasonable explanations for some delay. However, as previously noted, the narrative and chronology on some files was not sufficiently complete to clarify the reviewers concerns regarding other delays. There were delays of months in the case of An Garda Síochána or years, in the case of the HSE. The Presentation Brothers operated under the protocol documented in the 1996 “Green Book” (“Child Sexual Abuse: Framework for a Church Response”) which stated that, in reporting to one agency, that agency would inform the other relevant civil authority. This in fact did not happen, thus accounting for the delay of years in informing the HSE. Since 2011 both civil authorities have been notified within days of the province being made aware of an allegation in respect of a Brother. The reviewers note that not all cases against deceased brothers or lay teachers had been notified to the civil authorities until, in examining their files during the fieldwork period for this review, the Brothers reported information contained in three additional files to the authorities.

Recommendation 5: That the Province Leader ensures that all allegations which meet the threshold of notification are reported to the civil authorities and the NBSCCCI without delay.

Recommendation 6: The designated person must ensure that full records, including relevant copies of notification and key information are held on the case file. The records should also follow the NBSCCCI's case file template.

Of the 28 Brothers who have been subject to child sex abuse allegations, 16 are deceased and 4 have left the Congregation. Of the 8 remaining Brothers; 2 are out of ministry, 4 are retired, 1 is unnamed and 1 has subsequently returned to ministry following advice which was sought and given from the NCMRG following an independent risk assessment which assessed that he did not present a risk to children.

The reviewers read the files in respect of the 7 living Brothers and the 4 who left the congregation. With regard to the deceased Brothers, who had been subject to sexual abuse allegations, a random sample of 9 files were read by reviewers.

3 of the 7 living Brothers are subject to strict management plans and reside in community residences. 2 out of the 3 have been independently risk assessed and received therapy as part of the province's response to the allegations and as part of a process of ensuring that they lead risk free lives, in the interests of safeguarding children. The third accused Brother has only recently been the subject of child abuse allegations and investigations are at an early stage. 6 of the 7 living Brothers remain out of ministry or are retired. The seventh as already stated has been returned to ministry.

In the case of all Brothers who are the subject of a safety plan, information is shared with the safeguarding representative in each community. The safeguarding representatives met by the reviewers were clear that the onsite monitoring and assistance with these plans was a vital part of their safeguarding function.

Each accused Brother has an advisor who offers support as part of the requirements of the protection plan. The reviewers noted a record of these advisor contacts in one case, but not in the others. As already stated good case management records are essential and while it is the responsibility of the designated person to compile the case file, all records from other members of the case management team must ensure that their contacts are recorded and placed on the case file.

Of the 4 living former brothers who have left the Congregation, notifications were made to the civil authorities in respect of allegations relating to them. In respect of 3 of the 4 individuals there was delay in notifying the civil authorities. A recommendation has already been made in respect of these notifications being made without delay. It is particularly important that there is no delay in relation to reporting allegations against former Brothers as their contact with children may not be known and cannot be controlled in the same way as Brothers within the province.

There was one case which involved a former Brother who had moved to another religious order and where an allegation was not made known to the Presentation Brothers, by HSE. The Presentation Brothers had reported another allegation to the civil authorities and the man's Order on receipt of an allegation in November 2013; a review of additional files

found two further concerns against the same former Brother, bringing the total number of allegations against him to four. While the management of risks now lies with the second religious order, it is clear that there was poor exchange of information between the HSE and the order and vice versa. It is critical in the assessment and management of risk that all known allegations are shared with the appropriate authorities.

During the review period, within an examination of additional files, there was particular reference to Brothers against whom there were physical abuse allegations. The current province leader was concerned about these cases, as upon his reading there were also concerns of a sexual nature, thus he invited the reviewers back to read these files.

