



THE NATIONAL BOARD FOR
SAFEGUARDING CHILDREN
IN THE CATHOLIC CHURCH

**Review of Child Safeguarding Practice
In the religious congregation of**

The Marianists of Ireland

undertaken by

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

December 2015.

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Background

The National Board for Safeguarding Children in the Catholic Church (NBSCCCI) was asked by the Sponsoring Bodies, namely the Irish Episcopal Conference, the Conference of Religious of Ireland and the Irish Missionary Union, to undertake a comprehensive review of safeguarding practice within and across all the Church authorities on the island of Ireland. The purpose of the review is to confirm that current safeguarding practice complies with the Standards set down within the guidance issued by the Sponsoring Bodies in February 2009, 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 Child Safeguarding Practice within the Congregation of the Marianists of Ireland* 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 Marianists 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.

1. Introduction

The Society of St Mary was founded in Bordeaux France in 1817 by Blessed William Joseph Chaminade, a diocesan priest who started a network of lay movements as a way of rebuilding the Church after the destruction of the French revolution (www.marianist.com). It was from this background that the Marianist Order of men and women religious emerged. The contemporary Marianist family is made up of Catholic brothers and priests as well as Marianist sisters and lay ministers, and committed lay people across the world, who believe that the modern secular world expresses many of the same anti-religious attitudes as that of post-revolutionary France. Within these groups there are roles, but no rank (Marianist Brothers and Priests. www.marianist.com/vocations) and equality exists between the ordained and non-ordained members, religious and lay communities. The entire family seeks ‘a discipleship of equals’, working together to serve God. Marianists are engaged in a variety of ministries, including;

- Teaching in high schools and universities
- Serving as campus ministers, counsellors and social workers
- Designing chapels and creating art to enhance worship
- Launching small businesses in Third World countries to combat poverty
- Serving as advocates for peace and justice.

There are 1200 Marianist Priests and Brothers globally (400 priests and 800 brothers), with ministries in North America, Europe, South America, Africa and Asia, which span 16 countries. Their headquarters is based in Rome.

The Marianists of Ireland are part of the Marianist Province of the United States, which was invited in 1967 by the Archdiocese of Dublin to set up ministry here, with an emphasis on education. The size of the Marianist mission in Ireland has decreased over the years and now consists of four members (3 Brothers and 1 Priest), who live communally in Killiney, Dublin. Leadership of the community alternates between members, and governance rests with the Marianist Provincial in St Louis, USA.

This review was undertaken as a short review, on the basis of the small size of this congregation and the absence of any allegations relating to children or young people. The reviewer met with the Leader of the Irish congregation on 03.11.15 in Dublin, and the review is based on this interview, and on documentation provided to the reviewer or accessed via the inter-net. The reviewer was briefed on 2 files relating to concerns which lie outside the terms of reference of the review.

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

As noted above, the Marianists were invited by Archbishop John Charles Mc Quaid to establish a mission in Dublin in 1967, and to found and manage a boys voluntary secondary school which became co-educational in 1973, [St. Laurence College](http://www.stlaurencecollege.com) in [Loughlinstown](http://www.stlaurencecollege.com), Dublin. This school, accommodating numbers up to 554, has catered for students of all abilities over the past 48 years and is non-fee paying. The school is now managed through a Board nominated and appointed by the Marianists as Trustees (www.stlaurencecollege.com). Marianists have also ministered in the parish of Ballybrack, Killiney, Co Dublin, and have been active in diocesan youth ministry, school and prison chaplaincy, drug rehabilitation, work with the homeless, work for peace and justice, and parish work in the Dublin area.

The reviewer has been advised by the Marianists of Ireland that there have been no allegations made to them relating to the possible abuse of children or young people within the terms of reference of this review.

3. Profile of Members:

One is 56, while the other three members of the Marianist congregation in Ireland are more than 65 years of age, and live in a community house in the Killiney area. They continue to have input into St Laurence College, contributing in areas such as teaching of religion, art, and support for the chaplaincy service, school maintenance and work with past pupils, as well as to parish ministry and activity in the other areas listed above.

4. Policy and Procedures Document:

The Child Protection policy of the Marianists in Ireland is entitled ‘Policies for the Protection of Children and Vulnerable Persons’ October 2015, and is published by the Marianists Province of the United States. The policy states that there is no tolerance for any form of sexual abuse of minors or vulnerable persons in the Province of the United States, that it applies to all professed religious, and that its aim is to provide directives for handling allegations of sexual abuse, for the reporting and investigation of such allegations, and for a process of return to ministry of those exonerated.

