



THE NATIONAL BOARD FOR
SAFEGUARDING CHILDREN
IN THE CATHOLIC CHURCH

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

The Religious Sisters of Charity

undertaken by

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

Date: 17th February 2015

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Background

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

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

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

This report contains the findings of the *Review of Safeguarding Practice within the religious congregation of the Religious Sisters of Charity* 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 Religious Sisters of Charity along with any recommendations arising from the findings.

This review is also based on case material as there have been 14 allegations of abuse made against the order on record. These comprise of 4 allegations against deceased religious Sisters of the Congregation and 10 lay employees; while the terms of reference do not include lay employees, brief reference will be made to the existence of civil cases as a consequence of abuse perpetrated by lay employees.

Consequently as there are no allegations against any existing members, there is no necessity for any protection plans in regard to any current member of the Religious Sisters of Charity.

1. Introduction

The Religious Sisters of Charity were founded in Ireland in 1815 by Mother Mary Aikenhead. They currently have ministrations in three continents, being present in Malawi, The British Isles (Ireland, England & Scotland) California, Nigeria and Zambia.

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

The Religious Sisters of Charity have had a significant role in the care of children in Ireland across a range of educational and health care settings. Historically the Sisters worked in a wide variety of settings, including in National / Secondary Schools; Industrial Schools; Orphanages; Care Homes; Homework clubs/ breakfast clubs; Home school liaison; Sodalities; Retreat Work and in Sacramental Preparation. In addition the Sisters of the Congregation cared for children in:

- Cappagh Hospital (No longer under the care of the Congregation)
- St. Mary's Hospital, Baldoyle (No longer under the care of the Congregation)
- Temple St. Children's Hospital (No longer under the care of the Congregation)
- Linden Convalescence unit (Children's section (now closed))
- St. Anthony's Herbert Avenue – convalescence unit for children from Temple St. Hospital (now closed)

Training schools belonging to the Congregation were located in Clonmel, Waterford and Stanhope Street. Training centres previously existed in Ballaghaderreen and St. Josephs Kilkenny; these facilities were separate from the industrial schools and were managed by the Sisters and members of the Congregation who also worked in them; all the Training Schools and Training Centres are now closed.

The Congregation also managed and worked in Magdalene homes in Donnybrook and Cork. A small number of admissions to these homes were young people under the age of 16.

Chapter 16 of the Report into The Commission to Inquire into Child abuse details the Congregation of the Religious Sisters of Charity, their Governance and their responsibilities towards children in their care.

Today the Sisters maintain a relatively high profile role with children. In education they are involved in both primary and secondary schools in voluntary capacities as board members, chaplains, learning support providers and one Sister works as a teacher.

The Haven Adult Education Centre, which is based in Dublin's south inner city, Basin Lane, provides opportunities for adults to improve their situation educationally, socially and personally. (thehavenbasinlane.ie). There is a separate entity which is a preschool called Creative Kids, but there are no Sisters involved in this initiative.

A new form of education was pioneered by one of the Sisters in 1991 with The Young Social Innovators programme. More than 30,000 young people from the four provinces of Ireland have been involved in community action trying 'to change our world for good'. (youngsocialinnovators.ie).

Within Health Care, the Sisters minister as Chaplains; the Sisters also work in pastoral and social work and run a retreat centre near Dublin and a spirituality centre in Dublin.

3. Profile of Members:

There are 213 living members of the Congregation present in Ireland. The median age of the sisters is 76 years.

Current work in Ireland with children includes work in

- Primary Schools- mainstream and special education
- Secondary schools
- Music school – in association with primary schools
- Parish sacramental preparation – in teams
- Pastoral care/ chaplaincy
- Retreat work- groups/teams
- Membership of school boards of management
- Administration assistance in schools
- Education office

The reviewer had access to a comprehensive list of named Sisters who are currently involved in the above work. These names are not reproduced in this report however the numbers involved are as follows.

- 17 Sisters engaged in education ministry
- 1 teaches in the Star of the Sea PS Tramore
- 1 Voluntary Chaplain Manor Street Dublin
- 2 Voluntary Pastoral workers in Mount Carmel Secondary School Dublin
- 1 Voluntary pastoral worker in St. Mary's Baldoyle
- 1 Voluntary Chaplain. Administrator in Colaiste Mhuire Dublin
- 1 Voluntary pastoral worker in Scoil Mhuire Na N-Angel Clonmel
- 1 voluntary resource teaching/ pastoral work in St. Josephs PS Manor Street Dublin
- 1 Voluntary Chaplain Assumption Secondary school Walkinstown
- 1 voluntary coordinator Crumlin Music Centre Dublin
- 1 voluntary administration worker/ pastoral care worker in St. Josephs Secondary School Manor St. Dublin
- 1 voluntary pastoral care worker Assumption Junior School Walkinstown Dublin
- 1 voluntary administration work Clarinbridge NS Galway
- 1 voluntary resource teaching Basin Lane PS Dublin
- 1 voluntary Chaplain/ pastoral care St. Vincent's Secondary School Cork
- 1 Rainbows Bereavement programme Assumption PS Walkinstown
- 1 Sister involved in special project to re-integrate young people into mainstream education
- 2 Sisters are working in the Education office of the order (Administration)
- 11 Sisters are engaged in Boards of Management of schools, primary and secondary.
- 6 Sisters are engaged in Parish/school Sacramental preparation (Working in teams)
- 10 Sisters are directly involved in family work – parents are always present with children in these occasions. Some of these families are of non-national origin, the

sisters involved teach or have taught English to the parents; where this work is finished- outreach / support services still continue to be offered.