The files related to abuse alleged by three men. In the first case the complainant alleged abuse by 8 Brothers (6 were deceased and 2 alive at the time of the initial complaint one of whom is a former Brother) and 3 lay teachers. The complainant then added another Brother but withdrew that allegation. Some of these complaints related to physical abuse but in some instances allegations of sexual abuse were also made. The final allegation in relation to sexual abuse was against 5 deceased Brothers and 1 deceased lay person. There are no recorded cases of sexual abuse against the living Brother. At the time, the former province leader made a general report to the HSE, but there is no record of notification to An Garda Síochána. A financial settlement was made. It was only at the point of this review, and further clarity being brought in relation to the allegations of sexual abuse that An Garda Síochána and TUSLA (former HSE) have officially been notified of all allegations.

In the second case another complainant made an allegation of physical abuse against a deceased Brother and an allegation of sexual abuse against a lay teacher. As above there was a financial settlement made by a previous provincial leadership team, without formal notification to the civil authorities. This has now been rectified by the current province leader and both An Garda Síochána and TUSLA have been notified.

There was a third case whereby a complainant sent an email to various institutions about abuse in the Church and followed it with an email to a school, in which he named 'offenders he could remember'. Within this he named 2 living Brothers and a former Brother. The Presentation Brothers contacted this complainant to obtain more information but he did not respond to their efforts to contact them.

There is considerable evidence in research and practice which highlights the importance of information sharing so as to prevent harm to children. The reviewers consider that the Presentation Brothers should establish regular three way meetings with the police and social services agencies so that information can be shared appropriately and avoid any confusion around what is reportable in the future.

Of the living former Brothers, another had been risk assessed and received therapy prior to leaving as the allegations were received before he left the congregation. This former Brother continued to attend a Relapse Prevention Group for a period. In the case of the other three former Brothers they had already left the congregation when the allegations

were received. Unfortunately the records in all cases of former Brothers do not contain up to date information relating to their current circumstances, this is because the congregation has no right to information held by the HSC in Northern Ireland, or the former HSE, now TUSLA, the Child and Family agency in ROI. However the reviewers would encourage the Province Leader to write to those agencies if he is concerned about safeguarding of children and to seek to ascertain if the civil authorities have carried out risk assessments in respect of any former Brothers and on any current risk they may present to children.

To ensure effective and efficient communication between the relevant parties in this safeguarding process, the following recommendation is made.

Recommendation 7: That on a regular basis the province leadership should meet the TUSLA liaison officer and the Garda liaison officer; the HSC and the PSNI to ensure full exchange of relevant information and communication necessary to safeguard children and manage risk.

Significant work has taken place to standardise the file formats and they are generally legible and well structured. The files could be enhanced further, as already noted, if there was greater detail in relation to the work of the advisor on file and details of contacts with complainants and any support they have been offered.

The reviewers commend the risk management assessments and the written plans evident on files.

In conclusion the reviewers are satisfied that the Presentation Brothers now understand their obligations to report and respond to allegations of abuse, whilst acknowledging previous delays. It is important that those in leadership are confident that all matters have been properly addressed, therefore it is critical that upon taking office they review all case management records to assure themselves that all allegations have been reported and to be aware of any risk presented by living Brothers so that these can be addressed.

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).	Met fully
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 fully
3.9	Policies include guidelines on the personal/ intimate care of children with disabilities, including appropriate and inappropriate touch.	Met partially

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 fully

Safe recruitment and vetting

As already has been stated in the earlier part of this report there are very few Brothers who have direct ministry with children, however this should not lessen the application of the safeguarding standards. Where that ministry does exist, e.g. in schools, the child protection policy of the school, and the Department of Education is followed. However, it is still important for the Presentation Brothers to have in place good safeguarding policies and practices in order to create safe environments and send out a clear message that all steps are being taken to ensure the safety of children in the care of the Presentation Brothers. The reviewers therefore examined the policies and assessed from discussions with key personnel the following:

Criterion 3.1 is met fully both in respect of paid staff and volunteers. It should be noted here that the formation house in Kerry ensures that the novices are Garda approved and that they are fully aware of their safeguarding responsibilities, particularly when they will be practicing outside of the province. There are 2 young men in formation residing in the

house at present, both are from outside Ireland. Over the last 4 years there have been a total of 17 young men who have passed through this house.