The policy covers the following areas;

- Introduction and Scope
- Principles
- Definitions
- Policies for Maintaining Ethical Ministry with Children and Vulnerable Persons (which includes sections on screening and formation of candidates; educational policies; ministering with love and prudence; policies and procedures regarding allegations of sexual misconduct)

In addition to the Child Protection Policy the United States Province has developed an accreditation template for its Institutes (defined as individual provinces, associations, congregations etc), an audit of which over the period 2011-2015 is published on its website entitled ‘Praesidium Accreditation – Final Report 30.06.2015’. It reports full compliance in the Province (‘green’ status) with detailed safeguarding requirements in the areas of :

- Screening of new candidates and formation
- Systems for support and accountability for members
- Clear policies for boundaries in with minors
- Education and training
- Intervention
- Support for members who declare issues relating to minors
- Response to victims, training of support persons and provision for healing
- Written protocols
- Reporting to civil authorities – new and historical allegations and co-operation with civil authorities
- Documentation
- Review Board and reporting to leadership
- Safety planning, and reviews
- Training of Advisors, and access to information
- Accountability of Superior

The Marianist Child Protection policy, signed off at Provincial (USA level) does not reference the NBSCCCI standards framework in Ireland. This policy addresses vulnerable adults as well as children. There is a substantial overlap between the core requirements of Marianist policy and the NBSCCCI standards – in areas such as reporting requirements and working with the civil agencies, step by step guidance on what to do, recording and confidentiality, appointment of a Designated Liaison Person, vetting practice, training, communication, code of behaviour, management of allegations and safety planning, policy review and victim outreach. The majority of the NBSCCCI criteria are assessed as fully met in the Marianist document. A small number are partially met, and a small number are not met. The gaps between the policies occur in the following areas;

- Formal leadership approval needs to be stated at regional (Irish) level (NBSCCCI Criterion 1.2)
- Definitions of abuse are not consistent across the two policy documents (NBSCCCI Criterion 1.7). The Marianist policy is focused on the definition of sexual abuse, and does not provide definitions of physical abuse, emotional abuse or neglect (NBSCCCI Resource 10, Standards and Guidance document)
- The Marianist policy needs to have contact details for civil agencies in Ireland (NBSCCCI criterion 2.7)
- The Marianist policy does not specifically address a vetting policy (NBSCCCI criteria 3.1, 3.2, 3.3). It does however state that, members should comply fully with all aspects of diocesan safeguarding policy and/or with the safeguarding policies of any other institutions in which they work. The vetting and recruitment criteria are met in practice and through the diocesan and school safeguarding policies
- It is recognized that not all of the NBSCCCI criteria have active application given the size of this congregation and the fact that its main contacts with children take place in contexts already regulated by the school or diocesan child protection policy. NBSCCCI criteria falling into the category of ‘Not Met but no active application’ include a general complaints procedure to resolve issues which do not meet the definitions of child abuse) (NBSCCCI Criterion 2.5), anti-bullying policy, anti-discriminatory policy and policy on intimate care of children with disabilities (NBSCCCI Criteria 3.5, 3.8, 3.9), and provision for consultation with parishioners (NBSCCCI criterion 7.4)
- It is noted that the US Province offers in-service training in safeguarding to its members, and that training is delivered through the Yearly Praesidium training component. It is recommended that the Marianists consult with the NBSCCCI in relation to their use of internal training, and its consistency with the NBSCCCI approved training framework (NBSCCCI Criterion 4.4)
- The Marianist policy guidance on how to respond and support a child who is suspected to have been abused should be developed further to be fully compliant with NBSCCCI criterion 6.3 (See NBSCCCI Resource 9, Standards and Guidance document)
- The drafting of a short safeguarding plan would meet NBSCCCI criterion 7.1.

The introduction of a common Church Safeguarding policy in 2016 will bring the Marianists of Ireland into line with the NBSCCCI template, and this will resolve most of the issues outlined above. There needs to be internal discussion to clarify how this will be integrated with the Marianist Provincial safeguarding framework.

5. Structures:

The very small locally based nature of the Marianist community means that the functions of Regional Leader and Designated Liaison Person are combined. The functions of a Safeguarding Committee - communication, policy review and co-ordination, development of a safeguarding plan - can be undertaken by the Designated Liaison Person relating directly to the other members of the congregation.

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

There has not been any allegation, suspicion or concern against any members of the Marianists living or ministering in Ireland.

Direct contact between the Marianists of Ireland and civil authorities has been minimal because of the absence of allegations relating to children and young people.

Feedback sought from TUSLA:

“This Religious Order has been categorised as Category 2 meaning there have been no child sexual abuse allegations against members and whose ministry does involve children in Ireland.

Of the four members in Ireland as of 31.03.2013 three have current ministry with children in the education field.

The child protection policy has yet to be reviewed as part of our process. In the meantime we have no concerns about this Religious Order.”

As there have not been any allegations against any member of The Marianists in Ireland, they have not had any contact with An Garda Siochana.

7. Conclusion

The Marianists of Ireland constitute a very small, ageing congregation, and their safeguarding structure is limited. There is evidence of a committed and regulated approach to safeguarding at Provincial level, and most of the NBSCCCI criteria are substantially met in the current policy. The introduction of a common Church safeguarding policy in 2016 will address any outstanding policy issues. There is no history in Ireland of allegations relating to children or young people.

The two recommendation of this report refers to:

1) The Regional Leader should consult with the NBSCCCI, in order to synchronize and validate the approach to training

2) The Regional Leader should adopt the common Church policy and incorporate the revised standards in Ireland into the Provincial policy.

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 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.

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.

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.