



Private and Confidential

Review of Safeguarding Practice

in the religious congregation of

The Franciscan Missionary Sisters for Africa

undertaken by

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

**This review was undertaken at the invitation of Congregational Leader
Sr. Bridgette Cormack**

Date July 2014

CONTENTS

| | |
|---------------------------------------|---------------|
| <i>Background</i> | <i>Page 3</i> |
| <i>Introduction</i> | <i>Page 4</i> |
| <i>Role Profile</i> | <i>Page 4</i> |
| <i>Profile of Members</i> | <i>Page 5</i> |
| <i>Policy and Procedures Document</i> | <i>Page 5</i> |
| <i>Structures</i> | <i>Page 6</i> |
| <i>Management of Allegations</i> | <i>Page 7</i> |
| <i>Conclusion</i> | <i>Page 8</i> |
| <i>Terms of Reference</i> | <i>Page 9</i> |

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 Safeguarding Practice within the Franciscan Missionary Sisters for Africa* 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 Franciscan Missionary Sisters for Africa along with any recommendations arising from the findings. The review is not based on a review of case material as during the relevant time period there were no allegations made against members of the congregation that were within the Terms of Reference. There also were no allegations in respect of other forms of abuse within the time period, in respect of deceased and living members of the congregation. The review therefore is primarily based on policies and procedures made available plus interviews with key personnel involved in the safeguarding process within the congregation, particularly in the services run by the congregation.

Review of safeguarding practice in the Franciscan Missionary Sisters for Africa

1. Introduction

The Franciscan Missionary Sisters for Africa is an international missionary congregation founded by Teresa Kearney, more commonly known as Mother Kevin or Mama Kevina. As members of the Third Order Regular of St. Francis of Assisi, they make a life-long commitment. Spirituality, Community and Service are integral to their Gospel way of life.

They currently have members in Uganda, Kenya, Zambia, Zimbabwe, South Sudan, America, Ireland, Scotland and England. Until November 2013, the sisters were also in South Africa. Africa has always been the major focus for their work, but their overarching concern is to work with the marginalized members of society.

The congregational leader is based in Sandymount, Dublin and she has ultimate responsibility for sisters in all countries where they minister. In addition there is a country leader in Sandymount in Dublin who has responsibility for all sisters in Ireland.

2. Role Profile:

The Franciscans Missionary Sisters for Africa (FMSA) in Ireland have traditionally focused on supporting their missions in Africa. They do not have responsibility for any work with children in Ireland either in the present or at any time in the past.

The past role with children has seen members of FMSA running and teaching in schools, running and helping staff hospitals and running and helping to staff two Leprosaria in Uganda. A number of sisters also helped to staff hospitals run by Government and other religious denominations. The FMSA were also involved in the running and staffing of clinics and mobile clinics including maternity and neo natal clinics. They ran a rehabilitation home for victims of polio and worked with people with disabilities (including children) in a home and an outreach programmes for which others had responsibility. Included in their work also was the running and facilitating of Education for Life Programmes and the organisation and participation in Youth Alive Programmes; they also helped facilitate Diocesan Pastoral Programmes.

All FMSA work with children and young people took place in Uganda, Kenya, Zambia, Ethiopia, Zimbabwe, Transvaal and South Africa.

Currently FMSA have responsibility for a school and for a day care center for orphans and vulnerable children in Nairobi, Kenya and nursing in and helping to get a diocesan hospital in South Sudan up and running. They have responsibility for running Youth Alive Programmes in Zimbabwe and help to fund and administer a day center for orphans and vulnerable children in Zambia (the center is the responsibility of a local woman). One sister is employed as school manager in a primary/secondary school in Zambia and one retired sister voluntarily helps with office work in a Government school in Dublin.

3. Profile of Members:

There are 100 FMSA sisters worldwide of which 50 live in Ireland. In May 2014 the age profile of the sisters in Ireland reflects the fact that most of the sisters have now retired from active ministry in Africa and have all reached the usual age of retirement. The age profile is follows: 14 sisters aged between 66 and 75 years. 24 sisters in the age range 76-85 and 14 sisters aged between 86-100+. Since then two sisters have passed away.

The sisters live in two community houses in Raheny and Sandymount, Dublin where the generalate of the congregation is also located and in Mount Oliver, Dundalk the motherhouse where the majority of the sisters live and where in recent years a modern nursing care facility was developed to provide care for retired sisters and also for older adults in the general population.

There is one sister in Ireland who works voluntarily for a few hours a week in administration in a Dublin school. The understanding is that this sister must conform to the child safeguarding policies and procedures of this school and also to those of the FMSA Congregation Child Safeguarding and Protection Policies and Procedures and those adapted by the FMSA for sisters in Ireland. As stated earlier there are no other members engaged in ministry with children in Ireland and the Franciscan Missionary Sisters for Africa do not have responsibility for any ministry with children here in Ireland.

4. Policy and Procedures Document:

FMSA have developed an excellent congregation policy and procedures document which is underpinned by International Law¹ and by Civil Law pertaining to the Rights of Children. It follows the 7 standards laid down by the NBSCCCI to which FSMA signed its commitment to comply in 2009 and states that it is applicable to all members of FMSA working with children or who come into contact with children in the course of their work, save for:

-“Those sections of this Policy that may be inconsistent with National Civil Guidelines for the Protection of Children.

-Those sections of this Policy that may be inconsistent with the Child Protection Policy of the Catholic Church in the Diocese or Country.”