Criterion 3.2 is also fully met and the reviewers commend that in 2013 the province carried out audits of Garda vetting standards and of ministries being undertaken by Brothers. The ministry audit identified if Brothers were involved in external ministry, whether it was paid or voluntary, who they reported to in this ministry and the status of the respective Garda vetting.

As already noted one of the main areas of direct contact with young people is through a service provided annually by the Presentation Brothers through the Edmund Rice Camp. The Edmund Rice Action Camp began in Cork in 1998. Young adults from transition year to college students provide an annual summer camp for children from a selected primary school in the city. A group of teachers supervise the youth leaders who assist in facilitating the annual Edmund Rice Action Camps. The reviewers are satisfied that there are clear safeguarding and child protection procedures in place. Criterion 3.3 is therefore fully met.

Codes of behaviour

Criterion 3.4 is met fully as the Presentation Brothers policy document clearly sets out the Code of Behaviour expected of all Brothers in their contact with children.

In respect of Criterion 3.5 the Presentation Brothers have used the framework developed by the Scout Association of Ireland, in respect of an anti-bullying policy. On review of this information Criterion 3.5 is fully met. Criterion 3.6 is met partially, recognising that an interim protocol has been developed for ‘whistle-blowing’ but it is not yet within any revised policy document. Criterion 3.7 is met partially as the protocol to cover this area remains interim, i.e. ‘Discipline and sanctions when challenging children’s challenging behaviour’. The guidance required to fulfil the requirements of Criterion 3.8 is contained within the safeguarding policy’s code of behaviour and on that basis Criterion 3.8 is fully met. Criterion 3.9 is partially met and the specific guidance required for this criterion will, in the future, be contained within the Interim Protocol 9 ‘Personal/Intimate care of children with disabilities.’

Operating safe activities for children

Criterion 3.10 is met fully within the documentation of the existing safeguarding policy document. (Reference page 37, “Safe activities- Guidelines for trips away from home”, Safeguarding Policy). Within the context of roles of the safeguarding representatives and the safe activities guidance Criterion 3.11 is also met fully. The policy document states that the safeguarding representative has a role in “ensuring that any activities organised locally, operate in a manner which ensures the safety and wellbeing of the children, and ensuring that appropriate levels of supervision are provided and ensuring that those responsible for running activities are aware of safe procedures.” Criterion 3.12 is also met fully. (Reference Page 36, “Policy on the use of computers”, Safeguarding Policy).

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 fully
4.4	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 examined all relevant materials relating to training provided within the congregation and note the following:

An induction policy is in place and is implemented for staff and volunteers. The most recent member that received induction was the Coordinator of Youth Ministry and she received a full 2 weeks induction. On that basis Criterion 4.1 is met fully.

Safeguarding training is provided to all staff and volunteers involved/linked with the Presentation Brothers Province. There are regular training days held in respect of safeguarding for Brothers and lay staff. There was a training day in June 2013 with a further day to be held in February 2014. The province leader in particular has supported the Coordinator of Youth Ministry to become an accredited trainer with the NBSCCCI. On the basis of the above, Criterion 4.2 is fully met.

The province leader and key safeguarding personnel attend regular training with the NBSCCCI; therefore Criterion 4.3 is met fully. The province leader, in this area and in other areas within safeguarding, continues to show leadership by example and by the priority that he places on the safety of children.

The province now has its own accredited trainer to deliver the approved NBSCCCI programmes and prior to that, ensured delivery by an accredited NSBCCCI trainer. On the basis of this information Criterion 4.4 is met fully.

To enhance the development of training within the province and to enable the development of a training plan the following recommendation is made.

