



THE NATIONAL BOARD FOR
SAFEGUARDING CHILDREN
IN THE CATHOLIC CHURCH

Review of Child Safeguarding Practice
in the religious congregation of
The Benedictine Nuns of Kylemore Abbey.
undertaken by

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

Date 7th April 2015

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Background

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

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

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

This report contains the findings of the *Review of Child Safeguarding Practice within the religious order of The Benedictine Nuns of Kylemore Abbey* undertaken by the NBSCCCI in line with the request made to it by the Sponsoring Bodies.

The findings of the review have been shared with a reference group before being submitted to the Abbess, Sr. Maire Hickey along with any recommendations arising from the findings. There was one allegation of abuse respect which falls within the terms of reference of this review. The review is based therefore on policies and procedures made available to the reviewer, interviews with safeguarding personnel and oversight of the documentation in respect of the allegation.

1. Introduction

The history of this religious community began in 1598, when a Catholic Englishwoman, Lady Mary Percy, daughter of the Earl of Northumberland, founded a Benedictine monastery for women in Brussels. In England, the practice of the Catholic faith was banned and religious orders were seeking places to continue their lives on the European mainland, frequently in the Netherlands, northern France and Spain. Lady Mary Percy's foundation attracted some Irishwomen as well as Englishwomen, and several further foundations were established, including one in the city of Ypres, where in 1686 the monastery was officially dedicated as an Irish Benedictine Abbey. The Abbey of the Immaculate Conception under the title of Gratia Dei, was to be the home of the Irish Benedictines. The Nuns became known popularly in Ypres as *De Iersche Damen* (the Irish Nuns).

The first Irish Abbess, Mary Joseph Butler, cousin of the Duke of Ormond, hoped to be able to return to Ireland later, when the conditions for the foundation of a Benedictine monastery would be more favorable. But in fact, the community of the "Irish Dames" remained settled in Ypres for the next 200 years and longer, contributing to the civic life through the school they ran, and sharing the lives with local citizens.

During these two centuries and more, the monastery of Ypres was the only Irish Abbey of the Order of St. Benedict. Indeed, by 1794 the Abbey at Ypres was the only monastery left in the Low Countries. The communities of the Ghent and the other English Benedictine houses had been forced to return to England at the beginning of the French Revolution.

The community was never large, fluctuating between three and about twenty members. A small stream of Irish women continued to follow in the footsteps of Abbess Butler and the first Irish Dames, but the community soon became a mixture of nationalities. Late in the 18th century the Irish presence disappeared for a short time, until in 1854 Mary Josephine Fletcher arrived from Ireland. When the war began in 1914, 4 German members of the then community were obliged to leave the country; 14 nuns left Ypres in November 1914 and finally arrived in Ireland in 1916, of which 6 were Irish, 3 Belgian, 4 English, and 1 Luxembourger.

After the war, the Community decided against trying to return to Ypres and rebuild its monastery there. The majority voted that the nuns should seek a new future in the place they had been forced to leave over 200 years before. After over a year in England, they moved to Macmine Castle in Co. Wexford and started a school there, but soon found the location unsuitable. Kylemore Abbey in Connemara was on the market, and in 1920 after many legal and financial hurdles had been overcome, the purchase was completed and a new era had begun for the Irish Dames of Ypres. The Abbey of the Immaculate Conception under the title of Gratia Dei, formerly Ypres of Belgium, was newly erected at Kylemore under the same title as a religious institution of Pontifical Right in the Archdiocese of Tuam in the year 1920.

The early years were a time of survival both for the Benedictine Community and for Kylemore itself. But against a backdrop of poverty, crippling debts, maintenance costs of a long-neglected mansion with its extensive and sophisticated gardens, and the economic and political instability of Ireland in the 1920's, a unique school emerged that was soon making a

significant contribution to secondary education of girls in this country. The faith, courage, creativity, educational vision and expertise of the band of founding Nuns from Ypres received a new burst of energy from Irish women who joined them during the first decades. New opportunities, subsidized by the Department of Education, opened up for the girls of Connemara, while prosperous families from further afield saw in this Benedictine school in the West of Ireland a highly suitable boarding school for their daughters. Kylemore Abbey developed also into an iconic tourist attraction, contributing significantly to a transformation in the economy of Connemara and the standard of living of its population.