The UN definition of a child is accepted for use in the congregation policy document, entitled “Child Safeguarding and Protection, 2013”. The international congregation policy document “Child Safeguarding and Protection”, was updated in April 2013 and notes that it will be reviewed within three years. It is displayed on the FMSA website. It is the commitment of FMSA that all staff working in FMSA projects in Africa receives training in all areas of the policy relevant to their area both in a geographical and ministry sense. This document along with an extensive portfolio of resource material is available to all projects leaders for dissemination in CD form for practical and portable reasons. For example all projects where FMSA have an involvement have a Child Protection

Review of safeguarding practice in the Franciscan Missionary Sisters for Africa

Statement and the template for this can be easily printed off from the CD with little fuss and displayed. The bulk of the safeguarding material contained in the CD is more relevant to the work that is carried out in Africa.

The reviewer was advised that each country where the FMSA minister, adapts the safeguarding policy according to their needs and circumstances and to local legislative requirements.

The FMSA policy document for Ireland explains that it is underpinned by Irish Civil Law as well as the congregation policy. It was written in June 2014 and states that it will be reviewed within three years. It outlines very clearly the reporting procedure of allegations of child abuse. It also makes reference to vulnerable adults because the FMSA are very conscious of their own elderly members and recognise their vulnerable status.

It states that an appropriate child protection structure is in place and the name of the designated person is noted in the document. The document outlines its commitment to provide appropriate training, safe recruitment and vetting practices and states that any member of staff who poses a risk to children or vulnerable adults will be dealt with in accordance with their contract of employment. It states that FMSA will provide assistance and support to those who have been abused and to those who have perpetrated abuse. The congregation policy clearly states that a member of FMSA who poses a risk to children is required to step aside from any ministry that involves unsupervised contact with children.

The policy and procedures document can be found on the website of the congregation.

The policy sets out reporting procedures, methods of creating safe environments and all requirements of the seven standards.

5. Structures:

The FMSAs have specific safeguarding personnel including a Child Protection Officer in every organisation/project where they work with children, an FMSA Designated Officer in every country and a Child Protection Committee in every area where they work with children.

FMSA countryleaders and the FMSA congregational leader are also an important part of the safeguarding structure.

All specified safeguarding personnel have specific roles to play in child safeguarding and are given additional training to fulfil their roles.

The name and contact details of the local Child Protection Officer and the FMSA Designated Officers are on the child safeguarding and protection policy and are also posted in a public place in all project buildings, together with contact details of the local civil child protection authority and police.

Review of safeguarding practice in the Franciscan Missionary Sisters for Africa

Within Ireland there is a nominated designated liaison person who is responsible for managing allegations of abuse. As the congregation has not had any allegations, she has not been used in this capacity. Within each of the other countries where FMSA has a presence, there is also a requirement to have a named Designated Person and a Child Protection Officer in every project that involves working with children who oversee that the policies and procedures are followed along with the provision of training and the raising of safeguarding awareness, as well as responding to allegations of abuse.

The reviewer was particularly impressed with the array of knowledge and expertise of the Irish Designated Liaison person who has taken on and developed the safeguarding role with a keen interest in the last six years or so. She has an extensive knowledge of safeguarding issues and this alongside her organisational skill set demonstrated a readiness and preparedness for any safeguarding situation that may present.

Key FMSA personnel have attended a significant amount of training courses over the years as is evidenced by the safeguarding information relevant to training in a specially designated file. There is ongoing awareness of the necessity to update skills regularly within the leadership and designated liaison person.

6. Management of Allegations

The Franciscan Missionary Sisters for Africa have not received any allegations against their members or anyone working with them.

Advice was sought from both An Garda Síochána and TUSLA as part of this review. An Garda Síochána stated that they had no contact with the order, as there has not been any allegations.

TUSLA stated For the purpose of our audit this female RO has been categorised as Category 3 meaning there have been no child sexual abuse allegations against members and those whose ministry does not involve children in Ireland. The FMSA have informed this office that they have never had any allegations made against any members or personnel either in Ireland or abroad, current or historical. The 53 sisters in Ireland do not have any responsibility for any ministries with children in Ireland. One retired sister, however volunteers for a few hours in the office of a local primary school. This sister does not work directly with children and would not have unsupervised access to them and follows the CP of the school. With all this in mind and their cooperation with the audit process there are no concerns about this RO.

7. Conclusion:

There have been no allegations of abuse either past or present in Ireland or worldwide in relation to FMSA members. The procedures for dealing with allegations are more than adequate in proportion to the ministry which FMSA have in relation to children. There is clarity and awareness in evidence regarding the obligations to report allegations, in relation to training, safe recruitment and vetting practices and the reviewer is confident of the commitment and energy on the part of FMSA towards safeguarding children.

**Review of Safeguarding in the Catholic Church in Ireland
Terms of Reference (which should be read in conjunction with the accompanying
Notes)
Small Religious Congregations**

Introduction

In order for the National Board 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 Congregations 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 matches up to the standards set down in the Safeguarding Children Guidance published by the National Board for Safeguarding Children in the Catholic Church 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

Review of safeguarding practice in the Franciscan Missionary Sisters for Africa

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;
- (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 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.

Review of safeguarding practice in the Franciscan Missionary Sisters for Africa

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 Board 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 Board'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.

Review of safeguarding practice in the Franciscan Missionary Sisters for Africa

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 National Board 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. In 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.