Recommendation 8: That the province's trainer should carry out a training needs analysis of the Brothers, lay staff and volunteers involved in safeguarding children to inform a future safeguarding training plan.

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 help lines and the designated person.	Met partially
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

Criterion 5.1 is met fully from the public display of the policy document and from the accessibility via the Presentation Brothers’ website.

It is recognised that the province has a safeguarding poster with the message ‘Children – don’t suffer in silence’ and this is a message given at the start of the Edmund Rice Action Camps. However, the reviewers are of the view that perhaps through the Youth Ministry,

further work is required by the province to make this a child-centred message and as such Criterion 5.2 is met partially.

Criterion 5.3 is met fully. It was evident from interviews carried out and from records reviewed that the designated person and their contact details are known. The designated person meets annually with the province's safeguarding representatives and attended the province's safeguarding training day in June 2013. The safeguarding representatives, when met, were clear as to their responsibilities and were clearly committed to ensuring the safeguarding messages were communicated regularly to their own communities and any other groups they were involved with.

Criterion 5.4 is met partially as the details for the health and local services trust in Northern Ireland are not listed. This is already part of a previous recommendation and has been acknowledged by the province as being missing from the current safeguarding documentation but it will be included in the revised 2014 documentation.

Representatives from An Garda Síochána and TUSLA, Child and Family Agency were met by the reviewers and reported a good working relationship with the province in respect of safeguarding children. On the basis of this feedback and information received, Criterion 5.5 is met fully.

Criterion 5.6 is met partially. Safeguarding is interwoven within the structures and meetings of the province but to date it did not have an established communications policy. Meetings at community level and at Province Assembly level always have safeguarding on their agenda, at the recommendation of the province leader and records of these meetings were made available for the review. The reviewers note however that as part of the 2014 review there is an Interim Protocol 7 which will be the 'Safeguarding Communication Policy' document. The reviewers would wish to note that this draft needs to be amended to include the contact details for the civil authorities in Northern Ireland.

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

Number	Criterion	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 help lines 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

Since 2006 the province has sought advice as necessary from the NBSCCCI and is now a member of the National Case Management Reference Group. In addition, they have sought independent clinical advice as and when necessary. Specialist advice in relation to risk management has greatly assisted the management plans. The reviewers commend the efforts made to seek appropriate advice and support and for the willingness to act upon that advice. On the basis of the above information Criterion 6.1 and 6.2 are met fully.

The current safeguarding policy document sets out clearly the guidance required for Criterion 6.3 on page 44. This criterion is met fully.

In respect of Criterion 6.4 it is noted that the primary form of support offered to complainants and survivors of abuse who present to the province is through the counselling and support agency established by the Catholic Church in Ireland, 'Towards Healing'. In addition, the province leader and deputy designated person have met a number of survivors and offered pastoral support. The province leader and deputy designated person meet with three survivors from Greenmount Industrial School. At the request of the survivors, the reviewers met each of them. While it does not fall within the remit of this review to give a detailed account of their situation, it is fair to reflect that they are not happy with the response given by the Presentation Brothers. They were of the view that the services of 'Towards Healing' are too late for them.

The reviewers acknowledge the pain of these survivors. It may be useful for the province leader to consider appointing an independent support person for this group of survivors. This would allow the support to be assigned appropriately to someone other than a member of the provincial team. In addition, the newly appointed support person should advise these survivors of the existence of the State's statutory support fund – Cara Nua.

To date the deputy designated person who was formerly the designated person has also acted as an advisor to accused Brothers. This is a blurring of roles. Added to this is the fact that the same person is also a support person to some adult victims and is on the leadership team. As previously stated, all the key safeguarding roles in the province would benefit from a review of role definitions (this has already been the subject of such a recommendation). Although the numbers of alleged victims and allegations are relatively low the multiple roles carried by the current advisor can only result in Criterion 6.5 being met partially.

