

**Review of Child Safeguarding Practice**

**in the**

**Oblates of Mary Immaculate (Ireland)**

**undertaken by**

**The National Board for Safeguarding Children in the**

**Catholic Church in Ireland (NBSCCCI)**

**Date September 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 child safeguarding practice within and across all the Church authorities on the island of Ireland. The purpose of the review is to confirm that current child 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, child 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 in the Oblates of Mary Immaculate (Ireland)* undertaken by the NBSCCCI in line with the request made to it by the Sponsoring Bodies. It is based upon the case material made available to the reviewers by the Oblates, along with interviews with selected key personnel who contribute to child safeguarding within the Oblates. The NBSCCCI believes that all relevant documentation for these cases was passed to the reviewers, and the Provincial has confirmed this.

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

## **Introduction**

The Congregation of the Missionary Oblates of Mary Immaculate, founded by St Eugene de Mazenod, had its beginnings in Aix-en-Provence in 1816 as a society of diocesan priests and received Pontifical approval as a Clerical Religious Congregation of priests and brothers in 1826. The province now known as the Anglo-Irish Province was established in 1851. The Province opened its first mission in Ireland in 1856.

The Oblate charism is a missionary one, to preach the Gospel to the poor and marginalized, while living as religious in communities of priests and Brothers. In Ireland it has found expression in the preaching of missions and retreats, in the management of reformatories for boys, secondary education, parish work in deprived or new neighbourhoods, and in various chaplaincies to homes for recovering addicts. It has also found expression in Oblate work with Irish emigrants in the UK and the missioning of a large number of Oblates to all parts of the world.

The Oblate motto is to “preach the Good News to the poor”. Their particular charism is to live in community and in solidarity with those who cry out for help and hope. Oblate communities are typically small – of two, three or four members, who meet regularly to share life, faith and mission. They have one large community of some thirty members comprised of active and retired Oblates located in the House of Retreat, Inchicore. Since 2006 the Oblates have been engaged in a process of Refounding Mission throughout the Province. This has led to a new vision/mission statement, establishing priorities for mission and reducing the number of parishes in their care, in line with their reduced numbers and high age profile. It has also resulted in greater collaboration with lay people in their ministry.

The Oblates were involved in the running of two reformatory schools in Ireland; Glencree from 1857 to 1940, and St Conleth’s, Daingean from 1870 to 1973. When Daingean closed, the Oblates worked in Scoil Ard Mhuire, Oberstown from 1973 to 1984. St Conleth’s Reformatory School/Daingean was included in the Commission of Inquiry into Child Abuse. Chapter 15 of the Commission Report refers to St Conleth’s Reformatory School, Daingean, managed by the Oblates. The legislation which established the Commission precludes disclosure of information outside that forum, therefore this review will not comment on their findings. The full report is accessible on the Commission to Inquire into Child Abuse’s website: <http://childabusecommission.ie>; Commission Report, Volume 1 Chapter 15.

### **Current Ministry in Ireland**

At present the Oblates have 6 communities in Dublin. They also have 2 Oblates working as chaplains in different parts of the country. There are a total of 49 members living in Ireland; with 18 in active ministry, full and part-time. The Oblates have 33 members who are retired from active ministry.

### **Parish Pastoral Ministry**

There are currently eleven Oblates engaged in parish ministry in Ireland (Dublin Archdiocese). One Oblate also serves as Director to the Oblate Youth Service.

### **Chaplaincy**

There are two Oblates engaged as residential chaplains and team members of Cuan Mhuire centres. Cuan Mhuire is Ireland's largest voluntary provider of Rehabilitation Treatment for individuals suffering from addiction and other related issues.

### **Mission Development Office**

Two Oblates are serving in Oblate Mission Development which was set up in 2005 to strengthen links between contemporary Ireland/UK and Oblate missions around the world. Their brief is to raise awareness of missions worldwide, interact with Oblate missions in developing countries, and raise funds to support the work of Missionary Oblates of Mary Immaculate with some of the world's poorest communities.

### **Missionary Association and Lourdes Pilgrimage**

One Oblate serves as Director of the Missionary Association and the Annual Lourdes Pilgrimage, liaising with the medical volunteers, Hospitalité service and Oblate Youth Service.