After a long period of discernment and decision, the community decided in 2005 to close the school. The decline in vocations, especially in vocations to the teaching profession, added to the constantly increasing costs of maintaining the old buildings as a safe and healthy place for a modern school, made it impossible for the nuns to continue the educational mission they had embarked on over two and a half centuries ago. The school was phased out over five years, finally closing in June 2010.

Since then, the Community has been developing into a new educational mission for the needs of today while maintaining the Benedictine tradition and ethos. In light of their common educational ethos and mission, they have identified an opportunity for collaboration with the Catholic University of Notre Dame (Indiana, USA), providing a programme of short residential courses covering a wide spectrum of subjects, as well as retreats and spiritual programmes, that will be availed of by US and hopefully Irish students. This initiative has not yet commenced, and the Congregational superior has indicated an awareness of the need for appropriate safeguarding policies being put in place relevant to these activities.

2. Role Profile (past and present role with children):

Since the closure of the school in 2010 the Benedictine nuns have not had any ministry with children in Ireland, apart from one Sister who teaches music to children from the local community on a part time basis. The Congregation's mission was an exclusively educational one which was centred on boarding/day school in Kylemore Abbey. With the closure of the school, ministry with children has all but ceased.

3. Profile of Members:

There are 12 of the Congregation present in Ireland, the age ranges between 40 and 91 years. Two Sisters are resident in a nursing home in Moycullen, 9 Sisters are resident in the grounds of Kylemore Abbey, and 1 Sister is living in a private house outside of the Abbey grounds. The Sisters live a monastic way of life, and in addition to their lives of prayer, the Sisters commit their lives to the stewardship of the heritage entrusted to them as Benedictine nuns - the estate and castle of Kylemore and the service of people who work and visit there. This includes administration, business, farming, crafts (soap making and chocolate making), preparation of the liturgy, provision of an education facility, welcoming guests, retreats and prayer days as well as daily tasks in the house and garden

4. Policy and Procedures Document:

The policy and procedure document is formatted according to the Church's child safeguarding standards as outlined in the guidance from the NBSCCCI. Notwithstanding the fact that only one member of the Congregation has direct contact/ministry with children the policy document is a comprehensive, clearly laid out and robust guide to all aspects of the

child safeguarding and protection process. This 61 page extensive document covers reporting and responding to allegations of abuse, creating safe environments, training, communication, access to advice and support and implementation and monitoring of the standards. The reviewer commends the detail and comprehensive nature of the policy document.

The Abbey at Kylemore provides, as already stated, a tourist and spirituality centre, with many visitors each year. Bearing this in mind, the policy document includes aspects of safeguarding relating to visitors, pilgrims and resident guests, setting out clearly the need to observe best child safeguarding practice.

The Benedictine nuns have indicated that they are in the process of taking a more directive role in the management of the Kylemore Abbey Estate and Victorian Gardens (a significant tourist attraction in the West of Ireland) and the Abbess has expressed a clear awareness of the importance of a child protection/safeguarding policy to cover any activities/ aspects of the future development of the tourist facilities/operation where such a policy would be necessary.

5. Structures:

There is a designated liaison person appointed within the community who reports to the Abbess on all child safeguarding matters.

Given their small number and aging profile, monastic way of life and limited ministry with children, the NBSCCCI is satisfied that this structure is sufficient.

The Abbess and the designated liaison person have both developed working relationships with NBSCCCI and regularly attend training events and meetings. In addition while the community does not have a dedicated Advisory Panel to offer support on case management issues, their working relationship with the local Archbishop and Tuam Archdiocese's designated liaison person ensures that they can access case management advice and guidance on other safeguarding matters.

6. Management of Allegations and liaison with the statutory authorities:

There has been one allegation of sexual abuse recorded against one member; this was reported within an appropriate time frame to the statutory authorities. The reviewer read all the records relating to the management of this case.