The reviewers believe that the following recommendations could assist in strengthening and clarifying both the roles of advisor and support person within the province.

Recommendation 9: That the province leader appoints and trains a number of people to act as a victim support team both from a lay/religious perspective and a male/female perspective. The support person should inform survivors of the State sponsored Cara Nua service.

Recommendation 10: That the province leader appoints and trains a number of people to act as a team of advisors.

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

Number	Criterion	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 fully
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.	N/A
7.5	All incidents, allegations/ suspicions of abuse are recorded and stored securely.	Met fully

The Presentation Brothers have in place a strategic plan 2012-2017, which records in detail under, *Strategic Priority five 'Each child will be cherished and affirmed'*, specific safeguarding measures that will be implemented within the time frame of the strategic plan. As such Criterion 7.1 is met fully.

It is evident from interviews with the province leader and others that safeguarding is a priority for the Presentation Brothers and that human or financial resources are and will continue to be made available when needed. As such, Criterion 7.2 is met fully. An example of such a commitment was the support given by the province to the Coordinator of Youth Ministry, post-appointment, to become an accredited trainer with the NBSCCCI.

The monitoring of compliance with child protection policies is carried out primarily internally within the province through the leadership of the province leader with the support and expertise of the designated person. The province leader takes personal responsibility annually to visit all the communities to review their safeguarding practice and provide a report to the designated person for her review. In the view of the reviewers, this responsibility should be taken on by members of the safeguarding committee. While it is commendable that the province leader visits on a regular basis, he

should appoint members of the safeguarding committee and/or the designated person to audit practice and report to him on their findings. Consideration should therefore be given to enhancing the role of the committee, strengthening the membership and ensuring a greater frequency of meetings.

Criterion 7.3 is met fully but, as suggested above, consideration could be given to enhancing the role of the safeguarding committee by widening its membership and having it meet more frequently than once a year.

The Presentation Brothers do not run parishes and therefore Criterion 7.4 is not applicable to the congregation.

Files are stored in a secure location; a secure room and locked cabinet with restricted access and as such Criterion 7.5 is met fully.

The reviewers appreciate the efforts made by the province leader and his team in safeguarding children and in managing allegations and risk presented by members of the province. The recommendations made will enhance their practice further.

Recommendations

Recommendation 1: The Province Leader should ensure that in the revision of the Presentation Brothers safeguarding policy and procedures explicit reference is made to how individuals who are deemed a risk to children are managed.

Recommendation 2: The Province Leadership Team should review the current role descriptions for the designated person, the deputy designated person, victim support personnel and other relevant personnel within the safeguarding structure.

Recommendation 3: The Province Leader in consultation with the designated person must develop a clear protocol around the creation and maintenance of case records. In addition the master files should be reviewed a minimum of every quarter to ensure full information is on the case management file.

Recommendation 4: That the Province Leader ensures that the revised policy document should include the Interim Protocol on complaints and whistle-blowing procedures.

Recommendation 5: That the Province Leader ensures that all allegations which meet the threshold of notification are reported to the civil authorities and the NBSCCCI without delay.

Recommendation 6: The designated person must ensure that full records, including relevant copies of notification and key information are held on the case file. The records should also follow the NBSCCCI case file template.

Recommendation 7: That on a regular basis the province leadership should meet the TUSLA liaison officer and the Garda liaison officer; the HSC and the PSNI to ensure full exchange of relevant information and communication necessary to safeguard children and manage risk.

Recommendation 8: That the province's trainer should carry out a training needs analysis of the Brothers, lay staff and volunteers involved in safeguarding children to inform a future safeguarding training plan.

Recommendation 9: That the province leader appoints and trains a number of people to act as a victim support team both from a lay/religious perspective and a male/female perspective. The support person should inform survivors of the State sponsored Cara Nua service.

Recommendation 10: That the province leader appoints and trains a number of people to act as a team of advisors.

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.