### **The Oblate Youth Service**

The Oblate Youth Service was founded in 1987 and was initially a group of young people who travelled overland to Lourdes assisting in the care of the sick on the Oblate Pilgrimage. The group's mission has grown to include work on development projects in Africa, an annual youth camp in Wales, Faith Friends with children preparing for Confirmation and the pilgrimage to Lourdes. The Oblate Director of the Youth Service currently ministers in Dublin.

### **Provincial Administration**

There are two Oblates serving in fulltime ministry in the administration of the Anglo-Irish Province from its Dublin base.

## 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 Oblates of Mary Immaculate. 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.

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### **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 the Oblates meet the requirements of all nine criteria against which the standard is measured.

#### **Criteria**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>1.1</b>	The Church organisation has a child protection policy that is written in a clear and easily understandable way.	Met fully
<b>1.2</b>	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
<b>1.3</b>	The policy states that all Church personnel are required to comply with it.	Met fully
<b>1.4</b>	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.	Not met
<b>1.5</b>	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
<b>1.6</b>	The policy states how those individuals who pose a risk to children are managed.	Not met
<b>1.7</b>	The policy clearly describes the Church's understanding and definitions of abuse.	Met fully
<b>1.8</b>	The policy states that all current child protection concerns must be fully reported to the civil authorities without delay.	Met fully
<b>1.9</b>	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 Missionary Oblates of Mary Immaculate (Ireland) present their child safeguarding policies and procedures in the document '*Child Protection Policy of The Missionary Oblates of Mary Immaculate Ireland*' published in 2011. The document is supplemented by their publication in 2015 of '*Child Safeguarding Policies and Procedures – Additional Guidance*'. The Order explains that both texts are to be read in conjunction with each other; and together form the

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Order's safeguarding policies and procedures. The Oblates' '*Child Protection Policy of The Missionary Oblates of Mary Immaculate Ireland (2011)*' is a 34 page, easily read, document, in A5 format, which is professionally produced and presented. The additional guidance document is also in A5 format and contains 19 pages. It is equally professionally presented and is clear in its direction to Oblate members, volunteers, and staff. While the 2011 document is not signed by the Order's leadership, the 2015 is approved and signed by the Order's Provincial.

The Oblates' '*Child Protection Policy of The Missionary Oblates of Mary Immaculate Ireland (2011)*' contains the Orders safeguarding policy statement;

*'All Oblates, as well as their employees and volunteers, value and encourage the participation of children and young people in their pastoral ministry and in activities that enhance their spiritual, physical, emotional and social development. The Oblates recognize the dignity and rights of all children and are committed to their support and safeguarding. We undertake through adherence to best practice to create safe environments for children and young people and to ensure their protection from all forms of abuse. We are committed to:*

- *Best practice in ensuring that children and young people are safeguarded, their rights protected and their welfare promoted.*
- *Minimizing risks in order to safeguard the interests of children and young people.*
- *Ensuring that all Oblates, their paid employees and volunteers are carefully recruited, selected, trained, supported and supervised.*
- *Ensuring that all Oblates, their paid employees and volunteers are aware of, trained in and work to the Code of Best Practice for working with Children.*
- *Supporting all victims of abuse.*
- *Working closely with statutory authorities to ensure that all allegations of abuse are dealt with justly and promptly'. (page 1)*

And the policy and procedures places an obligation on all members, staff and volunteers

*'All Oblates, staff and volunteers, have an obligation to ensure that the fundamental rights of children are respected. The policy has been written to ensure that all measures are taken to safeguard children'. (page 2)*

The document '*Child Protection Policy of The Missionary Oblates of Mary Immaculate Ireland (2011)*' is comprehensive in its detail. The production of the supplementary publication '*Child Safeguarding Policies and Procedures – Additional Guidance*', in 2015 is welcomed by the reviewers. However, while it is acknowledged that the 2015 document was developed following the provision of additional safeguarding guidance by the Archdiocese of Dublin, it does not represent a review of the Order's safeguarding policies and procedures. It was noted that the Oblates safeguarding documents do not

contain a commitment to review the policies and procedures at regular intervals, and no more than three years apart. For this reason, Criterion 1.4 is not met.