Total numbers involved amounts to 40 Sisters, some Sisters have dual roles.

All Sisters involved in the above ministries are fully cognisant of the appropriate child protection/ safeguarding policies relevant to their place of work. Sisters who minister in schools operate under the child protection guidelines as laid down by the Department of Education circular 65/11; Sisters who are engaged in parish / community ministry operate under the child safeguarding protection guidelines of the parish/diocese. They are also required to follow the congregational policy and guidelines.

4. Policy and Procedures Document:

There is a clear understanding on the part of the Congregation of the necessity to create and implement a child protective environment within the organization. This is evidenced for example by the inclusion of child protection and safeguarding, as a standing item on the agenda of the provincial council. Minutes of these meetings reflect the weight afforded this by the order. Also, detailed training records and plans show that this process is an ongoing one, which continues to be an important focus of the orders ministry. Training to date follows NSBCCCI training guidelines. This is further evidenced by a clear commitment on the website by the Congregation to ensuring the promulgation and adherence to the child protection process in all aspects of the orders work and the biannual updating of the policies and procedures.

There is also a clear, direct statement, on behalf of the Congregation, that all those who work for “outside” agencies e.g. schools, breakfast clubs, familiarise themselves with the child protection policies of these agencies. Indeed, if no such policies are available or present, the relevant Sister is advised to discuss the issue with the provincial leadership team and seek guidance in relation to their position.

The Congregation’s safeguarding policy and procedures document includes responsibilities towards both children and vulnerable adults. It is a comprehensive document which provides guidance on the management and procedural processes involved in the receipt and management of allegations, stating clearly the responsibilities around reporting all allegations to the civil authorities and to the NSBCCCI.

The policy notably references processing of allegations of abuse against Sisters of the Congregation, which relate to the past. There is a clear commitment to the process of pastoral response on the part of the Religious Sisters of Charity to past residents of institutions run by the Congregation and to victims of abuse.

While this is highly commendable the reviewer notes that the child protection document is not formatted with reference to the seven standards as outlined in *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland*. There are references to recruitment and vetting, code of behavior as well as management of bullying. The deficits within the document relate to Standard 4 on *Training*, Standard 5 on *Communication* and Standard 6 relating to *Advice and Support*. There is no evidence of a whistle blowing or general complaints policy as required under the Church’s safeguarding standards.

The reviewer notes the imminent publication of revised child safeguarding standards and guidance by the NSBCCCI and would recommend that when available the Religious Sisters of Charity policy document is redrafted as per the updated standards.

Recommendation 1

The Provincial Leader should liaise with NSBCCCI about the development of clear detailed child safeguarding policy and procedures which covers all aspects of the NSBCCCI's standards. The Congregations policy and procedure document needs to be formatted in line with NSBCCCI standards. The current policy document must reflect the application of all seven standards in a much clearer and more concise way. Given that the NSBCCCI is currently revising its own guidance document the reviewer would suggest that the Congregation wait until the publication of the new NSBCCCI standards before redrafting their own policy and procedure document.

All active Sisters should receive training on any revised policy.

5. Structures:

There is now evidence of a consistent and structured approach to the issue of child safeguarding. The Provincial Council regularly discuss child safeguarding as reflected in the minutes of the Provincial Council Meetings. In addition the Congregation has established a safeguarding committee, two nominated designated liaison persons, and An Garda vetting coordinator, all who contribute to the Congregation's safeguarding policy and practice.

The Sisters have a comprehensive training plan and have delivered and attended training.

In terms of survivor support, there is a clear policy and procedural approach to responding to and offering support for victims.

The Congregation does not have an advisory panel and given the number of allegations they have had to deal with it is recommended that they either establish a panel or join the NSBCCCI's National Case Management Reference Group (NCMRG) for advice on managing allegations.

Recommendation 2

The Provincial Leader must consider the establishment of a panel to offer advice on case management issues or join the NSBCCCI's National Case Management Reference Group (NCMRG).

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

There have been 14 allegations of child abuse against members of the Congregation or employees of the Congregation up to 2014.

Four of the allegations relate to deceased sisters. The allegations were reported to An Garda Síochana in 2010 and 2011. These are:

Sister A – An allegation of physical abuse made through a solicitor against a Sister now deceased. Congregation has attempted to contact alleged victim, to offer support and continues to do so, to date there has been no response.

Sister B – An allegation by way of an email to the Archdiocese of Dublin in relation to physical abuse against another deceased Sister; in this case a response was made to the complainant, but there has been no further contact from the complainant.