The respondent has been out of ministry since the allegation was reported and this situation is on-going. There is a safety plan in place and there are no current child protection concerns with regard to this person. The Community has and continues to offer appropriate support to the respondent Sister.

In the case of the complainant, the Community has made offers of pastoral support and has met with her family to try and resolve a number of outstanding issues. The support, while not yet availed of, remains as a commitment of the part of the Community.

Upon examination of the records, the reviewer is not satisfied that all aspects of this case have been properly addressed. It appears as if the case has drifted without any satisfactory resolution or discernable outcome for either party, both the complainant and respondent. In spite of previous inquiries, the process relating to the specifics of this case has not addressed

the credibility of the allegation, the response to the complainant, nor the long term status of the respondent. There clearly now needs to be a process initiated under canon law, given that there has not been any criminal investigation, which establishes if the threshold of a semblance of truth has been reached, and then for any further disciplinary canonical action to follow if necessary. For such action to take place the Abbess should initiate a preliminary investigation with the support of a canon lawyer. Advice should be sought from NBSCCCI in this regard.

Recommendation 1

The Abbess should initiate a preliminary investigation into the allegation against the Benedictine Sister who is out of ministry, and engage the support of a canon lawyer in this process.

Recommendation 2

The Abbess should consider offering a lay support person to the complainant.

7. Conclusion:

This is a numerically small Community, with very limited ministry to children. Appropriate safeguarding measures are in place relating to the one Sister who provides music lessons to children. All other Sisters are aware of the safeguarding policy and have very limited contact with children and young people.

The outstanding issue, referenced above, remains the management of the one allegation made against one member. The reviewer has recommended that the Abbess engages the services of an independent professional, with knowledge of both canon law, and the lay child protection process, to examine this case, and to produce recommendations which would address any outstanding issues identified. Support for the complainant is also recommended.

Review of Child Safeguarding in the Catholic Church in Ireland

Terms of Reference

Small Religious Congregations

(To be read in conjunction with the accompanying Notes)

Introduction

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

This review seeks to examine the current arrangements for safeguarding children across small religious congregations /orders, and missionary societies in Ireland who have limited or no direct contact with children as part of the congregation's ministry.

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

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

The proposed review would consider the following:-

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

The objective of the review would be to confirm if there have been any allegations and how known allegations have been responded to; in addition the review seeks to confirm what the current arrangements for safeguarding children are. In particular, emphasis will be placed on establishing how policies and practice match up to the standards set down in *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* published

by the National Board for Safeguarding Children in the Catholic Church in Ireland and launched in February 2009. Priority, at all times, will be given to how policy and practice can be improved and strengthened. If policies and/or practices are identified that are concerning, inadequate, or dangerous, they will be addressed through the provision of guidance and support, and through the reporting of these situations to the appropriate statutory authorities, if this has not already happened. Similarly, those that are good examples will be highlighted with a view to them being adopted comprehensively across all parts of the Church. All cases that relate to alleged or known offenders that are alive will be read and included in the review. In cases where the alleged or known offender is deceased, these will be sampled in an attempt to gather learning from them that will be used to inform the framing of recommendations.

Guidance Documents

The review will be guided by the following:-

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

The review will be undertaken by the National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) through their National Office and led by the Chief Executive Officer.

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

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

Step Guide to the Review Process

Step 1.

A letter of invitation to review is sent by the Provincial/Regional Superior or other person responsible for the congregation/ order or missionary society (hereinafter referred to as ‘the Ordinary’).

Step 2.

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

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

Step 3.

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

Step 4.

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

Step 5.

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

Step 6.

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

Step 7.

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

Step 8.

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

Step 9.

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

Step 10.

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

Step 11.

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

Step 12.

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

Step 13.

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

Step 14.

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

Step 15.

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

Step 16.

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

Step 17.

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

Step 18.

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

Step 19.

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

Step 20.

The report will be legally proofed by NBSCCCI lawyer.

Step 21.

The report will be forwarded to the NBSCCCI for approval

Step 22

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

Step 23.

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

Guide for Reviewers

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

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

In relation to category 1 above;

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

Review of Policy and Procedures

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