The policy and procedures document sets out an expected code of behaviour for the Order's members, volunteers, and staff working in parish ministries and projects. It was also noted that reference is also provided for other areas of Oblate activities, such as pilgrimages and retreats. Again, the document provides comprehensive detail and direction in this area, which is noteworthy.

The policy document does not contain guidance or direction on how 'those individuals who pose a risk to children are managed'. While the document defines the role of the Adviser to the respondent, there is no practical guidance on the process the respondent will undergo, and there is no direction on the management of risk. Therefore, Criterion 1.6 is not met. Given the pending implementation of National Policy and Guidance in 2016, there are no recommendations being made for changes to the Oblate policy document.

Criteria 1.7, 1.8 and 1.9 are comprehensively addressed with this Oblates' safeguarding documents.

**Standard 2**

***Management of allegations***

*Children have a right to be listened to and heard: Church organisations must respond effectively and ensure any allegations and suspicions of abuse are reported both within the Church and to civil authorities.*

Compliance with Standard 2 is only fully achieved when The Oblates meet the requirements of all seven criteria against which the standard is measured.

**Criteria**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>2.1</b>	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
<b>2.2</b>	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
<b>2.3</b>	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
<b>2.4</b>	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
<b>2.5</b>	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 fully
<b>2.6</b>	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
<b>2.7</b>	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.	Not met

The reviewers are satisfied that the Oblates meet the requirements of Criteria 2.1 to 2.6. The child safeguarding documents provide appropriate guidance on the receipt and response of concerns relating to children; and this guidance is in accordance with national legislation and guidelines. The Designated Liaison Person (DLP) is experienced and is confident in her role. Definition of the DLP's role is appropriately defined on Page 19 of the *Child Protection Policy of The Missionary Oblates of Mary Immaculate Ireland (2011)*.

With regard to Criteria 2.6, the Oblates safeguarding policies and procedures states the following;

*'The safeguarding structure represents the way that the Oblates ensure effective procedures and practices are in place to keep children safe, and allows for these to be monitored regularly. Ensuring children are properly safeguarded requires co-operation and a willingness to work across traditional boundaries to ensure that any allegation or disclosure of abuse is handled compassionately, effectively and professionally'. (page 18)*

Within their safeguarding documents, the Oblates set out their commitment to promoting the safety, welfare and protection of children. This includes a commitment to report any concerns to the statutory authorities 'without delay'. The document refers to the Standard Reporting Form Template which is to be used for reporting concerns, and this is provided in the appendices of *Child Protection Policy of The Missionary Oblates of Mary Immaculate Ireland (2011)*.

The safeguarding document makes specific reference to the Seal of Confession and sets out;

*'Because of the obligations of the Sacramental Seal, no priest performing a function under the [safeguarding] procedures for dealing with a child protection matter should celebrate the Sacrament of Penance with a respondent'. (page 18)*

The 2011 safeguarding document does not provide contact details for the statutory agencies; and there is no facility to add such information to the guidelines. While the reviewers acknowledge that the Designated Liaison Person's contact number is provided within the '*Child Safeguarding Policies and Procedures – Additional Guidance (2015)*'; the information is on pages 8 and 11. The reviewers consider that this information is not given prominent position and its placement at the foot of paragraphs could easily be overlooked. The requirements of Criterion 2.7 are not met.

**Table 1**

Incidence of safeguarding allegations received within The Missionary Oblates of Mary Immaculate (Ireland) against Oblates, from 1<sup>st</sup> January 1975 up to time of review.