Sister C - This allegation made through a letter to the Board of management of a school attended by complainant, again relating to physical abuse by a deceased Sister. The Congregation responded appropriately, and is awaiting response from claimant.

Sister D – This fourth complaint, again against a deceased sister, also relates to physical abuse was responded to with an offer of pastoral support.

As already stated all these allegations relate to deceased members of the Congregation and cannot be processed through any criminal proceedings, and there are no safety plans necessary.

Five cases against lay employees were dealt with in the High Court prior to the Redress Board; A sixth case was a visitor to an industrial school and did not come under the remit of the Redress Board. Neither of these cases comes under the remit of this review.

In addition there are three further cases where civil action is currently being pursued. Two of these civil cases relate to lay employees which fall outside the remit of this review. One relates to an un-named Sister and an un-named seminarian. This allegation involves physical and sexual abuse; this case was brought to the courts five years ago; there has been no follow up to this on the part of the complainant in the past two years; the case remains on the court list, and the Congregation is awaiting further developments on this, and is ready to offer support to the complainants when they, the complainants feel it is the appropriate time.

The final case which has recently been brought to the attention of the Congregation relates also to a lay employee, this has been reported to An Garda Síochána. Its management falls outside the terms of reference of this review.

As stated above, complaints have been received through third parties or through solicitors letters, this has made the response challenging as legal advice has been not to directly contact the complainant. Advice from the NBSCCCI is that a pastoral response should always be offered, even where the complaint is received through a solicitor's letter as part of civil proceedings.

While the Congregation has considerable number of allegations to deal with, four relate to deceased members and one to an un-named Sister and therefore there has been no requirement for the Congregation to develop safety plans. There have been no allegations against living Sisters.

There is one further case which the Congregation is assisting An Garda Síochána with their inquiries which relates to a child in a Special School run by the Congregation, but does not relate to abuse by a member or employee of the Congregation.

7. Conclusion:

Clearly the Religious Sisters of Charity have had considerable ministry with children. Much of their ministry involved children in education and in the Care system.

Complainants have made application through the Redress scheme; others have chosen to apply through civil proceedings for compensation for the abuse perpetrated upon them while in the care of the Sisters.

The Congregation remains a large one, by Irish standards today, and although an increasingly aging Congregation, many of the Sisters are still active in ministry with children.

Given that the Provincial Team needs to put in place clear policies and procedures in line with the NBSCCCI's standards which address aspects of prevention as well as responding to allegations. There is further a need to induct all active Sisters in these procedures.

In addition, to support the management of allegations the Sisters need to establish an Advisory Board or join the NSBCCCI's National Case management Reference Group, so that they can access external lay and professional advice. Recommendations have been made in relation to each of these issues.

Review of Child Safeguarding in the Catholic Church in Ireland

Terms of Reference

Small Religious Congregations

(which should be read in conjunction with the accompanying Notes)

Introduction

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

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

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

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

The proposed review would consider the following:-

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

The objective of the review would be to confirm if there have been any allegations and how known allegations have been responded to; in addition the review seeks to confirm what the current arrangements for safeguarding children are. In particular, emphasis will be placed on establishing how policies and practice match up to the standards set down in *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* published by the National Board for Safeguarding Children in the Catholic Church in Ireland and launched in February 2009. Priority, at all times, will be given to how policy and practice can be improved and strengthened. If policies and/or practices are identified that are concerning, inadequate, or dangerous, they will be addressed through the provision of guidance and support, and through the reporting of these situations to the appropriate statutory authorities, if this has not already happened. Similarly, those that are good examples will be highlighted with a view to them being adopted comprehensively across all parts of the Church. All cases that relate to alleged or known offenders that are alive will be read and included in the review. In cases where the alleged or known offender is deceased, these will be sampled in an attempt to gather learning from them that will be used to inform the framing of recommendations.

Guidance Documents

The review will be guided by the following:-

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

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

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

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

Step Guide to the Review Process

Step 1.

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

Step 2.

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

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

Step 3.

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

Step 4.

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

Step 5.

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

Step 6.

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

Step 7.

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

Step 8.

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

Step 9.

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

Step 10.

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

Step 11.

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

Step 12.

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

Step 13.

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

Step 14.

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

Step 15.

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

Step 16.

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

Step 17.

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

Step 18.

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

Step 19.

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

Step 20.

The report will be legally proofed by NBSCCCI lawyer.

Step 21.

The report will be forwarded to the NBSCCCI for approval

Step 22

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

Step 23.

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

Guide for Reviewers

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

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

In relation to category 1 above;

1. The reviewers will establish whether any service they provided is included in the list of children's residential services produced by the Residential Institutions Redress Board (RIRB);
2. If this is the case, reference should be made to this.

3. If complaints have been referred to the Redress Board or Ryan Commission, this review cannot access these records and that will be stated in the report.
4. If the order has received complaints which have not been processed through Redress or Ryan these cases will be thoroughly examined as detailed above.

Review of Policy and Procedures

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