<b>Oblates of Mary Immaculate (Ireland)</b>		
<b>1</b>	Number of Oblates against whom allegations have been made since the 1 <sup>st</sup> January 1975 up to the date of the Review.	<b>13</b>
<b>2</b>	Total number of allegations received by the Oblates since 1 <sup>st</sup> January, 1975	<b>18</b>
<b>3</b>	Number of allegations reported to An Garda Síochána involving priests since 1 <sup>st</sup> January 1975.	<b>11*</b>
<b>4</b>	Number of allegations reported to TUSLA, the HSE (or the Health Boards which preceded the setting up of the HSE) involving Oblates since 1 <sup>st</sup> January 1975.	<b>13**</b>
<b>5</b>	Number of Oblates (still members of the Order) against whom an allegation was made and who were living at the date of the review.	<b>7</b>
<b>6</b>	Number of Oblates against whom an allegation was made and who are deceased.	<b>6</b>
<b>7</b>	Number of Oblates against whom an allegation has been made and who are in ministry.	<b>1</b>
<b>8</b>	Number of Oblates against whom an allegation was made and who are “Out of Ministry, but are still members of the Order”.	<b>1</b>
<b>9</b>	Number of Oblates against whom an allegation was made and who are retired	<b>5</b>
<b>1 0</b>	Number of Oblates against whom an allegation was made and who have left the Order/ priesthood.	<b>0</b>
<b>1 1</b>	Number of Oblates who have been convicted of having committed an offence or offences against a child or young person since the 1 <sup>st</sup> January 1975.	<b>0</b>

\*The Order notified An Garda Síochána of eleven allegations. It is recorded that the Health Service Executive notified five allegations to An Garda Síochána. And three allegations were received from An Garda Síochána (one of which was also notified to the Health Board).

\*\*The Order notified the Health Services Executive/Tusla of nine allegations. It is recorded that the Order received three allegations by the HSE/Tusla; while five allegations were not reported because the allegations were received by the Order after the death of the alleged priest. One allegation was reported directly to the HSE/Tusla by an individual acting for the alleged victim.

The reviewers had access to all safeguarding files generated by the Missionary Oblates of Mary Immaculate in Ireland. The files are well constructed, and organised under the name of the respondent Oblate with reference to the alleged victim(s). All of the allegations were brought to the attention of the Order between 1995 and 2012. Where dates are available, the reviewers note that the allegations received by the Oblates, date between the 1940s and 2009. There have been no convictions relating to any of the allegations made against Oblates.

The Oblates have received allegations against thirteen members between 1975 and the time of the review. Of the thirteen members, five are retired, one is out of ministry, one is in ministry, and six are deceased. With regard to the six deceased members, in five cases the allegations were received by the Order after the death of the member. The reviewers are satisfied with the response and management of the allegations relating to the deceased members of the Order.

The reviewers were impressed with the reporting procedure within the Oblates. There is no evidence of any current or historical delay in notifying the civil authorities of allegations against members of the Order. The reviewers were also satisfied with what appears to be a general consistency in response to safeguarding concerns within the Oblates.

In the following, each case of the living members will be detailed and issues that emerged discussed.

### **Member A**

There are three concerns which did not reach the threshold of allegations against Member A. Two relate to inappropriate touching and one to un-boundaried behaviour. They related to incidents which took place between 2005 and 2009.

The Oblates sought advice and interagency meetings were convened by the Health Services Executive (HSE), which included An Garda Síochána and consultation took place with the relevant diocese.

While none of the concerns reached the threshold of abuse, the Oblate safeguarding team sought to establish if there was any risk presented by Member A. They commissioned a number of independent assessments to guide their thinking and put in place support, advice and spiritual direction which included advice on appropriate boundaries, following the child safeguarding codes of behaviour of the Order and self-awareness.

Member A continues to receive support for his ministry to ensure that he is fully aware of appropriate behaviour with young people.

The reviewer notes that information has been appropriately shared, that there has been full co-operation with the civil authority agencies and that external professional advice has informed the management of this case.

### **Member B**

The Oblates received two anonymous allegations made against Member B dating back over 40 years. The Oblates reported them to the civil authorities who were not able to make further investigations because the source was anonymous.

The Oblates received a further allegation in 2009, against Member B, the allegation which was made by the parents of the child related to sexual abuse. This was reported to the civil authorities. Member B was stood aside from ministry and a risk assessment was carried out. The Oblate Advisory Panel recommended to the Provincial the permanent removal from ministry of Member B which immediately followed. In 2012 the complainant herself, brought her complaint directly to the Oblates alleging that Member B had sexually abused her on a number of occasions over a five year period.

The Order notified An Garda Síochána and the complainant made a statement to An Garda Síochána. The Director of Public Prosecutions made a direction of no prosecution regarding the matter.

The reviewers note that there are Covenant of Care plans relating to Member B on file and these will need to be reviewed on a regular basis.

### **Member C**

A third party anonymous allegation was made against Member C in 2009, relating to alleged abuse 50 years previous. The allegation was notified to both An Garda Síochána and HSE. The civil authorities were unable to confirm the details of the allegation. The Oblates did not receive a direct complaint, and the only information they received, was that from the civil authorities, they therefore were unable to take any action. Member C stood aside from active ministry on receipt of the allegation against him, and he is now retired.

### **Member D**

Two separate allegations were made against Member D and received by the Order in 2008 and 2009. Member D had retired in 2000, and is not in active ministry. The reviewers are satisfied that this case was managed appropriately and notified to the civil authorities without undue delay. The Oblates have confirmed to the HSE that Member D has no contact with children or young people in any capacity.

### **Member E**

An allegation against Member E was received by the Order in 1994. The allegation was received from An Garda Síochána. Upon receipt of the allegation the Order placed Member E on 'administrative leave' pending their investigation. It is recorded on file that the complainant also reported his concerns to the Health Board at the time. The Health Board conducted investigations and concluded there were no concerns of a child abuse nature; The Provincial determined, given the advice of the Health Board that an internal church inquiry was not required. Member E is retired in good standing.

**Member F**

An allegation against Member F was received by the Oblates in 2009. The allegation was notified to the Order by An Garda Síochána and refers to an anonymous complainant. Information regarding the complainant and the alleged abuse is limited; and at the time of Gardaí notification to the Order there has been no formal complaint made to An Garda Síochána. At the time of the allegation Member F was retired from active ministry. Given the allegation was made anonymously, it cannot be investigated. Member F is in good standing.

**Member G**

An allegation against Member G was made in 2012 and received by the Order from a third party via the HSE. It is recorded that the HSE were awaiting further contact with the alleged victim to continue their investigation, however after a number of months they were unsuccessful and the case was closed. The Oblates were unable to conduct any inquiries due to the lack of substantive information given to them.

Member G is in good standing.

The reviewer discussed with the Oblates care plans and Church inquiries. The reviewer is satisfied that care plans and monitoring are in place where appropriate. In a number of cases Church inquiries were not possible either due to the anonymity of the complainant or the age of the respondent.

### 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 the Oblates meet 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**

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

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>3.4</b>	The Church organisation provides guidance on appropriate/ expected standards of behaviour of, adults towards children.	Met fully
<b>3.5</b>	There is guidance on expected and acceptable behaviour of children towards other children (anti-bullying policy).	Met fully
<b>3.6</b>	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 fully

<b>3.7</b>	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 fully
<b>3.8</b>	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
<b>3.9</b>	Policies include guidelines on the personal/ intimate care of children with disabilities, including appropriate and inappropriate touch.	Met fully

**Criteria – Operating safe activities for children**

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

The Oblates have four parishes in Dublin – the Parish of Mary Immaculate; St Michael’s Parish; Our Lady of the Wayside and Our Lady Immaculate. There are eleven Oblate priests engaged in parish ministry in Ireland. The reviewers recognise, that in the three Dublin parishes, Oblate priests are subject to the Archdiocese of Dublin child safeguarding policies and procedures. It is evident that priority is given to the Archdiocese’s policies, yet the Oblates appropriately present their safeguarding documents as coexisting and complimenting the Archdiocese’s policies and procedures.

With regard to meeting the criteria required within Standard 3, the Oblates fair very well, meeting all of the requirements. The *Child Protection Policy of The Missionary Oblates of Mary Immaculate Ireland (2011)* acknowledges that ‘safe practice starts with safe recruitment’ and sets out principles and processes to ensure the suitability of members, volunteers and staff to work with children. To assist them in this, the Order commits to performing Garda vetting on all of its members (where those members are in full faculties and have potential contact with children), volunteers and staff.

The *Child Protection Policy of The Missionary Oblates of Mary Immaculate Ireland (2011)* includes a Code of Good Practice that states;

*Children and young people need warmth and security in order to thrive. Fostering a nurturing and affirming environment is therefore an essential element of church activities. This should always be reflected in the practice of Oblates and their co-workers who work with children and young people.*

Within the ‘Code of Good Practice’ policy and procedures are presented for *Meetings with Children and Young People; Health and Safety* – including the appropriate supervision of children and safeguarding requirements relating to activities; *Use of Computers; Trips away from Home; and Pilgrimages and Retreats.*

The Oblates Code of Good Practice also includes a comprehensive Code of Behaviour, and emphasis is placed on the adherence by all those working in Oblate ministries to the expected behaviours. The policy provides good guidance and is clear and concise in its direction. The code states:

*It is important that all those working in Oblate ministries or projects, including priests and brothers, employees and volunteers, should:*

- *Treat all children in a manner that fully respects their dignity and rights.*
- *Provide, in their personal behaviour, an example of good conduct at all times.*
- *Operate within the framework of Principles, Guidance and Specific Procedures laid down by the Oblates in Ireland in relation to safeguarding children.*
- *Respect each child’s boundaries.*
- *Help children develop an awareness and understanding of their own rights and a respect for the rights of others.*
- *Provide children with information as to how they can seek help if they have a problem, and from whom.*
- *Be visible to others when working with children.*
- *Be accompanied – children should be accompanied by two adults or, where in exceptional circumstances only one adult is available and the location is not open to public view, an open door policy will be implemented at all times.*
- *Challenge and report behaviour that is abusive or potentially abusive.*
- *Develop a culture where children can talk openly about their contacts with staff and others.*

Direction and guidance on ‘whistle blowing’ and ‘anti bullying behaviour’ are contained with the *Child Safeguarding Policy and Procedures Additional Guidance (2015)*. The reviewers are satisfied with the comprehensiveness of both policies.

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The reviewers consider Criteria 3.1 to 3.12 to be comprehensively addressed within the Oblates safeguarding policies and procedures. The reviewers found the Oblates policies and procedures regarding Standard 3 commendable.

**Standard 4**

***Training and Education***

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

**Criteria**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>4.1</b>	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.	Not met
<b>4.2</b>	Identified Church personnel are provided with appropriate training for keeping children safe with regular opportunities to update their skills and knowledge.	Met partially
<b>4.3</b>	Training is provided to those with additional responsibilities such as recruiting and selecting staff, dealing with complaints, disciplinary processes, managing risk, acting as designated person.	Met partially
<b>4.4</b>	Training programmes are approved by National Board for Safeguarding Children and updated in line with current legislation, guidance and best practice.	Met fully*

\*Training provided by the Archdiocese of Dublin, and availed of by the Oblates, is approved by the NBSCCCI.

While Section Six of *Child Protection Policy of The Missionary Oblates of Mary Immaculate Ireland (2011)* refers to the 'Recruitment and Training of Employees and Volunteers', the document does not provide a policy on training within the Order. The reviewers are aware that training is provided by the Archdiocese of Dublin; and the Oblates place emphasis on the Archdiocesan safeguarding policies and procedures. However, within their safeguarding documents, including the additional guidance produced in 2015, the Oblates have not committed to the provision of training for their members, staff, and volunteers. Despite this, the reviewers are aware that training has been provided to some of the personnel whose role brings them in contact with children, and the Safeguarding Plan 2015 – 2017 includes a training audit. The training audit to inform training needs within the Order is due for implementation in April 2016.

The Oblates safeguarding policies and procedures does not provide direction on the induction process for personnel who work with children. For this reason Criterion 4.1 is not met.

The reviewers are satisfied with the intent of the Oblates to provide training to Church personnel, however further emphasis should be placed on training, and ensuring that those who presently

have contact with children, are familiar with the safeguarding policies and procedures. With consideration to the above, the reviewers conclude that Criteria 4.2 and 4.3 are met partially.

**Recommendation 1**

**The Safeguarding Committee should develop an interim training plan, to ensure that those personnel who currently have a role with children are inducted to the safeguarding policies and procedures.**

## **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**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>5.1</b>	The child protection policy is openly displayed and available to everyone.	Met fully
<b>5.2</b>	Children are made aware of their right to be safe from abuse and who to speak to if they have concerns.	Met fully
<b>5.3</b>	Everyone in Church organisations knows who the designated person is and how to contact them.	Met fully
<b>5.4</b>	Church personnel are provided with contact details of local child protection services, such as Health and Social Care Trusts / Health Service Executive, PSNI, An Garda Síochána, telephone helplines and the designated person.	Met partially
<b>5.5</b>	Church organisations establish links with statutory child protection agencies to develop good working relationships in order to keep children safe.	Met fully
<b>5.6</b>	Church organisations at diocesan and religious order level have an established communications policy which reflects a commitment to transparency and openness.	Met fully

Information regarding the safeguarding structures within the Oblates is not displayed in all Oblates ministries. As previously mentioned, emphasis is placed on the Archdiocese of Dublin safeguarding policies and procedures, and in the Dublin parishes the Oblates do not display their child protection policy, opting instead to display the archdiocesan policy. This is a conscious decision by the Oblates to ensure clarity and avoid confusion. The reviewers acknowledge their intention, but would suggest that consideration be given to how contact details may be made available to complainants who wish to make contact with the Oblates directly and not the Archdiocese. The Oblate safeguarding policies are

available for download on their website (<http://www.oblates.ie>) and the designated person's contact number and email address is also provided.

The 2015 additional safeguarding document provided the contact number of the DLP on pages 8 and 11. However, there is no facility within either document where Church personnel are provided contact details for local child protection statutory services. Criterion 5.4 is deemed to be met partially.

The Oblate safeguarding policies and procedures documents do not have a written communication policy. While the reviewers acknowledge that the Order use its website appropriately in communicating the safeguarding message, there was little evidence of further communication to circulate the Orders openness to safeguarding issues. Therefore, Criterion 5.6 is considered partially met.

**Recommendation 2**

**The Safeguarding Committee should review how the Order communicates its safeguarding message; and having done so, develop an appropriate safeguarding communications plan.**

**Recommendation 3**

**The Safeguarding Committee must ensure that the Oblates safeguarding documents provide contact details for local child protection agencies.**

**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**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
<b>6.1</b>	Church personnel with special responsibilities for keeping children safe have access to specialist advice, support and information on child protection.	Met fully
<b>6.2</b>	Contacts are established at a national and/ or local level with the relevant child protection/ welfare agencies and helplines that can provide information, support and assistance to children and Church personnel.	Met fully
<b>6.3</b>	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
<b>6.4</b>	Information is provided to those who have experienced abuse on how to seek support.	Met fully
<b>6.5</b>	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 fully

As mentioned earlier, the Oblates have parishes within the Archdiocese of Dublin and have availed of training and support from the Archdiocesan Child Protection Office. This is evidenced on file. The Oblates are also subject to the Department of Education and Skills safeguarding policies and procedures in their community based childcare facilities. Again, the staff have benefited from advice, support and training from the Department of Education and Skills. There is also evidence on the Oblates files of safeguarding personnel utilising the NBSCCCI for specialist advice and support; and working closely with the civil authorities on child protection matters. Where the Order was seeking sexual behaviour risk assessments for respondent priests, they have availed of national and international agencies. The reviewers are satisfied the Oblates have developed practical and useful communication with a range of professional bodies to provide

support and advice on child protection. The requirements of Criteria 6.1 and 6.2 are deemed to be met fully.

The Oblates safeguarding documents of 2011 and the additional guidance document 2015, both provide extensive direction on hearing and managing concerns, allegations and disclosures of abuse. The reviewers were impressed with the comprehensive detail contained within the safeguarding documents on this subject. The guidance provided is consistent with the requirements of Criterion 6.3, which is considered to be met fully.

The Oblates files provide examples of occurrences where pastoral care, advice and support was provide to alleged victims, where appropriate. The Order has also compiled a three-page document that provides a directory of support services, and is titled *Information for survivors and their families*. The information also expresses the Oblates commitment to providing ‘*support to victims of clerical abuse whenever they are required*’. Criterion 6.4 is met fully.

The reviewers consider it worthy of note that the Oblates’ *Child Protection Policy of The Missionary Oblates of Mary Immaculate Ireland (2011)* provides direction on listening to a person who admits abusing a child.

The safeguarding document also sets out the role of the priest advisor; *‘The Adviser shall represent the needs of the respondent to the Oblate authorities and assist, where appropriate, with the care of the respondent and with communication between the respondent, the Designated Officer and the Oblate authorities. Advisers should be particularly alert to the sense of isolation and vulnerability that a respondent may experience following an allegation of this nature’*. (page 21-22)

The response by the Oblates to respondent priests as evidenced on their files, and their practice in accordance with safeguarding policies, meets the requirements of Criterion 6.5.

## 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**

<b>Number</b>	<b>Criterion</b>	<b>Met fully or Met partially or Not met</b>
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.	Met fully
7.5	All incidents, allegations/ suspicions of abuse are recorded and stored securely.	Met fully

The Oblates of Mary Immaculate have a Safeguarding Plan 2015 – 2017. Within this document the Oblates commit to creating ‘*a safe environment for all*’, and recognise the rights and dignity of all children; they express a commitment to their support and safeguarding. The Safeguarding Plan outlines a number of key target areas;

- A review of the Oblates Safeguarding Policy with an expected completion date of December 2015.
- Implementation of recommendations from the NBSCCCI safeguarding review.
- Review of vetting policy and procedures
- Training audit and audit of activity to be completed by April 2016
- Website update to include reviewed safeguarding material.

While the reviewers welcome the Safeguarding Plan, future effort should be made to ensure a review of the Oblates Safeguarding Policy no longer than every three years as set out by Criterion 1.4. Efforts should also be made to address training deficits prior to April 2016.

Responsibility for implementing the safeguarding plan is also set out, and shared between the Order’s Provincial, the DLP and the Safeguarding Committee. Having met the Safeguarding Committee, the reviewers are confident in their competence and

commitment to fulfil their role under the safeguarding plan. However, the Oblates' policies and procedures do not include the Safeguarding Committee within their 'safeguarding structures and personal' section of their document, as the document was produced before the Committee was established. The responsibilities relating to the safeguarding committee and their implementation of safeguarding measures within the Order is therefore not defined. While this lack of clarity does not appear to hinder the activities of the committee, it does cause confusion within the group as to the precise safeguarding responsibilities they are charged with. The Oblates have advised that this committee's role will be set out following the adoption of the revised National policy in 2016 and thus ensure clarity of role for the Safeguarding Committee.

The Oblates have committed considerable resources to their safeguarding practices and policies. The reviewers are satisfied that child safeguarding is an engrained component of Oblate religious life and activities.

The reviewers are satisfied that the requirements of Criteria 7.1 to 7.5 are met fully by the Oblates of Mary Immaculate safeguarding policies and procedures.

## **Recommendations**

### **Recommendation 1**

**The Safeguarding Committee should develop an interim training plan, to ensure that those personnel who currently have a role with children are inducted to the safeguarding policies and procedures.**

### **Recommendation 2**

**The Safeguarding Committee should review how the Order communicates its safeguarding message; and having done so, develop an appropriate safeguarding communications plan.**

### **Recommendation 3**

**The Safeguarding Committee must ensure that the Oblates safeguarding documents provide contact details for local child protection agencies.**

**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 Diocese by individuals or by the Civil Authorities in the period 1<sup>st</sup> January 1975 to 1<sup>st</sup> June 2010, against Catholic clergy and/or religious still living and who are ministering/or who once ministered under the aegis of the Diocese and examine/review and report on the nature of the response on the part of the Diocese.

2. If deemed relevant, select a random sample of complaints or allegations, knowledge, suspicions or concerns of child sexual abuse, made to the Diocese by individuals or by the Civil Authorities in the period 1<sup>st</sup> January 1975 to 1<sup>st</sup> June 2010, against Catholic clergy and/or religious now deceased and who ministered under the aegis of the Diocese and examine/review and report on the nature of the response on the part of the Diocese.

3. To ascertain all of the cases during the relevant period in which the Diocese:

- 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 Diocese.

4. To consider and report on the following matters:

- Child safeguarding policies and guidance materials currently in use in the Diocese and an evaluation of their application;
- Communication by the Diocese with the Civil Authorities;
- Current risks and their management.

**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 1990<sup>1</sup> 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.

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<sup>1</sup> 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.

**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 1<sup>st</sup> January 1975 to 1<sup>st</sup> June 2010 and must be selected randomly in the presence of an independent observer.

**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.